

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

***DRAFT VARIATION TO THE TERRITORY PLAN NO.81:
MONARO HIGHWAY REALIGNMENT (WILLIAMSDALE)
AND
MINOR CORRECTIONS***

**REPORT NO.40
OF THE
STANDING COMMITTEE ON PLANNING AND ENVIRONMENT**

NOVEMBER 1997

STANDING COMMITTEE ON PLANNING AND ENVIRONMENT

Resolution of appointment of the Standing Committee on Planning and Environment:

[that] a Standing Committee on Planning and Environment [be established] to examine matters related to planning, land management, transport, commercial development, industrial and residential development, infrastructure and capital works, science and technology, the environment, conservation, heritage, energy and resources...

[And that the committee] inquire into and report on matters referred to [it] by the Assembly or matters that are considered by the committee to be of concern to the community.

[Further, that] if the Assembly is not sitting when the Standing Committee on Planning and Environment has completed consideration of a report on draft Plan variations referred pursuant to Section 25 of the *Land (Planning and Environment) Act 1991* or draft Plans of Management referred pursuant to Section 203 of the *Land (Planning and Environment) Act 1991*, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation.

Minutes of Proceedings (Third Assembly) No.1 Thursday 9 March 1995, amended 22 June 1995

Committee Membership

Mr Michael Moore MLA (Chair)

Ms Roberta McRae, OAM MLA (Deputy Chair)

Ms Lucy Horodny MLA

Mrs Louise Littlewood MLA

Secretary: Mr Rod Power

Background

1. Sections 25 and 26 of the *Land (Planning and Environment) Act 1991* require the Executive to refer draft Variations to the Territory Plan to an appropriate committee of the Legislative Assembly for report, and for the Executive to then have regard to the committee's recommendations before approving any Variation. The Standing Committee on Planning and Environment is the appropriate committee to consider such draft Variations.

2. On 18 November 1997 the Minister for the Environment, Land and Planning, Mr Gary Humphries MLA, referred to this committee the draft Variation and background papers relating to draft Variation to the Territory Plan No.81: *Monaro Highway Realignment (Williamsdale) and Minor Corrections*.

The draft Variation

3. In relation to the Monaro Highway, the draft Variation proposes to:

- change the Land Use policy for the new proposed Monaro Highway alignment from Rural to Designated Area;
- change the land Use policy for the former highway alignment from Designated Area to Rural; and
- change the overlay 'Special requirements apply flanking Major Avenues & Approach Routes', to follow the new designated areas on the Monaro Highway.

4. In relation to 'Minor Corrections to the Territory Plan', the draft Variation proposes to amend the Territory Plan Written Statement by including 'road' as a permitted use in the Land Use schedules for the Rural and Broadacre Land Use policy Areas. There are no other changes to the Land Use schedules. Roads in these areas would be subject to the requirements for Preliminary Assessment as set out at Appendix II of the Plan. The draft Variation is intended to address an error in the Plan (rather than a deliberate omission), since roads already exist in these areas and are considered an appropriate and necessary use.

Consideration by the committee

5. On 27 November 1997 the committee considered the draft Variation at a private meeting.

Recommendation

6. *The committee endorses the draft Variation to the Territory Plan No.81: Monaro Highway Realignment (Williamsdale) and Minor Corrections.*

Postscript

7. The *Land (Planning and Environment) Act 1991* requires the A.C.T. Executive to have regard to any recommendation contained in a report of an appropriate committee of the Legislative Assembly before approving a draft Variation to the Territory Plan. If it does approve a draft Variation following the committee's report, the Executive must table its decision within five sitting days of approval.

8. A further five sitting days is then provided for any Member of the Assembly to move that the Variation be rejected in whole or in part. Any such motion must be dealt with by the Assembly within five sitting days.

9. If a Variation is not rejected by the Assembly, the A.C.T. Planning Authority (now the Planning & Land Management Group of the Department of Urban Services) will publish a notice in the *Gazette* specifying the date of commencement of the Variation.



Michael Moore MLA
Chair

27 November 1997