

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

***DRAFT VARIATION TO THE TERRITORY PLAN NO.78: HERITAGE PLACES
REGISTER (THIRD VARIATION)***

**REPORT NO.36
OF THE
STANDING COMMITTEE ON PLANNING AND ENVIRONMENT**

OCTOBER 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 10 October 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.78: *Heritage Places Register (Third Variation)*.

The draft Variation

3. The draft Variation proposes to enter the following six additional places onto the Heritage Places Register:

- Aboriginal chert quarries at Gungahlin;
- the Brassey Hotel (Brassey House) at Barton;
- the Free Serbian Orthodox Church and murals, Parish of St George (at Forrest);
- Huntly grazing property (at Stromlo);
- the Melbourne and Sydney buildings in Civic; and
- the Tuggeranong Boundary Marker complex at Greenway.

Consideration by the committee

4. On 31 October 1997 the committee held a public hearing on the draft Variation. Government officials from A.C.T. Heritage and from the Planning & Land Management Group of the Department of Urban Services briefed the committee and responded to questions.

5. Members of the committee queried the significance, and usefulness, of listing the boundary marker complex at Greenway. Also, members asked whether the heritage listing of the central courtyards and London Plane trees in the Sydney and Melbourne buildings would unnecessarily constrain the long-term use of the buildings.

6. Officials considered that the listing of the boundary marker was warranted because of its historical significance; and that the preservation of the courtyards and trees in the Sydney and Melbourne buildings would not unduly limit the future use of the buildings.

Recommendation

7. *The committee endorses the draft Variation to the Territory Plan No.78: Heritage Places Register (Third Variation).*

Postscript

8. 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.

9. 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.

10. 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

31 October 1997