



Legislative Assembly for the Australian Capital Territory

**Draft Variation to the Territory Plan No.123 relating to
Griffith Section 39 Block 18 (Part)**

Report No.21 of the Standing Committee on Urban Services

March 1999

On 28 April 1998 the Legislative Assembly for the Australian Capital Territory resolved to establish a general purpose standing committee, called the Standing Committee on Urban Services, to inquire into and report on:

planning and lease management, road and transport services, housing and housing assistance, government purchasing and public utilities purchasing, electricity industry and regulation, construction industry policy, parks and forests, private sector employment inspectorate, building services, environment, heritage and municipal services and any other matter under the responsibility of the portfolio minister.

Also on the same day, the Legislative Assembly resolved:

If the Assembly is not sitting when the Standing Committee on Urban Services 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, circulation and publication.

Minutes of Proceedings (Fourth Assembly) No.2, 28 April 1998

Committee Membership

Mr Harold Hird MLA (Chair)
Mr Dave Rugendyke MLA (Deputy Chair)
Mr Simon Corbell MLA (appointed on 25 June 1998, replacing
Mr Wayne Berry MLA)

Secretary: Mr Rod Power

Background

1. Section 25 of the *Land (Planning and Environment) Act 1991* requires the government to refer each draft Plan Variation:
to an appropriate committee of the Legislative Assembly together with a request that the committee report on the draft Plan to the Legislative Assembly.
2. Section 26 of the Land Act states that 'the Executive shall have regard to any recommendations' of the appropriate Assembly committee.
3. The Standing Committee on Urban Services is the 'appropriate' committee in the Fourth Assembly.
4. On 10 February 1999 the Minister for Urban Services, Mr Smyth MLA, referred to this committee the draft Variation and background papers relating to draft Variation No.123: *Griffith Section 39 Block 18 (Part)*.

The draft Variation

5. The draft Variation proposes to change the Land Use Policy shown in the Territory Plan Map, for part of Block 18 Section 39 Griffith, from Urban Open Space to Residential and also remove the Public Land Overlay from the changed Land Use Policy Area.

Consideration by the committee

6. On 5 March 1999 the committee was briefed on the draft Variation by officials from PALM. The committee found this briefing very helpful.

Recommendation

7. The committee endorses draft Variation to the Territory Plan No.123: *Griffith Section 39 Block 18 (Part)*.

Postscript

8. The *Land (Planning and Environment) Act 1991* requires the ACT 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 ACT 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.

Harold Hird MLA
Chair

5 March 1999