



Legislative Assembly for the Australian Capital Territory

Draft Variation to the Territory Plan No.105
Symonston section 103 block 6 Mugga Mugga

Report No.14 of the Standing Committee on Urban Services

October 1998

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 14 September 1998 the Minister for Urban Services, Mr Brendan Smyth MLA, referred to this committee the draft Variation and background papers relating to draft Variation No.105: *Symonston section 103 block 6 Mugga Mugga*.

The draft Variation

5. The draft Variation proposes to amend the Territory Plan map to identify the historic Mugga Mugga property as Public Land for the purpose of a Special Purpose Reserve. This will mean that the Conservator of Flora and Fauna will be required to prepare a plan of management for the 17 hectare site.
6. It is also proposed to update the relevant Area Specific Policy and the Heritage Places Register entry in the Plan’s Written Statement to allow for more recent developments and to reinforce heritage protection of the property. The Variation will expand the list of permitted uses to include “cultural facility” and “educational establishment”.

Consideration by the committee

7. On 30 October 1998 the committee was briefed on the draft Variation by government officials from PALM.

Recommendation

8. The committee endorses draft Variation to the Territory Plan No.105: *Symonston section 103 block 6 Mugga Mugga*.

Postscript

9. 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.

10. 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.

11. 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

30 October 1998