

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

*DRAFT VARIATION TO THE TERRITORY PLAN (NO.49)
FOR
DEAKIN SECTION 35 BLOCK 18*

**REPORT NO.8
OF THE
STANDING COMMITTEE ON PLANNING AND ENVIRONMENT**

FEBRUARY 1996

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)
Mr Wayne Berry MLA (Deputy Chair)
Ms Lucy Horodny MLA
Mr Trevor Kaine 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 3 January 1996 the Minister for the Environment, Land and Planning, Mr Gary Humphries MLA, referred to this committee the draft Variation and background papers relating to a draft Variation to the Territory Plan (No.49) for Deakin Section 35 Block 18.

The draft Variation

3. The draft Variation proposes to change the Land Use Policy for the Block from “Community Facility” to “Corridors and Office Sites (Commercial E)”.

4. The proposed change will enable a proposed extension to an existing building, used for medical and pathology laboratories and consulting rooms, to be used for a broader range of community and office uses.

Consideration by the committee

5. The committee was briefed by a senior ACTPA official on 2 November 1996 in relation to the draft Variation.

Recommendation

6. *The committee endorses the draft Variation to the Territory Plan (No.49) for Deakin Section 35 Block 18.*

Postscript

7. 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.

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 ACT Planning Authority will publish a notice in the *Gazette* specifying the date of commencement of the Variation.

Michael Moore MLA (Chair)

2 February 1996