



**Australian Government**  
**National Capital Authority**

Senator R Lightfoot  
 Chairman  
 Joint Standing Committee on the  
 National Capital and External Territories  
 Parliament House  
 CANBERRA ACT 2600



Dear Senator Lightfoot

**JOINT STANDING COMMITTEE ON THE NATIONAL CAPITAL AND EXTERNAL TERRITORIES INQUIRY INTO THE ROLE OF THE NATIONAL CAPITAL AUTHORITY**

I have enclosed with this correspondence responses to the questions placed on notice by the Committee in relation to the inquiry into the Role of the National Capital Authority.

We trust that the information placed before the Committee in the Authority's submission in May 2003, and subsequent presentation on 19 September 2003, provides a comprehensive description of the role of the Authority as set out in the *Australian Capital Territory (Planning and Land Management) Act 1988*.

In reviewing the Authority's responses to questions from Mr Cameron Thompson regarding the Canberra bush fires of January 2003, I have attached to further assist the Committee, the account of actions taken after the fires by the Authority as reported in the 2002-03 National Capital Authority Annual Report.

Further, to expand on our reply to Mr Cameron Thompson's question (Hansard NCET p.214 19 September 2003), *'In consideration of the adequacy or whatever of the National Capital Plan can you tell me whether there has been any review or any looking again at that following the fires'*, the Authority was most conscious of the potential implications, particularly with regard to environmental issues, land use and landscape character, for the Rural areas and the National Capital Open Space System (NCOSS) as defined in the Plan.

By way of background, after the 2001 Christmas fires the Authority recommended to the Territory that a joint planning study be undertaken to address those areas of pine forest and native landscape burnt out in the area around the National Zoo and Aquarium and Yarramundi Reach.

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ABN 75 149 374 427

Prior to the 2003 fires, the ACT Government draft Spatial Plan had also identified as 'urban capable' some land within the NCOSS. Urban uses in these areas are not currently permissible in the Plan. Much of this land was burnt out in the 2003 bushfires.

On 31 January 2003, the Authority wrote to ACT Planning and Land Management (PALM) confirming the previous offer of a joint study and recommended that it would be advantageous to work together in considering any planning and development issues in the NCOSS areas affected by the 2003 fires (correspondence attached). A reply was not forthcoming but on 19 February 2003, the ACT Chief Minister announced a study into the non-urban bushfire affected areas. The Authority accepted an invitation to join that steering committee. This work was conducted separately to the PALM draft Spatial Plan, and an Urban Edge study (also undertaken by PALM) which is addressing bushfire abatement and the concept of bushfire prone areas. PALM responded to the earlier correspondence on 21 February 2003 (correspondence attached).

In May 2003 the Authority proposed a joint study with PALM (and offered up to \$50,000), on the growth scenarios posed in the draft Spatial Plan, particularly the new 'urban capable' land identified. On 12 February 2004 a letter confirming this offer was sent to the ACT Planning and Land Authority (ACTPLA), that was established on 1 July 2003. ACTPLA has accepted this approach and a consultancy is expected to be issued in the near future.

I trust that this information will assist the Committee. Thank you for the opportunity to present evidence to the inquiry on behalf of the National Capital Authority.

Yours sincerely



Annabelle Pegrum  
Chief Executive

4 March 2004

### 3. Bushfires and drought

Natural disasters created extraordinary circumstances in the National Capital during the year. These have had a significant effect on the Canberra community and may have long-term ramifications for the planning and development of the city.

#### Bushfire

On 18 January 2003 a bushfire devastated some 160 000 hectares of the city including farmland, nature reserves, national parks and plantation forests, and 491 houses were destroyed. Tragically, four people lost their lives and many others were injured. The ACT Government imposed a State of Emergency which remained in force until 28 January 2003.

On 19 January the Authority offered its support and assistance to the ACT Chief Minister. On 20 January the Authority issued a general Works Approval to ACT Government Emergency Services for any emergency service works related to the fires in Designated Areas under the National Capital Plan (the approval remained active until 28 February 2003). On 24 January the ACT Department of Urban Services accepted the Authority's offer to set up a temporary green waste chipping site at Yarramundi Reach to help them with their capacity shortage. On 27 February approval was also given to the Department for a temporary contaminated waste disposal site within the Stromlo Forest.

The Authority also took immediate action to support ACT Planning and Land Management on design and bushfire policy. Brochures on bushfire prevention for buildings and gardens were prepared jointly by the Authority and Planning and Land Management and were available for the public at the end of February 2003.

Early liaison with the Australian Federal Police assured that events scheduled for the Australia Day weekend of 25–26 January 2003 could proceed. Whilst a number of event programs

necessarily changed, many were successfully conducted, including the inaugural citizenship and flag raising ceremonies at Commonwealth Place on Australia Day.

On 21 January 2003 the Authority developed a land management strategy and priority actions to take stock of the immediate fire risk in areas for which the Authority is responsible. This included identifying high risk areas for additional security patrols whilst the high fire alert continued, advice to the Australian Federal Police regarding the ceremonial fire at the Aboriginal tent embassy, a communication protocol in the event of a spot fire, and liaison with the Department of Foreign Affairs and Trade regarding embassies and consulates.

The Authority supported an initiative of the Australian Broadcasting Corporation (ABC) in Canberra to conduct a community bushfire support concert at Stage 88 in Commonwealth Park on Sunday 9 February 2003. The Authority provided operational project management for the event, in liaison with ABC Canberra and Sydney, and a cash contribution of \$6600. An estimated 10 000 people attended.

Many areas immediately adjacent to the urban areas affected by the bushfires fall within the Inner Hills which are part of the National Capital Open Space System (NCOSS). The National Capital Plan provides that these areas are to remain substantially undeveloped in order to protect the symbolic role and Australian landscape character of the hills and ridges as the scenic backdrop to the Parliamentary Zone, Civic and other National Capital precincts, to maintain the visual definition and physical containment of the surrounding towns and to ensure that their landscape, environment and recreation values become an integral part of the National Capital (*National Capital Plan*, p.108).

The Inner Hills component of the NCOSS is a Designated Area in the National Capital Plan, in which the Authority is responsible for establishing the land use policies, setting out detailed conditions of planning design and development, and approving any 'works' as defined in the *ACT (Planning and Land Management) Act 1988*. There are no policies in the Plan that require bushlands to abut directly onto residential properties. This is a matter of management for the ACT Government.

The Authority wrote to ACT Planning and Land Management on 31 January 2003 recommending a joint working group to address future planning and development issues for the Inner Hills that had been affected by fire. On 19 February the ACT Government announced a study into the non-urban bushfire-affected areas. In March the ACT Government announced that Mr Sandy Hollway, Chairman of the ACT Bushfire Recovery Taskforce, would also chair a steering committee for a non-urban area study. The Authority Chief Executive was invited to join that steering committee.

Before the January 2003 bushfires, and as part of a Spatial Plan study initiated by the ACT Government, ACT Planning and Land Management had identified a number of metropolitan growth scenarios, including 'urban capable' land in the NCOSS at Kowen Forest and an area of land referred to as Stromlo-Molonglo. Much of this latter area was destroyed in the bushfires and as such was given priority consideration by the Authority. Because land within the NCOSS is not available for urban use under the Plan, the Authority agreed, in May 2003, to contribute \$50 000 to a joint study of the growth scenarios proposed in the Spatial Plan with a focus on

the Stromlo–Molonglo area. The study will give appropriate consideration to National Capital values before any decision is made about changed land use within these areas of the NCOSS.

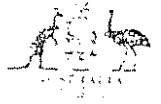
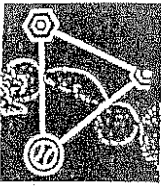
The Authority also has a particular interest in redeveloping the Mount Stromlo Observatory site which was badly affected by the fires. The Observatory is part of the Australian National University and is located on Territory Land in a Designated Area of the National Capital Plan for which the Authority has detailed planning and development responsibility. At 30 June 2003 the university had committed to re-establish the Observatory site for scientific research and public programs.

In the 2001 Christmas bushfires, Authority-managed land at Yarramundi Reach on the foreshores of Lake Burley Griffin was worst affected with partial damage to the Lindsay Pryor National Arboretum. After an assessment by Dr John Banks of the Australian National University Forestry School, the site was cleaned up by June 2003.

The Roman Cypress trees, planted under instruction from Thomas Charles Weston in 1918, on a prominent hill known as Roman Cypress Hill, situated between the Tuggeranong Parkway and Lady Denman Drive, were also burnt during the 2001 fires. In recognition of the cultural significance of the planting, the Authority decided to replant the hill with Roman Cypress trees according to the original plan. The ACT Yarralumla Nursery has germinated seed collected in 1992 from the trees at Roman Cypress Hill. The Authority has contracted the nursery to grow 700 of these seedlings for re-planting at Roman Cypress Hill in the winter of 2005.

Despite the burn out in the 2001 fires, spot fires erupted in the Yarramundi Reach area on 18 January 2003. Authority contractors, who were maintaining routine inspections of Authority-managed areas, successfully extinguished the fires.

A number of Authority staff were affected by the January bushfires – many houses were left without power or other amenities during the first week after the disaster. One employee and his wife lost their residential property and contents in the fires in the suburb of Chapman. In February the Authority agreed to refurbish the vacant caretaker's cottage in Commonwealth Park and to offer it as emergency housing at market rent to that staff member. ACT Housing had been offered the property for general emergency housing after the crisis and had advised that it was not required. The renovations included a range of small building works at a cost of \$26 023.67. Since 15 March 2003 the Authority employee has rented the cottage under a licence agreement at \$200 per week (plus outgoings). The Australian Valuation Office assessed the market rental rate.



*Building the National Capital in the hearts of all Australians*

Mr. Lincoln Hawkins  
Executive Director  
Planning and Land Management  
Department of Urban Services  
PO BOX 1908  
CANBERRA ACT 2601

Dear Lincoln

### ACT BUSH FIRES - NATIONAL CAPITAL PLAN CONSIDERATIONS

I trust that everything is proceeding well for your recovery assessment team. I am writing regarding the National Capital Authority's role in relation to planning in the areas affected by the recent bush fires, and to assure you of the Authority's continuing support and co-operation.

Many areas immediately adjacent to the urban areas badly affected by the bush fires fall within the Inner Hills - part of the National Capital Open Space System as set out in the National Capital Plan. The Plan provides that these areas *"are to remain substantially undeveloped in order to protect the symbolic role and Australian landscape character of the hills and ridges as the scenic backdrop to the Parliamentary Zone, Civic and other National Capital precincts, to maintain the visual definition and physical containment of the surrounding towns and to ensure that their landscape, environment and recreation values become an integral part of the National Capital"*.

The Inner Hills component of the National Capital Open Space System is also a Designated Area in the National Capital Plan, which means that the Authority is responsible for:

- establishing the land use policies,
- setting out Detailed Conditions of Planning Design and Development, and
- approving any "works" as defined in the *Australian Capital Territory (Planning and Land Management) Act 1988*.

I note that the management of most of these areas is, of course, a matter for the ACT Government and that there are no policies in the Plan that require bush land to directly abut residential properties.

As you know, following the 2002 bush fires, the Authority offered to undertake a joint planning study with PALM for the area around the National Aquarium and Zoo that was affected by those fires. I am writing to recommend that we should now work together in considering any planning and development issues in the Inner Hills that are affected by this year's terrible fires.

Please do not hesitate to contact me on 6271 2814 or by e:mail at [Annabelle.pegrum@natcap.gov.au](mailto:Annabelle.pegrum@natcap.gov.au) or David Wright on 6271 2840 or at [David.wright@natcap.gov.au](mailto:David.wright@natcap.gov.au) to discuss the potential of a planning working group of the Authority and PALM.

Yours sincerely,



Annabelle Pegrum  
Chief Executive

31 January 2003

cc Mr. Alan Thompson, Chief Executive Officer, Canberra Bushfire Recovery Task Force  
Mr. Sandy Hollway, Canberra Bushfire Recovery Task Force



*V. ... on ...*

**FAXED**  
24/2/03

Ms Annabelle Pegrum  
Chief Executive  
National Capital Authority  
GPO Box 373  
CANBERRA ACT 2601

*20/03/03*

*Pegrum*  
28/2/03

FILE	03/45
NO.	12171
ACTION OFFICER	
A Pegrum	

Dear Ms ~~Pegrum~~ *Annabelle*

**ACT Bushfires (January 2003) – Planning and Development Issues**

Thank you for your recent letters regarding the bushfires, your Authority's role and offer of support to Planning and Land Management (PALM). I apologise that the demands of the recent bushfires have delayed this written reply.

In your letter of 31 January, you canvassed the need to work together in examining the planning and development issues that arise from the fires, especially in regard to the Inner Hills and the National Capital Open Space System. I am happy to confirm my agreement to a close working relationship between the National Capital Authority (NCA) and PALM in relation to this study, which will be instructive in the further development of the Canberra Spatial Plan. This effectively extends the current working arrangements in relation to the Spatial Plan.

As a consequence of the bushfires PALM is bringing forward its work on the identification of urban capable land, and the extent, design and management of the urban edge. NCA staff as you know attended charettes and working group meetings during the last week where this technical work was tested. This liaison has in fact been occurring over several months.

In considering these issues, it is important to raise questions about the role and management of the Inner Hills and the National Capital Open Space System and in particular the Stromlo area. The ACT Government will be undertaking several detailed studies, including an investigation on the forest industry in Stromlo.

It is important that the National Capital Significance of these areas is clearly identified and the Territory acknowledges that any proposed changes to land use takes account of this significance. Joint consideration of these issues will ensure this is achieved and that these values are enhanced.



I appreciate your willingness to assist in resourcing this pivotal project and propose that the relevant officers continue to meet to scope out the detailed work program and timelines. Ms Catherine Keirnan, in Urban Projects will have prime carriage of the urban edge work in PALM.

Of course, the Spatial Plan must also take into account other issues that may have implications for the Metropolitan Structure Plan. These include shifts in such things as household structures, environmental awareness, employment sectors and areas. Clearly, the NCA is also interested in these issues and I would welcome any further direct contribution you can provide in the investigation. In this regard the Territory's involvement in the Griffin Legacy Work (through Dorte Ekelund's role on the Advisory Panel) is also considered particularly important.

I look forward to continuing a very constructive working relationship on these important strategic issues.

Yours sincerely

  
Lincoln Hawkins  
Executive Director

21 February 2003

**Questions on Notice from the Joint Standing Committee on the National  
Capital and External Territories at its Inquiry into the Role of the  
National Capital Authority on Friday 19 September 2003**

**Questions on Notice from the Joint Standing Committee on the National Capital and External Territories at its Inquiry into the Role of the National Capital Authority on Friday 19 September 2003**

**QUESTION 1**

**Hansard Page 213**

*Ms ELLIS - Can you make available to the committee a detailed outline of the public consultation process either by yourselves or by the Department of Transport and Regional Services, including the period of time, where the notification is done, how it is done and to whom it is sent, so that we have a clear picture of the absolute level of consultation? Can you make it available to us at some point?*

**Response**

The *Airports Act 1996* establishes the consultation process for airport development. The Department of Transport and Regional Services has provided an outline of their consultation process at Attachment A.

The Canberra International Airport is the only airport in Australia that is also subject to the provisions of the *Australian Capital Territory (Planning and Land Management) Act 1988*. This is referred to in the Regulations made under the *Airports Act 1996*. The relevant Regulation is 5.02(3)(c) which states,

*if the development proposed in the plan (Airport Master Plan) relates to Canberra Airport – comply with and otherwise not be inconsistent with the National Capital Plan prepared under Part III of the Australian Capital Territory (Planning and Land Management) Act 1988.*

Development at the Airport must be consistent with the National Capital Plan (the Plan). The airport has been included in amendments to the Plan since it was leased to Canberra International Airport Pty Ltd in May 1998. The Amendments were:

- Amendment 25 (Signs Policy Amendments) – approved June 2000.
- Amendment 30 (Canberra Airport) – approved September 2000.
- Pending - Draft Amendment 44 (Office Employment Location Policies) – in progress.

Because the Canberra International Airport is in a Designated Area works must be approved by the Authority. There are no statutory consultation requirements associated with such works approvals, but any such works must be consistent with the National Capital Plan. The Plan, and any amendments to it, are subject to statutory consultation, approval by the responsible Commonwealth Minister, and can be disallowed by either House of Parliament.

The consultation provisions for an amendment to the Plan are also outlined at Attachment A.

## QUESTION 2

**Hansard Pages 221-222**

**CHAIRMAN** - *My question is really related to what expertise there is. I have no great knowledge of carillons at all, but I just want the committee to understand what sort of expertise is in the NCA and what sort of expertise is available to it. We can then try to judge some complaints made with respect to the experts—those that play the carillon; I suppose that is the term you use—and balance that against the expertise that the NCA has available to it. That is really what I am asking.*

...

*Because of the inconvenience of having it in camera today, since there is a large body of people here, could you supply a private and confidential letter to the committee? We can assess it on that basis, if that receives the agreement of my colleagues.*

### Response

Letter provided at Attachment B.

## QUESTION 3

**Hansard Page 225**

**SENATOR LUNDY** - *I would just like to go back for a moment to the issue of the airport and the street names there. How does the naming of streets at the airport and the process you describe there compare to how the ANU names streets?*

### Response

Different laws apply to the naming of public places in the Australian Capital Territory which are located on National Land or on Territory Land.

The *National Memorials Ordinance 1928* (Commonwealth legislation) governs the naming of public places on National Land (section 1A). A 'public place' is defined to include any avenue, road, street and place which the public are entitled to use and any unleased lands belonging to the Commonwealth.

The *Public Place Names Act 1989* (ACT) applies to the naming of public places on Territory Land. Section 4 of that Act provides that the responsible Territory Minister may, by notice published in the gazette, determine the name of a public place that is Territory Land. A 'public place' is defined to include an avenue, or a road, street or place which the public are entitled to use and any unleased lands.

The provisions on leased land, whether National Land or Territory Land, are different. For example most roads within the Australian National University (ANU) campus are located within leased areas and are therefore not subject to these naming provisions. The ANU names these roads through an internal procedure adopted by a naming

committee. The ANU policies and procedures for the naming of buildings, facilities and spaces have been provided by the Facilities and Services Branch of the ANU. A copy is at Attachment C.

Similarly, roads within the Canberra International Airport are also located within a leased area and are not subject to the above naming provisions. These roads are therefore named by the airport lessee, Canberra International Airport Pty Ltd.

#### **QUESTION 4**

**Hansard Page 240**

**CHAIRMAN**— *I have two questions to go on notice. Firstly, would you be kind enough to give the committee a written outline of the details and the present position with respect to decision making with the Immigration Australia bridge.*

#### **Response**

A proposal to construct an 'Immigration Bridge' in the National Capital came from a small group of private citizens based in Cooma, NSW. The proponents considered that a bridge would be an appropriate and enduring symbol of the contribution that immigrants have made to the Australian way of life.

The proposal to construct a bridge in this location is not new. Walter Burley Griffin proposed a road bridge connecting Acton Peninsula to the southern side of the Lake in his design for the City of Canberra. More recently, the winner of the design competition for the National Museum of Australia proposed a bridge across the Lake in this location.

On 6 May 2003, the National Museum of Australia wrote to the National Capital Authority indicating its support for a bridge.

National Capital Authority officers have held a number of discussions with the proponents of the Immigration Bridge proposal. At these meetings the role of the National Capital Authority, steps that the committee would need to follow and options for the delivery of the project were discussed.

In November 2003 the Authority agreed to support 'in-principle' the concept of a high quality, long span pedestrian bridge commemorating immigration and linking Acton Peninsula with Lennox Gardens.

The funding for the bridge is a matter for Immigration Bridge Australia and their stakeholders and not for the Authority.

**QUESTION 5**  
**Hansard Page 240**

**CHAIRMAN** - *Secondly, would you inform the committee whether the NCA supports having someone from the ACT planning commission on its board from time to time and whether it is your desire to have that reciprocated by the ACT? In other words, could someone from the NCA attend the NCA (ACT Planning Authority) from time to time?*

**Response**

Reciprocal membership of the National Capital Authority is a matter of policy – this is not a matter for the Authority.

Part VI of the *Australian Capital Territory (Planning and Land Management) Act 1988* sets out the constitution and meetings of the National Capital Authority. All members are appointed by the Governor-General and hold office on such terms and conditions (in respect of matters not provided for by the Act) as are determined by the Governor-General. The Act also prescribes the relationship between the Commonwealth and the Territory on planning and land administration. The statutory and non-statutory planning relationship between the National Capital Authority and the Territory planning authority is detailed in Part 4 of the Authority submission to the Inquiry.

The National Capital Authority has a productive working relationship with a range of ACT Government agencies, including routine liaison meetings with the former ACT Planning and Land Management, now replaced by the ACT Planning and Land Authority (ACTPLA).

Since the commencement of the new independent ACTPLA on 1 July 2003, both Authorities have agreed to an arrangement whereby representative(s) have attended National Capital Authority and ACTPLA meetings respectively, so that matters of interest, or specific projects, can be presented and discussed. This arrangement is proving to be very productive and retains the statutory independence of the respective Authorities' deliberations.

**QUESTION 7**

**ASKED BY THE COMMITTEE SECRETARIAT FOLLOWING EVIDENCE FROM THE ACT PROPERTY COUNCIL** - *Is the Authority sufficiently resourced? What, if any, additional resources would be required. Is the Authority attempting to "do too much"?*

*The Committee would appreciate learning the Authority's views on the resourcing issue. The Authority may wish to include its response as part of its proposed supplementary submission to the inquiry.*

## Response

The National Capital Authority receives revenue from Government as a payment for departmental outputs. The Authority has three outputs which are aligned to the statutory functions as shown in Attachment D. The National Capital Authority is also able to retain independent revenues in accordance with an agreement under the *Financial Management and Accountability Act 1997*.

The level of funding provided to the National Capital Authority is determined on a Government wide basis and is a matter of policy.

## **Airport Planning and Regulation under the *Airports Act 1996***

### **Master Plans and Major Development Plans for Federally Leased Airports**

Master plans and Major Development Plans are both prepared by an airport-lessee company pursuant to the *Airports Act 1996* (the Act), and are subject to similar forms of public consultation and approval by the Minister for Transport and Regional Services. They serve different land use planning needs: the planning phase and development phase, respectively.

The following summary clarifies the purpose and consultation associated with each document.

#### **Master Plan**

The Master Plan is a strategic policy document setting the airport's agenda for current and future airport management and development. It contains the airport operator's vision, usually for a 20 year period, for the development of the airport site. A final Master Plan remains in force for five years. However, if at the end of that five years, a fresh final Master Plan does not come into force, the original plan remains in force until a fresh Master Plan comes into force.

The purpose of a Master Plan is to provide information which is indicative of the airport lessee's intentions and views in respect of the future of the airport. A Master Plan specifies an airport-lessee company's development objectives, addressing the extent of any consistency with local planning schemes in force under a law of the State or Territory in which the airport is located.

The Master Plan:

- sets out the airport lessee company's proposals for land use and related development of the airport site;
- makes an assessment of the future needs of civil aviation and other users of the services and facilities at the airport;
- sets out forecasts of noise exposure levels and plans for managing aircraft noise; and
- makes an assessment of environmental issues and plans for dealing with these issues that might reasonably be expected to be associated with the implementation of the plan.

The Master Plan process recognises the role of an airport lessee company in planning the overall development of an airport site in a transparent manner. The process allows the airport lessee company to address issues and concerns that may be raised by airport stakeholders and the wider community during the consultation period.

Under section 79 of the Act, before giving the Minister a draft Master Plan the airport must undertake a formal 90 day public consultation process including publication in a



newspaper circulated in the relevant State or Territory of details where the draft Master Plan will be made available for inspection or purchase. Details of the public consultation undertaken, submissions received, and details of consultation undertaken by the airport lessee company prior to the formal public consultation period are required to be included in the draft Master Plan lodged with the Minister.

Following approval of a Master Plan the airport lessee company is required to place a public notice in a newspaper circulated in the relevant State or Territory stating that the plan has been approved and advising where the approved plan can be sighted or a copy obtained.

A Master Plan is essentially a long-term land use plan for the whole of an airport site and deals with broader indicative intentions, rather than individual projects in any great detail.

The approval of a Master Plan does not represent the approval to build any specific major development referred to in the Master Plan.

To ensure that a master plan remains a relevant document, it is reviewed every five years.

In addition, the Master Plan for the Canberra International Airport cannot be inconsistent with the National Capital Plan.

### **Major Development Plan**

A Major Development Plan relates to individual major projects that an airport lessee proposes to develop. A Major Development Plan is required for each development that is defined as “major” by section 89 of the Airports Act 1996. Therefore, not every airport development necessarily requires a Major Development Plan.

The Minister’s approval of a Master Plan does not pre-empt separate consideration of a Major Development Plan. Major development applications must be separately approved. The Act, however, prevents the Minister from approving a Major Development Plan where it is inconsistent with the final Master Plan.

A decision by an airport lessee company to undertake a major development goes beyond the development concept summarised in a Master Plan. A Major Development Plan provides the detailed analysis of a specific development proposal including the identification and assessment of the economic, social and environmental impacts (benefits and costs) and how these might be managed. The major development process ensures all impacts are assessed and also permits concerned stakeholders to provide feedback on a proposal.

Under section 92 of the Act, Major Development Plans are subject to a 90 day public consultation period before the Major Development Plan can be lodged with the Minister for consideration. Details of the public consultation undertaken, submissions received, and details of consultation undertaken by the airport lessee company prior to the formal public consultation period are required to be included in the draft Major Development Plan lodged with the Minister.

The approval of a Major Development Plan by the Minister is based on the assessment of the airport's development needs, airport operating capacity, environmental impacts, proposed noise amelioration measures, community consultation, safety and other considerations relevant to the development at the time it is put forward for consideration.

Following approval of a Major Development Plan the airport lessee company is required to place a public notice in a newspaper circulating in the relevant State or Territory stating that the plan has been approved and advising where the approved plan can be sighted or a copy obtained.

# Outcome and Outputs Information 2003-2004

## ORGANISATION STRUCTURE

### Intermediate Outcome

A National Capital which symbolises Australia's heritage, values and aspiration, is internationally recognised, and of which Australians are proud.

## DEPARTMENTAL OUTPUTS

Corporate Governance — Management Committee,  
Audit Committee & Tender Board

Executive

National Capital Plan  
(Policy)

Review, amendment and administration of the *National Capital Plan* and National Land

\* functions (a) & (b) section 6

National  
Capital Plan  
(Development)

National Capital  
Promotions

Culture and awareness strategies and programmes for the National Capital

\* function (e) section 6

National Capital  
Estate

Asset and land management, and capital enhancement services

\* functions (c) (d) & (g) section 6

National Capital  
Projects

## ***Consultation under the Australian Capital Territory (Planning and Land Management) Act 1988***

The National Capital Plan is robust in scope and content, and flexible in its application. The statutory process to amend the Plan provides for independent and expert planning consideration by the Authority, appropriate opportunity for Australians (including the local community) to comment on proposals, appropriate consultation with the Territory planning authority, approval by the responsible Commonwealth Government Minister, and scrutiny by the Australian Parliament. The Plan Amendment process is transparent and effective.

*Section 23 of the Australian Capital Territory (Planning and Land Management) Act 1988 Amendments of Plan* states that sections 14 to 22 (both inclusive) apply to Plan amendments.

### **Division 2—Preparation of National Capital Plan**

#### ***14 Draft Plan to be prepared***

The Authority shall prepare a draft Plan in accordance with this Division.

#### ***15 Public consultation***

- (1) After preparing the draft Plan, the Authority shall:
  - (a) submit a copy to the Territory planning authority;
  - (b) by notice published in the *Commonwealth Gazette* and in the principal daily newspaper published and circulated in the Territory:
    - (i) state that the draft Plan has been prepared, and that copies will be available for public inspection at the places and times, and during the period, specified in the notice; and
    - (ii) invite interested persons to make written representations about the draft Plan within a reasonable period specified in the notice and specify the address to which the representations may be forwarded; and
  - (c) make the draft Plan available for inspection accordingly.
- (2) The Authority shall:
  - (a) consult with the Territory planning authority about the draft Plan and have regard to any views expressed by it; and
  - (b) have regard to any representations made by the public; and, if it thinks fit, may alter the draft Plan.

#### ***16 Certification of draft Plan***

- (1) After the Authority has:
  - (a) made the draft Plan available for public inspection;
  - (b) consulted with the Territory planning authority; and

- (c) reported in writing to the Minister on the consultation and the views expressed by that authority;  
the Authority may apply to the Minister to certify the draft Plan under this section while it is being further considered.
- (2) After considering the report by the Authority, the Minister may, subject to subsection (3), declare, by written instrument, that the draft Plan is certified.
- (3) If the Authority reports under subsection (1) that the Territory planning authority objects to the certification of the draft Plan, the Minister shall not act under subsection (2) except after consultation with the Executive.
- (4) The certification remains in force for 6 months unless sooner revoked, but the Minister may, by written instrument, extend that period for one or more further periods of 6 months.
- (5) The Minister shall cause a copy of each instrument to be laid before each House of the Parliament within 15 sitting days of that House after the instrument is made.

#### ***17 Effect of certification of draft Plan***

So long as the draft Plan is certified, section 11 applies as if the Plan were in effect.

#### ***18 Submission to Minister for approval***

The Authority shall submit the draft Plan to the Minister for approval, together with a written report on its consultations under section 15.

#### ***19 Minister's powers***

- (1) Subject to subsection (2), on receipt of the draft Plan submitted for approval, the Minister shall, after such consultation, if any, as the Minister thinks necessary:
- (a) approve the draft Plan without alteration; or
  - (b) refer the draft Plan to the Authority with either or both of the following:
    - (i) directions to conduct further consultations;
    - (ii) suggested alterations.
- (2) If the Authority reports under section 18 that the Territory planning authority objects to any aspect of the draft Plan, the Minister shall not act under subsection (1) except after consultation with the Executive.

#### ***20 Action on referral by Minister***

If the Minister refers the draft Plan to the Authority, the Authority shall:

- (a) reconsider the draft Plan;
- (b) have any further consultations directed by the Minister and such other consultations as the Authority thinks necessary;

- (c) consider any suggestions made by the Minister;
  - (d) if it thinks fit, alter the draft Plan; and
  - (e) re-submit the draft Plan to the Minister for approval;
- and subsection 19(1) and, if necessary, this section, apply again.

#### **20A Objections to re-submitted draft Plan**

- (1) If the Territory planning authority continues to object to any aspect of the draft Plan re-submitted to the Minister, the Authority must attach to the draft Plan a statement of its reasons for not accommodating the objection.
- (2) If the Minister receives a statement from the Authority under subsection (1), the Minister, after consultation with the Executive, must give a written direction to the Authority:
  - (a) to disregard the objection; or
  - (b) to alter the draft Plan to accommodate the objection wholly or partly.
- (3) A direction given by the Minister under subsection (2) must be published in the *Gazette* within 7 days after the Minister gives the direction.
- (4) The Minister must cause a copy of each direction given under subsection (2) to be laid before each House of the Parliament within 6 sitting days of that House after the Minister gives the direction.

#### **21 Publication and commencement of approved Plan**

- (1) Where the Minister approves the draft Plan, the Minister shall publish notice of the approval in the *Commonwealth Gazette* and specify the address where copies of the Plan may be inspected and bought.
- (2) The Plan takes effect on publication of the notice of approval.

#### **22 Parliamentary scrutiny of Plan**

- (1) The Plan shall be laid before each House of the Parliament within 6 sitting days of that House after the Plan has taken effect, and, if it is not so laid before each House of the Parliament, ceases to have effect.
- (2) If either House of the Parliament, in pursuance of a motion of which notice has been given within 6 sitting days after the Plan has been laid before that House, passes a resolution disallowing the Plan or a part of the Plan, the Plan or part so disallowed thereupon ceases to have effect.
- (3) If, before the end of 6 sitting days after notice of a motion to disallow the Plan or part of the Plan has been given in a House of the Parliament:
  - (a) the House of Representatives is dissolved or expires, or the Parliament is prorogued; and
  - (b) at the time of the dissolution, expiry or prorogation, as the case may be:
    - (i) the notice has not been withdrawn and the motion has not been called on; or

(ii) the motion has been called on, moved and seconded and has not been withdrawn or otherwise disposed of;  
the Plan shall, for the purposes of subsection (2), be taken to have been laid before the first-mentioned House on the first sitting day of that House after the dissolution, expiry or prorogation, as the case may be.

(4) If:

(a) a part of the Plan (in this subsection called the *later part*) is disallowed; and

(b) the later part amended or revoked another part of the Plan (in this subsection called the *earlier part*) that was in effect immediately before the later part took effect;

the disallowance revives the earlier part from the date of the disallowance as if the later part had not taken effect.

### ***23 Amendments of Plan***

Amendments of the Plan shall be prepared in the same way as the Plan, and sections 14 to 22 (both inclusive) apply to amendments as if references in those sections to the Plan were references to amendments.

### ***24 Plan may be prepared in stages or parts***

The Plan may be prepared in separate stages or parts and, in such a case, sections 14 to 23 (both inclusive) apply as if references in those sections to the Plan were references to such a stage or part of the Plan.

## ANU Facilities and Services

# POLICY AND PROCEDURES FOR THE NAMING OF BUILDINGS, FACILITIES AND SPACES

(Approved by the Council 8 June 2001)

### Background and Context

University policies and practices relating to the naming of buildings, facilities and spaces have evolved over a period of many years, if not decades. At present there is a rich mixture of names of such facilities, including:

1. Names associated with the history of the site, eg Canberra Bridge, Bachelors Lane, Balmain Lane, Lennox House, Sullivan's Creek. In some cases these features were named prior to the development of the University.
2. Notable Australian identities, eg of a political nature (such as Menzies, Chifley, Curtin and Bruce) or academic, eg Liversidge.
3. Names with a University or academic association, eg Chancelry, Fellows Road, and historical figures, eg Banks, Linnaeus.
4. Names after those having a significant involvement with the University, either as staff or in some other position, for example Burton, Coombs, Crawford, Hope, Jaeger, Melville and Mills.
5. Names linked to special identities, especially the affiliated colleges, eg John XXIII, Ursula.
6. Functional names, eg University House, Science Road, University Union, Willows Oval, Arts Centre and RSBS building.
7. Others, including charming eccentricities, eg Toad Hall.

In the last ten years there have been formal policies established and at one stage there was a Naming Committee. The Buildings and Grounds Committee also had an early active role to make recommendations to the Council. Over time, the Committee felt somewhat removed from many of the issues and considerations involved in naming and customarily sought the advice of the Senior Officers of the University. In recent years decisions for major site features have been made by the Council on the recommendation of the Vice-Chancellor, with the Vice-Chancellor being authorised to approve the naming of rooms and other spaces of less significance. In the light of the consideration of the new role of the Council to focus on strategic and policy issues, it is now proposed that the Vice-Chancellor have the full authority to act in all cases, although he may wish to seek advice from the Council on occasions.

Special care needs to be exercised when it is proposed that a facility be named after a person. This involves consideration of the role played by the person, particularly in the development of the University and that person's academic or other standing. This task is made more difficult by the fact that the reservoir of names of people deserving of being so honoured is considerably greater than the number of buildings and facilities available for naming. One important policy issue is whether those still in active association with the University (or might again become associated in the future) should have buildings or facilities names after them. In recent years this practice has been discouraged mainly on the grounds that such proposals should be considered on the basis of the person's full contribution to the work of the University. Nevertheless, the policy does provide for notable and rare exceptions.



## Policy and Procedures

1. University buildings, facilities and spaces may be known by either
  - a. functional names; or
  - b. non-functional names, including naming after a person or organisation (including a company).
2. As a general rule, buildings, facilities and spaces should not be named after persons still in active association with the University, or who might again become associated in the future.
3. A building, facility or space may be named after a person or organisation where
  - a. that person is of academic eminence and has made an outstanding contribution to his or field of study;
  - b. that person or organisation has made an outstanding contribution to the development of the relevant School, Centre, Faculty (or other area of the University) or the University overall; or
  - c. a substantial benefaction has been made by that person or company.
4. A building named after a person may include an appended functional appellation where this would serve to clarify the location of the building or assist in identification.
5. The names of buildings having non-functional names generally shall not change during the life of the building. In particular, where a building is named after a person the name of that building should not generally change in the event that there is a change in the School, Centre, Faculty or Department occupying the building. In the event of a proposal to re-name an existing building with a functional name after a person or organisation, the name need not necessarily reflect or be consistent with the current function of the building.
6. Rooms including lecture theatres, laboratories, libraries and common rooms may be named after donors of significant benefactions for the period of the benefaction, after which time the name may be changed.
7. Decisions about naming of buildings, facilities and spaces will be made by the Vice-Chancellor.

## Procedures

1. Recommendations relating to the naming of buildings, spaces and facilities may be made by any individual or organisation and normally will be submitted to the Director Facilities and Services, or in other cases will be referred to that officer direct. They will then be forwarded to the Vice-Chancellor, through the Pro Vice-Chancellor (Administration).
2. The Vice-Chancellor may wish to seek further advice on the recommendation, including advice from the Council. Recommendations may also be referred to the Buildings and Grounds Committee, which in any event shall be informed of decisions about naming.
3. The register of named areas will be updated and promulgated by the Director Facilities and Services.

Warwick Williams  
Director, Facilities and Services

Paper 104/2001, 8 May 2001  
(replaces Paper 1221/1996, 1 July 1996)