



Australian Government
National Capital Authority

REPORT ON CONSULTATION

National Capital Plan

Draft Amendment 67

Provisions for Mobile Home Park – Blocks 6 & 8
Section 97 and Block 17 Section 102 Symonston

September 2007

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1. Introduction

1.1 Purpose and Background

The purpose of this Report is to summarise the main issues raised during the process of consultation, undertaken by the National Capital Authority (NCA) on Draft Amendment 67 – Provisions for Mobile Home Park – Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston to the National Capital Plan (the Plan). No changes have been proposed to Draft Amendment 67 (DA67) arising from this consultation.

The statutory background to the National Capital Plan Amendment Process, including procedures on public consultation is set out in the *Australian Capital Territory (Planning and Land Management) Act 1988* (refer **Attachment 7**).

1.2 Existing National Capital Plan Provisions

The object of the Plan is to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.

The Plan states, *Matters of national significance in the planning and development of Canberra and the Territory include:*

- *The pre-eminence of the role of Canberra and the Territory as the National Capital.*
- *Preservation and enhancement of the landscape features which give the National Capital its character and setting.*
- *Respect for the key elements of Walter Burley Griffin's formally adopted plan for Canberra.*
- *Creation, preservation and enhancement of fitting sites, approaches and backdrops for national institutions and ceremonies as well as National Capital Uses.*
- *The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas.*

1.3 Effect of the Draft Amendment to the National Capital Plan

The purpose of DA67 to the Plan is to allow for a Mobile Home Park to be established on Block 17 Section 102 Symonston and formalise the existing caravan parks on Blocks 6 and 8 Section 97 Symonston.

On coming into effect, following public consultation and Parliamentary procedures prescribed in the *Australian Capital Territory (Planning and Land Management) Act 1988*, DA67 would add to the range of uses permitted in Broadacre Areas to include Mobile Home Park as a site specific use for three Blocks in Symonston only.

A definition of Mobile Home Park consistent with that used in the Territory Plan will be added to Appendix A Land Use Definitions in the Plan.

The NCA released DA67 for public comment on 21 July 2007. A notice was published in *The Canberra Times* on the same day (refer **Attachment 2**) and in the *Commonwealth of Australia Gazette* on 25 July 2007 (refer **Attachment 3**). The official period for public submissions closed on 31 August 2007. The consultation period for DA67 was for 30 business days including 6 weekends. A notice was placed in *The Chronicle* on 31 July 2007 (refer **Attachment 5**) and a general notice informing of "Changes to your national capital" with the NCA website address was published in *The Australian* on Friday 27 July 2007 (refer **Attachment 4**). Copies of DA67 were made available to the public at the National Capital Exhibition, the NCA offices at the Treasury Building and also on the NCA website. The Draft Amendment as released for public comment can be seen at **Attachment 1**.

Other milestones in the consultation process undertaken by the NCA for DA67 include:

- On 20 July 2007 the NCA held a pre consultation meeting with four representatives of the Narrabundah Long Stay Caravan Park.
- On Saturday 21 July 2007 DA67 was released for public comment.
- On 23 July 2007 the NCA referred DA67 to ACTPLA for comment, in accordance with the requirements of the PALM Act. On the same day the NCA sent letters with a copy of DA67 to the lessees of Blocks 6 & 8 Section 97 Symonston and the adjoining blocks.
- On 27 July 2007, the Minister wrote to the Chairman of the Joint Standing Committee on the National Capital and External Territories (JSC) advising the Committee of the consultation period for DA67 and offering the Committee a briefing by NCA officers.
- On 31 July 2007 the NCA held a public information session between 5.30pm and 7.30pm at the NCA's offices. One representative from ACTPLA and one from the ACT Chief Ministers Department also attended. Four members of the public attended.
- On 2 August 2007 a request for an exemption to undertake a Regulation Impact Statement (RIS) or Business Cost Calculator (BCC) report was sought from the Office of Best Practice Regulation.

- On 8 August 2007 the Office of Best Practice Regulation advised no RIS or BCC report is required.
- On 9 August 2007 the ACT Planning and Land Authority (ACTPLA) confirmed it fully supported DA67.
- On 13 August 2007 Senator Ross Lightfoot, Chairman of the JSC confirmed the Committee did not require a briefing on DA67 by NCA staff.
- On 31 August 2007 the formal consultation period on DA67 ended.
- On 20 September 2007 the NCA Board agreed no changes were required to DA67 as exhibited and that it should be referred to the Minister for approval.

2. Written Submissions

2.1 Issues

2.1.1 Consultation

The NCA received 11 written public submissions on DA67. In addition, ACTPLA confirmed its support for DA67 on 9 August 2007. No submissions had any comment on DA67 where it proposes to formalise the existing caravan parks on Blocks 6 & 8 Section 97 Symonston. A detailed summary of the submissions and the recommended NCA responses is at **Attachment 6**. These are summarised below:

2.1.2 Support

Five submissions were received in support of DA67. All five submissions of support noted that if approved it would secure the continuation of the caravan park by enabling the agreement between the ACT Government and the owner of the caravan park to be implemented.

2.1.3 Objection

Six submissions objecting to DA67 were received. The issues raised are summarised below.

2.2 Environment

Five of the submissions objected to DA67 and future development on Block 17 Section 102 Symonston on environmental grounds:

- the area being habitat for the grassland earless dragon *Tympanocryptis pinguicolla* which is listed as an endangered species under both Commonwealth and ACT Legislation.

Response: It should be noted that a Draft Amendment to the National Capital Plan is not an 'action' and therefore does not require a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The ACT Government's Land Development Agency in July 2007 made a referral of their proposed servicing works (electricity, water, sewerage, vehicular access, stormwater, gas, communications, street lighting and verge works) for Block 17 Section 102 Symonston under the EPBC Act. On 17 August 2007 the Federal Minister for the Environment and Water Resources determined that development of Block 17 Section 102 Symonston is a Controlled Action that requires more detailed environmental investigations to be undertaken.

2.3 Unsuitable Location

Two of the submissions objected to a Mobile Home Park on Block 17 Section 102 Symonston stating that it is an unsuitable location for such development. Noting that:

- the area had not been identified for residential development in the Canberra Spatial Plan;
- the area is poorly serviced with facilities and services; and
- the concentration of an additional one hundred such dwellings is likely to lead to an increase in crime and social problems with detriment to the Therapeutic Goods Administration Building (TGA).

Response: The ACT Government and ACTPLA are responsible for determining whether the kind of residential (lower cost) and the scale (if Block 17 Section 102 Symonston were to add one hundred permanently located caravans), in an area that is allegedly lacking in facilities and service provision has a role in Canberra's housing.

A caravan park is already a permitted use in the Broadacre Areas of the current National Capital Plan and therefore if DA67 is approved to allow Mobile Home Park it would not amount to adding residential use to an area where it was previously prohibited. However, the ACT Government would be responsible for determining whether to allow Mobile Home Park where currently only Caravan Park is permitted through the Territory Plan and the lease for the block.

2.4 Unsuitability of Block 17 Section 102 Symonston

One submission mentioned Block 17 Section 102 Symonston was

- physically unsuitable for a Mobile Home Park and suggested the area to the south east of the block as being the better alternative.

Response: Block 17 Section 102 Symonston is Territory Land outside the Designated Areas of the National Capital Plan. The ACT Government through ACTPLA is responsible for the detailed planning of this area and has agreed with the current lessee, Dytin Pty Ltd that the block is most "like for like" to Block 8 Section 97 Symonston.

2.5 Architecture & Urban Design

One submission objected to a Mobile Home Park on architecture and urban design grounds stating that a Mobile Home Park would:

- detract from the fine architectural expression of the TGA building and Block 17 Section 102 Symonston is more suited to a lower scale government institution which could be more contextually and architecturally appropriate.

Response: Block 17 is sufficiently removed from the TGA Building to ensure it is unlikely to have a significant impact on its architectural qualities.

2.6 Compatibility with existing uses on adjoining Block

Two submissions had concerns that a Mobile Home Park on Block 17 Section 102 Symonston would not be compatible with the existing use on the adjoining block. One submission objected to the proposed Mobile Home Park on Block 17 Section 102 Symonston based on:

- the possibility of Toxic emissions from the TGA building affecting the site.
-

One submission objected to the Mobile Home Park on the grounds that:

- the proposal is contrary to planning objectives for “broadacre” in the Territory Plan which requires clearance zones for protection from conflicting development.

Response: The asset manager of the TGA building confirmed in their submission that the kinds of operations carried out in facilities such as the TGA building are completely safe.

2.7 Process and Transparency

One submission objected to DA67, the Draft Variation to the Territory Plan No. 285 and the proposed land swap alleging:

- the land swap deal in particular is not open and transparent; and
- the lessee of Block 8 Section 97 Symonston should be left with the block and be required to pay full betterment (estimated to amount to 35 million dollars).

Response: These matters are for the ACT Government to respond to. The Draft Amendment process was clear and transparent. Every Draft Amendment to the National Capital Plan is subject to public consultation. Public consultation on DA67 ran for a period of 30 business days. All submissions received are given careful consideration by the NCA before a recommendation is made to the Minister. If approved by the Minister, a Draft Amendment to the National Capital Plan must also be accepted by both Houses of the Commonwealth Parliament. Each House has fifteen (15) sitting days in which it may move a motion for disallowing all or part of the Amendment.

3. Recommended Change to DA67

Following a review of issues raised in submissions, the NCA recommends that no changes are necessary to DA67 as released for public comment in July 2007.

4. Conclusion

The consultation process initiated by the NCA for Draft Amendment 67 – Provisions for Mobile Home Park – Blocks 6 & 8 Section 97 and Blocks 17 Section 102 Symonston to the National Capital Plan (the Plan) attracted a total of four (4) attendees at the one public information session on 31 July 2007 and eleven (11) written submissions.

The statutory processes for amending the National Capital Plan (*refer Attachment 7*) in respect of DA67 have been completed and satisfied.

Following a review of issues raised in the eleven (11) submissions received, the NCA Board on 20 September 2007 agreed that no changes are required to Draft Amendment 67 – Provisions for Mobile Home Park – Blocks 6 & 8 Section 97 and Blocks 17 Section 102 Symonston and that DA67 can be submitted to the Minister for approval.

Accordingly, DA67 is being submitted to the Commonwealth Minister for Local Government Territories and Roads for approval in accordance with Section 18 of the *Australian Capital Territory (Planning and Land Management) Act 1988*.

5. Attachments

1. National Capital Plan Draft Amendment 67 – Provisions for Mobile Home Park Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston as released for public comment on 21 July 2007.
2. Notice of release of Draft Amendment 67 for public comment published in *The Canberra Times* on Saturday 21 July 2007.
3. Notice of release of Draft Amendment 67 for public comment published in *The Commonwealth of Australia Gazette* on Wednesday 25 July 2007.
4. Notice of “Changes to your National Capital” published in *The Australian* on Friday 27 July 2007.
5. Notice of release of Draft Amendment for public comment published in *The Chronicle* on Tuesday 31 July 2007.
6. Summary of submissions, Key Issues identified through the submissions and NCA’s recommended responses.
7. Statutory Background to the National Capital Plan Process.



Australian Government
National Capital Authority

*The Australian Capital Territory
(Planning and Land Management) Act 1988*

National Capital Plan

Draft Amendment 67 – Provisions for Mobile Home Park

Blocks 6 & 8 Section 97 and Block 17
Section 102 Symonston

July 2007



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Introduction

The National Capital Authority (NCA) is established under the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act). The current National Capital Plan (the Plan) came into effect on 21 January 1990. In accordance with the Act, the NCA is required to review and amend the Plan.

The purpose of this **Draft** Amendment to the National Capital Plan is to allow for a Mobile Home Park to be established on Block 17 Section 102 Symonston and formalise the existing caravan parks on Blocks 6 and 8 Section 97 Symonston.

Draft Amendment 67 is being jointly released with the ACT Government's **Draft** Variation to the Territory Plan No.285 Block 17 Section 102 Symonston. The **Draft** Amendment to the National Capital Plan is required before the **draft** variation to the Territory Plan can have force and effect.

Draft Amendment 67 to the Plan (set out in *Part 2 – Draft Amendment 67 – Provisions for Mobile Home Park - Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston*) has been prepared in accordance with section 23 of the Act.

The three blocks that are the subject of **Draft** Amendment 67 have a Broadacre Areas Land Use Policy and are also identified as Areas under investigation for Urban Use in the General Policy Plan - Metropolitan Canberra, Figure 1 of the Plan.

The Canberra Spatial Plan, released on 5 March 2004 presented the ACT Government's preferred direction for accommodating Canberra's future growth over the next 30 years. That direction comprised a combination of consolidated development in existing urban areas and new urban areas, including the Narrabundah Valley.



Part 1 Context

1.1 Background

1.1.1 Narrabundah Long Stay Caravan Park

Block 8 Section 97 Symonston, known as the Narrabundah Long Stay Caravan Park (Caravan Park), was leased for the purpose of a caravan park and camping ground in 1987. The site has a history of long term and permanent accommodation and serves an important function by providing affordable housing choice.

The ACT Planning and Land Authority (ACTPLA) is exhibiting **Draft** Variation to the Territory Plan No.285 Block 17 Section 102 Symonston to facilitate the extension of the 10E Area Specific Policy over Block 17 Section 102 Symonston. This Area Specific Policy adds Mobile home park to the list of permissible uses under the Broadacre Land Use Policy. Mobile Home Park is not a permissible use under the Broadacre Areas land use policy in the National Capital Plan. **Draft** Amendment 67 to the National Capital Plan is therefore proposed and will be exhibited in conjunction with **Draft** Variation to the Territory Plan No.285.

1.1.2 Environment and Heritage

The Southern Broadacre Planning Study (February 2005) identified that part Block 13 (now known as Block 17) Section 102 Symonston has three recorded locations of the Grassland Earless Dragon (*Tympanocryptis pinguicolla*), a listed endangered species under the *Environment Protection and Biodiversity Conservation Act* (EPBC Act) 1999 and the ACT *Nature Conservation Act* 1980. While the **Draft** Amendment is not an action that triggers referral under the EPBC Act subsequent development on Block 17 will trigger referral processes under the Act. The matter of the Grassland Earless Dragon has also been referred to the ACT Conservator of Flora and Fauna and is addressed as part of ACTPLA's **Draft** Variation to the Territory Plan No.285.

1.1.3 **Draft** Variation to the Territory Plan No.285

Draft Amendment 67 is being jointly released with **Draft** Variation to the Territory Plan No.285 Block 17 Section 102 Symonston. The Territory Plan currently makes provision for Mobile home parks on Blocks 6 and 8 Section 97 Symonston. The **Draft** Variation seeks to extend the area specific overlay IOE of the Broadacre land use policy of the Territory Plan to cover Block 17 Section 102 Symonston. This overlay permits Mobile home park. A Mobile home park is defined in the Territory Plan as:

"Mobile home park means the use of land to accommodate mobile homes or caravans, whether temporary or permanent, and includes amenity buildings used for the personal comfort or convenience of or enjoyment of leisure by persons using a mobile home or caravan for residential accommodation in the mobile home park, and may include a caravan park/camping ground."

The above definition can be found on the ACT Planning and Land Authority website at www.actpla.act.gov.au.

1.2 Explanatory Statement

1.2.1 Purpose of **Draft** Amendment

The purpose of this **Draft** Amendment to the National Capital Plan is to allow for a Mobile Home Park to be established on Block 17 Section 102 Symonston and formalise the existing caravan parks on Blocks 6 and 8 Section 97 Symonston.

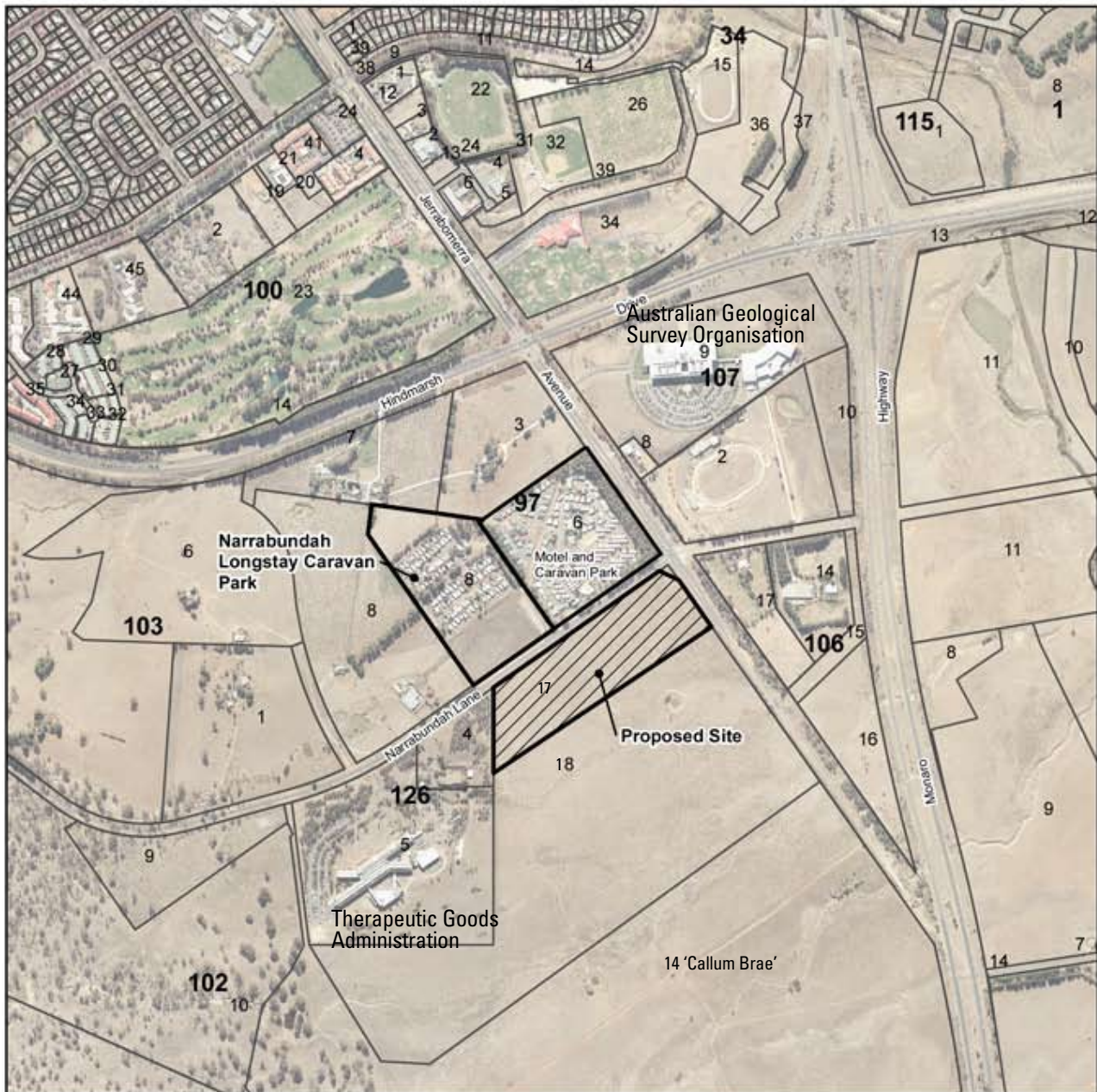
1.2.2 Site Description

Block 17 Section 102 Symonston is located at the south east corner of Jerrabomberra Avenue and Narrabundah Lane. Blocks 6 and 8 Section 97 Symonston are located to the north west, across Narrabundah Lane.

The proposed site for the land swap has been withdrawn from the previous Crown Lease for Block 13 Section 102 Symonston and is now identified as Block 17. The existing Narrabundah Long Stay Caravan Park is located on Block 8 Section 97 Symonston on the north west of Narrabundah Lane.

The area of **Draft** Amendment 67 is shown in **Figure 1.2.2**.

Figure1.2.2 Area of **Draft** Amendment 67



1.2.3 Existing National Capital Plan Provisions

In accordance with Section 10(1)(b) of the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act), the Plan 'shall set out the general policies to be implemented throughout the Territory, being policies of (i) land use (including the range and nature of permitted land use).

The Narrabundah Long Stay Caravan Park is Territory Land. The *National Capital Plan General Policy Plan – Metropolitan Canberra* identifies land uses for the whole of the ACT. The current land use policy for the three blocks that are the subject of **Draft** Amendment 67 is Broadacre Areas that are also identified as Areas under investigation for Urban Use.

The range of uses permitted in the Broadacre Areas is as follows:

- Administrative and Utility Services
- Agriculture
- Animal Care Facility
- Airport (Canberra International Airport only)
- Caravan Park/Camping Ground
- Community Facility
- Education and Office establishments used by the Department of Defence
- Forestry (Majura and Kowen Pine Plantations only)
- General Farming
- Industries restricted to the Harman Industrial Area as delineated at Figure 4, Page 228 of the Territory Plan Written Statement (as Gazetted on 14 September 1994), subject to environmental assessment
- Intensive Farming
- Landscape Buffer
- Open Space
- Outdoor Recreation Facility
- Park
- Retail Plant Nursery
- Scientific Research Establishment
- The Royal Australian Mint on its present site only
- Tourist Facility
- Transport Facility, including Road and Rail

The range of permitted uses within Broadacre Areas includes Caravan Park/Camping Ground which is defined in the Plan as:

'Land used for the placement of caravans or tents for the purpose of temporary accommodation and includes cabins for overnight and holiday accommodation, amenity buildings, recreational and entertainment facilities, manager's office and residence, and shops which cater for the occupants of the caravan park/camping ground.'

However, this definition does not provide for the permanent location of caravans or mobile homes.

1.2.4 Effect of the **Draft** Amendment

Draft Amendment 67 will add to the range of uses permitted in Broadacre Areas to include Mobile Home Park as a site specific use.

A definition of Mobile Home Park consistent with that used the Territory Plan will be added to Appendix A Land Use Definitions of the Plan.

National Capital Plan provisions

The changes proposed in **Draft** Amendment 67 will result in:

- Changing Section 5.2 Policies for Broadacre Areas clause (g) to add to the range of uses Mobile Home Park on Blocks 6 and 8 Section 97 and Block 17 Section 102 Symonston only.
- Include in Appendix A Land Use Definitions a new definition “Mobile Home Park” that provides for temporary and permanent location of caravans and mobile homes.

Consequential changes to the relevant page numbers, section titles and contents page will also be made.

1.3 **Draft** Amendment Process

The process for making an amendment to the National Capital Plan (the Plan) is outlined in *Figure 1.3*.

Figure 1.3 Outline of the **Draft** Amendment Process



1.4 Public Consultation

The National Capital Authority (NCA) welcomes written submissions on **Draft** Amendment 67— Provisions for Mobile Home Park - Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston to the National Capital Plan (the Plan) from interested individuals and organisations as part of the consultation process. All responses received will be assessed before **Draft** Amendment 67 is submitted to the Commonwealth Minister for Local Government, Territories and Roads in accordance with the provisions of the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act).

Copies of **Draft** Amendment 67 are available from:

National Capital Authority

Ground Floor, Treasury Building

King Edward Terrace

PARKES ACT 2600

Between 8.30am and 5pm Monday to Friday

National Capital Exhibition

Regatta Point, Commonwealth Park

Between 9am and 5pm daily

The National Capital Authority Website

www.nationalcapital.gov.au

A public information session on **Draft** Amendment 67 will be held on:

Tuesday 31 July 2007 from 5:30pm until 7:30pm at the National Capital Authority, Griffin Room, Ground Floor Treasury Building, King Edward Terrace, PARKES ACT 2600.

Comments on **Draft** Amendment 67:

Written submissions on **Draft** Amendment 67 are invited in accordance with the provisions of the Act until close of business *Friday 31 August 2007* and should be forwarded to:

Mr Todd Rohl

Managing Director, Planning and Urban Design

National Capital Authority

GPO Box 373

CANBERRA ACT 2601

Email todd.rohl@natcap.gov.au


Or delivered by hand to the NCA office at:

Ground Floor, Treasury Building

King Edward Terrace

PARKES ACT 2600

Further information on **Draft** Amendment 67 is available from Mr Douglas Barnes by telephone on 6271 2886, fax 02 6273 4427 or email douglas.barnes@natcap.gov.au.



Part 2: National Capital Plan

Draft Amendment 67

Provisions for Mobile Home Park - Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston

National Capital Plan

Draft Amendment 67 – Provisions for Mobile Home Park - Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston

The National Capital Plan is amended by the following:

PART ONE

5. Broadacre Areas

5.2 Policies for Broadacre Areas

(a) Amend clause 5.2 (g) by adding the following:

Mobile Home Park (Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston only).

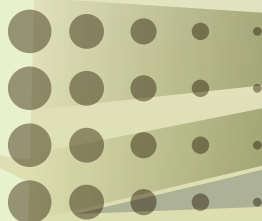
Appendix A: LAND USE DEFINITIONS

(b) Add to Appendix A Land Use definitions the following

*“ **Mobile Home Park** means the use of land to accommodate mobile homes or caravans, whether temporary or permanent, and includes amenity buildings used for the personal comfort or convenience of or enjoyment of leisure by persons using a mobile home or caravan for residential accommodation in the Mobile Home Park, and may include a Caravan Park/Camping Ground.”*



Australian Government
National Capital Authority



The National Capital Authority was established under the
Australian Capital Territory (Planning and Land Management) Act 1988

NATIONAL CAPITAL AUTHORITY
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natcap@natcap.gov.au

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Australian Government
National Capital Authority

Our Nation Your Capital

Amendment of the National Capital Plan

Draft Amendment 67

Provisions for Mobile Home Park – Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston

The purpose of this Draft Amendment is to allow Mobile Home Park to be developed on Blocks 6 & 8 Section 97 and Block 17 (previously part Block 13) Section 102 Symonston only.

The land use policy for Blocks 6 & 8 Section 97 and Block 17 Symonston is Broadacre Areas under the current National Capital Plan. A Caravan Park/Camping Ground for temporary accommodation is a permitted use but does not include Mobile Home Park which allows for the accommodation of mobile homes or caravans even if they are permanent.

Blocks 6 & 8 Symonston are long established caravan parks (with Mobile Home Park) that existed prior to the National Capital Plan coming into effect on 21 January 1990. A Mobile Home Park on these blocks is therefore already permitted under section 13 of the *Australian Capital Territory (Planning and Land Management Act) 1988* which recognises previously existing uses during the term of the estate. For these blocks the Draft Amendment formalises Mobile Home Park as a permitted use in the National Capital Plan.

For Block 17 Section 102 Symonston, the Draft Amendment, once approved will add Mobile Home Park to the range of permitted uses on the block and give the ACT Government the opportunity to locate an additional mobile home park in the area.

Draft Amendment 67 of the National Capital Plan has been prepared in accordance with sections 15(1) and 23 of the *Australian Capital Territory (Planning and Land Management Act) 1988* and is now available for public inspection and comment. Background information on the proposal is included with the Draft Amendment and is available on the Authority's website www.nationalcapital.gov.au.

The National Capital Authority invites interested people and organisations to provide written comments on Draft Amendment 67 by close of business on Friday 31 August 2007 to:

Todd Rohl, Managing Director Planning and Urban Design,
National Capital Authority, GPO Box 373, CANBERRA ACT 2601
email: todd.rohl@natcap.gov.au

Further information is available from Douglas Barnes on (02) 6271 2886 Fax (02) 6271 2890 or email douglas.barnes@natcap.gov.au

Draft Development Control Plan No: 171/07/0002

Belconnen Sections 43 and 50



Development Control Plan No: 171/99/0008 currently exists for the National Land sites at Sections 43 and 50 Belconnen. The National Capital Authority (NCA) proposes to amend Development Control Plan No: 171/99/0008 with Draft Development Control Plan No: 171/07/0002 to remove reference to Gross Floor Area in the Development Control Plan for Blocks 1, 2, 3 and 4 of Section 43 and Blocks 2, 7, 9 of Section 50 Belconnen and stratum Section 196.

The Draft Development Control Plan No: 171/07/0002 has been prepared in accordance with the National Capital Plan and is now available for public inspection and comment.

The NCA invites interested people and organisations to provide written comments on Draft Development Control Plan No: 171/07/0002 by close of business on Friday 17 August 2007 to:

Todd Rohl, Managing Director Planning and Urban Design,
National Capital Authority, GPO Box 373, CANBERRA ACT 2601
email: todd.rohl@natcap.gov.au

A public information session will be held on **Wednesday 1 August 2007** between 12pm and 2pm at the **National Capital Authority Offices**, Treasury Building, Ground Floor King Edward Terrace, PARKES ACT 2600

Copies of the Draft Development Control Plan No: 171/07/0002 and Draft Amendment 67 are available from:

- Information Centre
National Capital Authority
Ground Floor, Treasury Building, King Edward Terrace
PARKES ACT 2600
between 8.30am and 5pm, Monday to Friday
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**Amendment of the National Capital Plan
Draft Amendment 67
Provisions for Mobile Home Park –
Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston**

The purpose of this Draft Amendment is to allow Mobile Home Park to be developed on Blocks 6 & 8 Section 97 and Block 17 (previously part Block 13) Section 102 Symonston only.

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Blocks 6 & 8 Symonston are long established caravan parks (with Mobile Home Park) that existed prior to the National Capital Plan coming into effect on 21 January 1990. A Mobile Home Park on these blocks is therefore already permitted under section 13 of the *Australian Capital Territory (Planning and Land Management Act) 1988* which recognises previously existing uses during the term of the estate. For these blocks the Draft Amendment formalises Mobile Home Park as a permitted use in the National Capital Plan.

For Block 17 Section 102 Symonston, the Draft Amendment, once approved will add Mobile Home Park to the range of permitted uses on the block and give the ACT Government the opportunity to locate an additional mobile home park in the area.

Draft Amendment 67 of the National Capital Plan has been prepared in accordance with sections 15(1) and 23 of the *Australian Capital Territory (Planning and Land Management) Act 1988* and is now available for public inspection and comment. Background information on the proposal is included with the Draft Amendment and is available on the Authority's website www.nationalcapital.gov.au.

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Amendment of the National Capital Plan

DRAFT AMENDMENT 67

Provisions for Mobile Home Park – Blocks 6 & 8
Section 97 and Block 17 Section 102 Symonston

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Blocks 6 & 8 Symonston are long established caravan parks (with Mobile Home Park) that existed prior to the National Capital Plan coming into effect on 21 January 1990. A Mobile Home Park on these blocks is therefore already permitted under section 13 of the *Australian Capital Territory (Planning and Land Management Act) 1988* which recognises previously existing uses during the term of the estate. For these blocks the Draft Amendment formalises Mobile Home Park as a permitted use in the National Capital Plan.

For Block 17 Section 102 Symonston, the Draft Amendment, once approved will add Mobile Home Park to the range of permitted uses on the block and give the ACT Government the opportunity to locate an additional mobile home park in the area.

Draft Amendment 67 of the National Capital Plan has been prepared in accordance with sections 15(1) and 23 of the *Australian Capital Territory (Planning and Land Management) Act 1988* and is now available for public inspection and comment. Background information on the proposal is included with the Draft Amendment and is available on the Authority's website www.nationalcapital.gov.au.

The National Capital Authority invites interested people and organisations to provide written comments on Draft Amendment 67 by close of business on Friday 31 August 2007 to:

Todd Rohl, Managing Director Planning and Urban Design
National Capital Authority, GPO Box 373, CANBERRA ACT 2601
email: todd.rohl@natcap.gov.au

Copies of Draft Amendment 67 are available from:

■ **Information Centre**
National Capital Authority
Treasury Building
Ground Floor King Edward Terrace
PARKES ACT 2600
between 9am and 5pm Monday to Friday

■ **National Capital Exhibition**
Regatta Point
Commonwealth Park
between 9am and 5pm daily
■ www.nationalcapital.gov.au

Further information is available from Douglas Barnes on (02) 6271 2886
Fax (02) 6271 2890 or email douglas.barnes@natcap.gov.au

WWW.NATIONALCAPITAL.GOV.AU

Attachment 6

Draft Amendment 67 – Provisions for Mobile Home Park Blocks 6 & 8 Section 97 and Block 17 Section 102 Symonston

Summary of Submissions & Recommended Responses

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
1.	Residents of Narrabundah Longstay Park (50) (almost exact words as Submissions 2 to 5)	<ul style="list-style-type: none">• Support the changes detailed in DA67.• The proposed changes for Blocks 6 & 8 Section 97 Symonston bring the National Capital Plan into line with the existing land use and the 10E Area Specific Policy in the Territory Plan.• The proposed planning changes are necessary to save the Narrabundah Long Stay Caravan Park (LCP) and to enable the conclusion of the agreement between the ACT Government and Dytin Pty Ltd (for a land swap on the basis of like for like development rights proposed for Block 17 Section 102) Symonston.• Without the agreement the homes, financial security and well-being of between 100 and 200 LCP residents would be in jeopardy and the current Canberra housing crisis worsened.	NCA recommends no change to DA67 as exhibited.
2.	Mr. Peter Sutherland Director Softlaw Community Projects (almost exact words as	<ul style="list-style-type: none">• Support the changes detailed in DA67.• Strongly supports the right of LCP residents to have long-term security of tenure in their homes.• The changes proposed for Blocks 6 & 8 Section 97 Symonston to bring the National Capital Plan into line with the existing land use and the 10E Area Specific Policy in the Territory Plan is long overdue.	NCA recommends no change to DA67 as exhibited.

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
	Submissions 1, 3, 4 & 5)	<ul style="list-style-type: none"> Without this agreement and the consequent planning changes proposed to Block 17 Section 102 Symonston by DA67, the homes, financial security and well-being of between 100 and 200 LCP residents would be in jeopardy and the current Canberra housing crisis worsened. 	
3.	<p>Mr. G Cregan</p> <p>Member of public</p> <p>(almost exact words as Submissions 1, 2, 4 & 5)</p>	<ul style="list-style-type: none"> Support the changes detailed in DA67. The changes proposed for Blocks 6 & 8 Section 97 Symonston to bring the National Capital Plan into line with the existing land use and the 10E Area Specific Policy in the Territory Plan is long overdue. Strongly support the right of residents of the LCP to retain their homes and to achieve long term security of tenure. Without this agreement and the consequent planning changes proposed to Block 17 Section 102 Symonston by DA67, the homes, financial security and well-being of between 100 and 200 Park residents would be in jeopardy and the current Canberra housing crisis worsened. 	NCA recommends no change to DA67 as exhibited.
4.	<p>Ms Geraldine Pribyl</p> <p>Member of public</p> <p>(almost exact words as Submissions 1, 2, 3 & 5)</p>	<ul style="list-style-type: none"> Support the changes detailed in DA67. The changes proposed for Blocks 6 & 8 Section 97 Symonston to bring the National Capital Plan into line with the existing land use and the 10E Area Specific Policy in the Territory Plan is long overdue. Strongly support the right of residents of the LCP to retain their homes and to achieve long term security of tenure. 	NCA recommends no change to DA67 as exhibited.

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
		<ul style="list-style-type: none"> Without this agreement and the consequent planning changes proposed to Block 17 Section 102 Symonston by DA67, the homes, financial security and well-being of between 100 and 200 Park residents would be in jeopardy and the current Canberra housing crisis worsened. 	
5.	<p>Ms Andrea Simmons Manager ACT Disability, Aged & Carer Advocacy Service Inc.</p> <p>(almost exact words as Submissions 1 to 4)</p>	<ul style="list-style-type: none"> Strongly support the right of residents of the Narrabundah Long Stay Caravan Park to be accorded long term security of tenure. The changes proposed for Blocks 6 & 8 Section 97 Symonston to bring the National Capital Plan into line with the existing land use and the 10E Area Specific Policy in the Territory Plan is long overdue. Without this agreement and the consequent planning changes proposed to Block 17 Section 102 Symonston by DA67, the homes, financial security and well-being of between 100 and 200 Park residents would be in jeopardy and the current Canberra housing crisis worsened. 	NCA recommends no change to DA67 as exhibited.
6.	<p>Mr Jack Kershaw FRAIA</p> <p>Architect and member of public</p>	<ul style="list-style-type: none"> Block 17 Section 102 Symonston is unsuitable for Mobile Home Park use. An alternative site to the south east of the rear boundary of Block 17 Section 102 Symonston would be better. A Mobile Home Park would detract from the fine architectural expression and significant scale of the Therapeutic Goods Administration Building. Block 17 Section 102 Symonston is more 	<p>Block 17 Section 102 Symonston is Territory Land outside the Designated Areas of the National Capital Plan. The ACT Government through ACTPLA is responsible for the detailed planning of this area and has agreed with Dytin Pty Ltd that the Block is most “like for like” to Block 8 Section 97 Symonston.</p> <p>Block 17 Section 102 Symonston is fairly sufficiently removed from the TGA Building to not have a significant impact on its architectural qualities.</p>

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
		<p>suited to a lower scale government Institution which could be more contextually and architecturally appropriate.</p> <ul style="list-style-type: none"> • Possible Toxic issues. • DA 67 particularly the land swap process is not open and transparent. • It is better for the developer to be left with Block 8 Section 97 Symonston and to pay full betterment (35 million dollars). 	<p>The National Asset Manager and Crown Lessee of Block 4 Section 126 Symonston (TGA) in their submission on DA67 confirmed that “The site is currently used for the headquarters and laboratory functions of the Therapeutic Goods Administration and has recently also been utilised for Brucellosis (a cattle disease). In the future it will be used for similar functions that may include research into human disease. Facilities such as these are an essential component of modern society and need to be appropriately accommodated within town planning systems. It is an unfortunate but nevertheless realistic situation that, whilst these types of facilities are operated in a completely safe fashion, considerable resistance often arises when they are located close to residential areas”.</p> <p>Comments on DA67 and the Draft Variation to the Territory Plan No. 285 not being transparent and the process being open to corruption are unsubstantiated. The Draft Amendment and draft variation processes are subject to close scrutiny by the public and both Houses of the Commonwealth Parliament. Public consultation on DA67 was for a period of 30 business days. All submissions received are given careful consideration by the NCA before a recommendation is made to the Minister. All Draft Amendments to the National Capital Plan must be accepted by both Houses of the Commonwealth Parliament after approval by the Minister. Each House has fifteen (15) sitting days in which it may move a motion for disallowing all or part of the Amendment. If a resolution disallowing all or part of the Amendment is passed then that whole or part of the Amendment ceases to have effect.</p> <p>NCA recommends no change to DA67 as exhibited.</p>

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
7.	<p>Friends of Grasslands (FoG)</p> <p>(based in Canberra, over 200 members including professional scientists, landowners, land managers and interested members of the public)</p>	<ul style="list-style-type: none"> • FoG's is concerned about the grassland earless dragon <i>Tympanocryptis pinguicolla</i>, listed as an endangered species under both Commonwealth and ACT Legislation. • Further investigation should be undertaken prior to any approval under the EPBC Act 1999. • Swap site should not be developed as it may have a significant impact on the grassland earless dragon and its habitat. • Opposed to development of the site although sympathetic to the plight of the residents at the long-stay caravan park. • If proposed developments were to be allowed – it is critical that: <ul style="list-style-type: none"> ○ the area subject to works / development is minimal; ○ as much grassland earless dragon habitat is conserved as possible to protect and buffer the species from the proposed land use; and ○ a regime of effective and formalised management is put in place throughout the remaining local habitat to enhance conservation outcomes in the long term. 	<p>The Draft Amendment to the National Capital Plan does not require referral under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). However, a subsequent development within the same area may trigger referral processes under the EPBC Act by the proponent.</p> <p>The ACT Government's Land Development Agency in July 2007 made a referral of their proposed servicing works for Block 17 Section 102 Symonston which includes electricity, water, sewerage, vehicular access, stormwater, gas, communications, street lighting and verge works under the EPBC Act 1999 and on 17 August 2007 the Federal Minister for the Environment and Water Resources determined that development of Block 17 Section 102 Symonston is a Controlled Action that requires more detailed environmental investigations to be undertaken.</p> <p>The EPBC Act is not intended to exclude or limit the concurrent operation of any law of a State or Territory. The ACT Government's responsibility to manage the environment under the ACT Government's own processes is a matter for the ACT Government.</p> <p>NCA recommends no change to DA67 as exhibited.</p>

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
8.	<p>Ms Wendy Dimond</p> <p>Member of public and PhD Scholar.</p>	<ul style="list-style-type: none"> Objected to the use of Block 17 Section 102 as a Mobile Home Park in Broadacre Areas. Block 17 Section 102 Symonston has high conservation status due to the discovery of the grassland earless dragon (<i>Tympanocryptis pinguicolla</i>) on the block. Species is listed as endangered in the ACT and critically endangered in Victoria (where it is possibly extinct). The ACT Government since 1995 has not made any effort to investigate the possibility of current population sizes (of <i>Tympanocryptis pinguicolla</i> on the block. Cannot see justification for developing one of the few known sites where this endangered lizard lives and asked how proposal to develop a site occupied by this highly endangered species without even undertaking an investigation of the population of lizards on the site reflected on the ACT. Recommended that further effort be made to ascertain the use of this site by the grassland earless dragon using more modern methods and any further trapping must be carried out between January - March which is the most appropriate time of the year. 	<p>The Draft Amendment to the National Capital Plan does not require referral under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). However, a subsequent development within the same area may trigger referral processes under the EPBC Act by the proponent.</p> <p>The ACT Government's Land Development Agency in July 2007 made a referral of their proposed servicing works for Block 17 Section 102 Symonston which includes electricity, water, sewerage, vehicular access, stormwater, gas, communications, street lighting and verge works under the EPBC Act 1999 and on 17 August 2007 the Federal Minister for the Environment determined that development of Block 17 Section 102 Symonston is a Controlled Action that requires more detailed environmental investigations to be undertaken.</p> <p>The EPBC Act is not intended to exclude or limit the concurrent operation of any law of a State or Territory. The ACT Government's responsibility to manage the environment under the ACT Government's own processes is a matter for the ACT Government.</p> <p>NCA recommends no change to DA67 as exhibited.</p>

No.	Name of Submitter	Key Points Made in Submission	Recommended Response to Submission and Recommended Change to Draft Amendment 67 as Exhibited
9.	<p>Ms Jennifer Ipkendanz (Callum Brae)</p> <p>Member of public, current neighbour and former lessee of Block 17 Section 102 Symonston.</p>	<ul style="list-style-type: none"> • Did not object to DA67 where it affects Blocks 6 & 8 Section 97 Symonston. • Considers that development of any kind within Block 17 Section 102 Symonston is entirely inappropriate given the stated priority of both the Australian and ACT Governments to protect what little remains of the endangered ecological community (Natural Temperate Grasslands) and endangered grassland-dependent species (Grassland Earless Dragon) evident on this site. • Any additions to the possible land uses for this particular block of land will increase the development opportunities for an area of land that has clear identifiable and recognised environmental and heritage constraints. • National Capital Plan land uses should be changed to a more appropriate land use to assist in the protection of these values. 	<p>The Draft Amendment to the National Capital Plan does not require referral under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). However, a subsequent development within the same area may trigger referral processes under the EPBC Act by the proponent.</p> <p>The ACT Government's Land Development Agency in July 2007 made a referral of their proposed servicing works for Block 17 Section 102 Symonston which includes electricity, water, sewerage, vehicular access, stormwater, gas, communications, street lighting and verge works under the EPBC Act 1999 and on 17 August 2007 the Federal Minister for the Environment determined that development of Block 17 Section 102 Symonston is a Controlled Action that requires more detailed environmental investigations to be undertaken.</p> <p>The EPBC Act is not intended to exclude or limit the concurrent operation of any law of a State or Territory. The ACT Government's responsibility to manage the environment under the ACT Government's own processes is a matter for the ACT Government.</p> <p>NCA recommends no change to DA67 as exhibited.</p>
10.	<p>Colin Swan and Kerrie Murphy</p> <p>Members of public</p>	<ul style="list-style-type: none"> • No comment on the draft amendment where it applies to Blocks 6 and 8 Section 97 Symonston to formalise the existing caravan parks. • Opposed to the Draft Amendment where it applies to Block 17 Section 102 Symonston as the site has enormous environmental significance and is part of the Callum-Brae grassy woodlands. • Previous extensive studies should be reason enough to confirm that Block 17 is a totally unsuitable site for the land swap and any other development proposal now 	<p>The Draft Amendment to the National Capital Plan does not require referral under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC). However, a subsequent development within the same area may trigger referral processes under the EPBC Act by the proponent.</p> <p>The ACT Government's Land Development Agency in July 2007 made a referral of their proposed servicing works for Block 17 Section 102 Symonston which includes electricity, water, sewerage, vehicular access, stormwater, gas, communications, street lighting and verge works under the EPBC Act 1999 and on 17 August 2007 the Federal Minister for the Environment determined that development of Block 17 Section 102 Symonston is a Controlled Action that requires more detailed</p>

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		<p>and in the future.</p> <ul style="list-style-type: none"> • Does not believe that Block 17 Section 102 can be considered as “degraded”. • The block has been considered for numerous building projects in the past including the Australian Geological Survey Organisation (AGSO) and the controversial ACT Prison but proved to be too environmentally sensitive. • Referred to article in The Canberra Times on 14 June 2007 and the possibility of the recipient of the land swap wanting to build a new repository for the National Archives of Australia and will accommodate 200 workers. Should such a facility be built then there would be safety issues from increased traffic on Narrabundah Lane. • Understand the need for more low income housing options in the ACT but unable to comment on whether the concept of a Mobile Home Park (whether temporary or permanent) is going to have any impact on addressing the issue of low income housing in Canberra. • Symonston has one of the lowest socioeconomic status in the ACT, if not Australia and did not believe Symonston is suitable for what they consider will ultimately be a medium density housing development. 	<p>environmental investigations to be undertaken.</p> <p>The EPBC Act is not intended to exclude or limit the concurrent operation of any law of a State or Territory. The ACT Government’s responsibility to manage the environment under the ACT Government’s own processes is a matter for the ACT Government.</p> <p>The National Capital Plan currently allows a range of uses to occur in the Broadacre Areas of the National Capital Plan including Block 17 Section 102 Symonston. As Block 17 is Territory Land outside the Designated Areas of the National Capital Plan, the responsibility for detailed planning and any assessments that are required prior to the granting of development approval are therefore the responsibility of ACTPLA.</p> <p>The suitability of Symonston for lower cost housing has already been established by the existence of lower cost housing on Blocks 6 & 8 Section 97 Symonston.</p> <p>NCA recommends no change to DA67 as exhibited.</p>

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11.	<p>Mr Paul McDonnell</p> <p>National Asset Manager Cromwell Property Services Pty Ltd Crown Lessee of Block 4 Section 126 Symonston</p> <p>(Therapeutic Goods Administration Building)</p>	<ul style="list-style-type: none"> • No objection to DA67 as it affects Blocks 6 & 8 Section 97 Symonston. • Proposal to rezone the site (Block 17 Section 102 Symonston has been developed without regard to sound planning processes. It is likely to be detrimental to the natural environment and is contrary to the relevant environmental protection legislation. • Object to the proposal to amend the National Capital Plan to allow residential use in the form of a Mobile Home Park on Block 17 Section 102 Symonston. • Proposal is contrary to planning objectives for “broadacre” as stated in the Territory Plan as neither these objective nor the broader goals and objectives of the Territory Plan are addressed in the explanatory statement to the proposed variation. • Proposal is incompatible with adjoining land uses. • The proposed Territory Plan Variation will permit residential use at a reasonably intensive scale on block 17. The Crown lease over Block 4 Section 126 Symonston permits the land to be used for “scientific research establishment” including the development of electronic technology, biotechnology or other scientific disciplines for application to commerce, industry or government.” • Contrary to strategic planning principles. • The development of Block 17 for a Mobile Home Park will, when taken together with the existing caravan parks to the north, 	<p>A Caravan Park is already a permitted use in the Broadacre Areas of the current National Capital Plan. If DA67 is approved and allows for Mobile Home Park that permits permanent accommodation (in Broadacre Areas of the National Capital Plan) it does not amount to adding residential use where it was once prohibited. It is up to the ACT Planning and Land Authority to determine whether to allow a Mobile Home Park where previously only a Caravan Park was permitted.</p> <p>The ACT Government and ACTPLA are responsible for determining whether the kind of residential (lower cost) and the scale (if Block 17 Section 102 Symonston were to add a hundred permanently located caravans), in an area that is allegedly lacking in facilities and service provision has a role in Canberra's housing.</p> <p>The comment that an addition of one hundred lower costs dwellings to an area that already has a substantial number of similar dwellings would lead to an increase in the crime rate and social problems of the area and that the TGA are likely to suffer considerable detriment is unsubstantiated.</p> <p>The Draft Amendment to the National Capital Plan does not require referral under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). However, a subsequent development within the same area may trigger referral processes under the EPBC Act by the proponent.</p> <p>The ACT Government's Land Development Agency in July 2007 made a referral of their proposed servicing works for Block 17 Section 102 Symonston which includes electricity, water, sewerage, vehicular access, stormwater, gas, communications, street lighting and verge works under the EPBC Act 1999 and on 17 August 2007 the Federal Minister for the Environment and Water Resources determined that development of Block 17 Section 102 Symonston is a Controlled Action that requires more detailed environmental investigations to be undertaken.</p>

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		<p>have the effect of creating a suburb of low cost housing. This area has not been identified for residential development in any of the relevant ACT strategic planning documents including the Canberra Spatial Plan (CSP). The CSP identifies this area as “future employment corridor”. and specifically not for residential development.</p> <ul style="list-style-type: none"> • Questioned the desirability of concentrating low cost housing in one place, and at a location that is substantially disadvantaged in terms of facilities and service provision. Social planning principles indicate that low cost housing should be distributed through the community close to services and facilities. • With an additional 100 plus low cost dwellings at Symonston as an immediate neighbour, TGA are likely to suffer considerable detriment from crime and social problems. • Endangered species habitat will be destroyed. • There is a need to prepare a preliminary assessment. 	<p>The EPBC Act is not intended to exclude or limit the concurrent operation of any law of a State or Territory. The ACT Government’s responsibility to manage the environment under the ACT Government’s own processes is a matter for the ACT Government.</p> <p>NCA recommends no change to DA67 as exhibited.</p>

STATUTORY BACKGROUND TO THE NATIONAL CAPITAL PLAN AMENDMENT PROCESS

Australian Capital Territory (Planning and Land Management) Act 1988

Section 6(b) of the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act) requires the National Capital Authority to keep the National Capital Plan (the Plan) under constant review and to propose amendments to it when necessary.

Subsection 14 of the Act provides that the National Capital Authority shall prepare Draft Amendments to the Plan in accordance with provisions in the Act.

Subsection 15(1) of the Act provides that the Authority shall submit a copy of the Draft Amendment to the Territory planning authority; publish a notice in the Commonwealth Gazette and in the principal daily newspaper circulating in the Territory that the Draft Amendment has been prepared and released for public consultation.

Subsection 15(2) provides that the Authority shall consult with the Territory planning authority about the Draft Amendment and have regard to any views expressed by it and by the public. The Authority may alter the Draft Amendment accordingly. When the Authority fulfils the requirements of section 15 it shall, according to section 18 of the Act, submit the Draft Amendment to the Minister for approval, together with a report on its consultation under section 15.

Subsection 19(1) of the Act outlines the Minister's powers with respect to Draft Amendments to the National Capital Plan.

Subsection 19(1) provides that the Minister may approve the Draft Amendment without alteration; may refer the Draft Amendment to the Authority with directions to either conduct further consultations or provide the Authority with suggested alterations.

Subsection 19(2) provides that if the Territory planning authority objects to any aspect of the Draft Amendment the Minister shall not act under subsection 19(1) except after consultation with the Executive (Executive is defined in the *Australian Capital Territory (Self-Government) Act 1988* as the Australian Capital Territory Executive established by section 36 of that Act).

Under subsection 20 of the Act, if the Minister chooses to refer the Draft Amendment to the Authority, the Authority shall reconsider the Draft Amendment; have any further consultations directed by the Minister and such other consultations as the Authority thinks necessary; consider any suggestions made by the Minister; alter the Draft Amendment if it thinks fit; and re-submit the Draft Amendment to the Minister for approval.

Subsection 21(1) provides that where the Minister approves the Draft Amendment a notice of approval will be published in the Commonwealth Gazette, which specifies where copies of the Amendment may be bought or inspected.

Under subsection 21(2) the Amendment takes effect upon publication of the Notice of Approval.

Subsection 22 provides that the Amendment must be laid before each House of Parliament within six (6) sitting days after Gazettal. The document is tabled as a disallowable instrument. Under The provisions of the *Legislative Instruments Act 2003* each House has fifteen (15) sitting days in which it may move a motion for disallowing all or part of the Amendment. If a resolution disallowing all or part of the Amendment is passed then that whole or part of the Amendment ceases to have effect.