

AUSTRALIAN CAPITAL TERRITORY.

No. 37 of 1938.

AN ORDINANCE

**To establish a Committee to consider and advise upon
Matters involved in the Planning and Development
of the National Capital and its Environs.**

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1. This Ordinance may be cited as the *National Capital Development Ordinance 1938*. Short title.

2. In this Ordinance, unless the contrary intention appears— Definitions.

“member of the Committee” includes a person appointed, in pursuance of this Ordinance, to act as a member of the Committee;

“the approved plan” means the plan of lay-out of the City published in the *Gazette* of the nineteenth day of November, One thousand nine hundred and twenty-five, as modified or varied from time to time;

“the City” means the city of Canberra and its environs;

“the Committee” means the National Capital Planning and Development Committee constituted under this Ordinance.

3.—(1.) For the purposes of this Ordinance there shall be a Constitution of Committee.
National Capital Planning and Development Committee.

(2.) The Committee shall consist of the Chairman of the Parliamentary Standing Committee on Public Works, the Chairman of the Advisory Council constituted under the *Advisory Council Ordinance 1936-1938*, the Assistant Secretary (Civic Administration), Department of the Interior, and four other members to be appointed by the Governor-General of whom at least three shall be persons who, he is satisfied, are authorities on town-planning, architecture or engineering.

(3.) The Governor-General shall appoint one of the members of the Committee to be Chairman of the Committee.

(4.) Meetings of the Committee shall be summoned by the Assistant Secretary (Civic Administration) who shall be the executive member of the Committee.

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(5.) In the absence of the Chairman from any meeting, the members present at the meeting may elect one of their number to be the Chairman of the meeting.

(6.) At any meeting of the Committee, the Chairman or the member presiding thereat shall have a deliberative vote and, in the event of an equality of voting, a second or casting vote.

(7.) Four members shall form a quorum at any meeting of the Committee.

(8.) In the case of the illness or absence from Australia of any member of the Committee, or in the event of the office of a member of the Committee (not being a member appointed by the Governor-General) becoming vacant, the Governor-General may, if he thinks fit, appoint a person to act as a member of the Committee during the illness or absence of the member, or until the vacancy is filled, as the case may be, and the person so acting shall have all the powers and perform all the duties of the member.

**Expenses
of members.**

4.—(1.) The members of the Committee shall severally receive, in reimbursement of their travelling and other expenses, such sums as, or sums calculated at such rates as, are prescribed.

(2.) No sums shall be payable under sub-section (1.) of this section to any member of the Committee who is also a member of the Parliament of the Commonwealth or of a State if, prior to becoming a member of that Parliament or prior to becoming a member of the Committee (whichever event last occurs), he has lodged with the executive member of the Committee a declaration that during any period during which he is or may be a member of that Parliament he will not accept any fees under this section.

(3.) A member of the Committee to whom sub-section (2.) of this section applies shall be entitled to receive only such expenses as he actually incurs in or in connexion with the performance of his duties as a member of the Committee.

**Tenure of
members of
Committee.**

5.—(1.) The members of the Committee appointed by the Governor-General shall hold office during the pleasure of the Governor-General.

(2.) Upon the happening of a vacancy in the office of a member of the Committee appointed by the Governor-General, the Governor-General may appoint a person to the vacant office.

**Powers and
functions of
the Minister.**

6. The Minister may refer to the Committee any matter in relation to the planning and development of the City upon which he desires the advice of the Committee, and the Committee shall inquire into, and report to the Minister upon, the matter.

**Powers and
functions of
the Committee.**

7.—(1.) The Committee, on its own initiative, may make inquiries and may make recommendations to the Minister in relation to—

- (a) the approved plan;
- (b) proposals for the general and progressive development of the City;

- (c) designs for the siting, lay-out, or construction of any public building, or group of public buildings;
- (d) proposals for the establishment of zones or special areas within the City for residential, commercial or industrial purposes;
- (e) land sub-divisions and their planning;
- (f) sites for public, semi-public, institutional and private buildings;
- (g) the location, design, or construction of any private building;
- (h) building and zoning regulations;
- (i) provision for services and public utilities;
- (j) schemes for promoting the beautification of the City and facilities for recreation;
- (k) any matter which in the opinion of the Committee may adversely affect the planning, development, or appearance of the City; and
- (l) any other matters whatever with respect to city and regional planning in relation to the City.

(2.) The Committee shall furnish a report to the Minister with respect to any matter in relation to which it makes a recommendation under this section.

8. The Committee may request the attendance of any person ^{Assistance of Experts..} employed in the Public Service of the Commonwealth for the purpose of assisting the Committee in the consideration of any matter being inquired into by the Committee of which the person has expert knowledge.

9. The Committee may request the Permanent Head or officer ^{Plans and data..} in charge of any Department or Branch of a Department concerned with the administration of the Territory to supply the Committee with plans, data, or other information for the purpose of assisting the Committee in the consideration of any matter into which it is by this Ordinance authorized or required to inquire.

10. The Minister may make regulations, not inconsistent with ^{Regulations..} this Ordinance, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance.

Dated this seventeenth day of December, 1938.

GOWRIE

Governor-General.

By His Excellency's Command,

J. McEWEN

Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.