

2001

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

Land (Planning and Environment) Amendment Bill 2001 (No 2)

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(As presented)

(Minister for Urban Services)

Land (Planning and Environment) Amendment Bill 2001 (No 2)

A Bill for

An Act to amend the *Land (Planning and Environment) Act 1991*, and for another purpose

The Legislative Assembly for the Australian Capital Territory enacts as follows:

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1 Name of Act

This Act is the *Land (Planning and Environment) Amendment Act 2001 (No 2)*.

2 Commencement

- (1) Sections 1 to 4 commence on the day this Act is notified in the Gazette.
- (2) Sections 5 to 10 commence immediately after the commencement of the *Legislation (Consequential Amendments) Act 2001*.

3 Section 184C

substitute

184C Change of use charge for variations of nominal rent leases

- (1) On application by the lessee of a nominal rent lease who applies for a variation of the lease, the Minister must remit a change of use charge under section 184A (Variation of nominal rent lease—change of use charge) in circumstances prescribed under the regulations.
- (2) The Minister must increase a change of use charge under section 184A in circumstances prescribed under the regulations.

4 Section 187C

substitute

187C Change of use charge for consolidations and subdivisions

- (1) On application by a lessee who applies for a consolidation or subdivision of a lease or leases, the Minister must remit a change of use charge under section 187A (Consolidation and subdivision—

change of use charge) in circumstances prescribed under the regulations.

- (2) The Minister must increase a change of use charge under section 187A in circumstances prescribed under the regulations.

5 Application to undertake development

Section 226 (1)

substitute

- (1) An application for approval must—

- (a) be signed by the applicant; and
- (b) if the application is for approval of a variation of a lease—be accompanied by an assessment by an accredited valuer that sets out the amounts of the values represented by **V₁** and **V₂** in—
 - (i) for a variation that is not a consolidation or subdivision—section 184A; or
 - (ii) for a variation consisting of a consolidation or subdivision—section 187C.

6 Section 226 (1), note 2

substitute

Note 2 If a form is approved under s 287A (Approved forms) for an application or a declaration, the form must be used.

7 New section 226 (9)

insert

- (9) In this section:

accredited valuer means a person who is—

Section 8

- 1 (a) registered, licensed or approved under the law of the
2 Commonwealth or a State to carry out valuations of property;
3 or
4 (b) accredited as a certified practising valuer by the body known as
5 the Australian Property Institute.

6 **8 Conditional approvals**
7 **Section 245 (3) (l)**

- 8 *omit*
9 approval.
10 *substitute*
11 approval; or

12 **9 New section 245 (3) (m)**

- 13 *insert*
14 (m) that the applicant give to the Minister a further assessment by a
15 valuer that complies with section 226 (1) (b).

16 **10 Land (Planning and Environment) Regulations 1992,**
17 **mentions of *may***

- 18 *omit*
19 may
20 *substitute*
21 must
22 *in the following provisions*
23 Regulation 12B (1)
24 Regulation 13 (1)
25 Regulation 14 (1)

- 1 Regulation 14A (1)
- 2 Regulation 14C (2)
- 3 Regulation 15B (1)
- 4 Regulation 15D (1)
- 5 Regulation 15E (2)
- 6 Regulation 15F (2).

Endnote

Act amended

- 1 Republished as in force on 30 May 2000. (Republication No 5). See also Acts 2000 Nos 37, 49 and 80; 2001 No 1.

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