

1993

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

(As presented)

(Minister for the Environment, Land and Planning)

**Land (Planning and Environment)
(Consequential Provisions) (Amendment)
Bill (No. 2) 1993**

**A BILL
FOR**

An Act to amend the *Land (Planning and Environment) (Consequential Provisions) Act 1991*

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

Short title

- 5 1. This Act may be cited as the *Land (Planning and Environment) (Consequential Provisions) (Amendment) Act (No. 2) 1993*.

Commencement

- 10 2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.
 (2) The remaining provisions commence on a day fixed by the Minister by notice in the *Gazette*.
 (3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which

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this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Principal Act

3. In this Act, "Principal Act" means the *Land (Planning and Environment) (Consequential Provisions) Act 1991*.¹

Interpretation

4. Section 28 of the Principal Act is amended—

- (a) by omitting the definition of "Tribunal"; and
- (b) by inserting the following definition:

10 " 'Appeals Board' means the Land and Planning Appeals Board established by section 282B of the *Land (Planning and Environment) Act 1991*;"

Review of decisions

15 5. Section 33 of the Principal Act is amended by omitting subsections (1), (2) and (3) and substituting the following subsections:

"(1) A person whose interests are affected by a decision of the Authority to make an order under subsection 29 (1) may apply to the Appeals Board for a review of that decision.

20 "(2) Where the Authority makes a decision of the kind referred to in subsection (1), it shall cause notice of the decision to be given to—

- (a) the person to whom the order is directed; and
- (b) any other person whose interests are, in the opinion of the Authority, adversely affected by the decision.

"(3) A notice under subsection (2) shall include—

- 25 (a) a statement of the reasons of the Authority for making the order; and
- (b) a statement to the effect that, subject to Part VIA of the *Land (Planning and Environment) Act 1991*, an application may be made to the Appeals Board for a review of the decision to make the

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NOTE

1. Reprinted as at 31 August 1993.