

1999
LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

LAND PLANNING AND ENVIRONMENT (AMENDMENT) BILL (NO4) 1999

EXPLANATORY MEMORANDUM

Circulated
by authority of
SIMON
CORBELL,
MLA
MEMBER
FOR
Molonglo

Land (Planning and Environment) (Amendment) Bill No 4, 1999-10-08

Outline

This is an amending Bill. It amends the *Land (Planning and Environment) Act 1991* (the Land Act). The amendments provide criteria for the utilisation of the ministerial call-in power under S299A of the Land Act.

The amending Bill gives effect to the criteria for utilising the call-in power under S229A.

CLAUSE NOTES

Formal Clauses

Clauses 1 and 2 are formal clauses that deal with the short title of the Bill, its commencement and identifies the *Land (Planning and Environment) Act 1991* (the Land Act) as the Act being amended.

Insertion

Clause 3 inserts into Section 229A, new subsections (6) and (7) substituting for existing subsections (6) and (7).

S229A(6) Determination of applications

This section allows the Minister where an application has been referred to the Commissioner to revoke that reference.

The Minister may revoke an application if it: raises a major issue of policy; seeks approval for a development that may have a substantial effect on the achievement or development of the objectives of the Territory Plan; or where a decision would give rise to a substantial public benefit.

S229A(7) Written statement

The section requires the Minister if revoking an application, to provide written notice to the applicants and the grounds on which that occurred.

The Minister is also required to provide the Assembly with a written statement containing the description of the development, and the grounds on which it was revoked.