



Australian Capital Territory

# Land (Planning and Environment) Amendment Act 2001 (No 4)

No 80 of 2001

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Australian Capital Territory

# Land (Planning and Environment) Amendment Act 2001 (No 4)

No 80 of 2001

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

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*[Notified in ACT Gazette No. S66: 10 September 2001]*

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

## **1 Name of Act**

This Act is the *Land (Planning and Environment) Amendment Act 2001 (No 4)*.

## **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  $V_1$  and  $V_2$  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—

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

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

*omit*

approval.

*substitute*

approval; or

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

*insert*

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

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

*omit*

may

*substitute*

must

*in the following provisions*

Regulation 12B (1)

Regulation 13 (1)

Regulation 14 (1)

Regulation 14A (1)

Regulation 14C (2)

Regulation 15B (1)

Regulation 15D (1)

Regulation 15E (2)

Regulation 15F (2).

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## 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.

*[Presentation speech made in Assembly on 3 May 2001]*

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