

2007

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Planning)

Planning and Development (Consequential Amendments) Bill 2007

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(Minister for Planning)

Planning and Development (Consequential Amendments) Bill 2007

A Bill for

An Act to amend legislation because of the enactment of the *Planning and Development Act 2006*, and for other purposes

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

1 **1 Name of Act**

2 This Act is the *Planning and Development (Consequential*
3 *Amendments) Act 2007.*

4 **2 Commencement**

5 (1) This Act commences on the commencement of the *Planning and*
6 *Development Act 2006.*

7 *Note* The naming and commencement provisions automatically commence on
8 the notification day (see Legislation Act, s 75 (1)).

9 (2) However, a date or time provided by a special commencement
10 provision for an amendment made by this Act has effect, or is taken
11 to have had effect, as the commencement date or time of the
12 amendment.

13 (3) In this section:

14 *special commencement provision*, for an amendment made by this
15 Act, is a provision, in brackets beginning with the text
16 ‘commencement:’, at the end of the amendment.

17 **Example**

18 An amendment followed by ‘(commencement: the later of the commencement of
19 the *Housing Assistance Act 2007* and the *Planning and Development Act 2006*)’
20 means that the amendment commences on the later of the commencement of the
21 *Housing Assistance Act 2007* and the *Planning and Development Act 2006.*

22 *Note* An example is part of the Act, is not exhaustive and may extend, but
23 does not limit, the meaning of the provision in which it appears (see
24 Legislation Act, s 126 and s 132).

25 **3 Legislation amended—sch 1**

26 This Act amends the legislation mentioned in schedule 1.

1 **Schedule 1** **Consequential amendments**

2 (see s 3)

3 **Part 1.1** **Administrative Appeals Tribunal**
4 **Act 1989**

5 **[1.1] Section 17 (4), note**

6 *substitute*

7 *Note* Div 4.5 applies only to applications for review of decisions under the
8 *Heritage Act 2004, Planning and Development Act 2006 and Tree*
9 *Protection Act 2005.*

10 **[1.2] Section 24 (5)**

11 *omit*

12 **[1.3] Section 28 (1) (d)**

13 *substitute*

14 (d) any other entity that has been made a party to the proceeding
15 by the tribunal on application by the entity under subsection (2)
16 or section 28A.

17 **[1.4] Section 28 (2), new note**

18 *insert*

19 *Note* If a form is approved under s 62A for this provision, the form must be
20 used.

21 **[1.5] Section 28 (3), (4) and (5)**

22 *omit*

- 1 **[1.6] New section 28A**
- 2 *insert*
- 3 **28A Entities notified about planning and development**
- 4 **decisions may be joined**
- 5 (1) This section applies if a person applies for the review of a decision
- 6 under the *Planning and Development Act 2006*.
- 7 (2) An interested entity for the decision may apply in writing to the
- 8 tribunal to be made a party to the proceeding on the application for
- 9 review.
- 10 *Note* If a form is approved under s 62A for this provision, the form must be
- 11 used.
- 12 (3) If an interested entity applies under subsection (2), the tribunal
- 13 must, by order, make the interested entity a party to the proceeding.
- 14 (4) In this section:
- 15 *interested entity*, for a reviewable decision—see the *Planning and*
- 16 *Development Act 2006*, section 400 (Definitions—ch 13).
- 17 **[1.7] Section 37 (11), definition of *defined period*, paragraph (a)**
- 18 *substitute*
- 19 (a) if the proceeding arises under the *Planning and Development*
- 20 *Act 2006*—14 days; or
- 21 **[1.8] New section 37 (12), (13) and (14)**
- 22 *insert*
- 23 (12) In subsection (11), a reference to the *Planning and Development*
- 24 *Act 2006* includes a reference to the *Land (Planning and*
- 25 *Environment) Act 1991*.
- 26 (13) Subsection (12) is a law to which the Legislation Act, section 88
- 27 (Repeal does not end effect of transitional laws etc) applies.

- 1 (14) Subsections (12) and (13) and this subsection expire 6 months after
2 the day this subsection commences.

3 **[1.9] Sections 49A and 49B**

4 *omit*

- 5 • *Land (Planning and Environment) Act 1991*

6 *substitute*

- 7 • *Planning and Development Act 2006*

8 **[1.10] New section 49DA**

9 *insert*

10 **49DA Applications for review if decision reconsidered**

- 11 (1) This section applies if—

12 (a) the planning and land authority refuses an application for
13 development approval, or for the amendment of a development
14 application, (the *application*), or approves the application
15 subject to a condition; and

16 (b) the applicant for the application applies for review of the
17 original decision; and

18 *Note* **Original decision**—see s (3).

19 (c) the applicant applies for reconsideration of the original
20 decision under the *Planning and Development Act 2006*,
21 division 7.3.10 (Reconsideration of decisions on development
22 applications), whether before or after the applicant applies for
23 review of the original decision; and

24 (d) before the tribunal decides the application for review, the
25 planning and land authority reconsiders the original decision
26 and substitutes another decision (the *substitute decision*).

- 1 (2) The application for review of the original decision is taken to be an
2 application for review of the substitute decision.
- 3 (3) In this section:
- 4 *development application*—see the *Planning and Development*
5 *Act 2006*, dictionary.
- 6 *development approval*—see the *Planning and Development*
7 *Act 2006*, dictionary.
- 8 *original decision* means a decision mentioned in subsection (1) (a).

9 **Part 1.2 Administrative Decisions**
10 **(Judicial Review) Act 1989**

11 **[1.11] Section 8 (2) (b) (iii)**

12 *omit*

13 *Land (Planning and Environment) Act 1991*

14 *substitute*

15 *Planning and Development Act 2006*

16 **[1.12] New section 8 (4), (5) and (6)**

17 *insert*

- 18 (4) In subsection (2) (b) (iii), a reference to the *Planning and*
19 *Development Act 2006* includes a reference to the *Land (Planning*
20 *and Environment) Act 1991*.
- 21 (5) Subsection (4) is a law to which the Legislation Act, section 88
22 (Repeal does not end effect of transitional laws etc) applies.
- 23 (6) Subsections (4) and (5) and this subsection expire 6 months after the
24 day this subsection commences.

1 **Part 1.3 Casino Control Act 2006**

2 **[1.13] Section 62 (2)**

3 *substitute*

4 (2) Subsection (1) has effect despite the following provisions of the
5 *Planning and Development Act 2006*:

6 (a) section 49 (Effect of territory plan);

7 (b) section 64 (Effect of draft plan variations publicly notified);

8 (c) section 71 (Effect of draft plan variations given to Minister).

9 **Part 1.4 Cemeteries and Crematoria**
10 **Regulation 2003**

11 **[1.14] Section 18 (5), note**

12 *substitute*

13 *Note* The purpose for which land is used is important for the *Planning and*
14 *Development Act 2006*.

15 **Part 1.5 Civil Law (Sale of Residential**
16 **Property) Act 2003**

17 **[1.15] Section 7, definition of *lease***

18 *omit*

19 **[1.16] Section 7, definition of *sublease***

20 *substitute*

21 *sublease*—see the *Planning and Development Act 2006*,
22 section 226.

- 1 **[1.17] Section 7, definition of *unapproved structure***
- 2 *substitute*
- 3 ***unapproved structure*** means—
- 4 (a) a structure—
- 5 (i) the building of which contravened the *Building Act 2004*,
- 6 or other territory law regulating building work, at the
- 7 time it was built; or
- 8 (ii) the use or occupancy of which contravenes the *Building*
- 9 *Act 2004*; or
- 10 (b) a structure—
- 11 (i) the building of which required development approval
- 12 under the *Planning and Development Act 2006*, or other
- 13 territory law regulating development, at the time it was
- 14 built; and
- 15 (ii) that had no approval or, when built, did not comply with
- 16 the approval.
- 17 **[1.18] Section 8 (1), definition of *residential property*,**
- 18 **paragraph (a)**
- 19 *omit*
- 20 lease
- 21 *substitute*
- 22 territory lease relating to the land

- 1 **[1.19] Section 8 (2) (b)**
- 2 *omit*
- 3 the relevant lease
- 4 *substitute*
- 5 the territory lease relating to the land or unit
- 6 **[1.20] Section 8 (2) (d)**
- 7 *omit*
- 8 the relevant lease
- 9 *substitute*
- 10 the territory lease relating to the land
- 11 **[1.21] Section 11 (1) (g) (i)**
- 12 *substitute*
- 13 (i) the seller will be, or will be able to be, the registered
- 14 proprietor of the territory lease relating to the property
- 15 (if any); and
- 16 **[1.22] Section 20, new definition of *energy efficiency rating***
- 17 ***guidelines***
- 18 *insert*
- 19 *energy efficiency rating guidelines* means the guidelines made by
- 20 the planning and land authority under section 20A.
- 21 **[1.23] Section 20, definition of *energy efficient rating statement***
- 22 *substitute*
- 23 *energy efficiency rating statement* means—
- 24 (a) a statement prepared in accordance with the energy efficiency
- 25 rating guidelines; or

- 1 (b) if a regulation makes provision for energy efficiency rating
2 statements—a statement prepared in accordance with the
3 regulation.

4 **[1.24] Section 20, definition of *premises*, paragraph (g)**

5 *substitute*

- 6 (g) premises in relation to which approval has been given under
7 the *Planning and Development Act 2006*, chapter 7 for a
8 development involving the demolition of the premises;
9 (ga) premises in relation to which a controlled activity order has
10 been made under the *Planning and Development Act 2006*,
11 part 11.3 directing the demolition of the premises;

12 **[1.25] New section 20A**

13 *insert*

14 **20A Energy efficiency rating guidelines**

- 15 (1) The planning and land authority may make guidelines for preparing
16 an energy efficiency rating statement (the *energy efficiency rating*
17 *guidelines*).
18 (2) The energy efficiency rating guidelines are a disallowable
19 instrument.

20 *Note* A disallowable instrument must be notified, and presented to the
21 Legislative Assembly, under the Legislation Act.

22 **[1.26] Dictionary, note 2, new dot point**

23 *insert*

- 24 • territory lease

1 **[1.27] Dictionary, new definition of *energy efficiency rating***
2 ***guidelines***

3 *insert*

4 *energy efficiency rating guidelines*, for part 3 (Energy efficiency
5 ratings)—see section 20.

6 **[1.28] Dictionary, definition of *lease***

7 *omit*

8 **[1.29] Dictionary, definition of *sublease***

9 *substitute*

10 *sublease*, for part 2 (Sale of residential property)—see the *Planning*
11 *and Development Act 2006*, section 226.

12 **Part 1.6 Civil Law (Sale of Residential**
13 **Property) Regulation 2004**

14 **[1.30] Section 7 (6) (g)**

15 *substitute*

16 (g) if the person who prepared the report believes that a building
17 approval is not required for the structure—a statement from the
18 person about whether the person believes development
19 approval is required for the structure under the *Planning and*
20 *Development Act 2006*, chapter 7 (Development approvals).

1 **[1.31] Section 9**

2 *substitute*

3 **9 Lease conveyancing inquiry documents—Act, s 7, def**
4 ***lease conveyancing inquiry documents***

5 The lease conveyancing inquiry documents for a property are the
6 following statements or documents provided by the planning and
7 land authority:

- 8 (a) a statement about any entry in the heritage register in relation
9 to the property;
- 10 (b) a statement about whether any rent under the *Planning and*
11 *Development Act 2006* for the lease of the property is owing;
- 12 (c) a statement about any application for development approval
13 under the *Planning and Development Act 2006* affecting the
14 property;
- 15 (d) a statement about any contravention of the *Planning and*
16 *Development Act 2006* in relation to the lease of the property;
- 17 (e) a statement about any order under the *Planning and*
18 *Development Act 2006* made or proposed to be made by the
19 planning and land authority in relation to the property;
- 20 (f) a statement about any application for development approval for
21 variation of a lease for dual occupancy made under the
22 *Planning and Development Act 2006* affecting the property;
- 23 (g) a statement about any certificate of compliance issued under
24 the *Planning and Development Act 2006*;
- 25 (h) a statement about whether there is any record of contaminated
26 land on the property.

1 **Part 1.7** **Commissioner for the**
2 **Environment Act 1993**

3 **[1.32] Section 12 (2) (e)**

4 *substitute*

- 5 (e) a panel conducting an inquiry under the *Planning and*
6 *Development Act 2006*, chapter 8 (Environmental impact
7 statements and inquiries); or

8 **Part 1.8** **Community Title Act 2001**

9 **[1.33] Section 10 (2)**

10 *substitute*

- 11 (2) The planning and land authority may refuse to approve a community
12 title scheme if the lessee of a lot proposed to be included in the
13 scheme is in breach of the lease, or a provision of (or requirement
14 under) the *Planning and Development Act 2006* that applies to the
15 lessee because the lessee is the lessee of the lot.

16 **[1.34] Section 21 (2)**

17 *substitute*

- 18 (2) The planning and land authority may refuse to approve an
19 application under the *Planning and Development Act 2006*,
20 chapter 7 for approval to carry out an activity needed for the
21 development of a stage of the scheme if an earlier stage of the
22 scheme has not been finished as required by the scheme.

23 **[1.35] Dictionary, definition of *Land Act***

24 *omit*

1 **Part 1.9 Duties Act 1999**

2 **[1.36] Section 52**

3 *substitute*

4 **52 Refund if Crown lease surrendered**

- 5 (1) This section applies if—
- 6 (a) an amount of duty has been paid on a grant of a Crown lease;
- 7 and
- 8 (b) the lease is surrendered or terminated; and
- 9 (c) part or all of the amount paid in relation to the grant of the
- 10 lease is refunded under the *Planning and Development*
- 11 *Act 2006*, section 293 (Refund on lease surrender or
- 12 termination).
- 13 (2) An amount calculated in accordance with the following formula
- 14 must be refunded to the person who paid the duty:

$$\frac{D \times R}{P}$$

- 15
- 16 (3) In subsection (2):

17 *D* means the amount of duty.

18 *R* means the amount that would be refundable under the *Planning*

19 *and Development Act 2006*, section 293 if no deduction were made

20 for administrative expenses.

21 *P* means the amount paid for the grant of the lease.

- 22 (4) However, a refund of duty is payable to a person only if the person
- 23 applies to the commissioner for the refund.

- 1 (5) An application for a refund of duty must—
2 (a) be in writing; and
3 (b) be made not later than 1 year after the refund mentioned in
4 subsection (1) (c) is made; and
5 (c) contain the information the commissioner requires to allow the
6 amount of the refund to be worked out.

7 **Part 1.10 Electoral Act 1992**

8 **[1.37] Section 299 (4), definition of *lessee***

9 *substitute*

10 *lessee*—see the *Planning and Development Act 2006*, section 226.

11 **[1.38] Section 303 (5)**

12 *substitute*

- 13 (5) Subsection (4) does not authorise an officer to enter land that is
14 subject to a territory lease.

15 **[1.39] Dictionary, note 2, new dot point**

16 *insert*

- 17 • territory lease

1 **Part 1.11 Emergencies Act 2004**

2 **[1.40] Section 4, note 1**

3 *substitute*

4 *Note 1* The dictionary at the end of this Act defines certain terms used in this
5 Act, and includes references (*signpost definitions*) to other terms
6 defined elsewhere.

7 For example, the signpost definition '*land management agreement*—
8 see the *Planning and Development Act 2006*, dictionary.' means that the
9 term 'land management agreement' is defined in that dictionary and the
10 definition applies to this Act.

11 **[1.41] Section 77 (3)**

12 *substitute*

13 (3) The strategic bushfire management plan has no effect to the extent
14 to which it is inconsistent with any plan of management in force
15 under the *Planning and Development Act 2006*, part 10.4 (Plans of
16 management for public land) in relation to an area of unleased
17 territory land or land occupied by the Territory.

18 **[1.42] Dictionary, definition of *land management agreement***

19 *substitute*

20 *land management agreement*—see the *Planning and Development*
21 *Act 2006*, dictionary.

22 **Part 1.12 Environment Protection Act 1997**

23 **[1.43] Section 49 (1) (d)**

24 *substitute*

25 (d) request the Minister under section 94 to direct that an EIS be
26 prepared in relation to the possible environmental impact of a
27 specified activity.

1 **[1.44] Section 49 (5) and (6)**

2 *substitute*

3 (5) Subsection (6) applies if—

4 (a) before the authority makes a decision granting or refusing to
5 grant an environmental authorisation under subsection (1), (2),
6 (3) or (4), the Minister, on the Minister's own initiative under
7 section 94, directs that an EIS be prepared in relation to the
8 possible environmental impact of the specified activity; or

9 (b) before the authority makes a decision granting or refusing to
10 grant an environmental authorisation under subsection (3), the
11 Minister agrees to a request under subsection (1) (d) or (2) (c).

12 (6) The authority must, not later than 20 working days after the day the
13 EIS is completed—

14 (a) grant the environmental authorisation under subsection (1) (a);
15 or

16 (b) refuse to grant the environmental authorisation under
17 subsection (1) (b).

18 (7) In this section:

19 *completed*, for an EIS, means the day the EIS is completed under
20 the *Planning and Development Act 2006*, section 203 as applied by
21 this Act, section 94A.

22 **[1.45] New section 92B**

23 *in part 10, insert*

24 **92B Definitions—pt 10**

25 In this part:

26 *environmental impact statement* or *EIS*—see the *Planning and*
27 *Development Act 2006*, section 200 (Definitions—ch 8).

1 *inquiry*—see the *Planning and Development Act 2006*, section 200
2 (Definitions—ch 8).

3 **[1.46] Section 94**

4 *substitute*

5 **94 Environmental impact statements and inquiries**

- 6 (1) This section applies in relation to an application for an
7 environmental authorisation in relation to an activity.
- 8 (2) At the authority's request, or on the Minister's own initiative, the
9 Minister may—
- 10 (a) direct that an EIS be prepared in relation to the possible
11 environmental impact of the activity; and
- 12 (b) after the EIS is given to the Minister—establish a panel to
13 conduct an inquiry into the activity.
- 14 (3) For subsection (2)—
- 15 (a) the Minister must not direct that an EIS be prepared or
16 establish a panel unless satisfied that the activity is not the
17 subject of a development application under the *Planning and*
18 *Development Act 2006*; and
- 19 (b) the authority must not make a request unless the authority—
- 20 (i) is satisfied that the activity is not the subject of a
21 development application under the *Planning and*
22 *Development Act 2006*; and
- 23 (ii) has reasonable grounds for believing the activity has the
24 potential to cause serious or material environmental
25 harm.

-
- 1 (4) The Minister must give the authority a copy of—
- 2 (a) any EIS prepared as directed under subsection (2) (a); and
- 3 (b) the report of any inquiry panel established under
- 4 subsection (2) (b).
- 5 **94A Application of Planning and Development Act, pt 8.2 and**
- 6 **pt 8.3**
- 7 (1) The *Planning and Development Act 2006*, part 8.2 applies to an EIS
- 8 prepared in accordance with a direction under section 94 (2) (a) as
- 9 if—
- 10 (a) a reference to a development proposal were a reference to an
- 11 activity; and
- 12 (b) a reference to the Minister were a reference to the Minister
- 13 administering section 94; and
- 14 (c) a reference to the planning and development authority were a
- 15 reference to the authority; and
- 16 (d) any other necessary changes, and any change prescribed by
- 17 regulation, were made.
- 18 (2) The *Planning and Development Act 2006*, part 8.3 applies to an
- 19 inquiry panel established under section 94 (2) (b) as if—
- 20 (a) a reference to the Minister were a reference to the Minister
- 21 administering section 94; and
- 22 (b) a reference to the planning and development authority were a
- 23 reference to the authority; and
- 24 (c) any other necessary changes, and any change prescribed by
- 25 regulation, were made.

1 **[1.47] Section 149 (2) (a)**

2 *substitute*

- 3 (a) the application under the *Planning and Development Act 2006*,
4 chapter 7 for approval to undertake the development; or

5 **[1.48] Schedule 1, table 1.2, item 8**

6 *substitute*

8	the acceptance of more than 100m ³ of soil for placement on land by a lessee or occupier of the land if the land is in— (a) an area identified in the territory plan as land in any of the following zones: Broadacre; Rural; Hills, Ridges and Buffer Areas; River Corridors; Mountains and Bushlands; or (b) a plantation forestry precinct, within the meaning of the territory plan; or (c) an area identified in the national capital plan as any of the following: Broadacre Areas; Rural Areas; Hills, Ridges and Buffer Spaces; River Corridors; Mountains and Bushland
---	---

7 **[1.49] Dictionary, definition of *area of high conservation value*,
8 paragraph (c)**

9 *substitute*

- 10 (c) the area identified in the territory plan as the river corridor
11 zone for the Murrumbidgee River; or

12 **[1.50] Dictionary, definition of *development***

13 *substitute*

14 ***development***—see the *Planning and Development Act 2006*,
15 section 7.

1 **[1.51] Dictionary, new definition of *EIS***

2 *insert*

3 *EIS*, for part 10—see the definition of *environmental impact*
4 *statement*.

5 **[1.52] Dictionary, new definition of *environmental impact***
6 ***statement***

7 *insert*

8 *environmental impact statement*, for part 10—see the *Planning and*
9 *Development Act 2006*, section 200 (Definitions—ch 8).

10 **[1.53] Dictionary, definition of *inquiry***

11 *substitute*

12 *inquiry* means an inquiry conducted under the *Planning and*
13 *Development Act 2006*, part 8.3 (Inquiry panels).

14 **[1.54] Dictionary, definition of *Land Act***

15 *omit*

16 **Part 1.13 Environment Protection**
17 **Regulation 2005**

18 **[1.55] Section 21, definition of *territory lease***

19 *omit*

20 **[1.56] Section 41**

21 *omit*

22 appendix 1, Water Use and Catchment Policies,

23 *substitute*

24 Water Use and Catchment Code,

- 1 **[1.57] Schedule 2, section 2.1, new definitions**
- 2 *insert*
- 3 *broadacre zone* means an area designated as a broadacre zone in the
4 territory plan.
- 5 *city centre* means the area designated as the city centre in the
6 Commercial Zones Development Code of the territory plan.
- 7 *commercial C4 zone* means the area designated as the commercial
8 C4 zone in the territory plan.
- 9 *commercial C5 zone* means the area designated as the commercial
10 C5 zone in the territory plan.
- 11 *community facility zone* means an area designated as a community
12 facility zone in the territory plan.
- 13 *group centre* means an area designated as a group centre in the
14 Commercial Zones Development Code of the territory plan.
- 15 *industrial zone* means an area designated as an industrial zone in the
16 territory plan.
- 17 *office site* means an area designated as an office site outside the city
18 centre, group centres and town centres in the Commercial Zones
19 Development Code of the territory plan.
- 20 *restricted access recreation zone* means an area designated as a
21 restricted access recreation zone in the territory plan.
- 22 *town centre* means an area designated as a town centre in the
23 Commercial Zones Development Code of the territory plan.
- 24 *TS2 services zone* means an area designated as a TS2 services zone
25 in the territory plan.

1 **[1.58] Schedule 2, table 2.1**

2 *substitute*

3 **Table 2.1**

column 1 item	column 2 noise zone	column 3 ACT land	column 4 NSW land
1	zone A	land in an industrial zone	land in the Queanbeyan city industrial zone
2	zone B	land in the city centre and town centres	land in the Queanbeyan city business zone
		land in the Central National Area (City)	
3	zone C	land in group centres and office sites	
		land in the Central National Area (The Parliamentary Zone; Barton; sections 39, 40 and 41 of Yarralumla; Acton; Anzac Parade and Constitution Avenue; Russell; Duntroon, ADFA and Campbell Park; Development Nodes and Clubs of Lake Burley Griffin and Foreshores)	
4	zone D	land in the commercial C4 zone	
5	zone E	land in— <ul style="list-style-type: none"> • the restricted access recreation zone • the broadacre zone 	

column 1 item	column 2 noise zone	column 3 ACT land	column 4 NSW land
6	zone F	land in— <ul style="list-style-type: none"> the commercial C5 zone the TS2 services zone the community facility zone 	land in the Queanbeyan city special uses zone
7	zone G	all areas other than Central National Area (Fairbairn)	other NSW land

1 *Note* The territory plan is available at www.actpla.act.gov.au.

2 **[1.59] Schedule 2, section 2.2, definition of *major road***

3 *substitute*

4 *major road* means an area identified in the territory plan as being in
5 the transport zone.

6 *Note* The territory plan is available at www.actpla.act.gov.au.

7 **[1.60] Dictionary, note 2, new dot point**

8 *insert*

- 9
 - territory lease

10 **[1.61] Dictionary, new definitions**

11 *insert*

12 *broadacre zone*, for schedule 2 (Noise zones, noise standards and
13 conditions)—see schedule 2, part 2.1, section 2.1.

14 *city centre*, for schedule 2 (Noise zones, noise standards and
15 conditions)—see schedule 2, part 2.1, section 2.1.

16 *commercial C4 zone*, for schedule 2 (Noise zones, noise standards
17 and conditions)—see schedule 2, part 2.1, section 2.1.

1 *commercial C5 zone*, for schedule 2 (Noise zones, noise standards
2 and conditions)—see schedule 2, part 2.1, section 2.1.

3 *group centre*, for schedule 2 (Noise zones, noise standards and
4 conditions)—see schedule 2, part 2.1, section 2.1.

5 *industrial zone*, for schedule 2 (Noise zones, noise standards and
6 conditions)—see schedule 2, part 2.1, section 2.1.

7 *major road*, for schedule 2 (Noise zones, noise standards and
8 conditions)—see schedule 2, part 2.3, section 2.2.

9 *office site*, for schedule 2 (Noise zones, noise standards and
10 conditions)—see schedule 2, part 2.1, section 2.1.

11 **[1.62] Dictionary, definition of *residential land***

12 *substitute*

13 *residential land* means an area identified in the territory plan as
14 being in a residential zone.

15 *Note* The territory plan is available at www.actpla.act.gov.au.

16 **[1.63] Dictionary, new definitions**

17 *insert*

18 *restricted access recreation zone*, for schedule 2 (Noise zones, noise
19 standards and conditions)—see schedule 2, part 2.1, section 2.1.

20 *town centre*, for schedule 2 (Noise zones, noise standards and
21 conditions)—see schedule 2, part 2.1, section 2.1.

22 *TS2 services zone*, for schedule 2 (Noise zones, noise standards and
23 conditions)—see schedule 2, part 2.1, section 2.1.

1 **Part 1.14 Gaming and Betting Act 1906**

2 **[1.64] Dictionary, new notes**

3 *insert*

4 *Note 1* The Legislation Act contains definitions and other provisions relevant to
5 this Act.

6 *Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- 7 • ACT
8 • indictable offence (see s 190)
9 • judge
10 • police officer
11 • territory lease
12 • under.

13 **[1.65] Dictionary, definition of *owner*, paragraph (a) (i)**

14 *substitute*

15 (i) a lessee under a territory lease; or

16 **Part 1.15 Gungahlin Drive Extension**
17 **Authorisation Act 2004**

18 **[1.66] Section 6A (6), examples 1 and 2**

19 *substitute*

20 1 A declaration under s (2) may be made despite the *Planning and*
21 *Development Act 2006*, s 49.

22 2 A variation under s (5) (a) (ii) may be made despite the *Planning and*
23 *Development Act 2006*, ch 5.

- 1 **[1.67] Section 8**
- 2 *substitute*
- 3 **8 Environmental assessments for GDE**
- 4 (1) In this section:
- 5 *environmental impact statement*—see the *Planning and*
6 *Development Act 2006*, dictionary.
- 7 *GDE* includes works that are part of, or related to, the construction
8 of the GDE (see s 6).
- 9 (2) Nothing in the *Planning and Development Act 2006* is to be taken to
10 require—
- 11 (a) an environmental impact statement to be prepared or
12 completed for the GDE; or
- 13 (b) any other action in relation to the GDE to be taken under the
14 *Planning and Development Act 2006*, part 5.6 or chapter 8.
- 15 (3) Subsection (2) applies whether or not an assessment (however
16 described) of the environmental impact of the GDE already
17 undertaken complies with the *Planning and Development Act 2006*.
- 18 (4) This section has effect despite any other Territory law, whether
19 passed before or after the commencement of this Act.
- 20 **[1.68] Section 9 (1), definition of *relevant law*, paragraph (c)**
- 21 *substitute*
- 22 (c) the *Planning and Development Act 2006*;

1 **[1.69] Section 9 (4), example**

2 *substitute*

3 **Example**

4 In deciding an application under the *Planning and Development Act 2006*, s 158
5 for a development approval in relation to the GDE, the Minister is not required to
6 consider any comment by a referral entity to which the application has been
7 referred under the *Planning and Development Act 2006*, div 7.3.3 (Referral of
8 development applications). However, the Minister may consider some or all of
9 those comments if the Minister chooses to do so.

10 **[1.70] Section 10 (6) (b)**

11 *substitute*

12 (b) the *Planning and Development Act 2006*, chapter 13 (Review
13 of decisions);

14 **Part 1.16 Hawkers Act 2003**

15 **[1.71] Section 4 (a) (i)**

16 *substitute*

17 (i) a licence under the *Planning and Development Act 2006*;
18 or

19 **Part 1.17 Heritage Act 2004**

20 **[1.72] Section 18, examples**

21 *substitute*

22 **Examples of other council functions**

23 1 making recommendations and submissions to the planning and land authority
24 about draft variations to the territory plan (see *Planning and Development*
25 *Act 2006*, s 60 (b) (iv))

1 2 giving advice to the planning and land authority about development
2 3 applications (see *Planning and Development Act 2006*, s 118 (2), s 119 (d),
3 4 s 127 (2) and s 128 (e))

4 **[1.73] Section 25 (1), example 9**

5 6 *substitute*

6 7 9 when, and when not, to undertake a development affecting the heritage
7 8 significance of a place

8 **[1.74] Sections 58 and 59**

9 10 *substitute*

10 **58 Meaning of *development*—pt 10**

11 12 In this part:

12 13 *development* means a proposed development to which a
13 14 development application under the *Planning and Development*
14 15 *Act 2006*, chapter 7 applies.

15 **59 Simplified outline**

16 17 The following notes provide a simplified outline of this part and the
17 18 *Planning and Development Act 2006*, chapter 7:

18 19 *Note 1 Council to be given copy of certain development applications*

19 20 The planning and land authority may be required to give the council a
20 21 copy of each development application for a development proposal in the
21 22 merit or impact track (see *Planning and Development Act 2006*, s 145).
22 23 This requirement would not apply to a development application for a
23 24 development proposal in the code track (see *Planning and Development*
24 25 *Act 2006*, s 116 (c)).

25 26 *Note 2 Council to give advice on application*

26 27 The council gives advice to the planning and land authority about the
27 28 effect of a development on the heritage significance of a place or object
28 29 if the development application is referred to the council (see *Planning*
29 30 *and Development Act 2006*, s 146, s 147 and s 148).

- 1 *Note 3* *Council's advice to be considered*
- 2 The council's advice must be considered by the planning and land
3 authority in approving or refusing to approve a development application
4 referred to the council (see *Planning and Development Act 2006*,
5 s 118 (2), s 119 (d), s 127 (2) and s 128 (e)).
- 6 *Note 4* *Council may apply for review of decision to approve application*
- 7 The council may apply to the AAT for review of the planning and land
8 authority's decision to approve a development application if the
9 council—
- 10 (a) made a representation about the proposal under the *Planning and*
11 *Development Act 2006*, s 153; and
- 12 (b) is an eligible entity under that Act, ch 13 (Review of decisions)
13 (see *Planning and Development Act 2006*, s 401 and s 411, and
14 sch 1, item 4 and item 6).

15 **[1.75] Section 60 (3)**

- 16 *substitute*
- 17 *Note 1* If the planning and land authority refers a development application to
18 the council under the *Planning and Development Act 2006*, s 145, the
19 council must, not later than 15 working days after being given the
20 application, give the planning and land authority its advice in relation to
21 the development application (see *Planning and Development Act 2006*,
22 s 146).
- 23 *Note 2* The council may apply to the AAT for review of the planning and land
24 authority's decision to approve a development application if the
25 council—
- 26 (a) made a representation about the proposal under the *Planning and*
27 *Development Act 2006*, s 153; and
- 28 (b) is an eligible entity under that Act, ch 13 (Review of decisions)
29 (see *Planning and Development Act 2006*, s 401 and s 411, and
30 sch 1, item 4 and item 6).

1 **[1.76] Section 61**

2 *substitute*

3 **61 Requirements for council's advice about development**

- 4 (1) This section applies if the council gives advice—
- 5 (a) under section 60 about the effect of a development on the
- 6 heritage significance of a place or object; or
- 7 (b) under the *Planning and Development Act 2006*, section 146 in
- 8 relation to a development application.
- 9 (2) The council's advice must include the following:
- 10 (a) an outline of the effect of the development on the heritage
- 11 significance of the place or object;
- 12 (b) advice about ways of avoiding or minimising the impact of the
- 13 development on the heritage significance of the place or object.
- 14 (3) Without limiting subsection (2), the advice may set out proposed
- 15 conditions on any approval of the development, including conditions
- 16 requiring compliance with all or any of the following:
- 17 (a) prudent and feasible measures to conserve the heritage
- 18 significance of the place or object;
- 19 (b) conservation requirements under applicable heritage
- 20 guidelines;
- 21 (c) a conservation management plan approved by the council.

22 **[1.77] Section 62 (1), example 3**

23 *substitute*

- 24 3 not to undertake a development affecting the heritage significance of a place

- 1 **[1.78] Section 76 (2) (a) (v)**
2 *substitute*
3 (v) development approval under the *Planning and*
4 *Development Act 2006*, chapter 7; or

- 5 **[1.79] Dictionary, definition of *Land Act***
6 *omit*

- 7 **[1.80] Dictionary, definition of *owner*, paragraph (a)**
8 *substitute*
9 (a) the registered proprietor of a lease granted under the *Planning*
10 *and Development Act 2006* over land that includes the place; or

11 **Part 1.18 Lands Acquisition Act 1994**

- 12 **[1.81] Section 50 (1) (e)**
13 *substitute*
14 (e) for an acquisition of land the subject of a rural lease granted for
15 a term shorter than 21 years—the possibility of a further lease
16 being granted in relation to the land under the *Planning and*
17 *Development Act 2006*, section 246.

- 18 **[1.82] Section 50 (2)**
19 *substitute*
20 (2) In this section:
21 *rural lease*—see the *Planning and Development Act 2006*,
22 section 226.

1 **Part 1.19** **Land Titles Act 1925**

2 **[1.83] New section 14 (1) (ba)**

3 *insert*

4 (ba) keep a record of administrative interests on the register;

5 *Note* *Administrative interest*—see s 69A.

6 **[1.84] New part 8A**

7 *insert*

8 **Part 8A** **Record of administrative**
9 **interests**

10 **69A** **Meaning of *administrative interest*—Act**

11 In this Act:

12 *administrative interest*, in relation to a parcel of land—

- 13 (a) means a decision under a law in force in the Territory by an
14 authorised entity in relation to the use of land that may affect a
15 decision of a person proposing to deal with land, whether or
16 not the land is the parcel affected or another parcel; and
- 17 (b) if an authorised entity may or must give notice to the
18 registrar-general of the happening of a thing that relates to the
19 use of the land and may affect a decision of a person proposing
20 to deal with land, whether or not the land is the parcel affected
21 or another parcel—includes the happening of the thing; but

1 (c) does not include an interest in land registrable under another
2 part of this Act.

3 **Examples of administrative interests**

4 1 a development approval under the *Planning and Development*
5 *Act 2006* for the use of land

6 2 if notice of a development approval is given to the registrar-general
7 under the *Planning and Development Act 2006*—the ending, by
8 surrender, of the development approval

9 *Note* An example is part of the Act, is not exhaustive and may extend,
10 but does not limit, the meaning of the provision in which it
11 appears (see Legislation Act, s 126 and s 132).

12 **69B Meaning of *authorised entity*—pt 8A**

13 In this part:

14 *authorised entity* means any of the following:

- 15 (a) the registrar-general;
16 (b) the Territory;
17 (c) a territory authority;
18 (d) an entity prescribed by regulation;
19 (e) an employee of an entity mentioned in paragraph (a), (b), (c)
20 or (d).

21 **69C Record of administrative interests**

22 (1) This section applies if the registrar-general keeps a record of
23 administrative interests on the register.

24 (2) The registrar-general may include, in the record, the following
25 information about an administrative interest that is a decision:

- 26 (a) the date of the decision;
27 (b) the particulars of the decision;

- 1 (c) the law under which the decision was made.
- 2 (3) The registrar-general may include, in the record, the following
3 information about a parcel of land to which an administrative
4 interest relates:
- 5 (a) if the parcel is leased—the name of the lessee;
- 6 (b) the block and section;
- 7 (c) the address of the parcel;
- 8 (d) any other information the registrar-general considers necessary
9 in relation to the parcel.
- 10 (4) However, if the registrar-general includes information mentioned in
11 subsection (3) in relation to the parcel of land, the information must
12 not include information other than information already available on
13 the register in relation to the parcel.

14 **69D Protection from liability—administrative interests**

- 15 (1) This section applies if the registrar-general takes reasonable steps to
16 bring the effect of subsection (2) to the attention of people given
17 access to the record of administrative interests in accordance with
18 section 66 (Searches).
- 19 (2) Neither the registrar-general nor an authorised entity incurs liability
20 for any omission, misstatement or inaccuracy in the information.
- 21 (3) A regulation may prescribe what are reasonable steps for
22 subsection (1).

1 **[1.85] Section 72A (1)**

2 *substitute*

- 3 (1) If the planning and land authority has executed a variation of a
4 Crown lease under the *Planning and Development Act 2006*, the
5 authority must lodge a copy of the variation with the
6 registrar-general.

7 **[1.86] Section 72AB heading**

8 *substitute*

9 **72AB Registration etc of orders under *Planning and***
10 ***Development Act 2006***

11 **[1.87] Section 72AB (1)**

12 *substitute*

- 13 (1) This section applies if the registrar-general receives a notice under
14 either of the following provisions of the *Planning and Development*
15 *Act 2006* about an order under that Act that appears to affect a
16 Crown lease:
- 17 (a) section 352 (Notice of making of controlled activity orders);
18 (b) section 357 (Notice ending controlled activity orders).

19 **[1.88] Section 72C**

20 *substitute*

21 **72C Memorial of compliance with building and development**
22 **provision in lease**

- 23 (1) This section applies if—
24 (a) a Crown lease is registered under this Act; and

- 1 (b) a building and development provision of the lease has been
2 fully complied with and the lessee has applied, under the
3 *Planning and Development Act 2006*, section 289 (1)
4 (Certificates of compliance) for a certificate of compliance;
5 and
- 6 (c) the registrar-general is satisfied that the planning and land
7 authority has issued a certificate of compliance under the
8 *Planning and Development Act 2006*, section 289 in relation to
9 the lease.
- 10 (2) The registrar-general may enter in the register a memorial to the
11 effect that the building was completed in accordance with the
12 building and development provision of the lease.
- 13 (3) A memorial under subsection (2) is, for the *Planning and*
14 *Development Act 2006*, section 289, conclusive evidence of the
15 matter in relation to which the registrar-general has stated in the
16 memorial that the registrar is satisfied.
- 17 (4) In this section:
18 *building and development provision*—see the *Planning and*
19 *Development Act 2006*, section 226.

20 **[1.89] Dictionary, note 2, new dot point**

21 *insert*

- 22 • territory lease

23 **[1.90] Dictionary, new definitions of *administrative interest* and**
24 ***authorised entity***

25 *insert*

26 *administrative interest*—see section 69A (Meaning of
27 *administrative interest*—Act).

28 *authorised entity*—see section 69B (Meaning of *authorised entity*—
29 pt 8A).

1 **[1.91] Dictionary, definition of *Crown lease***

2 *substitute*

3 *Crown lease* means—

4 (a) a territory lease; and

5 (b) includes a lease granted by the Commonwealth or the Federal
6 Capital Commission.

7 **[1.92] Dictionary, definition of *Land Act***

8 *omit*

9 **Part 1.20 Land Titles (Unit Titles) Act 1970**

10 **[1.93] Section 29 (1)**

11 *substitute*

12 (1) This section applies if the planning and land authority grants further
13 leases under the *Planning and Development Act 2006*, section 246
14 (Grant of further leases) of the units and the common property
15 forming part of the registered units plan.

16 **Part 1.21 Leases (Commercial and Retail)**
17 **Act 2001**

18 **[1.94] Dictionary, note 2, new dot point**

19 *insert*

- 20 • territory lease

21 **[1.95] Dictionary, definition of *territory lease***

22 *omit*

1 Part 1.22 Legislation Act 2001

2 [1.96] Dictionary, part 1, definition of *chief planning executive*

3 *substitute*

4 *chief planning executive* means the Chief Planning Executive under
5 the *Planning and Development Act 2006*.

6 [1.97] Dictionary, part 1, definition of *land development agency*

7 *substitute*

8 *land development agency* means the Land Development Agency
9 established under the *Planning and Development Act 2006*.

10 [1.98] Dictionary, part 1, definition of *planning and land* 11 *authority*

12 *substitute*

13 *planning and land authority* means the Planning and Land
14 Authority established under the *Planning and Development*
15 *Act 2006*.

16 [1.99] Dictionary, part 1, new definition of *territory lease*

17 *insert*

18 *territory lease*—

19 (a) means—

20 (i) a lease granted under the *Planning and Development*
21 *Act 2006*; or

22 (ii) a lease under the *Unit Titles Act 2001*; but

23 (b) does not include a sublease.

- 1 **[1.100] Dictionary, part 1, definition of *territory plan***
2 *substitute*
3 *territory plan* means the territory plan under the *Planning and*
4 *Development Act 2006*.

5 **Part 1.23 Nature Conservation Act 1980**

- 6 **[1.101] Section 30 (1) (b) (ii)**
7 *omit*
8 *Land (Planning and Environment) Act 1991*
9 *substitute*
10 *Planning and Development Act 2006*

- 11 **[1.102] Sections 80 (b) and 89 (b)**
12 *substitute*
13 (b) in accordance with a development approval under the *Planning*
14 *and Development Act 2006*, chapter 7; or

- 15 **[1.103] Section 98, definition of *controlled land*, paragraph (b)**
16 *substitute*
17 (b) Territory land that is not subject to a territory lease.

- 18 **[1.104] Section 98, definition of *Land Act***
19 *omit*

1 **[1.105] Section 98, definition of *land management objectives*,**
2 **paragraph (a)**

3 *substitute*

4 (a) in relation to public land—the management objectives
5 applying to the land under the *Planning and Development*
6 *Act 2006*, section 311; and

7 **[1.106] Section 99 (4)**

8 *substitute*

9 (4) A management agreement must not conflict with a development
10 approval given under the *Planning and Development Act 2006*,
11 chapter 7.

12 **[1.107] Dictionary, note 2, new dot point**

13 *insert*

- 14 • territory lease

15 **[1.108] Dictionary, definition of *Land Act***

16 *omit*

17 **Part 1.24 Planning and Development**
18 **Act 2006**

19 **[1.109] Section 49, note 2**

20 *substitute*

21 *Note 2* The Territory, the Executive, a Minister or a territory authority are also
22 prevented from doing anything inconsistent with some draft variations
23 of the territory plan (see s 64 and s 71).

1 **[1.110] Section 124 (1) (a)**

2 *substitute*

3 (a) the Public Health Act Minister makes a declaration for this
4 section in relation to a development application for a
5 development proposal; and

6 *Note* The Public Health Act Minister is the Minister responsible for the
7 *Public Health Act 1997*, section 134 (see dict, def **Public Health**
8 **Act Minister**).

9 **[1.111] Section 125 (1) (a)**

10 *substitute*

11 (a) either—

12 (i) the Minister makes a declaration under section 123 in
13 relation to the development proposal to which the
14 application relates; or

15 (ii) the Public Health Act Minister makes a declaration for
16 section 124 in relation to the application; and

17 **[1.112] Section 153 (1)**

18 *omit*

19 a representation

20 *substitute*

21 a written representation

22 **[1.113] Section 155 (3), new note**

23 *insert*

24 *Note* Section 158 applies to an application referred back to the planning and
25 land authority under s (3) (see s 158 (2A)).

1 **[1.114] New section 158 (2A)**

2 *insert*

3 (2A) To remove any doubt, the time for deciding a development
4 application is not affected by—

5 (a) the referral of the application to the Minister by the planning
6 and land authority under section 154; or

7 (b) the referral of the application back to the authority by the
8 Minister under section 155.

9 **[1.115] Section 159 (2)**

10 *after*

11 planning and land

12 *insert*

13 authority

14 **[1.116] Section 177 (1) (a)**

15 *substitute*

16 (a) the planning and land authority or Minister approves a
17 development application (the *original decision*) under
18 section 158; and

19 **[1.117] Section 193, new note**

20 *insert*

21 *Note* A person also commits an offence if the person occupies or uses, or
22 allows someone else to occupy or use, a building, or part of a building,
23 if a certificate of occupancy has not been issued for the building or part
24 of the building (see *Building Act 2004*, s 76 (1)).

1 **[1.118] Section 202**

2 *substitute*

3 **202 What is an *EIS* and a *s 124-related EIS*?**

- 4 (1) An *EIS* is an environmental impact statement prepared as prescribed
5 by regulation.
- 6 (2) A *s 124-related EIS* is an environmental impact statement prepared
7 for a development proposal in a development application in relation
8 to which the Public Health Minister has made a declaration for
9 section 124 (Declaration by Public Health Act Minister affects
10 assessment track).

11 **[1.119] Section 203 (1)**

12 *omit everything before paragraph (a), substitute*

- 13 (1) For this Act, an EIS (other than a *s 124-related EIS*) is ***completed***
14 if—

15 **[1.120] New section 203A**

16 *insert*

17 **203A When is a *s 124-related EIS* completed?**

- 18 (1) For this Act, a *s 124-related EIS* is ***completed*** if—
- 19 (a) notice in relation to the EIS is given to the planning and land
20 authority by—
- 21 (i) the Minister under section 219 (Notice of no action on
22 EIS given to Minister); and
- 23 (ii) the Public Health Act Minister under the *Public Health*
24 *Act 1997*, section 134 (3) (b); or

- 1 (b) at least 15 working days have elapsed since the EIS was given
2 to the Minister and the Public Health Act Minister and—
- 3 (i) the Minister has not decided under section 221 to
4 establish a panel to conduct an inquiry about the EIS; and
- 5 (ii) the Public Health Act Minister has not decided under the
6 *Public Health Act 1997* that a panel to conduct an inquiry
7 about the EIS must be established under section 221; or
- 8 (c) both of the following apply:
- 9 (i) notice in relation to the EIS is given to the authority by—
- 10 (A) the Minister under section 219; or
- 11 (B) the Public Health Act Minister under the *Public*
12 *Health Act 1997*, section 134 (3) (b);
- 13 (ii) at least 15 days have elapsed since the EIS was given to
14 the Minister and the Public Health Minister and—
- 15 (A) if the Minister gave the authority notice in relation
16 to the EIS under section 219—the Public Health Act
17 Minister has not decided that a panel to conduct an
18 inquiry about the EIS must be established; or
- 19 (B) in any other case—the Minister has not decided to
20 establish a panel to conduct an inquiry about the
21 EIS; or
- 22 (d) the Minister has established an inquiry panel in relation to the
23 EIS and—
- 24 (i) the panel has reported the results of the inquiry; or
- 25 (ii) the time for reporting under section 223 has ended.
- 26 (2) To remove any doubt, for subsection (1), it does not matter whether
27 or not the Minister intends to present, or has presented, a copy of the
28 EIS to the Legislative Assembly under section 220.

1 **[1.121] Section 208 (2) (a)**

2 *omit*

3 30 days

4 *substitute*

5 30 working days

6 **[1.122] Section 218 (2)**

7 *substitute*

8 (2) The planning and land authority must give the EIS to—

9 (a) the Minister; and

10 (b) for a s 124-related EIS—the Public Health Act Minister.

11 *Note* The Minister may establish a panel to consider the EIS for the proposal
12 (see pt 8.3).

13 **[1.123] New section 221 (2A)**

14 *insert*

15 (2A) However, if the Public Health Act Minister gives notice, under the
16 *Public Health Act 1997*, section 134 that a panel to conduct an
17 inquiry about an EIS should be established, the Minister must
18 establish a panel to conduct an inquiry in relation to the effects on
19 public health of the proposal that is the subject of the EIS.

1 **[1.124] Section 227 (1) (c) (iii)**

2 *omit*

3 *Housing Assistance Act 1987*

4 *insert*

5 *Housing Assistance Act 2007*

6 (commencement: the later of the commencement of the *Housing Assistance*
7 *Act 2007* and the *Planning and Development Act 2006*)

8 **[1.125] Section 233 (1)**

9 *substitute*

10 (1) The planning and land authority must not grant a lease under
11 section 231 (1) (d) unless—

12 (a) for a lease prescribed by regulation for this paragraph—

13 (i) the grant is in accordance with criteria prescribed by
14 regulation for this paragraph; and

15 (ii) the Executive approves the grant; or

16 (b) for a lease prescribed by regulation for this paragraph—

17 (i) the grant is in accordance with criteria prescribed by
18 regulation for this paragraph; and

19 (ii) the Minister approves the grant; or

20 (c) the Executive approves the grant under subsection (2); or

21 (d) the grant is in accordance with section 234.

22 *Note* Power to make a statutory instrument (including a regulation) includes
23 power to make different provision for different categories (see
24 Legislation Act, s 48).

- 1 **[1.126] Section 242, new note**
- 2 *insert*
- 3 *Note* This section does not apply in relation to leases or further leases granted
4 before 11 December 1998 (see s 445).
- 5 **[1.127] Section 249 (4)**
- 6 *omit*
- 7 subsection (2)
- 8 *substitute*
- 9 subsection (3)
- 10 **[1.128] Section 249 (5)**
- 11 *after*
- 12 subsection
- 13 *insert*
- 14 (1)
- 15 **[1.129] Section 271**
- 16 *omit*
- 17 in the circumstances
- 18 *insert*
- 19 as
- 20 **[1.130] New section 271 (2)**
- 21 *insert*
- 22 (2) A regulation may prescribe the amount to be remitted under
23 subsection (1).

1 **[1.131] Section 272**

2 *omit*

3 in the circumstances

4 *substitute*

5 as

6 **[1.132] New section 272 (2)**

7 *insert*

8 (2) A regulation may prescribe the amount of the increase under
9 subsection (1).

10 **[1.133] Section 275, definition of *holding period*, paragraph (a)**

11 *substitute*

12 (a) if the discharge amount is paid—when the discharge amount is
13 paid; or

14 **[1.134] Section 292 (1)**

15 *omit*

16 assigned or transferred, either at law or in equity unless

17 *substitute*

18 transferred or assigned, either at law or in equity, unless

19 **[1.135] Section 292 (2)**

20 *omit*

21 equitable assignment or transfer

22 *substitute*

23 equitable transfer or assignment

1 **[1.136] Section 292 (2) (a)**

2 *omit*

3 assignee or transferee

4 *substitute*

5 transferee or assignee

6 **[1.137] Section 292 (4)**

7 *omit*

8 an assignment or transfer

9 *substitute*

10 a transfer or assignment

11 **[1.138] Section 293 (3)**

12 *substitute*

13 (3) A regulation may prescribe when the land and planning authority
14 may authorise a payment under this section.

15 **[1.139] New section 388A**

16 *insert*

17 **388A Authority may ask for information from commissioner for**
18 **revenue in certain cases**

19 (1) This section applies if the planning and land authority may or must
20 notify, or intends to take action under this Act in relation to, an
21 uncontactable person or a person the authority reasonably believes is
22 an uncontactable person.

23 **Examples**

24 1 giving a person notice of the making of a development application under
25 div 7.3.4 (Public notification of development applications and
26 representations)

- 1 2 giving a person who made a representation about a development application
2 notice of the approval of the application
3 3 action under—
4 (a) s 306 (How land may be recovered if former lessee or licensee in
5 possession); or
6 (b) ch 11 (Controlled activities); or
7 (c) ch 12 (Enforcement)

8 *Note* An example is part of the Act, is not exhaustive and may extend, but
9 does not limit, the meaning of the provision in which it appears (see
10 Legislation Act, s 126 and s 132).

11 (2) The planning and land authority may, in writing, ask the
12 commissioner for revenue for either of the following:

- 13 (a) the person's name;
14 (b) the person's home address or other contact address.

15 (3) The commissioner for revenue must disclose the information
16 required in a request made in accordance with subsection (2).

17 *Note* See also the *Taxation Administration Act 1999*, s 97 (c) for power to
18 disclose the information.

19 (4) In this section:

20 *uncontactable person*—a person is an *uncontactable person* if the
21 planning and land authority does not have, or only has incomplete or
22 outdated information about, either of the following:

- 23 (a) the person's name;
24 (b) a contact address for the person.

25 **[1.140] Section 400, definition of *interested person***

26 *substitute*

27 *interested entity*, for a reviewable decision, means an entity
28 mentioned in schedule 1, column 5 for the decision.

1 **[1.141] Section 401**

2 *omit*

3 eligible person

4 *substitute*

5 eligible entity

6 **[1.142] Section 401 (2) (b)**

7 *omit*

8 person

9 *insert*

10 entity

11 **[1.143] Section 413 (1)**

12 *substitute*

13 (1) This section applies to a notifiable instrument under any of the
14 following provisions:

- 15 • section 62 (Public consultation—notification)
- 16 • section 67 (Revision and withdrawal of draft plan variations)
- 17 • section 69 (Public notice of documents given to Minister)
- 18 • section 75 (Minister’s powers in relation to draft plan
19 variations)
- 20 • section 81 (Consequences of rejection of plan variations by
21 Legislative Assembly)
- 22 • section 83 (Partial rejection of plan variations by Legislative
23 Assembly)
- 24 • section 101 (Consideration of whether review of territory plan
25 necessary).

1 **[1.144] Section 417 (2) (c)**

2 *substitute*

3 (c) the list of consultants for section 207;

4 **[1.145] Section 417 (2), example heading**

5 *substitute*

6 **Examples of what may be prescribed for par (d)**

7 **[1.146] Section 417 (3)**

8 *substitute*

9 (3) A regulation may create offences and fix maximum penalties of not
10 more than 10 penalty units for the offences.

11 **[1.147] Section 435 (4)**

12 *substitute*

13 (4) However, this section is subject to section 436 and section 437.

14 **[1.148] Schedule 1, heading**

15 *substitute*

16 **Schedule 1 Reviewable decisions, eligible**
17 **entities and interested entities**

18 (see s 400)

19 **[1.149] Schedule 1, column 5, heading**

20 *substitute*

column 5
interested entities

21 **[1.150] Schedule 1, item 2, column 5**

22 *omit*

1 **[1.151] Schedule 1, column 5**

2 *omit*

3 person who

4 *insert*

5 entity that

6 **[1.152] Dictionary, note 2**

7 *omit*

- 8
 - commissioner for surveys

9 *substitute*

- 10
 - commissioner for revenue

11 **[1.153] Dictionary, definition of *connected***

12 *omit*

13 part 11.8

14 *substitute*

15 chapter 12

16 **[1.154] Dictionary, definition of *interested person***

17 *substitute*

18 *interested entity*, for chapter 13 (Review of decisions)—see
19 section 400.

20 **[1.155] Dictionary, definition of *occupier, offence and premises***

21 *omit*

22 part 11.8

23 *substitute*

24 chapter 12

1 **[1.156] Dictionary, new definitions of *Public Health Act Minister***
2 **and *s 124-related EIS***

3 *insert*

4 ***Public Health Act Minister*** means the Minister responsible for the
5 ***Public Health Act 1997***, section 134 (Development approvals under
6 ***Planning and Development Act, s 124***).

7 ***s 124-related EIS***—see section 202.

8 **Part 1.25 Public Health Act 1997**

9 **[1.157] Section 124 (4)**

10 *substitute*

- 11 (4) The chief health officer must not hold an investigation under
12 subsection (1) in relation to a matter that is capable of forming the
13 subject of an environmental impact statement or inquiry under the
14 ***Planning and Development Act 2006***, chapter 8 (Environmental
15 impact statements and inquiries).

16 **[1.158] Section 134**

17 *substitute*

18 **134 Development approvals under Planning and Development**
19 **Act, s 124**

- 20 (1) The Minister may make a declaration (a ***s 124 declaration***) for the
21 ***Planning and Development Act 2006***, section 124 (Declaration by
22 Public Health Minister affects assessment track) in relation to a
23 development application for a development proposal under that Act.

24 *Note* If the Minister makes a declaration in accordance with this Act and the
25 ***Planning and Development Act 2006***, the development proposal must be
26 considered in the impact assessable track under the ***Planning and***
27 ***Development Act 2006*** and an environmental impact statement under
28 that Act will be required for it.

- 1 (2) However, the Minister must not make the s 124 declaration unless
2 the Minister considers that the proposed development would be
3 likely to have a significant effect on public health.
- 4 *Note* The *Planning and Development Act 2006*, s 124 provides that a
5 declaration for that section must be made during the public consultation
6 period for the development application to which the declaration relates.
- 7 (3) If the planning and land authority gives the Minister an EIS under
8 the *Planning and Development Act 2006*, section 218 (2) for a
9 development proposal in relation to which a s 124 declaration has
10 been made, the Minister may—
- 11 (a) decide that a panel to conduct an inquiry about the EIS must be
12 established under the *Planning and Development Act 2006*,
13 section 221 (Establishment of inquiry panels); or
- 14 *Note* A notice about a decision under paragraph (a) must be given to
15 the Minister administering the *Planning and Development*
16 *Act 2006*, s 221—see s (5).
- 17 (b) give the planning and land authority written notice that the
18 Minister has decided to take no action in relation to the EIS.
- 19 (4) The Minister may only make a decision under subsection (3) (a)
20 about an EIS if—
- 21 (a) the decision is made not later than 15 working days after the
22 planning and development authority gives the Minister the EIS;
23 and
- 24 (a) the Minister administering the *Planning and Development*
25 *Act 2006*, section 221 has not made a decision under that
26 section to establish a panel to conduct an inquiry about the EIS.
- 27 (5) If the Minister makes a decision under subsection (3) (a) about an
28 EIS, the Minister must give the Minister administering the *Planning*
29 *and Development Act 2006*, section 221 written notice that an
30 inquiry about the EIS must inquire into the effect on public health of
31 the development proposal to which the EIS relates.

1 **[1.159] Dictionary, new definition of *EIS***

2 *insert*

3 *EIS*—see the *Planning and Development Act 2006*, dictionary,
4 definition of *environmental impact statement*.

5 **[1.160] Dictionary, new definition of *environmental impact***
6 ***statement***

7 *insert*

8 *environmental impact statement*—see the *Planning and*
9 *Development Act 2006*, dictionary, definition of *environmental*
10 *impact statement*.

11 **Part 1.26 Public Roads Act 1902**

12 **[1.161] Section 19 (1) and (2)**

13 *substitute*

- 14 (1) If the Minister is satisfied that a road should be closed, completely
15 or partly, the Minister may prepare a written notice to that effect and
16 send a copy of the notice by post to each owner or occupier of land
17 with frontage to the road or part whose name and address is known.
- 18 (2) However, subsection (1) does not apply if—
- 19 (a) the Minister is satisfied that it is necessary to partly close the
20 road; and
- 21 (b) the closure of the road is only to give effect to a variation of a
22 lease under the *Planning and Development Act 2006*, chapter 7
23 (Development approvals); and
- 24 (c) the variation is only to incorporate into an existing lease an
25 envelope of land that contains an encroachment onto, over or
26 under unleased territory land; and

- 1 (d) the closure of the road would not—
2 (i) impede the flow of vehicle or pedestrian traffic; or
3 (ii) otherwise present a risk to public safety; and
4 (e) because of the size, location or configuration of the area of
5 road to be closed, granting a separate territory lease over the
6 land would not be reasonable or appropriate.
- 7 **Example—par (d)**
8 If the road to be closed allows vehicle traffic in 2 directions, then part of the
9 road cannot be closed if traffic flow in either direction would be impeded.
- 10 **Example—par (e)**
11 It would not be reasonable or appropriate to grant a lease over a parcel of
12 land with an area of 0.05m x 50m located between an existing lease and a
13 public road as it is unlikely that the parcel of land could be separately
14 leased.
- 15 *Note* An example is part of the Act, is not exhaustive and may extend,
16 but does not limit, the meaning of the provision in which it
17 appears (see Legislation Act, s 126 and s 132).

18 **[1.162] Section 20 (2)**

- 19 *substitute*
- 20 (2) However, subsection (1) does not apply if—
21 (a) the Minister is satisfied that it is necessary to partly close the
22 road; and
23 (b) the closure of the road is to give effect only to a variation of a
24 lease under the *Planning and Development Act 2006*, chapter 7
25 (Development approvals); and
26 (c) the variation is only to incorporate into an existing lease an
27 envelope of land that contains an encroachment onto, over or
28 under unleased territory land; and

- 1 (d) the closure of the road would not—
2 (i) impede the flow of vehicle or pedestrian traffic; or
3 (ii) otherwise present a risk to public safety; and
4 (e) because of the size, location or configuration of the area of
5 road to be closed, granting a separate territory lease over the
6 land would not be reasonable or appropriate.

7 **Example—par (d)**

8 If the road to be closed allows vehicle traffic in 2 directions, then part of the
9 road cannot be closed if traffic flow in either direction would be impeded.

10 **Example—par (e)**

11 It would not be reasonable or appropriate to grant a lease over a parcel of
12 land with an area of 0.05m x 50m located between an existing lease and a
13 public road as it is unlikely that the parcel of land could be separately
14 leased.

15 *Note* An example is part of the Act, is not exhaustive and may extend,
16 but does not limit, the meaning of the provision in which it
17 appears (see Legislation Act, s 126 and s 132).

18 **[1.163] Dictionary, note 2, new dot point**

19 *insert*

- 20 • territory lease

1 **Part 1.27 Roads and Public Places**
2 **Act 1937**

3 **[1.164] Section 15T heading**

4 *substitute*

5 **15T Occupation etc of public land under Planning and**
6 **Development Act licence**

7 **[1.165] Section 15T (a)**

8 *substitute*

9 (a) the person holds a licence under the *Planning and*
10 *Development Act 2006* to occupy or use the public place; and

11 **Part 1.28 Road Transport (Offences)**
12 **Regulation 2005**

13 **[1.166] Schedule 1, part 1.13, item 58, column 3**

14 *substitute*

park commercial vehicle with length > 6m/
height > 2.6m / GVM > 3.75t on residential
land with multi-unit housing

1 **Part 1.29** **Road Transport (Safety and**
2 **Traffic Management)**
3 **Regulation 2000**

4 **[1.167] Section 87 heading**

5 *substitute*

6 **87** **Parking of certain commercial vehicles on land with**
7 **multi-unit housing**

8 **[1.168] Section 87 (2)**

9 *omit*

10 a multi-unit development

11 *substitute*

12 multi-unit housing

13 **[1.169] Section 87 (4)**

14 *substitute*

15 (4) For this section, residential land has multi-unit housing if the land
16 has more than 1 dwelling on it.

17 (5) In this section:

18 ***dwelling***—see the territory plan.

19 *Note* The territory plan defines ***dwelling*** as meaning ‘a building or part of a
20 building used as a self contained residence which must include food
21 preparation facilities, a bath or shower, and a closet pan and wash
22 basin’.

1 **[1.170] Section 88**

2 *omit*

3 multi-unit developments

4 *substitute*

5 multi-unit housing

6 **[1.171] Dictionary, note 2, new dot point**

7 *insert*

- 8
 - territory plan

9 **Part 1.30 Tree Protection Act 2005**

10 **[1.172] Section 19 (2), definition of *development approval***

11 *substitute*

12 *development approval*—see the *Planning and Development*
13 *Act 2006*, dictionary.

14 **[1.173] Section 20 (1) (b)**

15 *substitute*

16 (b) the development has development approval; and

17 **[1.174] Sections 80 and 81**

18 *substitute*

19 **80 Meaning of *development*—pt 11**

20 In this part:

21 *development* means a proposed development to which an
22 application for development approval under the *Planning and*
23 *Development Act 2006*, chapter 7 applies.

1 **81 Simplified outline**

2 The following notes provide a simplified outline of this part and the
3 *Planning and Development Act 2006*, chapter 7 (Development
4 approvals):

5 *Note 1 Conservator to be given copy of development application*

6 The planning and land authority may be required to give the conservator
7 a copy of each development application for a development proposal in
8 the merit or impact track (see *Planning and Development Act 2006*,
9 s 145). This requirement would not apply to a development application
10 for a development proposal in the code track (see *Planning and*
11 *Development Act 2006*, s 116 (c)).

12 *Note 2 Conservator to give advice on application*

13 The conservator gives advice to the planning and land authority in
14 relation to tree protection and the development (see s 82 and s 83) (see
15 also *Planning and Development Act 2006*, s 146, s 147 and s 148).

16 *Note 3 Conservator's advice to be considered*

17 The conservator's advice is to be considered by the planning and land
18 authority (or the Minister) in approving or refusing to approve a
19 development application (see *Planning and Development Act 2006*,
20 s 118 (2), s 119 (d), s 127 (2) and s 128 (e)).

21 *Note 4 Approvals*

22 A development approval that is inconsistent with the conservator's
23 advice in relation to a registered tree must not be given. A development
24 approval that is inconsistent with the conservator's advice in relation to
25 a regulated tree may be given only in the circumstances prescribed in
26 the *Planning and Development Act 2006*, s 118 (2) and
27 s 127 (1) (b) (iii).

1 **[1.175] Section 82 (3)**

2 *substitute*

3 *Note* If the planning and land authority refers a development application to
4 the conservator under the *Planning and Development Act 2006*, s 145,
5 the conservator must, not later than 15 working days after being given
6 the application, give the planning and land authority its advice in
7 relation to the development application (see *Planning and Development*
8 *Act 2006*, s 146).

9 **[1.176] Section 83**

10 *substitute*

11 **83 Requirements for conservator's advice about tree**
12 **protection**

- 13 (1) This section applies if the conservator gives advice—
14 (a) under section 82 in relation to a development; or
15 (b) under the *Planning and Development Act 2006*, section 146 in
16 relation to a development application.
- 17 (2) The advice must include advice about tree protection requirements
18 for each protected tree with a protection zone on, or partly on, the
19 land subject to the development.
- 20 (3) Without limiting subsection (2), the advice may—
21 (a) include information about the trees on the land; and
22 (b) set out the changes (if any) the conservator considers should be
23 made to any tree management plan or proposed tree
24 management plan that relates to the development application,
25 having regard to—
26 (i) the guidelines approved under section 31; and
27 (ii) the advice (if any) of the advisory panel; and
28 (iii) anything else the conservator considers relevant.

1 **[1.177] Dictionary, new definition of *development approval***

2 *insert*

3 *development approval*, for section 19 (Exceptions—tree damaging
4 and prohibited groundwork offences)—see the *Planning and*
5 *Development Act 2006*, dictionary.

6 **[1.178] Dictionary, definition of *Land Act***

7 *omit*

8 **[1.179] Dictionary, definition of *tree management plan***

9 *substitute*

10 *tree management plan*—

11 (a) for this Act generally—means a tree management plan
12 approved under section 35; and

13 (b) in parts 2 to 4—includes a tree management plan approved
14 under the *Planning and Development Act 2006*,
15 section 158 (3) (b) (Deciding development applications).

16 **Part 1.31 Trustee Act 1925**

17 **[1.180] Section 27D (1)**

18 *substitute*

19 (3) The rule in *Howe v Earl of Dartmouth* (1802) (7 Ves 137) does not
20 apply in relation to property consisting of a territory lease.

21 **[1.181] Dictionary, note 2, new dot point**

22 *insert*

- 23
 - territory lease

1 **Part 1.32 Unit Titles Act 2001**

2 **[1.182] Section 17 (3), note**

3 *substitute*

4 *Note* An application for a staged development may be approved only if—

- 5 (a) the development has development approval under the *Planning*
6 *and Development Act 2006* (see s 20 (2) and *Planning and*
7 *Development Act 2006*, ch 7); and
8 (b) for developments of class A units, the boundary floors, walls and
9 ceilings of each unit have already been built in accordance with
10 the development statement (see s 20 (2)).

11 **[1.183] Section 20 (2) (a)**

12 *substitute*

- 13 (a) the development has development approval under the *Planning*
14 *and Development Act 2006*, chapter 7; and

15 **[1.184] Sections 20 (3) and 27 (3) (b)**

16 *omit*

17 Land Act

18 *substitute*

19 *Planning and Development Act 2006*

20 **[1.185] Section 31 (2)**

21 *substitute*

- 22 (2) A change of unit or common property boundaries under this section
23 is not a variation of a lease for the *Planning and Development*
24 *Act 2006*, chapter 7 (Development approvals).

- 1 **[1.186] Section 33 (2) and (3)**
- 2 *omit*
- 3 by the Commonwealth under the Land Act
- 4 *substitute*
- 5 by the Territory under the *Planning and Development Act 2006*
- 6 **[1.187] Section 34 (a) (ii)**
- 7 *omit*
- 8 development covenant
- 9 *substitute*
- 10 building and development provision
- 11 **[1.188] Section 51 (7)**
- 12 *substitute*
- 13 (7) If the lease of a unit or the common property is subject to a building
- 14 and development provision, subsection (3) does not apply to the
- 15 owners corporation until the planning and land authority issues a
- 16 certificate under the *Planning and Development Act 2006*,
- 17 section 289 (Certificates of compliance)—
- 18 (a) for the building and development provision; and
- 19 (b) for any building and development provision to which any of
- 20 the other leases are subject.
- 21 **[1.189] Section 151 (2)**
- 22 *substitute*
- 23 (2) A change of unit or common property boundaries under this section
- 24 is not a variation of a lease for the *Planning and Development*
- 25 *Act 2006*, chapter 7 (Development approvals).

- 1 **[1.190] Section 154 (1) (b)**
- 2 *substitute*
- 3 (b) the planning and land authority has given—
- 4 (i) a development approval under the *Planning and*
- 5 *Development Act 2006*, chapter 7 for a development
- 6 consisting of the reinstatement or elimination of any unit
- 7 or building (or part of a unit or building) on the parcel
- 8 (a *unit redevelopment*); or
- 9 (ii) if the unit redevelopment is exempt from the requirement
- 10 to obtain development approval under the *Planning and*
- 11 *Development Act 2006*, chapter 7—a certificate under
- 12 subsection (4); and

- 13 **[1.191] Section 159 (3)**
- 14 *substitute*
- 15 (3) A change of unit or common property boundaries under this section
- 16 is not a variation of a lease for the *Planning and Development*
- 17 *Act 2006*, chapter 7 (Development approvals).

- 18 **[1.192] Section 166 heading**
- 19 *substitute*

20 **166 Development applications to vary lease under Planning**

21 **and Development Act**

- 22 **[1.193] Section 166 (1)**
- 23 *omit everything before paragraph (a), substitute*
- 24 (1) An application for development approval for the variation of a unit
- 25 or common property lease may be made under the *Planning and*
- 26 *Development Act 2006*, chapter 7 (Development approvals) only
- 27 if—

1 **[1.194] Section 166 (3)**

2 *substitute*

3 (3) If an application for development approval for the variation of a unit
4 lease or common property lease is approved under the *Planning and*
5 *Development Act 2006*, chapter 7, the planning and land authority
6 must give each member of the owners corporation written notice of
7 the approval stating the date the approval is to take effect.

8 **[1.195] Section 170, note**

9 *substitute*

10 *Note* This section does not apply to a lease surrendered under the *Planning*
11 *and Development Act 2006*, s 246 (see dict, def *termination*).

12 **[1.196] Section 171 (1)**

13 *omit*

14 Land Act

15 *substitute*

16 *Planning and Development Act 2006*

17 **[1.197] Section 171 (2)**

18 *omit*

19 by the Commonwealth under the Land Act

20 *substitute*

21 by the Territory under the *Planning and Development Act 2006*

22 **[1.198] Section 171, note**

23 *substitute*

24 *Note* This section does not apply to a new lease granted after a lease has been
25 surrendered under the *Planning and Development Act 2006*, s 246
26 (see dict, def *termination*).

- 1 **[1.199] Section 172 (1)**
2 *omit*
3 Land Act
4 *substitute*
5 *Planning and Development Act 2006*
- 6 **[1.200] Section 172, note**
7 *substitute*
8 *Note* This section does not apply to a new lease granted after a lease has been
9 surrendered under the *Planning and Development Act 2006*, s 246
10 (see dict, def *termination*).
- 11 **[1.201] Dictionary, new definition of *building and development***
12 ***provision***
13 *insert*
14 *building and development provision*, in relation to a lease—see the
15 *Planning and Development Act 2006*, section 226.
- 16 **[1.202] Dictionary, definition of *development covenant***
17 *omit*
- 18 **[1.203] Dictionary, definition of *Land Act***
19 *omit*
- 20 **[1.204] Dictionary, definition of *lease*, paragraph (c)**
21 *substitute*
22 (c) for a parcel—the lease of the parcel granted under the *Planning*
23 *and Development Act 2006*, or the lease arising under
24 section 162 (Cancellation of units plan—effects) of this Act.

1 **[1.205] Dictionary, definition of *termination***

2 *substitute*

3 *termination*, of a lease of a unit, does not include the termination of
4 the lease on surrender under the *Planning and Development*
5 *Act 2006*, section 246 (Grant of further leases).

6 **Part 1.33 Unit Titles Regulation 2001**

7 **[1.206] Section 8 (1) (b)**

8 *substitute*

9 (b) include a copy of the plans relating to the development, and
10 any amendment of the plans, as approved in the development
11 approval under the *Planning and Development Act 2006*,
12 chapter 7; and

13 **Part 1.34 Utilities Act 2000**

14 **[1.207] Section 20 (2) (i)**

15 *omit*

16 **[1.208] New section 20 (2) (ja)**

17 *insert*

18 (ja) the *Planning and Development Act 2006*;

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2007.

2 Notification

Notified under the Legislation Act on 2007.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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