

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

**LAND (PLANNING AND ENVIRONMENT) LEGISLATION
AMENDMENT BILL 2001**

EXPLANATORY MEMORANDUM

**Circulated by authority of
Kerrie Tucker MLA**

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Outline

This Bill amends the *Land (Planning and Environment) Regulations 1992*. It removes the current restriction on third party appeal rights on development applications for the erection or alteration of single houses that are notified to adjoining leaseholders.

Clauses

Clauses 1, 2 and 3

are formal requirements which set out the name of the Act, commencement provisions and the name of the Act amended.

Clause 4

inserts a transitional provision that allows the existing restrictions on third party appeal rights to continue to apply to development applications lodged before the commencement of the Act.

Clause 5

omits item 5 of Schedule 7 of the Regulations. Schedule 7 sets out the developments where appeals by objectors are excluded. Item 5 refers to the erection, alteration or demolition of a single dwelling, where the development would not result in more than 1 dwelling being on the land. Applications relating to single dwellings that are exempt from notification under Schedule 4 are still excluded from appeal by objectors under item 1 of Schedule 7.

Clause 6

is a consequential amendment to Schedule 7 due to clause 5.