

1998

THE LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

LAND (PLANNING AND ENVIRONMENT) REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

Circulated by authority of  
Brendan Smyth MLA  
Minister for Urban Services

**AUSTRALIAN CAPITAL TERRITORY**

**LAND (PLANNING AND ENVIRONMENT) ACT 1991**

**LAND (PLANNING AND ENVIRONMENT) REGULATIONS (AMENDMENT)**

**NO. 32 OF 1998**

**EXPLANATORY STATEMENT**

The *Land (Planning and Environment) Act 1991* (the Act) provides for the application of a Change of Use Charge (CUC) where the execution of a variation, consolidation or subdivision of a lease results in an added value.

The Minister for Urban Services announced the Government's policy on the *Use of Service Station Sites* on 17 July 1998. The policy provides for the application of 100% CUC to Development Applications that vary the predominant use of a service station lease, including those in local centres.

The amending regulations require the Minister to increase the current rate of CUC from 75% to 100% for the variation, consolidation or subdivision of a service station lease, which removes the use of motor service station or service station from the lease purpose clause.

The Local Centre remission regulations will not apply to service station leases within local centres.

The amending regulations exclude those increases to the calculation of CUC that apply to concessional leases, recently commenced leases and enlarged area of land leases.

By virtue of paragraphs 184C(5)(a) and 187C(5)(a) of the Act, the amending regulations do not take effect until the disallowance period prescribed in section 6 of the *Subordinate Laws Act 1989* has expired. That is, 15 sitting days from the date of tabling.