

1992

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

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

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

**EXPLANATORY MEMORANDUM**

**Circulated by Authority of the Minister for the Environment  
Land and Planning**

**Bill Wood MLA**

## **LAND (PLANNING AND ENVIRONMENT) (CASINO) REGULATIONS EXPLANATORY MEMORANDUM**

### **Outline**

Section 282 of the Land (Planning and Environment) Act 1991 (the 'Act') specifies that regulations may be made to exempt the conduct of a specified controlled activity, or a controlled activity included in a specified class of controlled activities, either absolutely or subject to conditions from the requirement of all or any of the provisions of Part VI of the Act or regulations made under the Act. Controlled activities are specified in Schedule 4 to the Act.

The Land (Planning and Environment) (Casino) Regulations ('the Regulations') specify that an application to vary a lease of Territory Land or an application for the grant of a new lease following subdivision or consolidation of Territory Land where the land in question is the subject of a designation under the Casino Control Act 1988 shall not be subject to certain provisions of the Act.

### **Financial Considerations**

The Regulations will not affect revenue or expenditure.

### **Details of the Regulation**

Subregulation 1 specifies that the Regulations may be cited as the Land (Planning and Environment) (Casino) Regulations.

Subregulation 2 defines the term 'the Act' for the purpose of the Regulations as meaning the Land (Planning and Environment) Act 1991.

Subregulation 3 specifies that subsection 229(1), Division 3 of Part VI and section 276 of the Act shall not apply in relation to an application submitted under section 226 seeking approval to conduct a controlled activity of the kind referred to in item 2 or 3 of Schedule 4 of the Act that is carried out in relation to land of which is designated as a Casino or Interim Casino under paragraph 4(1)(a) or paragraph 4(1)(b) of the Casino Control Act 1988.

Item 2 of Schedule 4 relates to the execution of a variation of a lease of Territory Land. Item 3 of Schedule 4 relates to the execution of a new lease for the purpose of effecting the subdivision or consolidation of Territory Land.

Subsection 229(1) of the Act imposes an obligation on the Minister to comply with certain notification requirements. Division 3 of Part VI of the Act specifies a regime for applying to the Minister for an Order to compel a lessee or occupier to stop conducting or not commence a land use activity specified in either Schedule 4 or Schedule 5 of the Act. Section 276 provides a right of review by third parties.