

**1995**

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

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

**EXPLANATORY MEMORANDUM**

Circulated by authority of

Gary Humphries  
Minister for the Environment,  
Land and Planning.

## **Land (Planning and Environment) Regulations (Amendment)**

### **Outline**

These proposed Regulations are an amendment to the Land (Planning and Environment) Regulations. The purpose of regulation 21 is to exempt certain controlled activities from the operation of one or more of the provisions of Part VI.

The intention of the amendment to subregulation 21(3) is to remove any uncertainty as to its intended effect. It is intended that Part VI will not apply to the subdivision of a lease where that lease has been granted with the intention that it be developed and subdivided (a 'primary lease').

### **Revenue/Cost Implications**

The proposed Regulations have no revenue or cost implications.

### **Formal Clauses**

**Clauses 1 and 2** are formal requirements which refer to the commencement of the proposed Regulations and define the Principal Regulations as the Land (Planning and Environment) Regulations. The proposed Regulations commence on notification in the Gazette.

**Clause 3** amends Regulation 21 of the Principal Regulations by omitting subregulation (3) and substituting a new paragraph 21(3)(a) and (b). The effect of the new subregulation will be that Part VI of the Land (Planning and Environment) Act 1991 will not apply to the grant of a lease following the subdivision of a particular holding where two conditions are met. Firstly, the original lease must have been granted for development and subdivision and secondly, the development provisions of the original lease in relation to the land comprised in the new lease must have been satisfied.