

**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**PLANNING AND DEVELOPMENT (CALL-IN POWER) AMENDMENT  
BILL 2014**

**EXPLANATORY STATEMENT**

Circulated by  
Shane Rattenbury MLA

## **Introduction**

This explanatory statement relates to the Planning and Development (Call-in Power) Amendment Bill as presented by Mr Shane Rattenbury MLA in the Legislative Assembly. It has been prepared in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.

The Statement must to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

## **Overview**

The Bill amends the *Planning and Development Act 2007* (the Act) to introduce a new requirement in relation to the use of the Minister's call-in power.

## **Human Rights**

The Bill does not limit any human rights. On the contrary, the Bill creates an incentive for proponents to undertake community consultation before lodging development applications.

## **Delegation of legislative power**

The Bill does not delegate any legislative power to any other person or body.

## **Notes on Clauses**

### Clause 1-3 Name of Act, Commencement, Legislation amended

These are formal clauses setting out the name of the Act, its commencement date and the Act it amends. The Bill will commence the day after the bill is notified.

### Clause 4, Community consultation for certain development proposals

This clause amends existing section 138AE to allow proponents of any development application to also comply with requirements for community consultation.

### Clause 5 Direction that development applications be referred to Minister

This clause inserts a new requirement that the Minister must not direct ACTPLA to refer a decision on a development application to the Minister unless the proponent of the development proposal has met the requirements for community consultation as outlined in section 138AE (1) to (3) (Community consultation for certain development proposals).