

**AUSTRALIAN CAPITAL TERRITORY**  
**LAND (PLANNING AND ENVIRONMENT) ACT 1991**  
**APPOINTMENT**  
**INSTRUMENT NO. 187 of 2000**  
**EXPLANATORY STATEMENT**

The Land (Planning and Environment) Act 1991 (the Act) makes extensive provision for the ACT's leasehold and planning systems.

The office of the Commissioner for Land and Planning was established under the provisions of Division 4A of the Act as the result of extensive amendments to that Act in 1996 following consideration of the Report of the Board of Inquiry into the Administration of the ACT Leasehold, better known as the Stein Report. The amendments also followed consideration of the Mant/Collins Review of Planning Functions and Structures and the Red Tape Taskforce Report.

The Commissioner is an independent statutory office empowered to make decisions on certain classes of applications for approval under Part 6 of the Act. Those classes of applications were prescribed under section 229A of the Act by Disallowable Instrument No. 227 of 1997. The Minister for Urban Services must refer those classes of applications to the Commissioner for determination, although the Minister may, under subsection 229A(7), revoke a reference of an application to the Commissioner and determine the application himself. Additionally, at the discretion of the Minister for Urban Services, other classes of applications may be referred to the Commissioner.

John Michael McInerney was appointed as the ACT's first Commissioner for Land and Planning for a period of three years commencing on 25 June 1997.

This instrument appoints John Michael McInerney as the Commissioner for a further period of three years commencing from the date this instrument is notified in the Gazette.

Mr McInerney is not a public servant and occupies the position on a part time basis.

Under the requirements of section 4 of the *Statutory Appointments Act 1994*, the appointment has been the subject of consultation with the Standing Committee on Planning and Urban Services which advises that it has no objection to appointment of Mr McInerney for a further period.

Issued by the authority of Mr Gary Humphries MLA, Attorney-General.