

2023

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TENTH ASSEMBLY

PLANNING (CONSEQUENTIAL AMENDMENTS) BILL 2023

**EXPLANATORY STATEMENT
and
HUMAN RIGHTS COMPATIBILITY STATEMENT
(*Human Rights Act 2004, s 37*)**

**Presented by
Mick Gentleman MLA
Minister for Planning and Land Management**

PURPOSE OF THE BILL

The policy objective of the Planning (Consequential Amendments) Bill 2023 (the Bill) is to make policy, technical and editorial amendments to various pieces of legislation as a result of the Planning Act 2023 (the Planning Act).

OVERVIEW OF THE BILL

The Bill makes amendments to over 70 pieces of ACT legislation as a result of the Planning Bill and associated regulations. The passage of the Bill will ensure all ACT laws align with the reformed planning system.

CONSULTATION ON THE PROPOSED APPROACH

In developing the Planning Act, the Government consulted with the public and stakeholders in a number of ways. The engagement targeted the whole of the ACT, given planning affects each and every person living in the Territory.

The main engagement was through the ACT Government's 'YourSay Conversations' portal, with links to more information on the detailed Planning Review and Reform including fact sheets that summarised the new legislation and an overview document (Planning Bill Policy Overview Paper).

When engagement closed, over 300 submissions had been received from community councils, industry groups, representative organisations and individuals.

ACT Government Directorates were consulted throughout the development of the Planning Act.

CONSISTENCY WITH HUMAN RIGHTS

During the development of the Planning Bill and Government amendments due regard was given to its compatibility with human rights as set out in the *Human Rights Act 2004* (the HRA).

The Planning Bill was considered a significant bill. A significant human rights analysis was undertaken during the project and in the preparation of the

explanatory statement for the Planning Bill. The majority of amendments in the Bill are minor and technical in nature.

The Bill may limit the right to a fair trial which is protected by section 21 of the HRA. Section 21 protects the right to procedural fairness and can also extend to protect third parties whose substantive legal rights may be affected by a determination, for example in planning decisions.

Right to a Fair Trial

Nature of the right and the limitation

The right to a fair trial extends to third parties whose substantive legal rights may be affected by a determination, and to having a matter reheard if a party believes the decision is wrong on a question of law.

The Bill would amend the *Administrative Decisions (Judicial Review) Act 1989* (ADJR Act) to provide that the Act does not apply to a decision in relation to light rail. This would include a decision under chapter 6 (Significant development), chapter 7 (Development assessment and approvals) or chapter 10 (Leases and licences). ADJR Act review would remain for development approval decisions for light rail if the decision involves a ‘protected matter’, where a protected matter is a matter protected by the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999*, a matter declared by the Minister or a native species or ecological community protected under the *Nature Conservation Act 2014*. This largely retains the approach taken in the current *Planning and Development Act 2007*, and in this way the Bill replicates an existing limitation on the right to a fair trial.

Legitimate purpose

The object sought to be achieved by these provisions is to facilitate a project that will achieve wide policy and public benefit. This will ensure that planning and development occurs in a way that supports and enhances the Territory’s liveability and prosperity, and promoting the well-being of residents, thus creating an effective, efficient, accessible and enabling planning system.

Rational connection between the limitation and the purpose

Restricting the application of the ADJR Act seeks to improve efficiency and administrative certainty for the light rail project. Light rail declarations are no longer made under the new planning system as light rail is defined within the

meaning of a Territory Priority Project under the new Planning Bill and will therefore not be subject to third party ACAT merit review or ADJR review.

Delivery of the light rail project is a core commitment of the ACT Government. It is a project of major significance to the Territory and to the Canberra community. The exclusion of the ADJR Act will remove uncertainty and potential delays for this initiative.

Proportionality

The limitations on the right to a fair trial are considered proportionate to the legitimate purpose. The proposed law serves to balance the need to provide the light rail project to the Canberra community in a timely and expedient manner against an existing right to ADJR review. This recognises the need to provide sustainable public transport options to service a growing city and reduce greenhouse gas emissions. It is also limited to the light rail project which is a specific project with a well-publicised and known purpose. The proposed law does not have general application beyond this specific project.

A number of safeguards exist. For example, a light rail project territory priority project declaration must be jointly declared by the Chief Minister and Minister and only once they are satisfied that the proposal would achieve a major government policy outcome that is of significant benefit to the people of the ACT and the proposal would substantially facilitate the achievement of the desired future planning outcomes set out in the planning strategy, a relevant district strategy, the territory plan or any relevant zone or the proposal is for significant infrastructure or facilities, that are of significant benefit to the people of the ACT and there has been sufficient consultation about the proposal.

Alternative options such as making a regulation to remove the requirement for the light rail project to obtain development approval is not recommended because such exemptions are typically used for relatively minor matters. Time limited appeal rights for the light rail project would still create uncertainty for funding and resourcing of the project.

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Planning (Consequential Amendments) Bill 2023

Human Rights Act 2004 - Compatibility Statement

In accordance with section 37 of the *Human Rights Act 2004* I have examined the ***Planning (Consequential Amendments) Bill 2023***. In my opinion, having regard to the Bill and the outline of the policy considerations and justification of any limitations on rights outlined in this explanatory statement, the Bill as presented to the Legislative Assembly is consistent with the *Human Rights Act 2004*.

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Shane Rattenbury MLA
Attorney-General

CLAUSE NOTES

Clause 1 Name of Act

This clause names this Act as the *Planning (Consequential Amendments) Bill 2023*.

Clause 2 Commencement

This clause provides that the Act will commence on the commencement of the *Planning Act 2023*.

The remaining provisions commence following the commencement of the relevant provisions of the amending Acts listed at section 2(2).

Clause 3 Legislation amended-sch 1

This clause provides for this Act to amend the legislation mentioned in Schedule 1.

Schedule 1 Consequential amendments

Part 1.1 ACT Civil and Administrative Tribunal Act 2008

Clause 1.1 Section 22P (1)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.2 Section 25 (3), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.3 Section 29 (6), example

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.4 Further amendments, mentions of *Planning and Development Act 2007*

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.2 Administrative Decisions (Judicial Review) Act 1989

Clause 1.5 Sections 4A and 8

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.6 Schedule 1, item 15

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

The ADJR Act has been amended by this Act to omit a number of decisions from ADJR appeal. These decisions related to certain types of development applications or special variations that are no longer made under the *Planning Act 2023*.

Light rail is the only form of Territory Priority Project that continues to be excluded from judicial review for all decisions related to significant developments, development assessment and approvals and leases and licences, other than a development proposal involving a protected matter.

Part 1.3 Building Act 2004

Clause 1.7 Section 14 (1), note 2

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.8 Section 25AA, definition of site work notice, paragraph (a) (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.9 Section 26 (2) (h)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.10 Section 26 (2) (h), example

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.11 Section 26 (2), note 1

This clause omits the note to comply with the revised processes of the new legislation.

Clause 1.12 Section 28 (1A) (b)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable sections numbers to give effect to the new legislation.

Clause 1.13 Section 28 (1A) (d) (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.14 Section 28 (2) (a), note

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.15 Section 29 (1) (g)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.16 Section 29 (1) (g) (i), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.17 Section 29 (1) (g) (ii), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.18 Section 29 (1) (g) (iv)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.19 Section 29 (1), note 1

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.20 Section 30 (1), example

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.21 Section 30 (1), example

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.22 Section 50A (1), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.23 Section 50A (3), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.24 Section 52, definition of custodian

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.25 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.26 Dictionary, definition of development etc

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.27 Dictionary, definition of land, paragraph (c)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.28 Dictionary, definition of land sublease and lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.29 Dictionary, definition of owner, paragraph (e)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.30 Further amendments, mentions of planning and land authority

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.4 Building (General) Regulation 2008

Clause 1.31 Section 7B (2)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.32 Section 7B (2), example

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.33 Section 9A (b)

This clause removes reference to the *Planning and Development Regulation 2008* and inserts reference to the *Planning (Exempt Development) Regulation 2023* and the *Planning (General) Regulation 2023* to give effect to the new legislation.

Clause 1.34 Section 22 (3)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.35 Section 30B (a)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.36 Section 30B (b)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.37 Section 30B (c)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.38 Section 35 (a)

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.39 Section 35B

This clause removes reference to the *Planning and Development Act 2007* and relevant sections to give effect to the new legislation.

Clause 1.40 Section 35B (2)

This clause adds reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.41 Section 44 (2), definition of non-urban land, paragraph (a) (iii)

This clause removes terms to give effect to the new legislation.

Clause 1.42 Section 49 (1) (d) (i) and (ii)

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to new legislation.

Clause 1.43 Section 49 (6)

This clause is removed to align with revised processes in the new legislation.

Clause 1.44 Section 49 (8)

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.45 Schedule 2, section 2.1, definition of easement etc

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.46 Dictionary, note 2

This clause adds reference to the chief planner to give effect to the new legislation.

Part 1.5 Casino Control Act 2006

Clause 1.47 Section 62 (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.48 Sections 136B (2) (b) (ii) and 136C (1) (b)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.49 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.6 Casino (Electronic Gaming) Act 2017

Clause 1.50 Section 21 (3) (a)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.51 Section 21 (3) (a) (i)

This clause replaces 'proposal' with 'application' in line with terminology used in the new legislation.

Clause 1.52 Sections 22 (3)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.53 Section 22 (3) (a)

This clause replaces ‘proposal’ with ‘application’ in line with terminology used in the new legislation.

Clause 1.54 Section 23 heading

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.55 Section 23 (1) (b) (i) and 24 (1) (b) (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.56 Section 39 (2) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.57 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.7 City Renewal Authority and Suburban Land Agency Act 2017

Clause 1.58 Section 9 (1), note 1

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.59 Section 36 (b) (iii) and (iv)

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to new legislation.

Clause 1.60 Section 36 (c) (ii)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.61 Section 36 (2)

This clause adds terms in line with the terminology used in the new Territory Plan and the *Planning Act 2023* and gives effect to new legislation.

This clause also adds reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.62 Section 39 (1), note 1

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

**Clause 1.63 Section 64 (4), definition of information holder,
paragraph (e)**

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.64 Dictionary, note 2

This clause adds reference to the chief planner to give effect to the new legislation.

Clause 1.65 Dictionary, definition of statement of planning intent

This clause removes the definition of ‘statement of planning intent’ as this term has been redefined in the new legislation to ‘statement of planning priorities’.

Part 1.8 Civil Law (Property) Act 2006

**Clause 1.66 Section 259A (4), definition of excluded change,
paragraph (a)**

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.67 Section 260 (1) (m) (i)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.68 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Part 1.9 Civil Law (Property) Regulation 2020

Clause 1.69 Section 2 (b) (ii) and (c)

This clause has been amended to reflect minor editorial changes only.

Clause 1.70 New section 2 (2)

The clause adds reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.10 Civil Law (Sale of Residential Property) Act 2003

Clause 1.71 Section 7, definition of sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.72 Section 7, definition of unapproved structure, paragraph (b) (i)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.73 Section 19A (2), definition of certificate of compliance

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.74 Section 20, definition of premises, paragraph (h)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also adds reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.75 Section 20, definition of premises, paragraph (ja)

This clause has been amended to include a premises to which a demolition order has been issued to not be required to obtain an energy efficient rating statement.

Clause 1.76 Section 20, definition of premises, paragraph (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.77 Dictionary, definition of sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.11 Civil Law (Sale of Residential Property) Regulation 2004

Clause 1.78 Section 7 (6) (g)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.79 Sections 8 (a) and 9

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.80 Section 9

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.81 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.12 Climate Change and Greenhouse Gas Reduction Act 2010

Clause 1.82 Section 13A (2)

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.83 Dictionary, note 2

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Part 1.13 Commissioner for Sustainability and the Environment Act 1993

Clause 1.84 Section 12 (2) (e)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.14 Common Boundaries Act 1981

Clause 1.85 Sections 23 to 26 and 28

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.86 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.87 Dictionary, definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.15 Community Title Act 2001

Clause 1.88 Section 10 (4)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.89 Section 21 (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.90 Section 28 (2), definition of interested person, paragraph (f)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.91 Section 89 (6) (c)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.92 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.93 Dictionary, definition of declared land sublease and land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.94 Further amendments, mentions of planning and land authority

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.16 Construction Occupations (Licensing) Act 2004

Clause 1.95 Section 16

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.96 Section 33A

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.97 Section 33A (a) (ii)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.98 Section 36 (3)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.99 Section 36 (3) (a) (ii)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.100 Section 123 (1) (d)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.101 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.102 Dictionary, definition of works assessment work, paragraph (a)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.17 Construction Occupations (Licensing) Regulation 2004

Clause 1.103 Schedule 1, part 1.9, items 1 and 2

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.104 Schedule 2, parts 2.2 and 2.7A

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.105 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Part 1.18 Districts Act 2002

Clause 1.106 Section 17

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.107 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Part 1.19 Domestic Animals Act 2000

Clause 1.108 Section 143 (4), definition of residential lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.20 Duties Act 1999

Clause 1.109 Section 52 (1) (c)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.110 Section 52 (3) and (6)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.111 Section 90C (4), definition of accredited valuer

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.112 Dictionary, definition of declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.21 Electoral Act 1992

Clause 1.113 Section 39 (3) (b)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.114 Section 222B, definition of decided

This clause replaces terms in line with the terminology used in the new Territory Plan to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.115 Section 222B, definition of make

This clause has been amended to reflect minor editorial changes only.

Clause 1.116 New Section 222B (2)

This clause adds reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also adds terms in line with the terminology used in the new Territory Plan and gives effect to new legislation.

Clause 1.117 Section 222C (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.118 Section 222E (1)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Under the *Planning and Development Act 2007*, Code track development applications were not included in the meaning of relevant planning applications. As the Act has simplified development assessment into single pathway, the current reference to merit or impact track has been amended to include development applications for all development proposals.

Clause 1.119 Section 222E (3)

This clause clarifies that a relevant planning application includes a reference to the corresponding application, request or other action under the repealed *Planning and Development Act 2007* and provides for its expiry on the commencement of certain sections in the Act.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.120 Section 299 (4), definition of lessee

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.121 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.22 Emergencies Act 2004

Clause 1.122 Section 4, note 1

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.123 Section 71 (1)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.124 Sections 72 and 77A

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.125 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.126 Dictionary, definition of land management agreement

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.23 Energy Efficiency (Cost of Living) Improvement Act 2012

Clause 1.127 Section 28A, definition of regulatory agency, paragraph (b)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.128 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Part 1.24 Environment Protection Act 1997

Clause 1.129 Section 3, note 1

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.130 Section 21A (5) (a)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.131 Section 49 (6)

This clause replaces 'completed' with 'finalised' in line with current drafting practices.

Clause 1.132 Section 49 (8)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.133 Section 92B

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.134 Section 94 (3)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.135 Section 94A heading

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.136 Section 94A (1)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.137 Section 94A (1) (c)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.138 Section 94A (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.139 Section 94A (2) (b)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.140 Section 149 (2) (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.141 Section 164 (2)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.142 Schedule 1, table 1.2, item 7, column 2, paragraph (a)

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to the new legislation.

Clause 1.143 Schedule 1, table 1.2, item 7, column 2, paragraph (b)

This clause removes terms no longer used in the new Territory Plan.

Clause 1.144 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.145 Dictionary, definition of assessment

This clause has been removed to reflect minor editorial changes.

Clause 1.146 Dictionary, definition of EIS etc

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.25 Environment Protection Regulation 2005

Clause 1.147 Section 41

This clause removes the reference to the Water Use and Catchment Code being mentioned in the Territory Plan. This Code will now be made as an instrument under a new head of power in the *Water Resources Act 2007*.

Clause 1.148 Section 41, note

This clause omits the note as it is no longer required resulting from the Water Use and Catchment Code reference being removed from the Territory Plan.

Clause 1.149 Section 67 (2) (b)

This clause has been amended in line with previous consequential amendments in line with current drafting practices.

Clause 1.150 Schedule 2, section 2.1, definitions of *city centre* etc

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to the new legislation.

Clause 1.151 Schedule 2, section 2.2 (1), definition of major road, note

This clause replaces references to websites.

Clause 1.152 Dictionary, definition of public land and note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.153 Dictionary, definition residential land, note

This clause replaces references to websites.

Part 1.26 First Home Owner Grant Act 2000

Clause 1.154 Section 5 (6)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.27 Fisheries Act 2000

Clause 1.155 Dictionary, definition of custodian

This clause removes the definition of custodian to align with the new legislation that requires the territory planning authority to create and maintain a custodianship map.

Clause 1.156 Dictionary, definition of lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.28 Gambling and Racing Control Act 1999

Clause 1.157 Section 50 (5), definition of forfeited, paragraph (b) (ii)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.29 Gaming Machine Act 2004

Clause 1.158 Section 10H (4), definition of offset amount, paragraph (b) (v)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.30 Gaming Machine (Offset Amounts) Regulation 2018

Clause 1.159 Section 4 (b) to(d)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.160 New section 4 (2)

This clause adds reference to its expiry on the commencement of certain sections in the Act to give effect to the new legislation.

Part 1.31 Government Agencies (Land Acquisition Reporting) Act 2018

Clause 1.161 Section 7 (1), definition of land acquisition, paragraphs (b) (ii) to (iv)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.162 Section 7 (3), definition of declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.163 Section 7 (3), definition of land, paragraph (c) (i)

This clause removes 'Crown' to give effect to the new legislation.

Clause 1.164 Section 7 (3), new definition of lease

This clause adds reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.32 Government Procurement Act 2001

Clause 1.165 Section 3A

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.33 Heritage Act 2004

Clause 1.166 Section 13 (1), definition of interested person, paragraph (a)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.167 Section 17 (1) (b)

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.168 Section 18 (c)

This clause removes ‘and development’ to give effect to the new legislation.

Clause 1.169 Section 18, examples

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.170 Section 19 (2)

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.171 Section 27 (2) (a)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.172 Section 58, definition of development

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.173 Section 59

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.174 Section 60 (2) and notes

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the

Planning Act 2023 and applicable section numbers to give effect to the new legislation.

Clause 1.175 Section 61 (1) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.176 Sections 67A (1) (c) (v) and 76 (2) (a) (vi)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.177 Section 118B (5)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.178 Dictionary, note 2

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

This clause also removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.179 Dictionary, definition of owner, paragraph (a)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.34 Heritage Regulation 2006

Clause 1.180 Section 8 (1), note

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.181 Dictionary, note 1

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.182 Dictionary, definition of voting member, paragraph (b)

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Part 1.35 Housing Assistance Act 2007

Clause 1.183 Section 32 (1)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.184 Section 32 (5), definition of unleased territory land

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.185 Section 33 (2) (f), note 2

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.186 Section 34 (2)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.187 Dictionary, note

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.36 Lakes Act 1976

Clause 1.188 Sections 27 (2), note and 28 (1), note

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.37 Land Rent Act 2008

Clause 1.189 Section 5

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.190 Section 7 (1) and (2)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the

Planning Act 2023 and applicable section numbers to give effect to the new legislation.

Clause 1.191 Section 7 (3), notes 1 to 3

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.192 Section 7A (1) and (2) and note

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.193 Section 7A (1), notes 1 to 3

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.194 Section 7A (4), definition of eligible former owner

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.195 Section 16AA (3), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.196 Part 4 heading, note

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the

Planning Act 2023 and applicable section numbers to give effect to the new legislation.

Clause 1.197 Section 17 (2), notes 1 and 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.198 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.199 Dictionary, note 2

This clause removes reference to the Territory Plan in line with other amendments being made to the *Land Rent Act 2008*.

Clause 1.200 Dictionary, definition of single dwelling house

This clause removes the definition of 'single dwelling house' as this term has been redefined in the new legislation to 'single dwelling house lease'.

Clause 1.201 Dictionary, definition of single dwelling house lease

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to the new legislation.

Part 1.38 Lands Acquisition Act 1994

Clause 1.202 Section 50 (1) (d)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.203 Section 50 (1) (e)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.204 Section 50 (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.205 Section 103 (4) and 113

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.206 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Part 1.39 Land Tax Act 2004

Clause 1.207 Dictionary, definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.40 Land Titles Act 1925

Clause 1.208 Section 69A, definition of administrative interest, examples

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause has also been amended to reflect minor editorial changes.

Clause 1.209 Section 72A (1)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.210 Section 72AB heading

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.211 Section 72AB (1)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.212 Section 72C (1) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.213 Section 72C (1) (c) and (3)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.214 Section 72C (4)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.215 Section 72D heading

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.216 Section 72D (1)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.217 Section 72D (2) (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.218 Section 88 (1), note 1

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.219 Section 88A (1), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.220 Section 88B

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.221 Section 88C to 88H

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.222 Section 88H (2) (a) and (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.223 Section 123E (5) (a)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.224 Section 178B (5), definition of declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.225 Section 178C

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.226 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.227 Dictionary, definition of building sublease etc

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.228 Further amendments, mentions of planning and land authority

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.41 Land Titles (Unit Titles) Act 1970

Clause 1.229 Sections 6 and 7

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.230 Section 7 (1) (d) (iv)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.231 Section 7 (1) (d), note 2

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.232 Section 7 (3)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.233 Sections 16 and 21

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.234 Section 29 (1) (a)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.235 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.42 Leases (Commercial and Retail) Act 2001

Clause 1.236 Section 12 (7), definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.43 Leases (Commercial and Retail) Regulation 2002

Clause 1.237 Section 4 (2)

This clause directs the use of 'City West precinct' to the repealed *Planning and Development Regulation 2008*.

Part 1.44 Legislation Act 2001

Clause 1.238 Dictionary, part 1, new definition of chief planner

This clause adds reference to the chief planner to give effect to the new legislation.

This clause also adds reference to the *Planning Act 2023* to give effect to the new legislation.

Clause 1.239 Dictionary, part 1, definitions of chief planning executive and planning and land authority

This clause removes the definition of 'chief planning executive' and 'planning and land authority' as these terms have been redefined in the new legislation to 'chief planner' and 'territory planning authority'.

Clause 1.240 Dictionary, part 1, definition of territory lease and territory plan

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.241 Dictionary, part 1, new definition of territory planning authority

This clause adds reference to the territory planning authority to give effect to the new legislation.

Part 1.45 Liquor Act 2010

Clause 1.242 Sections 77 and 78

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.243 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.244 Dictionary, note 2

This clause adds reference to the Territory Plan to give effect to the new legislation.

Clause 1.245 Dictionary, definition of lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.246 Further amendments, mentions of planning and land authority

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.46 Liquor Regulation 2010

Clause 1.247 Dictionary, note 2

This clause adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.248 Dictionary, definition of unleased land licence and note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.47 Nature Conservation Act 2014

Clause 1.249 Section 27 (3) (b), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.250 Sections 140 and 142 to 146

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.251 Section 153 (2) (b) (iii)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.252 Section 169 (1), definition of reserve, paragraph (b) (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.253 Section 169 (2), definition of catchment area

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.254 Section 169 (2), definition of national park

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.255 Section 169 (2), definition of nature reserve

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.256 Section 170, definition of wilderness area

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.257 Section 174, note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.258 Part 8.3 heading, note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.259 Sections 177 (2) (b) and 180 (3) (b)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.260 Section 252 (2) (a) (iv), note

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (General) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.261 Section 252 (2) (b) (iii)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.262 Section 252 (2) (b) (v)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.263 Section 254 (3) (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.264 Section 261 (2) (a) (ii) and (iii)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.265 Section 308 (3), definition of development

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.266 Section 310, definition of management agreement, paragraph (c)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.267 Section 315 (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.268 Section 316

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

Clause 1.269 Section 317 (2) and note

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.270 Section 318 (1) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.271 Section 318 (2), notes 1 and 2

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.272 Section 318 (3) (a) (i), note

This clause replaces references to websites.

Clause 1.273 Section 318 (4)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.274 Section 318A (6), definition of minor public works

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (General) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.275 Dictionary, note 2

This clause also adds reference to the Territory Plan to give effect to the new legislation.

This clause adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.276 Dictionary, definition of custodian etc

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.48 Nature Conservation Regulation 2015

Clause 1.277 Section 5 (2), definition of special purpose reserve

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.49 Planning Act 2023

Clause 1.278 Section 43 (1) (a)

This clause has been amended to reflect minor editorial changes only.

Clause 1.279 Section 43 (1) (b) (ii)

This clause has been amended to reflect minor editorial changes only.

Clause 1.280 Section 48 (4), new note

This clause clarifies that an instrument does not need to be notified under the *Legislation Act 2001*.

Clause 1.281 Section 88 (2)

This clause has been amended to reflect minor editorial changes only.

Clause 1.282 Section 140 (4), note

This clause has been amended to reflect minor editorial changes only.

Clause 1.283 Section 165 (3)

This clause has been amended to reflect minor editorial changes only.

Clause 1.284 Section 171 (1) (b) (ii)

This clause has been amended to reflect the territory planning authority.

Clause 1.285 Section 189 (1) (a)

This clause has been amended to reflect minor editorial changes only.

Clause 1.286 Section 205 (1), note

This clause has been amended to reflect minor editorial changes only.

Clause 1.287 Section 205 (3) (b) (ii)

This clause has been amended to reflect minor editorial changes only.

Clause 1.288 Section 206 (2)

This clause has been amended to reflect minor editorial changes only.

Clause 1.289 New Section 211 (2) (d)

This clause has been amended to provide for a development approval to end if an approval-holder surrenders their development approval to the Territory Planning Authority.

Clause 1.290 New Section 212 (2) (a) (iiia)

This clause has been amended to provide for a development approval for a lease variation to end if an approval-holder surrenders their development approval for a lease variation to the Territory Planning Authority.

Clause 1.291 New Section 212 (2) (a) (iva)

This clause has been amended to provide for a development approval for a lease variation to end if the lease is surrendered, other than for a lease variation or renewal.

Clause 1.292 Section 213 etc

This clause has been amended to reflect minor editorial changes only.

Clause 1.293 Section 292, definition of community lease provisions, paragraphs (d) to (f)

This clause has been amended to reflect minor editorial changes only.

Clause 1.294 Section 309 (3) (e)

This clause has been amended to reflect minor editorial changes only.

Clause 1.295 Section 326 (4)

This clause has been amended to reflect minor editorial changes only.

Clause 1.296 Section 343 (1), note 2

This clause clarifies the requirements of the *Taxation Administration Act 1999*.

Clause 1.297 Section 381

This clause has been amended to reflect minor editorial changes only.

Clause 1.298 Section 401 (4), definition of future public land

This clause has been amended to reflect minor editorial changes only.

Clause 1.299 Section 413 (2) (a)

This clause clarifies the requirements of the *Building Act 2004*.

Clause 1.300 Section 416 (3)

This clause clarifies that the Territory Planning Authority does not need to take any further action if a complainant does not provide any further information in relation to their complaint.

Clause 1.301 Section 429 (3) (d)

This clause has been amended to reflect minor editorial changes only.

Clause 1.302 Section 523 (3), new note

This clause clarifies that an instrument is taken to be a notifiable instrument under the *Legislation Act 2001* if not disapplied.

Clause 1.303 Section 523 (4), new note

This clause clarifies that an instrument does not need to be notified under the *Legislation Act 2001*.

Clause 1.304 Dictionary, definition of building and development provision

This clause has been added to reflect minor editorial changes only.

Clause 1.305 Dictionary, new definition of deciding

This clause has been added to reflect minor editorial changes only.

Clause 1.306 Dictionary, definition of deciding a development application

This clause has been removed to reflect minor editorial changes only.

Clause 1.307 Dictionary, new definition of district policy

This clause adds new terminology used in the new Territory Plan and gives effect to the new legislation.

Clause 1.308 Dictionary, definitions of public land and significant

This clause has been amended to reflect minor editorial changes only.

Part 1.50 Prohibited Weapons Regulation 1997

Clause 1.309 Section 12A (2) (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.310 Section 12A (3), definition of rural lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.51 Professional Engineers Act 2023

Clause 1.311 Section 74 (2), definition of operational Act, paragraph (f)

This clause removes reference to the *Planning and Development Act 2007* and inserts reference to the *Planning Act 2023* to give effect to the new legislation.

Part 1.52 Public Health Act 1997

Clause 1.312 Section 66X and note

This clause has been amended to refer the user to the definition of supermarket in the Territory Plan.

Clause 1.313 Section 124 (4)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.314 Section 134

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.315 Dictionary, note 2

This clause adds reference to the Territory Plan to give effect to the new legislation.

This clause also adds reference to the territory planning authority to give effect to the new legislation.

Clause 1.316 Dictionary, definition of EIS

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.317 Dictionary, definition of environmental impact statement

This clause removes the definition of ‘environmental impact statement’ as the term has been redefined in the new legislation to ‘EIS’.

Part 1.53 Public Roads Act 1902

Clause 1.318 Sections 19 (2) (b) and 20 (2) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.54 Public Unleased Land Act 2013

Clause 1.319 Section 43 (4) (a) (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.320 Section 47, definition of suitability information, paragraph (c), example

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.321 Dictionary, note 2

This clause adds 'territory land' to give effect to the new legislation.

Clause 1.322 Dictionary, definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.55 Rates Act 2004

Clause 1.323 Section 11B

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.324 Section 11B (4)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.325 Section 31 (4)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.326 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.327 Dictionary, definition of declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.56 Retirement Villages Act 2012

Clause 1.328 Section 3, note 1

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.329 Section 16 (1), note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.330 Section 18 (c)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.331 Section 65 (1) (b) and (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.332 Section 118, note

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.333 Dictionary, definition of development approval

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.57 Retirement Villages Regulation 2013

Clause 1.334 Section 7 (1) (k)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.58 Road Transport (Safety and Traffic Management) Regulation 2017

Clause 1.335 Section 50 (3)

This clause replaces terms in line with terminology used in the new Territory Plan and gives effect to the new legislation.

Clause 1.336 Section 52 (5)

This clause removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (Exempt Development) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Part 1.59 Sale of Motor Vehicles Act 1977

Clause 1.337 Dictionary, definition of ACTPLA certificate

This clause is being removed in line with a previous consequential amendment in line with current drafting practices.

Part 1.60 Smoke-Free Public Places Regulation 2005

Clause 1.338 Section 13 (2), note 2, 2nd dot point

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.61 Taxation Administration Act 1999

Clause 1.339 Section 4 (i)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.340 Section 56F (c)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.341 Section 56G (2), definition of declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.342 Section 56H (8) (a) (v)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.343 and 56M (6) (a) (v)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.344 Section 90C (a) (iii)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.345 Section 90E (1) (c)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.346 Schedule 1, section 1.2, paragraphs (l) to (n)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.62 Taxation Administration Regulation 2004

Clause 1.347 Section 4 (5)

This clause removes reference to the chief planning executive and inserts the chief planner to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Regulation 2008* and relevant sections of that Regulation. The clause inserts reference to the *Planning (General) Regulation 2023* and applicable section numbers to give effect to the new legislation.

Part 1.63 Tree Protection Act 2005

Clause 1.348 Section 19 (2), definition of development approval

This clause removes the definition of ‘development approval’ as this term appears in a number of sections and it’s more appropriate to be in the dictionary.

Clause 1.349 Sections 24A (2) (b) and 34A (2) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.350 Section 80, definition of development

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.351 Section 81

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.352 Section 82 (2), note

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

This clause also removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.353 Section 83 (1) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.354 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.355 Dictionary, definition of development approval

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.356 Dictionary, definition of tree management plan, paragraph (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.357 Further amendments, mentions of planning and land authority

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.64 Unit Titles Act 2001

Clause 1.358 Section 17 (4), note, paragraph (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.359 Section 20 (1) (c) (ii)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.360 Section 20 (1) (c) (ii), notes 1 and 2

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.361 Section 20 (3) (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.362 Sections 21 (2) and (3) and 24 (1) (b)

This clause removes reference to the planning and land authority's and inserts the territory planning authority's to give effect to the new legislation.

Clause 1.363 Section 31 (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.364 Section 33 (3) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.365 Section 151 (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.366 Section 154 (1) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.367 Section 159 (3)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.368 Section 163 (1) (d)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.369 Section 165B (2)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.370 Section 166 heading

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.371 Section 166 (1)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.372 Section 166 (3)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.373 Section 167 (2)

This clause removes reference to the planning and land authority's and inserts the territory planning authority's to give effect to the new legislation.

Clause 1.374 Section 167A (1) (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.375 Section 168 (3)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.376 Section 170, note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.377 Sections 171 and 172, notes

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.378 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.379 Dictionary, definitions of building and development provision and declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.380 Dictionary, definition of lease, paragraph (a) (iv)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.381 Dictionary, definition of lease, paragraph (b) (iii)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.382 Dictionary, definition of termination, paragraph (a)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.383 Further amendments, mentions of Planning and Development Act 2007

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.384 Further amendments, mentions of planning and land authority

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.65 Unit Titles (Management) Act 2011

Clause 1.385 Section 26 (2) and note

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

This clause also removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.386 Schedule 2, section 2.1 (1) (e)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.387 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.388 Dictionary, definitions of building and development provision and declared land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.389 Dictionary, definition of eligible person, paragraph (d)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.66 Unit Titles Regulation 2001

Clause 1.390 Section 2, definition of planning documents, paragraph (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.391 Section 2, definition of planning documents, paragraph (c)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.392 Section 3

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.393 Section 8 (1) (b)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.394 Section 8 (1) (g)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.395 Section 8A (g)

This clause replaces terms in line with terminology used in the new Territory Plan and gives effect to the new legislation.

Clause 1.396 Section 9 (1)

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.397 Section 10 (3)

This clause replaces terms in line with terminology used in the new Territory Plan and gives effect to the new legislation.

Clause 1.398 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Part 1.67 Utilities Act 2000

Clause 1.399 Section 20 (2) (i)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.400 Dictionary, definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.68 Utilities (Technical Regulation) Act 2014

Clause 1.401 Section 7 (2) (k)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.402 Section 41A, definition of rural lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.403 Section 57, definition of proposed dam

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.404 Dictionary, definition of rural lease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.69 Utilities (Telecommunications Installations) Act 2001

Clause 1.405 Section 6 (2), definition of authorised network plan, paragraph (a)

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.406 Section 6 (2), definition of authorised network plan, paragraph (b)

This clause directs the use of 'authorised network plan' to the repealed *Planning and Development Act 2007*.

Clause 1.407 Section 6 (2), definition of reticulated service

This clause defines ‘reticulated service’ rather than it being defined in the *Planning (General) Regulation 2023*.

Part 1.70 Waste Management and Resource Recovery Regulation 2017

Clause 1.408 Sections 6, 24G and 24K

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.409 Section 24P (f) (iii)

This clause replaces terms in line with the terminology used in the new Territory Plan and gives effect to new legislation.

Clause 1.410 Section 24P (h) and 24T

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Part 1.71 Water and Sewerage Act 2000

Clause 1.411 Dictionary, definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Part 1.72 Water Resources Act 2007

Clause 1.412 New Part 3A

This clause has been added to establish a head of power for the Minister to determine environmental values for waterways in the ACT.

Clause 1.413 Sections 28 (2) (b) (i) and 30 (2) (g)

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.414 Section 46

This clause removes reference to the *Planning and Development Act 2007* and inserts the *Planning Act 2023* to give effect to the new legislation.

Clause 1.415 Dictionary, note 2

This clause adds reference to the territory plan to give effect to the new legislation.

Clause 1.416 Dictionary, definition of land sublease

This clause removes reference to the *Planning and Development Act 2007* and relevant sections of that Act. The clause inserts reference to the *Planning Act 2023* and applicable section numbers to give effect to the new legislation.

Clause 1.417 New part 22

This part addresses the transitional provisions of this Act and to its expiry on its commencement to give effect to the new legislation.

Part 1.73 Work Health and Safety Regulation 2011

Clause 1.418 Schedule 18, subsection 18.2.2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.

Clause 1.419 Schedule 18, subsection 18.2.2, note

This clause has been removed to give effect to the new legislation.

Clause 1.420 Dictionary, note 2

This clause removes reference to the planning and land authority and inserts the territory planning authority to give effect to the new legislation.