



Australian Capital Territory

# Planning and Development Amendment Regulation 2009 (No 6)

**Subordinate Law SL2009-18**

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The Australian Capital Territory Executive makes the following regulation under the *Planning and Development Act 2007*.

Dated 6 May 2009.

ANDREW BARR  
Minister

SIMON CORBELL  
Minister

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Subordinate Law SL2009-18

made under the

**Planning and Development Act 2007**

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## 1 Name of regulation

This regulation is the *Planning and Development Amendment Regulation 2009 (No 6)*.

## 2 Commencement

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

## 3 Legislation amended

This regulation amends the *Planning and Development Regulation 2008*.

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J2008-821

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**4 Schedule 20, modification 20.1, section 429EA**

*substitute*

**429EA Modification—s 246 (Payment for leases)**

Section 246 (2) applies as if paragraphs (c) and (d) were omitted and the following paragraphs substituted:

- ‘(c) a further lease granted under section 254; or
- (d) a lease mentioned in section 461A (Payment for leases to community organisations) or section 461B (Payment for adjoining concessional leases); or’

**5 Schedule 20, new modification 20.9**

*insert*

**[20.9] New sections 461A and 461B**

*in part 15.6, insert*

**461A Payment for leases to community organisations**

- (1) This section applies if—
- (a) after the commencement day a person applies for the grant of a lease, whether before or after the commencement of the *Planning and Development Amendment Regulation 2009 (No 6)*; and
- (b) if the application had been made under the repealed Act before its repeal—the planning and land authority could have granted the lease under the repealed Act, section 163 (Leases to community organisations).
- (2) The planning and land authority may grant the lease on payment of an amount worked out under the repealed Act, section 163 (2) as if the repealed Act had not been repealed.

**461B Payment for adjoining concessional leases**

- (1) This section applies if—
  - (a) a person applies for the grant of a lease (a *new lease*), whether before or after the commencement day; and
  - (b) the new lease adjoins another lease (an *original lease*) granted to the person; and
  - (c) the original lease is a concessional lease.
- (2) The planning and land authority may grant the new lease on payment of an amount worked out in the way the amount payable for the original lease was worked out.
- (3) If the amount payable for the original lease was worked out under the repealed Act, the repealed Act applies to working out the amount payable for the new lease as if the repealed Act had not been repealed.

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**Endnotes**

**1 Notification**

Notified under the Legislation Act on 7 May 2009.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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