



Australian Capital Territory

# Planning and Development Amendment Regulation 2012 (No 3)

**Subordinate Law SL2012-23**

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

Dated 13 June 2012.

SIMON CORBELL  
Minister

ANDREW BARR  
Minister

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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 2012 (No 3)*.

## 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)).

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J2012-204

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

**3 Legislation amended**

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

**4 New section 50A**

*insert*

**50A Criteria for development application exemption from EIS—Act, s 211 (3)**

The following criteria are prescribed:

- (a) whether the study was conducted by an appropriately qualified person with relevant expertise and experience in relation to the environmental values of the land in the proposal;
- (b) if the study does not relate directly to the proposal—whether there is sufficient detail to allow assessment of the environmental impacts likely to occur if the proposal proceeds;
- (c) whether the part of the study relevant to the proposal required public consultation through a statutory process or as part of a government policy development;
- (d) that the study is not more than 5 years old;
- (e) if the study is more than 18 months old—that an appropriately qualified person with no current professional relationship with the proponent verifies that the information in the study is current.

**Example—par (c)**

the public consultation process in a Territory plan variation under the Act, div 5.3.2

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

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## Endnotes

**1 Notification**

Notified under the Legislation Act on 21 June 2012.

**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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