

1999

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Corbell)

**Land (Planning and Environment)
Amendment Bill (No 4) 1999**

A BILL

FOR

An Act to amend the *Land (Planning and Environment) Act 1991*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

5 This Act is the *Land (Planning and Environment) Amendment Act (No 4) 1999*.

2 Commencement

This Act commences on the day it is notified in the *Gazette*.

3 Determination of applications

10 Section 229A of the *Land (Planning and Environment) Act 1991* is amended by omitting subsections (6) and (7) and substituting the following subsections:

Job No: 1999/221

“(6) If the Minister considers that an application that has been referred to the Commissioner for determination under subsection (3) or (4)—

- (a) raises a major issue of policy; or
- 5 (b) seeks approval for a development that may have a substantial effect on the achievement or development of objectives of the Territory Plan; or
- (c) allows a decision that would give rise to a substantial public benefit;

10 the Minister may, at any time before the application is determined by the Commissioner, by written notice given to the Commissioner, revoke the reference.

“(7) If the Minister revokes a reference of an application to the Commissioner, the Minister must—

- 15 (a) give to the applicants written notice of the revocation and the grounds on which the reference has been revoked; and
- (b) cause to be laid before the Legislative Assembly, within 3 sitting days after the reference is revoked, a statement containing—
 - 20 (i) a description of the development to which the application relates; and
 - (ii) particulars of the land on which the development would take place; and
 - (iii) the names of the applicants; and
 - (iv) particulars of the ground on which the reference was revoked; and
- 25 (c) cause a copy of the notice of revocation given to the Commissioner to be published in the *Gazette* within 21 days after the notice is given; and
- (d) determine the application.”

Endnote

Act amended

1 Republished as in force on 28 February 1999. See also Acts 1999 Nos 40, and