

Planning and Development (Remission of Lease Variation Charges for Community Purpose—Childcare Services) Determination 2011 (No 1)

Disallowable instrument DI2011–319

made under the

Planning and Development Act 2007, s 278B (When commissioner must remit lease variation charge—community purpose)

1 Name of instrument

This instrument is the *Planning and Development (Remission of Lease Variation Charges for Community Purpose—Childcare Services) Determination 2011 (No 1)*.

Note Terms used in this instrument have the same meaning that they have in the *Planning and Development Act 2007* (see Legislation Act, s 148). For example, the following terms are defined in the *Planning and Development Act 2007*, dict:

- chargeable variation
- lease variation charge
- nominal rent lease.

2 Community purpose—Act, s 278B (2)

I, the Minister for the Environment and Sustainable Development, determine the provision of childcare services as a community purpose.

3 Remission of lease variation charges—certain childcare services variations—Act, s 278B (3)

- (1) This section applies to a chargeable variation of a nominal rent lease if the only effect of the variation, and any other chargeable variation approved under the development application for the variation, is to—
- (a) authorise the use of the land under the lease for a childcare centre; or
 - (b) authorise the use of the land under the lease for a childcare centre and limit the maximum number of children provided care in a childcare centre permitted under the lease; or
 - (c) increase the maximum number of children provided care in a childcare centre permitted under the lease.

(2) I, the Treasurer, determine the amount of the lease variation charge for the chargeable variation to be remitted is an amount equal to 100% of the charge.

(3) In this section:

childcare centre—see the *Planning and Development Regulation 2008*, section 170A (2).

4 Remission of lease variation charges—certain childcare services variations—Act, s 278B (3)

(1) This section applies to a chargeable variation of a nominal rent lease that authorises development for the community purpose mentioned in section 2, other than a variation mentioned in section 3.

(2) I, the Treasurer, determine the amount of the lease variation charge for the chargeable variation to be remitted is an amount equal to 0% of the charge.

5 Expiry

This instrument expires on 30 June 2014.

Simon Corbell
Minister for the Environment and Sustainable Development
13 December 2011

Andrew Barr
Treasurer
14 December 2011