

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

**LAND (PLANNING AND ENVIRONMENT)
AMENDMENT BILL 2001 (No 4)**

EXPLANATORY MEMORANDUM

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Independent

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Explanatory Memorandum

OUTLINE

This is a Bill to amend the *Land (Planning and Environment) Act 1991*.

The Bill aims to overcome historical siting errors in Planning and Land Management records that can lead to defective development approvals for non-rural land.

Presently there is no requirement for development applications to be accompanied by a survey certificate that verifies siting details. The bill compels certain development applications to be lodged with such a certificate prepared by a registered surveyor.

Incorrect siting information has led to building height and location discrepancies that have resulted in referrals of disputes to the Commissioner for Land and Planning and the Administrative Appeals Tribunal for resolution.

This amendment intends to prevent errors being perpetuated and compounded by requiring development applications to be submitted with accurate survey details.

FORMAL CLAUSES

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill, commencement and the Act being amended.

NEW SECTION

Clause 4 inserts a new provision requiring applications for approval to undertake developments involving -

- alterations or additions to buildings in developed areas;

- additional construction in developed areas; and
- redevelopment in developed areas;

to be accompanied by a certificate from a registered surveyor that:

- shows the boundaries of the land where the development is to be undertaken; and
- shows the location of each building or structure on the land; and
- verifies that any plans for the construction work lodged with the application are based on correct assumptions about the physical features of the land.

Clause 5 provides for the renumbering of Section 226 to remove the alphanumeric numbering of the proposed new subsection (1AA) and three other subsections which are presently included in the section.