

1993

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

LAND (PLANNING AND ENVIRONMENT) REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

Circulated by authority of

Bill Wood MLA

Minister for the Environment, Land and Planning

LAND (PLANNING AND ENVIRONMENT) REGULATIONS (AMENDMENT)

GENERAL OUTLINE

This amendment to the Land (Planning and Environment) Regulations ("the Regulations") makes a change to the Regulations to provide for the exemption of certain public works from the application of Part VI of the Land (Planning and Environment) Act 1991 (the Land Act).

FINANCIAL IMPACT

The amendment involves no direct cost to the Government.

NOTES ON CLAUSES

Regulations 1 and 2

Regulations 1 and 2 are machinery regulations that identify the Principal Regulations being amended and provide for the commencement.

Regulation 3

Regulation 3 will amend regulation 3 of the Principal Regulations. Section 4 of the Land (Planning and Environment) Act 1991 (the Land Act) defines the term "public works" and specifies that works may be prescribed as not falling within the definition of "public works". Where regulations are made then such matters as are specified in those regulations would not attract the provisions of Part VI of the Land Act.

The Principal Regulations specify that, among other factors, works for which funding was authorised from the public money of the Territory before 2 April 1992 are prescribed works and therefore not subject to the provisions of Part VI of the Land Act. The amendment to regulation 3 will have the effect that installation works or construction works being carried out, or that is to be carried out, by or on behalf of the Territory, for which funding was authorised from the public money of the Territory before 1 July 1993 will not be subject to the provisions of Part VI of the Land Act.