

**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**LAND (PLANNING AND ENVIRONMENT) (AMENDMENT)
BILL 1997**

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments to be moved on behalf of the Government

Circulated by Authority of

Gary Humphries
Minister for the Environment,
Land and Planning

LAND (PLANNING AND ENVIRONMENT) (AMENDMENT) BILL 1997

GOVERNMENT AMENDMENT

Outline

The Land (Planning and Environment)(Amendment) Bill 1997 (hereafter the Bill) will amend the Land (Planning and Environment) Act 1991 (hereafter the Act).

The Government amendment to the Bill will insert a clause to effect two amendments to provisions of section 222 of the Act. Section 222 defines certain terms for the purposes of Part VI of the Act. Part VI specifies, in part, procedures in relation to an application for approval to undertake development.

The Government amendment will correct references in the definition of the terms “development” and “relevant authority”.

Revenue/Cost Implications

The Government amendment has no revenue or cost implications.

Detail of Amendment

The Government amendment will insert clause 3A into the Bill.

Paragraph (a) of Clause 3A will correct a reference in the definition of the term “development” by omitting the reference “175(3)(b)” and substituting the reference “175(3)(a)”.

Paragraph (b) of clause 3A will amend the definition of the term “relevant authority”. Under subsection 229A(3) the Minister is under an obligation to refer an application for approval to undertake development that falls within a class of applications prescribed under subsection 229A(1) to the Commission for Land and Planning. In addition, the Minister has a discretion under subsection 229A(4) to refer an application for approval to undertake development to the Commissioner for Land and Planning.

The amendment specified in paragraph 3A(b) of the Government amendment will amend paragraph (a) of the definition of the term “relevant authority” to specify the two references under which the Minister could refer an application.