

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) (AMENDMENT) BILL 1995

EXPLANATORY MEMORANDUM

Circulated by authority of

Gary Humphries
Minister for the Environment,
Land and Planning

Land (Planning and Environment) (Amendment) Bill 1995

Outline

The Land (Planning and Environment) (Amendment) Act 1991 ("the Land Act") provides for the leasing, planning, environmental assessment, heritage and management of Territory land

Except in certain circumstances, land held under a lease is to be held as one undivided parcel. The intent of the amending legislation is to establish another situation where it is possible to sublet land.

It is proposed to amend the Land Act so that separate subleases can be subdivided for the area of land on which mobile homes are sited.

Revenue/Cost Implications

The Bill has no cost implications.

Formal Clauses

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill and commencement, and define the Principal Act. The Bill commences on the day on which it is notified in the Gazette.

Clause 4 - Power of lessee to sublet portion of building or land in certain cases.

Clause 4 amends section 183 of the Principal Act. Section 183 sets out the cases where it is possible for a lessee to sublet parts of the land or buildings.

Clause 4 adds additional subsections to section 183. Subsection 183(3) provides that where a lease of land authorises the use of the land for the purposes of a mobile home park, and any portion of the land is being used for the siting of a mobile home, then subject to the lease and sublease, that portion of land can be sublet.

Subsection 183(4) defines the term "mobile home" and "mobile home park".