

**2019**

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

**PLANNING AND DEVELOPMENT (COMMUNITY CONCESSIONAL LEASES) AMENDMENT BILL  
2019**

**SUPPLEMENTARY EXPLANATORY STATEMENT**

**Presented by**  
**Mick Gentleman MLA**  
**Minister for Planning and Land Management**

## **EXPLANATORY STATEMENT**

### **Introduction**

This supplementary explanatory statement relates to the Planning and Development (Community Concessional Leases) Amendment Bill 2019 (the Bill). It has been prepared in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.

The explanatory statement must be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

### **Outline of the government amendments**

#### **Amendment 1**

##### **Clause 14      Consent to s 265 dealings**

##### **Section 266 (1) (a) (ii) (B)**

This Amendment 1 amends new section 266(1)(a)(ii)(B) in clause 14 of the Bill.

This technical and minor amendment omits an incorrect cross reference (namely to section 253F (b)) and substitutes the correct cross reference, which is to section 253F(c). This amendment is consistent with the proposed operation of the new framework, and the policy intent that the holder of a community concessional lease should not be able to transfer the lease unless the proposed purchaser meets the prescribed criteria.

#### **Amendment 2**

##### **Clause 18      New chapter 26**

##### **New Section 512 (1) (a)**

This Amendment 2 amends new section 512(1)(a) of clause 18 of the Bill. The proposed technical and minor amendment replaces the term “community organisation” with “person”. This amendment makes it clear that this transitional provision is not restricted in scope to community organisations only and will apply to any existing application for de-concessionalisation whether the application is from a community organisation or another type of entity.