

# Urban Forest (Transitional Provisions) Regulation 2024

Subordinate law SL2024–1

made under the

*Urban Forest Act 2023*

## EXPLANATORY STATEMENT

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### Overview

This explanatory statement relates to the Urban Forest (Transitional Provisions) Regulation 2024 (the Regulation) made under the Urban Forest Act 2023 (the Act). It has been prepared to assist the reader of the Regulation. It does not form part of the Regulation and has not been endorsed by the Legislative Assembly.

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

Section 316 of the Act allows the Minister to prescribe transitional matters necessary or convenient to be prescribed.

The Regulation provides details for the assessment of protected trees and tree management plans applied for in a development application to the planning authority prior to the commencement of the Act.

### Human rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.

## CLAUSE NOTES

### Clause 1 Name of Regulation

This clause states that the name of the Regulation is the *Urban Forest (Transitional Provisions) Regulation 2024* (the Regulation).

### Clause 2 Commencement

This clause provides for the commencement of the Regulation. The Regulation commences on the day after it is notified on the ACT Legislation Register.

### **Clause 3      Development applications made before commencement day**

This clause provides for development applications that have been applied for under the *Planning Act 2023* and have an application date that is prior to the commencement of the Act. The repealed Act (*Tree Protection Act 2005*) will be applied to tree management plans that are assessed as part of these development applications.

### **Clause 4      Expiry**

This clause states that this Regulation expires on the day that part 20 of the Act (Transitional) expires.