



AUSTRALIAN CAPITAL TERRITORY

Land (Planning and Environment) Regulations¹ (Amendment)

Subordinate Law No. 19 of 1992²

The Australian Capital Territory Executive makes the following
Regulations under the *Land (Planning and Environment) Act 1991*.

Dated 30 September 1992.

WAYNE BERRY
Minister

BILL WOOD
Minister

Principal Regulations

1. In these Regulations, “Principal Regulations” means the Land (Planning and Environment) Regulations.

Substitution

2. Regulation 3 of the Principal Regulations is repealed and the following regulation substituted:

Prescribed classes of works—definition of “public works” in section 4 of the Act

“3. For the purposes of paragraph (c) of the definition of ‘public works’ in section 4 of the Act, each of the following classes of works is prescribed:

- (a) works for which funding was authorised from the public money of the Territory before 2 April 1992;
- (b) works for which a contract has been entered into before 1 December 1992;
- (c) works carried out by the Territory, or a body established for a public purpose by a law of the Territory, where the order or request for the carrying out of the works was given or made before 1 December 1992;
- (d) works for which the Territory has, by contract, engaged a person as a project manager.”.

Calculation of amount payable

3. Regulation 13 of the Principal Regulations is amended by omitting from paragraph (1) (b) “subregulation 14 (3)” and substituting “subregulation 14 (2)”.

Prescribed period—subsection 230 (4) of the Act

4. Regulation 16 of the Principal Regulations is amended—

- (a) by omitting from paragraph (1) (a) “or paragraph 229 (1) (a) or (b)”; and
- (b) by omitting from subregulation (2) “paragraph 226 (1) (a)” and substituting “paragraph 226 (1) (d)”.

Exemption of controlled activities from provisions of Part VI of the Act

5. Regulation 21 of the Principal Regulations is amended—

(a) by omitting from subregulations (2), (3) and (4) “Part VI of the Act does” and substituting “Sections 229 and 276 of the Act do”; and

(b) by adding at the end the following subregulations:

“(7) Sections 229 and 276 of the Act do not apply in respect of a controlled activity of the kind referred to in item 6 of Schedule 4 of the Act where the encroachment is—

(a) an encroachment by a building that was erected before 2 April 1992; or

(b) an encroachment by a building that has been erected in conformity with—

(i) proposals with respect to the external design and the siting of the building that were approved in writing under the *Buildings (Design and Siting) Act 1964* before 2 April 1992; and

(ii) any conditions subject to which that approval was given.

“(8) In subregulation (7)—

‘building’ has the same meaning as in the *Buildings (Design and Siting) Act 1972*.”.

NOTES

1. Regulations 1992 No. 5.
2. Notified in the ACT Gazette on 2 October 1992.