



Australian Capital Territory

Land (Planning and Environment) Regulations¹ (Amendment)

Subordinate Law No. 22 of 1994²

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

Dated 28 June 1994.

BILL WOOD
Minister

DAVID LAMONT
Minister

Principal Regulations

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

Commencement

2. These Regulations commence on the day on which they are notified in the *Gazette*.

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

3. Regulation 21 of the Principal Regulations is amended by adding at the end the following subregulation:

“(9) Paragraphs 229 (1) (a) and (b) and section 276 of the Act do not apply to an application for renewal of approval to use residential land for the carrying on of a profession, trade, occupation or calling where—

- (a) the approval was granted under section 10 of the *City Area Leases Act 1936*;
- (b) the profession, trade, occupation or calling has been carried on in accordance with the approval;
- (c) the approval is not inconsistent with the Territory Plan; and
- (d) the profession, trade, occupation or calling has been carried on for at least the 12 months before the application for renewal was made without any complaint relating to that use of the land having been received by the Minister.”.

Extensions of time for the purposes of Part VI of the Act

4. Regulation 22 of the Principal Regulations is amended by adding at the end the following subregulation:

“(8) Where—

- (a) an application is made under section 226 of the Act for approval to conduct a controlled activity;
- (b) the Minister has, pursuant to paragraph 229 (1) (c) of the Act, forwarded a copy of the application to a concurring authority; and
- (c) the Minister, after forwarding the copy of the application under paragraph (b), requires the applicant, pursuant to subsection 233 (1) of the Act, to furnish further information relating to the application;

the period prescribed for the purposes of subsection 235 (1) of the Act in respect of the application is extended by a period equal to the period commencing on the day on which the Minister gives the applicant the notice under subsection 233 (1) of the Act requiring the information and ending on—

- (d) the day on which the applicant furnishes the Minister with the information required by the notice; or
- (e) the day on which the applicant is required to comply with the notice;

whichever first occurs.”

NOTES

1. Reprinted as at 31 December 1993. See also Subordinate Law No. 5, 1994.
2. Notified in the ACT Gazette on 29 June 1994.

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