



Australian Capital Territory

Land (Planning and Environment) Regulations¹ (Amendment)

Subordinate Law No. 20 of 1996²

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

Dated 20 September 1996.

TONY DE DOMENICO
Minister

GARY HUMPHRIES
Minister

Commencement

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

Principal Regulations

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

Interpretation

3. Regulation 2 of the Principal Regulations is amended by inserting the following definition:

“ ‘Local Centre’ means an area of land designated by the Territory Plan as a Local Centre (Commercial ‘D’);”.

Determination of amount under paragraph 184 (b) of the Act

4. Regulation 11A of the Principal Regulations is amended by inserting in paragraph (1) (b) “, 13A” after “13”.

Calculation of amount payable

5. Regulation 13 of the Principal Regulations is amended—

- (a) by omitting from the end of paragraph (1) (a) “or”; and
- (b) by omitting paragraph (b) and substituting the following paragraphs:
 - “(b) if the land comprised in the lease is wholly within a Local Centre and a declaration under subregulation 13A (3) has been made in relation to the variation—an amount equal to 50 per cent of the added value;
 - (c) if the lease is a prescribed lease within the meaning of regulation 14—an amount calculated by deducting from the added value an amount ascertained by applying to the added value the remission rate applicable under subregulation 14 (2); or
 - (d) in any other case—an amount equal to 75 per cent of the added value.”.

Insertion

6. After regulation 13 of the Principal Regulations the following regulation is inserted:

Remission in respect of certain leases in Local Centres

“13A. (1) A lessee who is applying for a variation of a lease of Territory Land that lies wholly within a Local Centre may, for the purposes of that application, apply to the Executive in writing for a declaration—

- (a) that the Local Centre is no longer viable as such a centre or that it will cease to be so viable within 3 years if the lease is not varied in the manner proposed in the application; and
- (b) that the Local Centre is unlikely to be developed if amounts payable under paragraph 184 (b) of the Act in respect of variations of leases of land within the centre are assessed in accordance with paragraph 13 (1) (d).

“(2) An application under subregulation (1) shall set out the grounds on which the applicant considers that the declaration should be made.

“(3) On receiving an application under subregulation (1) the Executive may, if it is satisfied that the circumstances specified in paragraphs (1) (a) and (b) exist in relation to the variation of the lease, by writing make a declaration to that effect.”.

Remission of amount payable

7. Regulation 14 of the Principal Regulations is amended by omitting from subregulation (1) the definition of “prescribed lease” and substituting the following definition:

“ ‘prescribed lease’ means a lease of Territory Land—

- (a) to which a variation is proposed; and
- (b) that is classified under this regulation as—
 - (i) a special residential lease;
 - (ii) a concessional lease; or
 - (iii) a free of charge lease;

but does not include a lease of land that is wholly within a Local Centre.”.

NOTES

Principal Regulations

1. Reprinted as at 31 January 1996.

Notification

2. Notified in the ACT Gazette on 23 September 1996.