



Australian Capital Territory

# Planning and Development Amendment Regulation 2008 (No 5)

**Subordinate Law SL2008-52**

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The Australian Capital Territory Executive makes the following regulation under the *Planning and Development Act 2007*.

Dated 19 December 2008.

ANDREW BARR  
Minister

KATY GALLAGHER  
Minister

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# Planning and Development Amendment Regulation 2008 (No 5)

Subordinate Law SL2008-52

made under the

**Planning and Development Act 2007**

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## 1 Name of regulation

This regulation is the *Planning and Development Amendment Regulation 2008 (No 5)*.

## 2 Commencement

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

## 3 Legislation amended

This regulation amends the *Planning and Development Regulation 2008*.

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J2008-863

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**4 Schedule 1, new section 1.100 (1) (aa)**

*insert*

- (aa) if the block is a preliminary block—the dwelling is built by the lessee of the holding lease; and

**5 Schedule 1, new section 1.100 (1A)**

*after the notes, insert*

- (1A) For subsection (1) (aa), a dwelling is taken to be **built** by the lessee even if some or all of the building work is done by an employee or contractor of the lessee.

**6 Schedule 1, new section 1.100 (3)**

*insert*

- (3) In this section:

**block** includes a preliminary block.

**preliminary block**—land is taken to be a preliminary block if—

- (a) the land is part of a holding lease; and
- (b) an estate development plan (an **EDP**) has been approved under the Act, section 162 (Deciding development applications) in relation to the lease; and
- (c) the EDP identifies the land as a block; and
- (d) information about the boundaries of, and the distinguishing name or number for the land is recorded in the database maintained by the planning and land authority under the *Districts Act 2002*, section 17 (Digital cadastral database); and
- (e) the land is not otherwise a block under the *Districts Act 2002*.

*Note* **Estate development plan**—see the Act, s 94.

**7 Dictionary, new definition**

*insert*

*holding lease*—see the *Districts Act 2002*, section 7 (7).

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**Endnotes**

**1 Notification**

Notified under the Legislation Act on 22 December 2008.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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