



Australian Capital Territory

Planning and Development Amendment Regulation 2009 (No 10)

Subordinate Law SL2009-39

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

Dated 22 July 2009.

ANDREW BARR
Minister

SIMON CORBELL
Minister



Australian Capital Territory

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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 2009 (No 10)*.

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*.

4 Schedule 1, section 1.96, definition of *existing school*

omit

5 Schedule 1, new section 1.96A

insert

1.96A Meaning of *existing school*—div 1.3.6A

(1) In this division:

existing school means—

(a) 1 of the following that exists on the commencement day:

- (i) a government school within the meaning of the *Education Act 2004*;
- (ii) a non-government school within the meaning of the *Education Act 2004*;

- (iii) a childcare centre, licensed under the *Children and Young People Act 2008*, section 747, primarily for the education of young children; or

Examples—education of young children

preschool, early learning centre

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (b) land that—

- (i) either—

- (A) has been a type of school mentioned in paragraph (a) (i) to (iii) that existed before the commencement day; or

- (B) is adjacent to something mentioned in paragraph (a); and

- (ii) is being developed or redeveloped to be, or be part of, a type of school mentioned in paragraph (a) (i) to (iii); and

- (iii) is declared by the Minister to be an existing school.

Examples

- 1 land adjacent to a primary school that is being developed as part of a staged expansion of the school
- 2 a site that was a high school but is not currently operating while being redeveloped as a school

- (2) A declaration for subsection (1) (b) (iii) is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

Endnotes

1 Notification

Notified under the Legislation Act on 23 July 2009.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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