



Australian Capital Territory

# Planning and Development Amendment Regulation 2009 (No 3)

**Subordinate Law SL2009-9**

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

Dated 20 March 2009.

ANDREW BARR  
Minister

KATY GALLAGHER  
Minister

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# Planning and Development Amendment Regulation 2009 (No 3)

Subordinate Law SL2009-9

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 3)*.

## 2 Commencement

This regulation commences on a day fixed by the Minister by written notice.

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

*Note 2* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

*Note 3* If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

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J2009-274

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

**3 Legislation amended**

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

**4 New section 405**

*insert*

**405 Expiry—sch 2 items**

This section and schedule 2, item 7 and item 8 expire on 31 March 2013.

**5 Schedule 2, new items 7 and 8**

*insert*

7 Building a new building or altering or demolishing an existing building (and carrying out any related earthworks or other construction work on or under the land) if—

- (a) the building is on an existing school campus; and
- (b) the building is—
  - (i) a class 3 building; or
  - (ii) a class 9b building.

**Example—class 3 building**

dormitory

**Examples—class 9b buildings**

hall, auditorium, gymnasium, library, classroom

*Note 1* Some developments may be exempt from the requirement for development approval (see sch 1, s 1.99C and s 1.99D).

*Note 2* **Class**, for a building or structure, means the class of building or structure under the building code (see dict).

*Note 3* 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).

- 8 Any of the following activities in relation to an existing school campus (including carrying out any related earthworks or other construction work on or under the land):
- (a) building or installing an entrance to a school;
  - (b) building or installing a verandah, including a balcony, awning, portico or landing;
  - (c) putting up, attaching or displaying a sign or altering or removing a sign;
  - (d) building or installing playground and exercise equipment;
  - (e) building or installing a fence;
  - (f) building or installing a shade structure;
  - (g) building or installing a covered walkway;
  - (h) building or installing a flag pole;
  - (i) building or installing a water tank;
  - (j) landscape gardening;
  - (k) building or installing a car park;
  - (l) building or installing a bicycle enclosure;
  - (m) building or installing a toilet facility or change room facility;
  - (n) sealing or resealing a driveway;
  - (o) building or installing a demountable or transportable building;
  - (p) building or installing a class 10b structure.

**Examples—class 10b structures**

retaining or freestanding wall, mast or antenna, swimming pool.

*Note 1* Some developments may be exempt from the requirement for development approval (see sch 1, div 1.3.6A).

*Note 2* 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).

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## Endnotes

**1 Notification**

Notified under the Legislation Act on 20 March 2009.

**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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