



Australian Capital Territory

Urban Forest (Transitional Provisions) Regulation 2024

Subordinate Law SL2024-1

The Australian Capital Territory Executive makes the following regulation under the *Urban Forest Act 2023*.

Dated 9 January 2024.

ANDREW BARR
Chief Minister

TARA CHEYNE
Minister



Australian Capital Territory

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made under the

[Urban Forest Act 2023](#)

1 Name of regulation

This regulation is the *Urban Forest (Transitional Provisions) Regulation 2024*.

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 Development applications made before commencement day

- (1) This section applies if, before the commencement day—
 - (a) the territory planning authority referred a development application to the conservator under the *Planning Act 2023*, section 170 (1) (a) or section 171 (2) (a); and
 - (b) the conservator has not given the authority their advice in relation to the application.
- (2) This section also applies if the territory planning authority—
 - (a) received a development application under the *Planning Act 2023*, section 166 before the commencement day; and
 - (b) refers the development application to the conservator under that *Act*, section 170 (1) (a) or section 171 (2) (a) on or after the commencement day.
- (3) The repealed Act continues to apply to the application despite its repeal.

Examples—development applications referred to conservator

- 1 A development application is made on 1 December 2023 in relation to a block where 5 trees are located. The trees are not regulated trees under the *Tree Protection Act 2005* but would be regulated trees under the *Urban Forest Act 2023*. The territory planning authority refers the development application to the conservator on 22 December 2023. The conservator gives the authority their advice on 1 February 2024. Because the application was referred to the conservator before the commencement day, the advice must be based on the repealed Act.
- 2 A development application is made on 28 November 2023 in relation to a block where trees that are regulated trees under the repealed Act are located. The development application is accompanied by a tree management plan prepared in accordance with the repealed Act. The territory planning authority refers the development application to the conservator on 15 December 2023. Because the application was referred to the conservator before the commencement day, the advice must be based on the repealed Act.

Note **Commencement day** and **repealed Act**—see the *Act*, s 300.

4 Expiry

This regulation expires on the day the [Act](#), part 20 (Transitional) expires.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 15 January 2024.

2 Republications of amended laws

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