

Serial 199
Planning (Consequential Amendments) Act 1999
Mr Baldwin

**A BILL
for
AN ACT**

to amend various Acts and Regulations
consequential on the enactment of the *Planning Act 1999*



NORTHERN TERRITORY OF AUSTRALIA
PLANNING (CONSEQUENTIAL AMENDMENTS) ACT 1999

No. of 1999

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Amendments

SCHEDULE 1

SCHEDULE 2

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NORTHERN TERRITORY OF AUSTRALIA

No. of 1999

AN ACT

to amend various Acts and Regulations consequential
on the enactment of the *Planning Act 1999*

[Assented to 1999]
[Second reading 1999]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Planning (Consequential Amendments) Act 1999*.

2. Commencement

This Act comes into operation on the commencement of the *Planning Act 1999*.

3. Amendments

(1) The Acts specified in Schedule 1 are amended as set out in that Schedule.

(2) The Regulations specified in Schedule 2 are amended as set out in that Schedule.

(3) A regulation amended as set out in Schedule 2 may be amended or repealed by a regulation as if the amendment had been made by a regulation.

SCHEDULE 1

Section 3(1)

AMENDMENT OF ACTS

Provision	Amendment	
	Omit	substitute
<i>Ayers Rock Resort Corporation Act</i>		
Section 17(3)	"as if it had been declared under section 8 of that Act"	
<i>Control of Roads Act</i>		
Section 7	"section 65"	"section 64"
<i>Crown Lands Act</i>		
Section 3 — definition of "control plan"	the whole definition	
<i>Cullen Bay Marina Act</i>		
Section 3(2)(e)	the whole paragraph	"(e) contain a certificate issued under section 139 of the <i>Planning Act</i> stating the lots shown are in accordance with development permits issued under that Act;"
<i>Encroachment of Buildings Act</i>		
Section 15(1)(e)	the whole paragraph	"(e) the consent authority within the meaning of the <i>Planning Act</i> in relation to the

Planning (Consequential Amendments) Act 1999

land on which the
building is situated;
or"

Energy Pipelines Act

Section 15(2)(c)	"a control plan within the meaning of"	"the development provisions, or an interim development control order, under"
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Local Government Act

Section 3

– paragraph (d) of the definition of "flat rate per parcel"	"within the meaning of a relevant control plan"	"under the applicable development provisions"
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Sections 67(2)(d) and 68	"within the meaning of a relevant control plan"	"under the applicable development provisions"
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Section 131(1)(a)	"section 65"	"section 64"
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Meat Industries Act

Sections 14 and 15(1) and (2)	"a land use control plan within the meaning of "	"the development provisions, or an interim development control order, under"
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Ombudsman (Northern Territory) Act

Section 3(1)

– paragraph (ec) of the definition of "administrative action"	"Planning Appeals Tribunal"	"Appeals Tribunal"
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Special Purposes Leases Act

Section 4(3)	"a control plan made"	"the development provisions, or an interim development control
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Planning (Consequential Amendments) Act 1999

		order,"
Section 9A	"Part 7"	"Part 5"
<i>Unit Titles Act</i>		
Section 4(1)		
– definition of "stage"	"section 116"	"section 65"
Section 16(1)(d)	the whole paragraph	"(d) a building does, or a proposed building will, conform –
		(i) to applicable development provisions, or an applicable interim development control order, under the <i>Planning Act</i> ; or
		(ii) if no development provisions or interim development control orders apply to the land under the <i>Planning Act</i> – to the covenants contained in the lease."
Section 21B(2)(c)(ii)	"a control plan, within the meaning of"	"the development provisions, and any interim development control orders, under"
Section 26B(3)(b)	"a statement of the reason for the determination issued under section 52"	"a development permit issued under section 53"
Section 26G(3), 26J(2)(b), 26Q(3)(c),	"section 52"	"section 53"

Planning (Consequential Amendments) Act 1999

26U(4) and 26W(2)(b)

*Waste Management and
Pollution Control Act*

Section 30(5) "section 52" "section 53"

Water Act

Section 90(1)(j) the whole paragraph "(j) relevant land use
objectives under the
Planning Act; and"

*Yulara Tourist Village
Management Act*

Section 16(2) "section 52" "section 53"

SCHEDULE 2

Section 3(2)

AMENDMENT OF REGULATIONS

Provision	Amendment	
	Omit	Substitute
Building Regulations		
Regulation 11(2)(a) and (b)	the whole paragraph	"(a) any condition imposed on a permit in force under the <i>Planning Act</i> ;"
Regulation 31	"which there is in force a control plan or interim development control order under the <i>Planning Act</i> which makes provision for"	"to which there is in force development provisions, or an interim development control order, under the <i>Planning Act</i> providing for"

Planning (Consequential Amendments) Act 1999

Regulation 36	"a control plan or interim development control order"	"development provisions, or an interim development control order,"
Cullen Bay Marina Regulations		
Regulation 69B(b)	"Part 7"	"Part 5"
Fisheries Regulations		
Regulation 145(1)(b)	"control plans made"	"the development provisions, or an interim development control order,"
Local Government (Administration) Regulations		
Regulation 13(1)(d)(ii)	"or a control plan"	", or the development provisions,"
Local Government (Darwin Parking Local Rates) Regulations		
Regulation 4(e)(i) and (ii)	the whole subparagraph	"(i) a certificate issued under section 139 of the <i>Planning Act</i> or saved under section 177 of that Act or the most recent development permit under that Act in relation to the land; or

Planning (Consequential Amendments) Act 1999

- (ii) if no certificate or development permit is issued or saved under the *Planning Act* in relation to the land – by reference to the development provisions under that Act in relation to the land;"

Meat Industries
Regulations

Regulation 43(3)	"subject to a land use control plan within the meaning of "	"in relation to which a Division is established under"
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ALTERATION TO SECTION HEADINGS

On the day on which the *Meat Industries Act* is amended by this Act, the headings to section 13 and 14 of the *Meat Industries Act* are altered by omitting "LAND USE CONTROL PLAN" and substituting "DEVELOPMENT PROVISIONS OR INTERIM DEVELOPMENT CONTROL ORDER".

