

CLAUSE NOTES

Parliament Square Planning Permit Amendment Bill 2015

- Clause 1** **Short title**
Cites the name (short title) of the Act.
- Clause 2** **Commencement**
Provides for the Act to commence on Royal Assent.
- Clause 3** **Principal Act**
Names the *Parliament Square Planning Permit Act 2012* as the Principal Act.
- Clause 4** **Section 3 amended (Interpretation)**
Amends section 3 of the Principal Act to omit, amend and include definitions in the Act.
- Clause 5** **Section 6 amended (Planning permit to take effect, &c.)**
Provides for consequential amendments to section 6(c) of the Principal Act by virtue of the amendments to section 3.
- Clause 6** **Section 6A inserted (6A Further permits)**
Inserts a new section in the Principal Act.
- (1) Provides that nothing in the planning permit or any further permit prevents:
- (a) the making of an application under the *Land Use Planning and Approvals Act 1993* for a permit for a substantially related development or use;
 - (b) the issue of a permit under the *Land Use Planning and Approvals Act 1993* for a substantially related development or use;
 - (c) the carrying out of any substantially related development or use in accordance with a further permit.
- (2) Provides that any activity referred to in section 6A(1) can occur before or after the commencement of the Act.
- (3) Provides that any activity referred to in section 6A(1) can occur whether or not the planning permit development, or any part of it, has been carried out.

- (4) Provides that:
- (a) the planning permit; and
 - (b) the planning permit development;

will be taken not to include any part of the planning permit development that is not capable of being carried out as a consequence of the carrying out of a substantially related development or use in accordance with a further permit.

- Clause 7** **Section 7 amended (Approvals for purposes of planning permit or further permits)**
- Provides for consequential amendments to section 7 of the Principal Act by virtue of the amendments to section 3.
- Clause 8** **Section 8 amended (Amendment of planning permit or further permit)**
- Provides for consequential amendments to section 8 of the Principal Act by virtue of the amendments to section 3.
- Clause 9** **Section 8A inserted (8A. Minister may exclude part of affected or adjoining land from operation of Act)**
- Inserts a new section in the Principal Act.
- (1) Provides that the Minister may, by order, exclude part of the affected land, or land adjoining the affected land, from the operation of sections 7 and 8 of the Principal Act.
 - (2) Provides that any order under section 8A(1) does not affect the validity of:
 - (a) any approval, consent or permission; or
 - (b) the exercise by the Minister of powers of a planning authority under section 56 of the *Land Use Planning and Approvals Act 1993*;
- in relation to the planning permit or a further permit, that was given, made or exercised before the order.
- Clause 10** **Section 12 amended (Heritage Register, &c.)**
- Provides for consequential amendments to section 12(1) of the Principal Act as a consequence of the amendments to section 3.
- Clause 11** **Repeal of Act**
- Provides for automatic repeal of the Act.