

**LAND USE PLANNING AND APPROVALS AMENDMENT
(HISTORIC CULTURAL HERITAGE) BILL 2012**

CLAUSE NOTES

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| Clause 1 | Short Title |
| Clause 2 | Commencement
This Act will commence on the day on which the <i>Historic Cultural Heritage Amendment Act 2012</i> commences. |
| Clause 3 | Principal Act
The <i>Land Use Planning and Approvals Act 1993</i> is identified as the Principal Act. |
| Clause 4 | Section 54 amended (Additional information)
These amendments are of a house-keeping nature. |
| Clause 5 | Section 57 amended (Applications for discretionary permits)
<p>S 57(6)(b)(i) If the Heritage Council has not required extra time to consider a discretionary permit application under the <i>Historic Cultural Heritage Act 1995</i>, the 42 day timeframe for determining a discretionary application under s57 of the Planning Act stands, unless the applicant has agreed to an extension of time with the planning authority.</p> <p>S 57(6)(b)(ii) If the Heritage Council has determined the need for an extra 14 calendar days (10 working days) to consider a discretionary permit application under the <i>Historic Cultural Heritage Act 1995</i>, the 42 day timeframe for determining a discretionary application under s57 of the Planning Act is extended to 56 days or, if there is a further agreed extension of time between the applicant and the planning authority, by that day.</p> <p>S57(6A) These amendments are of a house-keeping nature.</p> |
| Clause 6 | Section 58 amended (Application for other permits)
These amendments are of a house-keeping nature. |
| Clause 7 | Section 59 amended (Failure to determine an application for a permit)
These amendments are of a house-keeping nature in line with amendments to s57. |
| Clause 7 | Repeal of Act
This section is of a house-keeping nature and closes the loop on the legislative process. |