

Notes on Clauses

Parliament Square Planning Permit Bill 2012

- Clause 1 Short title.
- Clause 2 The Act is to commence on receiving Royal Assent.
- Clause 3 Defines the various terms used in the Act.
- Clause 4 The Act binds the Crown in right of Tasmania, so far as the legislative power of Parliament permits, in all its capacities.
- Clause 5 This clause provides that the Act prevails over any inconsistencies in any other Act, planning scheme, special planning order or interim order.
- Clause 6 Provides that on the commencement of the Act, the planning permit that had been approved by the former Sullivans Cove Development Authority comes into effect.
- In addition, the clause provides that all appeal rights in relation to the permit are extinguished.
- Clause 7 This clause provides that the Minister is authorised to give any approval, consent or permission that is required by the planning permit.
- Clause 8 This clause specifies that in relation to any future amendment of the planning permit the Minister for Planning is taken to be the planning authority and he or she may exercise powers of the planning authority under section 56 of the *Land Use Planning and Approvals Act 1993*.
- Clause 9 This clause removes all third party appeal rights.
- Clause 10 Provides that the Minister for Planning may delegate any of his or her functions or powers under this Act, other than the power of delegation.
- Clause 11 This clause requires the Crown to pay the appellant any legal costs and disbursement, incurred before the Bill was introduced into Parliament, for the current appeal under the *Land Use Planning and Approvals Act 1993* in respect of the second planning permit.
- Clause 12 This clause amends the Heritage Register by removing any place, or part of a place, which is to be destroyed or demolished in order for the *parliament square* development to proceed.
- Clause 13 This clause enables regulations to be made. It is not currently envisaged that any such regulations will be required.

Clause 14

This clause specifies that the Minister for Planning is responsible for the administration of this Act and that the department responsible to that Minister is the Department of Treasury and Finance.