

NOTICE OF COMMITTEE STAGE AMENDMENTS

THE DEVELOPMENT AND PLANNING (AMENDMENT) BILL, 2010

In accordance with the provisions of Standing Order 52(1) and (2), I the Honourable Premier and Minister of Finance, Tourism and Development, give notice to move the following amendments to the Development and Planning (Amendment) Bill, 2010:

That the Bill be amended as follows -

- (a) in clause 7 by deleting paragraph (c) and substituting the following paragraph -

“(c) in subsection (3), in the definition of “development” by deleting all of the words appearing before paragraph (b) and substituting the following words -

“ “development” means the carrying out of building, engineering or other operations in, on, over or under any land, the making of any material change in the use of any building or other land, or the subdivision of any land, except that the following types of developments shall not require planning permission but shall be subject to all other provisions of the Law and any regulations made under the Law, including the Building Code Regulations, namely -

- (a) the carrying out of works for the maintenance, improvement or other alteration of any detached house if the works -
 - (i) affect only the interior of the house or do not materially affect the external appearance of the house; and
 - (ii) do not constitute or contribute to a material change in the use of the house;
- (aa) the carrying out of works for the maintenance, improvement or other alteration of any building (other than a detached house) if the works -
 - (i) affect only the interior of the building or do not materially affect the external appearance of the building;
 - (ii) do not constitute or contribute to a material change in the use of the building; and
 - (iii) do not contravene any other Law, regulation or code;”;

- (b) in clause 11, in the new section 38(4)(i) proposed for insertion in the principal Law, by deleting the item “A house exceeding 5,000 square feet in gross floor area” and the particulars relating thereto and substituting the following item and particulars -

“Development Type	Rate for Roads and Other Infrastructure per gross sq. ft.	Rates for Affordable Housing per gross sq. ft.	Total Rate
A house exceeding 5,000 square feet in gross floor area	\$1.50 per gross sq. ft.	\$5.00 per gross sq. ft.	\$6.50”;

- (c) in clause 11, in the new section 38(4)(ii) proposed for insertion in the principal Law, by deleting the items “A house exceeding 5,000 square feet in gross floor area” and “An extension to a house which would increase its gross floor area to more than 5,000 square feet” and the respective particulars relating thereto and substituting the following items and particulars -

“Development Type	Rate for Roads and Other Infrastructure per gross sq. ft.	Rates for Affordable Housing per gross sq. ft.	Total Rate
A house exceeding -			
(A) 3,001 to 4,000 square feet in gross floor area	\$1.50 per gross sq. ft.	\$1.00 per gross sq. ft.	\$2.50
(B) 4,001 to 5,000 square feet in gross floor area	\$1.50 per gross sq. ft.	\$1.50 per gross sq. ft.	\$3.00
(C) 5,000 square feet in gross floor area	\$1.50 per gross sq. ft.	\$3.50 per gross sq. ft.	\$5.00;

and an extension to a house which would increase its gross floor area to more than respective areas specified in paragraph (A), (B) or (C) shall pay the appropriate rate

- (d) in the new section 38(4)(iv), by deleting paragraphs (A), (B), (C) and (D) and substituting the following -

- “(A) at a rate of \$3,000 per hotel room; and
 (B) in Area A, at a rate of \$20,000 per apartment, in respect of applications relating to 10 or more apartments; and

- (e) in clause 15, by deleting the new section 53 proposed for insertion in the principal Law and substituting the following section -

“53. This Law binds the Crown but where the Governor decides that the public interest requires, the Governor may, by Order published in the Gazette, waive the requirement to obtain permission pursuant to section 13; but nothing in this section shall be construed so as to allow the Governor to waive any other requirement of this Law or any regulations made under this Law.”.

MOVED BY:

The Honourable McKeeva Bush, OBE, JP, Premier and Minister of
Finance, Tourism and Development.

PASSED/REJECTED by the Legislative Assembly the day of July, 2010.

Clerk of the Legislative Assembly.