**Information Notice**

**Act Title** **Planning and Environment Act 1987**

**Information Title:** **Retrospective Commencement**

**Version:** **120**

The amendment of section 96R(1) of the **Planning and Environment Act 1987** by section 44 of the **State Taxation and Other Acts Amendment Act 2016**,No. 40/2016 is taken to have come into operation on 1 July 2015.

Section 44 reads as follows:

44 CPI adjusted amount

In section 96R(1) of the **Planning and Environment Act 1987**—

(a) in paragraph (b) of the definition of "T", after "amount" **insert** "determined in accordance with this section";

(b) for the definitions of "A" and "B" **substitute**—

'A is the sum of the consumer price index numbers for the consecutive reference periods in the period—

(a) commencing on 1 January in the financial year 2 years earlier than the financial year in respect of which the CPI adjusted amount is being determined; and

(b) ending on the next following 31 December in the financial year immediately preceding the financial year in respect of which the CPI adjusted amount is being determined—

last published by the Australian Bureau of Statistics as at 15 April immediately preceding the financial year in respect of which the CPI adjusted amount is being determined;

B is the sum of the consumer price index numbers for the consecutive reference periods in the period—

(a) commencing on 1 January in the financial year 3 years earlier than the financial year in respect of which the CPI adjusted amount is being determined; and

(b) ending on the next following 31 December in the financial year 2 years earlier than the financial year in respect of which the CPI adjusted amount is being determined.

**Example**

In the case of a determination of the CPI adjusted amount for the financial year beginning on 1 July 2018 the variables are as follows—

• "T" is the CPI adjusted amount for the financial year beginning on 1 July 2017;

• "A" is the sum of the consumer price index numbers for the consecutive reference periods in the period commencing on 1 January 2017 and ending on 31 December 2017;

• "B" is the sum of the consumer price index numbers for the consecutive reference periods in the period commencing on 1 January 2016 and ending on 31 December 2016.'.

The amendment of clauses 3(1), 4(1) and 5(1) of Schedule 1 to the **Planning and Environment Act 1987** by sections 45–47 of the **State Taxation and Other Acts Amendment Act 2016**,No. 40/2016 is taken to have come into operation on 30 June 2014.

Sections 45–47 read as follows:

45 Indexation of threshold amount for excluded building work

In clause 3(1) of Schedule 1 to the **Planning and Environment Act 1987**—

(a) in the definition of "PTA", after "amount" **insert** "determined in accordance with this clause";

(b) for the definitions of "A" and "B" **substitute**—

'A is the sum of the consumer price index numbers for—

(a) the last reference period in the financial year 2 years earlier than the financial year in respect of which the threshold amount is being determined; and

(b) each of the reference periods (other than the last) in the financial year immediately preceding the financial year in respect of which the threshold amount is being determined;

B is the sum of the consumer price index numbers for—

(a) the last reference period in the financial year 3 years earlier than the financial year in respect of which the threshold amount is being determined; and

(b) each of the reference periods (other than the last) in the financial year 2 years earlier than the financial year in respect of which the threshold amount is being determined.

**Example**

In the case that the reference periods are the quarterly periods of a financial year, the variables for the determination of the threshold amount for the 2016/2017 financial year are as follows—

• "PTA" is the threshold amount that applied in the 2015/2016 financial year;

• "A" is the sum of the consumer price index numbers for the June quarter in the 2014/2015 financial year and the September, December and March quarters in the 2015/2016 financial year;

• "B" is the sum of the consumer price index numbers for the June quarter in the 2013/2014 financial year and the September, December and March quarters in the 2014/2015 financial year.'.

46 Maximum adjusted growth areas infrastructure contribution

In clause 4(1) of Schedule 1 to the **Planning and Environment Act 1987**—

(a) in the definition of "PC", after "section 201SG(5)" **insert** "determined in accordance with this clause";

(b) for the definitions of "A" and "B" **substitute**—

'A is the sum of the consumer price index numbers for—

(a) the last reference period in the financial year 2 years earlier than the financial year in respect of which the maximum adjusted contribution is being determined; and

(b) each of the reference periods (other than the last) in the financial year immediately preceding the financial year in respect of which the maximum adjusted contribution is being determined;

B is the sum of the consumer price index numbers for—

(a) the last reference period in the financial year 3 years earlier than the financial year in respect of which the maximum adjusted contribution is being determined; and

(b) each of the reference periods (other than the last) in the financial year 2 years earlier than the financial year in respect of which the maximum adjusted contribution is being determined.

**Example**

In the case that the reference periods are the quarterly periods of a financial year, the variables for the determination of the maximum adjusted contribution for the 2016/2017 financial year are as follows—

• "PC" is the amount of the adjusted contribution for that type of land for the 2015/2016 financial year;

• "A" is the sum of the consumer price index numbers for the June quarter in the 2014/2015 financial year and the September, December and March quarters in the 2015/2016 financial year;

• "B" is the sum of the consumer price index numbers for the June quarter in the 2013/2014 financial year and the September, December and March quarters in the 2014/2015 financial year.'.

47 Adjusted deferred amount of growth areas infrastructure contribution

In clause 5(1) of Schedule 1 to the **Planning and Environment Act 1987**—

(a) in the definition of "PDA", after "contribution" **insert** "determined in accordance with this clause";

(b) for the definitions of "A" and "B" **substitute**—

'A is the sum of the consumer price index numbers for—

(a) the last reference period in the financial year 2 years earlier than the financial year in respect of which the adjusted deferred amount is being determined; and

(b) each of the reference periods (other than the last) in the financial year immediately preceding the financial year in respect of which the adjusted deferred amount is being determined;

B is the sum of the consumer price index numbers for—

(a) the last reference period in the financial year 3 years earlier than the financial year in respect of which the adjusted deferred amount is being determined; and

(b) each of the reference periods (other than the last) in the financial year 2 years earlier than the financial year in respect of which the adjusted deferred amount is being determined.

**Example**

In the case that the reference periods are the quarterly periods of a financial year, the variables for the determination of the adjusted deferred amount for the 2016/2017 financial year are as follows—

• "PDA" is the adjusted deferred amount of the contribution for the 2015/2016 financial year;

• "A" is the sum of the consumer price index numbers for the June quarter in the 2014/2015 financial year and the September, December and March quarters in the 2015/2016 financial year;

• "B" is the sum of the consumer price index numbers for the June quarter in the 2013/2014 financial year and the September, December and March quarters in the 2014/2015 financial year.'.