

2023

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Planning and Land Management)

# Planning and Environment Legislation Amendment Bill 2023

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## A Bill for

An Act to amend legislation about planning and the environment, and for other purposes

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Planning and Environment Legislation Amendment*  
4 *Act 2023*.

5 **2 Commencement**

6 (1) This Act (other than part 3) commences on the day after its  
7 notification day.

8 *Note* The naming and commencement provisions automatically commence on  
9 the notification day (see [Legislation Act](#), s 75 (1)).

10 (2) Part 3 commences on 1 July 2023.

11 **3 Legislation amended**

12 This Act amends the following legislation:

- 13 • [City Renewal Authority and Suburban Land Agency Act 2017](#)  
14 • [Dangerous Substances Act 2004](#)  
15 • [Government Agencies \(Land Acquisition Reporting\) Act 2018](#).

16 *Note* This Act also amends other legislation (see sch 1).

1	<b>Part 2</b>	<b>City Renewal Authority and</b>
2		<b>Suburban Land Agency Act 2017</b>
3	<b>4</b>	<b>Definitions—pt 2</b>
4		<b>Section 6, definition of <i>urban renewal precinct</i></b>
5		<i>omit</i>
6	<b>5</b>	<b>Division 2.9 heading</b>
7		<i>substitute</i>
8	<b>Division 2.9</b>	<b>Melbourne and Sydney Buildings</b>
9	<b>Subdivision 2.9.1</b>	<b>Definitions—div 2.9</b>
10	<b>6</b>	<b>Definitions—div 2.9</b>
11		<b>Section 36A, definitions of <i>authorised person</i>, <i>draft</i></b>
12		<b><i>revitalisation plan</i> and <i>revitalisation work</i></b>
13		<i>omit</i>
14	<b>7</b>	<b>New subdivision 2.9.2 heading</b>
15		<i>after section 36A, insert</i>
16	<b>Subdivision 2.9.2</b>	<b>Revitalisation of Melbourne and Sydney</b>
17		<b>Buildings</b>

**8 New subdivision 2.9.3***insert***Subdivision 2.9.3 Other work on Melbourne and Sydney Buildings****36K Work may be carried out with consent**

The authority may carry out work on a leased public area of the Melbourne Building or Sydney Building with the consent of the owner of the building.

**9 Dictionary, definition of *authorised person* etc***substitute*

***authorised person***, for subdivision 2.9.2 (Revitalisation of Melbourne and Sydney Buildings)—see section 36G (1).

***draft revitalisation plan***, for the Melbourne Building or Sydney Building, for subdivision 2.9.2 (Revitalisation of Melbourne and Sydney Buildings)—see section 36B (1).

***leased public area***, of the Melbourne Building or Sydney Building, for division 2.9 (Melbourne and Sydney Buildings)—see section 36A.

***Melbourne Building***, for division 2.9 (Melbourne and Sydney Buildings)—see section 36A.

***owner***, of the Melbourne Building or Sydney Building, for division 2.9 (Melbourne and Sydney Buildings)—see section 36A.

***revitalisation work***, for the Melbourne Building or Sydney Building, for subdivision 2.9.2 (Revitalisation of Melbourne and Sydney Buildings)—see section 36E (3) (d).

***Sydney Building***, for division 2.9 (Melbourne and Sydney Buildings)—see section 36A.

1 **10 Dictionary, definition of *urban renewal*, new**  
2 **paragraph (b) (ia)**

3 *insert*

- 4 (ia) carrying out work on the Melbourne Building or Sydney  
5 Building under section 36K (Work may be carried out with  
6 consent); and

7 **11 Dictionary, definition of *urban renewal*, paragraph (c)**

8 *substitute*

- 9 (c) does not include carrying out work on private land, other than  
10 work carried out under section 36K.

11 **12 Dictionary, definition of *urban renewal precinct***

12 *substitute*

13 *urban renewal precinct* means an area of land declared under  
14 section 35.

1 **Part 3 Dangerous Substances Act 2004**

2 **13 Asbestos advice**  
3 **Section 47M (1)**

4 *omit*

5 1985

6 *substitute*

7 1990



## Part 4 Government Agencies (Land Acquisition Reporting) Act 2018

### 14 Certain information must not be included in reports New section 10 (3) (ba)

*insert*

(ba) an acquisition of land from a registered community housing provider; or

### 15 Section 10 (6), new definition of *registered community housing provider*

*insert*

***registered community housing provider***—see the *Community Housing Providers National Law (ACT)*, section 4.

*Note* The *Community Housing Providers National Law (ACT) Act 2013*, s 7 applies the Community Housing Providers National Law set out in the appendix to the *Community Housing Providers (Adoption of National Law) Act 2012* (NSW) as if it were an ACT law called the *Community Housing Providers National Law (ACT)*.

## Schedule 1      Technical amendments

(see s 3)

### Part 1.1      Dangerous Substances (General) Regulation 2004

#### [1.1]      Dictionary, note 3

*omit*

- loose-fill asbestos insulation (see s 47M)

*substitute*

- loose-fill asbestos insulation (see s 47I)

#### Explanatory note

This amendment corrects a cross-reference.

### Part 1.2      Government Agencies (Land Acquisition Reporting) Regulation 2019

#### [1.2]      Section 4 (2), definition of *loose-fill asbestos insulation*

*substitute*

*loose-fill asbestos insulation*—see the [Dangerous Substances Act 2004](#), section 47I.

#### Explanatory note

This amendment corrects a cross-reference.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 8 February 2023.

**2 Notification**

Notified under the [Legislation Act](#) on 2023.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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