

2026

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Planning and Sustainable Development)

# Planning Legislation Amendment Bill 2026

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J2026-63

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# Planning Legislation Amendment Bill 2026

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## A Bill for

An Act to amend legislation about planning, 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 Legislation Amendment Act 2026*.

4 **2 Commencement**

5 This Act commences on the 7th day after its notification day.

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

8 **3 Legislation amended**

9 This Act amends the following legislation:

- 10
- 11 • [Planning Act 2023](#)
  - 12 • [Planning \(Exempt Development\) Regulation 2023](#)
  - 13 • [Planning \(General\) Regulation 2023](#)
  - 14 • [Recovery of Lands Act 1929](#)
  - [Surveyors Act 2007](#).

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1 **Part 2** **Planning Act 2023**

2 **4** **Technical specifications**  
3 **Section 51 (1)**

4 *omit*

5 chief planner

6 *substitute*

7 territory planning authority

8 **5** **Supporting report for draft major plan amendment**  
9 **Section 61**

10 *omit*

11 draft major planning amendment

12 *substitute*

13 draft major plan amendment

14 **6** **Public consultation—notification and availability of draft**  
15 **major plan amendments etc**  
16 **New section 63 (1A)**

17 *insert*

18 (1A) Also, for a draft major plan amendment prescribed by regulation, the  
19 territory planning authority must give a copy of the consultation  
20 notice to each person prescribed by regulation.

- 1 **7 Section 63 (2)**
- 2 *omit*
- 3 the territory planning authority is not required to publish a major draft
- 4 amendment if satisfied that
- 5 *substitute*
- 6 subsections (1) and (1A) do not apply if the territory planning
- 7 authority is satisfied that

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1 **Part 3** **Planning (Exempt Development)**  
2 **Regulation 2023**

3 **8** **Schedule 1, new section 1.38**

4 *in division 1.4.1, insert*

5 **1.38** **Single dwellings—step-free access paths**

- 6 (1) Designated development for a step-free access path to a single  
7 dwelling if the path complies with the Livable Housing Design  
8 Standard published by the Australian Building Codes Board, as in  
9 force from time to time.

10 *Note* The Livable Housing Design Standard does not need to be notified under  
11 the [Legislation Act](#) because s 47 (6) does not apply (see Act, s 523 (4)  
12 and [Legislation Act](#), s 47 (7)). The standard is accessible at  
13 [ncc.abcb.gov.au](http://ncc.abcb.gov.au).

- 14 (2) Section 1.17 (Criterion 7—compliance with other applicable  
15 exemption) does not apply to the designated development.

16 **9** **Swimming pools**  
17 **Schedule 1, section 1.51 (2), definition of *swimming pool***

18 *substitute*

19 ***swimming pool***—

- 20 (a) means an excavation, structure or vessel that—  
21 (i) can be filled with water to a depth of more than 300mm;  
22 and  
23 (ii) is principally used for swimming, wading, paddling or any  
24 other human aquatic activity; and  
25 (b) includes a bathing or wading pool and a spa; but  
26 (c) does not include a bath or spa bath in a bathroom.

1 **10** **Single dwellings where declaration authorises minor**  
2 **non-compliance**  
3 **Schedule 1, section 1.131 (1) (b)**

4 *substitute*

5 (b) for an encroachment under paragraph (a) (iii)—the  
6 encroachment would not cause shadowing for more than 3 hours  
7 to more than 50% of any habitable room or principal private  
8 open space of another block between 9 am and 3 pm on the  
9 winter solstice; and

1 **Part 4** **Planning (General)**  
2 **Regulation 2023**

3 **11** **Section 10 heading**

4 *substitute*

5 **10** **People to be given consultation notice and extension**  
6 **notice—Act, s 63 (1A) and (4) (b)**

1 **Part 5** **Recovery of Lands Act 1929**

2 **12 Warrant of ejectment**  
3 **Section 4**

4 *omit*

5 his

6 *substitute*

7 the magistrate's

8 **13 Service of notice**  
9 **Section 8 (d)**

10 *omit*

11 his

12 *substitute*

13 the lessee's

1 **Part 6** **Surveyors Act 2007**

2 **14** **Only surveyors to carry out surveys**

3 **Section 49, note**

4 *omit*

5 register-general

6 *substitute*

7 surveyor-general

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**Endnotes**

1 **Presentation speech**

Presentation speech made in the Legislative Assembly on 18 March 2026.

2 **Notification**

Notified under the [Legislation Act](#) on 2026.

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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