



Australian Capital Territory

# **City Renewal Authority and Suburban Land Agency Act 2017**

**A2017-12**

**Republication No 13**

**Effective: 1 January 2024 – 5 December 2025**

Republication date: 1 January 2024

Last amendment made by [A2023-52](#)

## About this republication

### The republished law

This is a republication of the *City Renewal Authority and Suburban Land Agency Act 2017* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 1 January 2024. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 1 January 2024.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

# City Renewal Authority and Suburban Land Agency Act 2017

## Contents

---

	Page
<b>Part 1</b>	<b>Preliminary</b>
1	Name of Act 2
3	Dictionary 2
4	Notes 2
5	Objects of Act 2
<b>Part 2</b>	<b>City renewal authority</b>
<b>Division 2.1</b>	<b>Definitions—pt 2</b>
6	Definitions—pt 2 4
<b>Division 2.2</b>	<b>Establishment, objects and functions of city renewal authority</b>
7	Establishment of city renewal authority 4
8	Objects of authority 4
R13	City Renewal Authority and Suburban Land Agency contents 1
01/01/24	Act 2017
	Effective: 01/01/24-05/12/25

## Contents

	Page
9 Functions of authority	5
10 Authority's role in cohesive urban renewal	6
11 Ministerial directions to authority	7
12 Territory to compensate authority for cost of complying with directions	7
14 Annual report of authority	8
14A Delegation by authority	8
<b>Division 2.3 Authority board</b>	
15 Establishment of governing board for authority	9
16 Functions of authority board	9
17 Ministerial statement of expectations	10
18 Statement of operational intent	10
19 Delegation by authority board	11
<b>Division 2.4 Authority board members</b>	
20 Authority board members duty of good conduct	11
21 Authority board member appointments	12
<b>Division 2.5 Authority committees</b>	
22 Establishment of authority committees	13
23 Exercise of committee functions	14
24 Membership of committees	14
<b>Division 2.6 Authority financial matters</b>	
25 Proceeds of lease sales by authority	15
26 Authority payment of funds to Territory	15
27 Authority liability for territory taxes	16
<b>Division 2.7 Authority CEO, staff and consultants</b>	
28 Appointment of authority CEO	16
29 Functions of authority CEO	16
30 Authority CEO duty of good conduct	17
31 Delegation by authority CEO	18
32 Authority's staff	19
33 Authority arrangements for staff and facilities	19
34 Authority contractors and consultants	19
<b>Division 2.8 Urban renewal precincts</b>	
35 Urban renewal precinct may be declared	19

36	Criteria for land being included in urban renewal precinct	Page 20
<b>Division 2.9 Melbourne and Sydney Buildings</b>		
<b>Subdivision 2.9.1 Definitions—div 2.9</b>		
36A	Definitions—div 2.9	21
<b>Subdivision 2.9.2 Revitalisation of Melbourne and Sydney Buildings</b>		
36B	Draft revitalisation plan—preparation	22
36C	Draft revitalisation plan—public consultation	24
36D	Draft revitalisation plan—approval	25
36E	Direction to carry out revitalisation work	26
36F	ACAT review of direction	27
36G	Authorisation to carry out revitalisation work	27
36H	Revitalisation work by authorised people	28
36I	Liability for cost of revitalisation work	28
36J	Protection of authorised people from liability	29
<b>Subdivision 2.9.3 Other work on Melbourne and Sydney Buildings</b>		
36K	Work may be carried out with consent	29
<b>Part 3 Suburban land agency</b>		
<b>Division 3.1 Establishment, objects and functions of suburban land agency</b>		
37	Establishment of suburban land agency	30
38	Objects of agency	30
39	Functions of agency	31
40	Agency's role in cohesive suburban development	32
41	Ministerial directions to agency	32
42	Territory to compensate agency for cost of complying with directions	33
44	Annual report of agency	33
44A	Delegation by agency	33
<b>Division 3.2 Agency board</b>		
45	Establishment of governing board for agency	34
46	Functions of agency board	34
47	Agency board members duty of good conduct	34
48	Agency board member appointments	35

## Contents

---

	Page
49      Delegation by agency board	36
<b>Division 3.3              Agency committees</b>	
50      Establishment of agency committees	36
51      Exercise of committee functions	37
52      Membership of committees	38
<b>Division 3.4              Agency financial matters</b>	
53      Proceeds of sales of land by agency	38
54      Agency payment of funds to Territory	38
55      Agency liability for territory taxes	39
<b>Division 3.5              Agency CEO, staff and consultants</b>	
56      Appointment of agency CEO	39
57      Functions of agency CEO	40
58      Agency CEO duty of good conduct	41
59      Delegation by agency CEO	41
60      Agency's staff	42
61      Agency arrangements for staff and facilities	42
62      Agency contractors and consultants	42
<b>Part 4                      Miscellaneous</b>	
63      Treasurer must make directions for land acquisition	43
64      Sharing of protected information	43
65      Affordable, community and public housing targets	44
66      Regulation-making power	46
<b>Dictionary</b>	47
<b>Endnotes</b>	
1      About the endnotes	51
2      Abbreviation key	51
3      Legislation history	52

		Contents
		Page
4	Amendment history	55
5	Earlier republications	60
6	Expired transitional or validating provisions	62







Australian Capital Territory

# City Renewal Authority and Suburban Land Agency Act 2017

---

An Act to establish the city renewal authority and the suburban land agency, and for other purposes

---

## Part 1 Preliminary

### 1 Name of Act

This Act is the *City Renewal Authority and Suburban Land Agency Act 2017*.

### 3 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere in this Act.

For example, the signpost definition ‘*utility service*—see the [Utilities Act 2000](#), dictionary.’ means that the term ‘utility service’ is defined in that dictionary and the definition applies to this Act.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

### 4 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

### 5 Objects of Act

The objects of this Act are to—

- (a) establish the city renewal authority; and
- (b) establish the suburban land agency; and
- (c) promote and facilitate the orderly and efficient delivery of residential, commercial and industrial development in the public interest, including urban renewal; and

- (d) promote development that is environmentally sustainable and applies innovative environmental building and public domain design; and
- (e) support, encourage and facilitate public and private sector investment and participation in the development of the Territory.

## Part 2 City renewal authority

### Division 2.1 Definitions—pt 2

#### 6 Definitions—pt 2

In this part:

*statement of expectations*—see section 17 (1).

*statement of operational intent*—see section 18 (1).

### Division 2.2 Establishment, objects and functions of city renewal authority

#### 7 Establishment of city renewal authority

The City Renewal Authority is established.

*Note* The authority is a corporation if the authority is prescribed by the financial management guidelines for the [Financial Management Act 1996](#), pt 8 (see [Financial Management Act 1996](#), s 54, s 72, def *relevant territory authority* and s 73).

#### 8 Objects of authority

The objects of the authority are—

- (a) to encourage and promote a vibrant city through the delivery of design-led, people-focussed urban renewal, including by creating opportunities—
  - (i) to include the community and relevant entities in the design and delivery of urban renewal; and
  - (ii) to grow and diversify the Territory's economy; and
  - (iii) for private sector investment in urban renewal; and

- (b) to encourage and promote social and environmental sustainability through—
  - (i) planning and delivery of urban renewal; and
  - (ii) improved urban infrastructure; and
  - (iii) responsiveness to demographic change in the ACT; and
- (c) to operate effectively, in a way that delivers value for money, in accordance with sound risk management practices.

## **9 Functions of authority**

- (1) The functions of the authority are, in relation to an urban renewal precinct, to—
  - (a) carry out urban renewal; and
  - (b) buy and sell leases of land on behalf of the Territory; and
  - (c) make arrangements for the public service or another entity to carry out development or works; and
  - (d) support public and private sector investment and participation in urban renewal, including by supporting development that is attractive to potential investors and participants; and
  - (e) manage orderly urban renewal, including holding, managing and selling land and other property; and
  - (f) support cooperation between the authority, the community, and relevant entities (for example, industry groups); and
  - (g) support high quality design, planning and delivery of sustainable urban renewal; and
  - (h) meet housing targets determined under section 65 (Affordable, community and public housing targets); and
  - (i) support statutory greenhouse gas emissions targets and deliver environmentally sustainable development; and

- (j) follow and support whole-of-government strategies; and
- (k) any other function given to the authority under this Act or another territory law.

*Note 1* A territory authority must not do any act, or approve the doing of an act, that is inconsistent with the [territory plan](#) (see [Planning Act 2023](#), s 52).

*Note 2* A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see [Legislation Act](#), s 196 and dict, pt 1, def *entity*).

- (2) The authority must exercise the authority's functions in a way that is consistent with the statement of operational intent.
- (3) With the approval of the Minister and the Treasurer, the authority may exercise its functions—
  - (a) through subsidiaries, joint ventures or trusts; or
  - (b) by holding shares in, or other securities of, corporations.

- (4) In this section:

**support** an outcome, includes promote, encourage, facilitate and deliver the outcome.

## **10 Authority's role in cohesive urban renewal**

- (1) The authority must work with any entity that has an interest in land in an urban renewal precinct to encourage cohesive urban renewal.

### **Examples—entities that may have an interest**

- a person who owns property on the land
- a person developing land
- the head of service
- a person licensed to provide a utility service

- (2) The authority may—
  - (a) require the entity to do any of the following in relation to the land:

- (i) consult, including in a particular way, with the public or another entity that has an interest in the land;
  - (ii) make arrangements for working co-operatively with another entity that has an interest in the land; and
- (b) refuse to exercise a function in relation to the land until a requirement under paragraph (a) has been fulfilled.

## **11 Ministerial directions to authority**

- (1) The Minister may, at any time, give directions to the authority—
  - (a) about the exercise of the authority's functions; or
  - (b) requiring the authority to exercise a function in relation to the financial arrangements of the authority.
- (2) Before giving a direction, the Minister must—
  - (a) tell the authority about the proposed direction; and
  - (b) give the authority a reasonable opportunity to comment on the proposed direction; and
  - (c) consider any comments made by the authority.
- (3) A direction is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **12 Territory to compensate authority for cost of complying with directions**

- (1) The Territory must pay to the authority the reasonable net cost of complying with a direction under section 11.
- (2) The amount payable under subsection (1) is the amount agreed between the authority and the Minister or, failing agreement, the amount decided by the Chief Minister.

## **14 Annual report of authority**

- (1) The authority must prepare an annual report under the *Annual Reports (Government Agencies) Act 2004*.
- (2) The report must—
  - (a) include any statement of expectations and statement of operational intent in effect during the reporting year; and
  - (b) report on the extent to which the statement of operational intent in effect during the reporting year was met during the reporting year; and
  - (c) if the statement of operational intent was not met in whole or in part during the reporting year—give reasons why the statement of operational intent was not met.

### **14A Delegation by authority**

- (1) The authority may delegate the authority's functions to the authority CEO.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) The authority CEO may subdelegate to an authorised person a function delegated under subsection (1) if the subdelegation is authorised, in writing, by the authority.
- (3) In this section:  
***authorised person*** means—
  - (a) a public employee; or
  - (b) a person prescribed by regulation.



## **Division 2.3                      Authority board**

### **15                      Establishment of governing board for authority**

The governing board of the authority is established.

*Note*                      An appointment of a governing board member is an appointment under this section (see [Financial Management Act 1996](#), s 78 (7) (b)).

### **16                      Functions of authority board**

The functions of the authority board are—

- (a) to oversee the operations of, and exercise of functions by, the authority; and
- (b) to promote the statement of expectations; and
- (c) to implement the statement of operational intent; and
- (d) to make arrangements about the conduct and operation of the authority board; and
- (e) any other function given to the authority board under this Act or another territory law.

*Note 1*                      A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see [Legislation Act](#), s 196 and dict, pt 1, def *entity*).

*Note 2*                      The authority board has the following functions under the [Financial Management Act 1996](#), s 77:

- setting the authority’s policies and strategies
- governing the authority consistently with the authority’s establishing Act and other relevant legislation
- ensuring, as far as practicable, that the authority operates in a proper, effective and efficient way
- ensuring, as far as practicable, that the authority complies with applicable governmental policies (if any).

*Note 3*                      For authority board meeting arrangements see the [Financial Management Act 1996](#), div 9.4.

## 17 Ministerial statement of expectations

- (1) The Minister must, at least once every 12 months—
- (a) make a statement setting out the government’s requirements and priorities in relation to urban renewal in an urban renewal precinct (a *statement of expectations*); and
  - (b) give the statement of expectations to the authority board.

### Examples—par (a)

- particular project to be undertaken by the authority
  - dividend or other financial return to be made to the Territory by the authority
  - affordable housing, community housing or public housing targets
  - environmental performance
  - whole-of-government strategy or plan
- (2) The statement of expectations may include any information the Minister believes will assist the authority board to implement the statement of expectations.
- (3) A statement of expectations is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## 18 Statement of operational intent

- (1) Within 60 days after the day the Minister gives the statement of expectations to the authority board, the authority board must give the Minister a draft statement of response setting out how the authority board will give effect to the statement of expectations (a *statement of operational intent*).
- (2) The draft statement of operational intent may refer to a matter covered in the statement of intent for the authority prepared under the [Financial Management Act 1996](#), section 61.

- (3) The Minister must, within 60 days after the day the Minister receives a draft statement of operational intent—
  - (a) approve the draft statement; or
  - (b) reject the draft statement; or
  - (c) approve the draft statement with conditions.
- (4) An approved statement of operational intent is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **19 Delegation by authority board**

- (1) The authority board may delegate the authority board's functions to the authority CEO.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) The authority CEO may subdelegate to an authorised person a function delegated under subsection (1) if the subdelegation is authorised, in writing, by the authority board.

- (3) In this section:

***authorised person*** means—

- (a) a public employee; or
- (b) a person prescribed by regulation.

## **Division 2.4 Authority board members**

### **20 Authority board members duty of good conduct**

An authority board member has a duty to the Minister when acting as a board member—

- (a) to act in good faith; and

- (b) not to pursue personal interests at the expense of the authority's interests; and
- (c) not to use board membership to gain personal advantage; and
- (d) not to cause detriment to the authority or undermine the reputation of the authority.

*Note* The duty set out in this section supplements the requirements under the [Financial Management Act 1996](#), pt 8 (Financial provisions for territory authorities) and pt 9 (Governance of territory authorities) and the requirements under the [Public Sector Management Act 1994](#), div 2.1 (Public sector standards).

## **21 Authority board member appointments**

- (1) The authority board has the following part-time members:

- (a) a chair;
- (b) a deputy chair;
- (c) at least 3, but not more than 5, expert members.

*Note* The chair, deputy chair and other members of the authority board are appointed by the Minister (see [Financial Management Act 1996](#), s 78 and s 79).

- (2) A member must have knowledge of and experience in at least 1 of the following disciplines and areas of expertise:

- (a) urban renewal;
- (b) architecture;
- (c) urban design;
- (d) civil engineering;
- (e) environmentally sustainable development;
- (f) social inclusion and community building;
- (g) law, public administration and governance;

- (h) financing major development projects;
- (i) affordable housing, community housing and public housing.
- (3) The Minister must, as far as practicable, ensure that each discipline and area of expertise mentioned in subsection (2) is represented among the appointed members.
- (4) A member must not be a public servant.
- (5) A regulation may prescribe other criteria for the appointment of a person as an expert member.

## **Division 2.5                      Authority committees**

### **22                      Establishment of authority committees**

- (1) The authority board must establish an audit and risk committee.
- (2) The authority board may establish other committees to help the authority to exercise its functions.
- (3) Without limiting subsection (2), committees may be established in relation to the following:
  - (a) corporate governance;
  - (b) design review;
  - (c) community engagement.
- (4) The authority board must establish any committee prescribed by regulation.
- (5) A regulation may prescribe—
  - (a) matters on which a committee can provide advice; and
  - (b) functions of the authority that may only be exercised after considering the advice of a committee.

## **23 Exercise of committee functions**

- (1) The authority board may decide—
  - (a) how a committee is to exercise its functions; and
  - (b) the procedure to be followed for meetings of a committee, including—
    - (i) calling meetings; and
    - (ii) the number of committee members to be present at meetings (including requirements that particular members be present); and
    - (iii) the committee member who is to preside at meetings; and
    - (iv) how questions arising at a meeting are to be decided; and
    - (v) keeping minutes of meetings.
- (2) Subject to any decision of the authority board under subsection (1), a committee may decide its own procedures.

## **24 Membership of committees**

- (1) A committee consists of the people appointed by the authority board.

*Note* For the making of appointments (including acting appointments), see the [Legislation Act](#), div 19.3.
- (2) A committee may consist entirely or partly of authority board members.

## **Division 2.6                      Authority financial matters**

*Note*        The authority must not give a guarantee without the Treasurer's written approval (see [Financial Management Act 1996](#), s 60).

### **25                      Proceeds of lease sales by authority**

Consideration received by the authority for the sale of a lease of land is income of the authority.

### **26                      Authority payment of funds to Territory**

- (1) The Treasurer may direct the authority to pay to the Territory—
  - (a) the amount stated in the direction; or
  - (b) an amount calculated in the way stated in the direction.
- (2) The Treasurer may also direct the authority—
  - (a) how to make the payment; and
  - (b) when to make the payment; and
  - (c) about the conditions relating to payment.
- (3) In giving a direction under subsection (1), the Treasurer must have regard to—
  - (a) the authority's assets and liabilities; and
  - (b) the authority's income and expenditure; and
  - (c) the authority's ability to exercise its functions; and
  - (d) the requirement that the Territory obtain a reasonable return from the development and disposal of land.
- (4) A direction under this section is a notifiable instrument.

*Note*        A notifiable instrument must be notified under the [Legislation Act](#).

## **27 Authority liability for territory taxes**

This Act does not exempt the authority from liability for a tax under any other territory law.

## **Division 2.7 Authority CEO, staff and consultants**

### **28 Appointment of authority CEO**

- (1) The *Financial Management Act 1996*, section 80 does not apply to the authority.
- (2) The chief executive officer of the authority is appointed by the chair of the authority board.

*Note 1* For the making of appointments (including acting appointments), see the *Legislation Act*, pt 19.3.

*Note 2* In particular, an appointment may be made by naming a person or nominating the occupant of a position (see *Legislation Act*, s 207).

- (3) The authority CEO must be a public servant.
- (4) The chair of the authority board is a public sector employer in relation to the authority CEO for the *Public Sector Management Act 1994*, section 152 (Certain office-holders have management powers).
- (5) The authority CEO is not an authority board member.

### **29 Functions of authority CEO**

- (1) The functions of the authority CEO are—
  - (a) to manage the day-to-day operations of the authority including the following:
    - (i) monitoring and reporting to the authority board on the authority's performance against the statement of operational intent; and



- (ii) ensuring the authority complies with the authority board's decisions; and
    - (iii) managing the finances of the authority; and
    - (iv) developing, for approval by the authority board—
      - (A) corporate strategies, including strategies for engaging with and managing corporate risks; and
      - (B) operational strategies, including strategies for engaging with and managing operational risks; and
    - (v) reporting to the authority board on the implementation of a strategy approved under subparagraph (iv); and
    - (vi) providing information and advice to the authority board on matters relating to the authority; and
  - (b) giving administrative support to the authority board in the exercise of its functions; and
  - (c) any function given to the authority CEO—
    - (i) by the authority board; or
    - (ii) under this Act or another territory law.
- (2) The *Financial Management Act 1996*, section 84 (CEO's functions) applies to the authority CEO, despite the authority CEO not being a member of the authority board.
- (3) The authority board may, at any time, give written directions to the authority CEO about the exercise of the authority CEO's functions.

## **30 Authority CEO duty of good conduct**

- (1) In exercising the functions of the authority CEO, the authority CEO must exercise the degree of honesty, care and diligence required to be exercised by a director of a corporation in relation to the affairs of the corporation.

- (2) The authority CEO also has a duty to the authority board—
- (a) to act in good faith; and
  - (b) not to pursue personal interests at the expense of the authority's interests; and
  - (c) not to use the office to gain personal advantage; and
  - (d) not to cause detriment to the authority or undermine the reputation of the authority.

*Note* As a public servant, conduct requirements under the [Public Sector Management Act 1994](#) apply to the authority CEO.

### **31 Delegation by authority CEO**

- (1) The authority CEO may delegate the authority CEO's functions to an authorised person.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) A delegate may subdelegate to an authorised person a function delegated under subsection (1) if the subdelegation is authorised, in writing, by the authority CEO.
- (3) In this section:

***authorised person*** means—

- (a) a public employee; or
- (b) a person prescribed by regulation.

### **32 Authority's staff**

- (1) The authority CEO may employ staff on behalf of the Territory.
- (2) The authority's staff must be employed under the *Public Sector Management Act 1994*.

*Note* The *Public Sector Management Act 1994*, div 8.2 applies to the authority in relation to the employment of staff (see *Public Sector Management Act 1994*, s 152).

### **33 Authority arrangements for staff and facilities**

The authority CEO may arrange with the head of service to use the services of a public servant or Territory facilities.

*Note* The head of service may delegate powers in relation to the management of public servants to a public servant or another person (see *Public Sector Management Act 1994*, s 18).

### **34 Authority contractors and consultants**

- (1) The authority CEO may engage consultants and contractors.
- (2) However, the authority CEO must not enter into a contract of employment under this section.

## **Division 2.8 Urban renewal precincts**

### **35 Urban renewal precinct may be declared**

- (1) The Minister may declare an area of land in the ACT to be an urban renewal precinct for this Act.

*Note* The power to make an instrument includes the power to amend or repeal the instrument.

- (2) For each urban renewal precinct, the Minister must—
- (a) name the urban renewal precinct; and
  - (b) describe the urban renewal precinct by reference to land; and
  - (c) set out a map of the urban renewal precinct; and
  - (d) set out, in general terms, the urban renewal priorities for the urban renewal precinct.
- (3) A declaration is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

### **36 Criteria for land being included in urban renewal precinct**

- (1) Land may be included in an urban renewal precinct only if the Minister—
- (a) is satisfied including the land promotes urban renewal and will facilitate 1 or more of the following:
    - (i) integrated commercial and residential development;
    - (ii) the integration of development with public transport;
    - (iii) benefits to the community, the environment and the territory economy; and
  - (b) is satisfied including the land is consistent with—
    - (i) the national capital plan; and
    - (ii) the [territory plan](#); and
    - (iii) the planning strategy; and
    - (iv) any relevant district strategy; and
    - (v) the statement of planning priorities; and
    - (vi) any other strategic planning strategy developed by government to guide land planning for the Territory; and

- (c) has considered the advice of the following in relation to including the land in the precinct:
  - (i) the authority;
  - (ii) the Minister responsible for the *Planning Act 2023*.
- (2) In this section:
  - district strategy*—see the *Planning Act 2023*, section 38 (1).
  - planning strategy*—see the *Planning Act 2023*, section 36 (1).
  - statement of planning priorities*—see the *Planning Act 2023*, section 42 (1).

## **Division 2.9                      Melbourne and Sydney Buildings**

### **Subdivision 2.9.1        Definitions—div 2.9**

#### **36A            Definitions—div 2.9**

In this division:

*leased public area*, of the Melbourne Building or Sydney Building—

- (a) means the facade and other external parts of the building that are accessible by or visible to the public; and
- (b) includes—
  - (i) a structure or thing attached to the building; and
  - (ii) a structure or thing on the land surrounding the building.

**Examples—par (a)**

colonnade, shopfront, veranda

**Examples—par (b) (i)**

sign, solar panel, antenna, light

**Examples—par (b) (ii)**

footpath, garden, landscaping

**Melbourne Building** means the building on the following land:

- (a) division of City, section 1, blocks 4 to 20;
- (b) the parcel of land subdivided by units plan 3188.

**owner**, of the Melbourne Building or Sydney Building, means—

- (a) a Crown lessee under a Crown lease in relation to that part of the Melbourne Building or Sydney Building located on the Crown lease; or
- (b) for that part of the Melbourne Building that is subdivided under the [Unit Titles Act 2001](#)—
  - (i) for a unit in the building—the registered proprietor of the lease of the unit; and
  - (ii) for common property—the owners corporation for the building.

**Sydney Building** means the building on the following land:

- (a) division of City, section 48, blocks 1 to 6;
- (b) division of City, section 48, blocks 9 to 26;
- (c) division of City, section 48, blocks 28 to 32.

## **Subdivision 2.9.2 Revitalisation of Melbourne and Sydney Buildings**

### **36B Draft revitalisation plan—preparation**

- (1) The Minister may ask the authority, in writing, to prepare a plan (a ***draft revitalisation plan***) to revitalise a leased public area of the Melbourne Building or Sydney Building.

- (2) A draft revitalisation plan for the Melbourne Building or Sydney Building must—
  - (a) set out the work required to revitalise the leased public area of the building; and
  - (b) include any matter prescribed by regulation.
- (3) The authority must, in preparing a draft revitalisation plan for the Melbourne Building or Sydney Building—
  - (a) consult with each of the following entities (a *relevant entity*), in relation to the proposed draft revitalisation plan:
    - (i) each owner of the building;
    - (ii) if the proposed plan involves works that may affect a registered tree or regulated tree under the *Urban Forest Act 2023*—the conservator of flora and fauna;
    - (iii) if the proposed plan involves works that may affect a public tree under the *Urban Forest Act 2023*—the director-general responsible for that Act;
    - (iv) the heritage council;
    - (v) any other entity prescribed by regulation; and
  - (b) give written notice to each relevant entity that it may make written submissions about the proposed draft revitalisation plan within 30 days of the notice or any longer period stated in the notice; and
  - (c) consider any submission received from a relevant entity in that period; and
  - (d) consider any other matter prescribed by regulation.

- (4) For subsection (3) (a) (i), if the proposed draft revitalisation plan involves work to the leased public area of that part of the Melbourne Building that is subdivided under the [Unit Titles Act 2001](#), the following applies:
- (a) if the work only involves common property in the leased public area, the authority is only required to consult with the owners corporation;
  - (b) if the work does not involve common property in the leased public area, the authority is only required to consult with the owner of a unit in the leased public area.

### **36C Draft revitalisation plan—public consultation**

- (1) If the authority prepares a draft revitalisation plan under section 36B, the authority must also prepare a notice about the draft plan (a **consultation notice**).
- (2) A consultation notice must—
- (a) state that—
    - (i) anyone may give a written submission to the authority about the draft revitalisation plan; and
    - (ii) submissions may be given to the authority only during the period starting on the day the consultation notice is notified under the [Legislation Act](#) and ending 30 days later or on any later day stated in the notice (the **consultation period**); and
  - (b) include the draft plan.
- (3) A consultation notice is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).



- (4) If the authority notifies a consultation notice for a draft revitalisation plan—
  - (a) anyone may give a written submission to the authority about the draft plan; and
  - (b) the submission may be given to the authority only during the consultation period for the draft plan.
- (5) If the consultation period for a draft revitalisation plan has ended, the authority must—
  - (a) consider any written submissions received during the consultation period; and
  - (b) make any revisions to the draft plan that the authority considers appropriate; and
  - (c) prepare a final version of the draft plan; and
  - (d) give the final version of the draft plan to the Minister.

### **36D Draft revitalisation plan—approval**

- (1) The Minister may approve a draft revitalisation plan given to the Minister under section 36C (5) (d).
- (2) The Minister must not approve a draft revitalisation plan that is inconsistent with a submission received from the conservator of flora and fauna or the heritage council under section 36B (3) (c).
- (3) The Minister must state in the approval a reasonable period in which the work must be completed.
- (4) An approval is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

### **36E Direction to carry out revitalisation work**

- (1) This section applies if—
  - (a) a revitalisation plan approved under section 36D in relation to the Melbourne Building or Sydney Building requires stated work to be carried out to the building by an owner of the building within a stated period; and
  - (b) the work has not been carried out by the end of the period.
- (2) The authority may give the owner a written direction requiring the work to be completed not later than 6 months after the day the direction is given to the person or within any longer period stated in the direction (the *completion date*).
- (3) The direction must state—
  - (a) that it is a direction under this Act given by the authority; and
  - (b) the owner of the building; and
  - (c) the building and leased public area in relation to which the direction applies; and
  - (d) the work required (the *revitalisation work*); and
  - (e) the grounds on which the direction is given; and
  - (f) that the revitalisation work must be completed by the completion date.
- (4) The direction must also contain a statement to the effect that, if the revitalisation work is not completed by the completion date—
  - (a) the authority may authorise someone else to carry out the work; and

- (b) the reasonable cost of carrying out the work is a debt to the Territory by the person who is required to comply with the direction.

*Note* An amount owing under a law may be recovered as a debt in a court of competent jurisdiction or the ACAT (see [Legislation Act](#), s 177).

### **36F ACAT review of direction**

The following people may apply to the ACAT for review of a decision to give a direction under section 36E (2):

- (a) the person to whom the direction is given;
- (b) any other person whose interest is affected by the direction.

*Note* The requirements for reviewable decision notices are prescribed under the [ACT Civil and Administrative Tribunal Act 2008](#).

### **36G Authorisation to carry out revitalisation work**

- (1) The authority may authorise a person (an ***authorised person***) to carry out revitalisation work under a direction under section 36E (2) if the work is not completed by the end of the period stated in the direction.
- (2) However, the authority must not give the authorisation—
  - (a) until the end of the period for making an application to the ACAT for review of the decision to give the direction to which the work relates; or
  - (b) if an application is made to the ACAT for review of the decision to give the direction to which the work relates—unless the decision is upheld or the application is withdrawn.
- (3) If an approval or permit is required for the revitalisation work to be carried out in accordance with the direction, the Territory may apply for the approval or permit on behalf of the owner who is required to comply with the direction.

### **36H Revitalisation work by authorised people**

- (1) An authorised person must carry out the revitalisation work in accordance with the directions of the authority.
- (2) If entry to premises in a building is necessary to carry out the revitalisation work, the authorised person may enter the premises to carry out the work—
  - (a) during business hours; and
  - (b) at any other time with the consent of the occupier of the premises.
- (3) An authorised person who enters premises under this section may remain at and re-enter the premises to carry out the revitalisation work during business hours, or at any time agreed by the occupier of the premises.
- (4) An authorised person may do anything reasonably required, including apply for approvals and permits, to carry out the revitalisation work.
- (5) In this section:  
*business hours*, in relation to premises—
  - (a) means 9 am to 5 pm on a working day; and
  - (b) if the premises are not residential premises—includes any other period when the premises are open for business.

### **36I Liability for cost of revitalisation work**

An owner of a building who is required to comply with a direction under section 36E (2) must pay to the Territory the reasonable cost of any revitalisation work carried out by an authorised person under section 36H.

*Note* An amount owing under a law may be recovered as a debt in a court of competent jurisdiction or the ACAT (see [Legislation Act](#), s 177).

**36J Protection of authorised people from liability**

- (1) An authorised person does not incur civil liability for revitalisation work carried out in accordance with the directions of the authority.
- (2) Any civil liability that would, apart from this section, attach to the authorised person attaches instead to the Territory.

**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.

## **Part 3 Suburban land agency**

### **Division 3.1 Establishment, objects and functions of suburban land agency**

#### **37 Establishment of suburban land agency**

- (1) The Suburban Land Agency is established.
- (2) The agency is a territory authority.

*Note* The agency is a corporation if the agency is prescribed by the financial management guidelines for the *Financial Management Act 1996*, pt 8 (see *Financial Management Act 1996*, s 54, s 72, def *relevant territory authority* and s 73).

#### **38 Objects of agency**

The objects of the agency are to—

- (a) encourage and promote—
  - (i) inclusive communities through the delivery of people-focussed neighbourhoods; and
  - (ii) suburban development that supports the following:
    - (A) affordable living;
    - (B) a safe and healthy population;
    - (C) social inclusion;
    - (D) housing choice;
    - (E) environmental sustainability; and
  - (iii) urban renewal, other than in an urban renewal precinct; and
  - (iv) growth and diversification of the Territory's economy; and
  - (v) social and environmental sustainability; and

- (b) operate effectively, in a way that delivers value for money, in accordance with sound risk management practices.

## **39 Functions of agency**

- (1) The functions of the agency are—
  - (a) to buy and sell land on behalf of the Territory; and
  - (b) to ensure a mixture of public and private housing in new suburbs; and
  - (c) to increase the supply of affordable and community housing; and
  - (d) to meet housing targets determined under section 65 (Affordable, community and public housing targets); and
  - (e) to carry out the development of land in a manner that is environmentally sustainable; and
  - (f) to exercise functions in a way that supports statutory greenhouse gas emissions targets and delivers environmentally sustainable development; and
  - (g) to follow and support whole-of-government strategies; and
  - (h) any other function given to the agency under this Act or another territory law.

*Note 1* A territory authority must not do any act, or approve the doing of an act, that is inconsistent with the [territory plan](#) (see [Planning Act 2023](#), s 52).

*Note 2* A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see [Legislation Act](#), s 196 and dict, pt 1, def *entity*).

- (2) The agency may exercise a function mentioned in subsection (1) (a), (b), (c) or (e) only—
  - (a) in a way that is consistent with the statement of intent for the agency prepared under the *Financial Management Act 1996*, section 61; and
  - (b) with the Minister's approval.
- (3) With the approval of the Minister and the Treasurer, the agency may exercise its functions—
  - (a) through subsidiaries, joint ventures or trusts; or
  - (b) by holding shares in, or other securities of, corporations.

#### **40 Agency's role in cohesive suburban development**

The agency must work with any entity that has an interest in land that the agency intends to buy, sell, improve or develop to encourage cohesive suburban development.

**Examples—entities that may have an interest in the development of suburban land**

- the head of service
- a person licensed to provide a utility service
- a person developing land

#### **41 Ministerial directions to agency**

- (1) The Minister may, at any time, give directions to the agency—
  - (a) about the exercise of the agency's functions; or
  - (b) requiring the agency to exercise a function in relation to the financial arrangements of the agency.
- (2) Before giving a direction, the Minister must—
  - (a) tell the agency about the proposed direction; and



- (b) give the agency a reasonable opportunity to comment on the proposed direction; and
  - (c) consider any comments made by the agency.
- (3) A direction is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **42 Territory to compensate agency for cost of complying with directions**

- (1) The Territory must pay to the agency the reasonable net cost of complying with a direction under section 41.
- (2) The amount payable under subsection (1) is the amount agreed between the agency and the Minister or, failing agreement, the amount decided by the Chief Minister.

## **44 Annual report of agency**

The agency must prepare an annual report under the [Annual Reports \(Government Agencies\) Act 2004](#).

## **44A Delegation by agency**

- (1) The agency may delegate the agency's functions to the agency CEO.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) The agency CEO may subdelegate to an authorised person a function delegated under subsection (1) if the subdelegation is authorised, in writing, by the agency.
- (3) In this section:

***authorised person*** means—

- (a) a public employee; or
- (b) a person prescribed by regulation.

## Division 3.2 Agency board

### 45 Establishment of governing board for agency

The governing board of the agency is established.

*Note 1* An appointment of a governing board member is an appointment under this section (see [Financial Management Act 1996](#), s 78 (7) (b)).

*Note 2* For agency board meeting arrangements see the [Financial Management Act 1996](#), div 9.4.

### 46 Functions of agency board

The functions of the agency board are—

- (a) to oversee the operations of, and exercise of functions by, the agency; and
- (b) any other function given to the agency board under this Act or another territory law.

*Note* The agency board has the following functions under the [Financial Management Act 1996](#), s 77:

- setting the agency's policies and strategies
- governing the agency consistently with the agency's establishing Act and other relevant legislation
- ensuring, as far as practicable, that the agency operates in a proper, effective and efficient way
- ensuring, as far as practicable, that the agency complies with applicable governmental policies (if any).

### 47 Agency board members duty of good conduct

An agency board member has a duty to the Minister when acting as a board member—

- (a) to act in good faith; and
- (b) not to pursue personal interests at the expense of the agency's interests; and

- (c) not to use board membership to gain personal advantage; and
- (d) not to cause detriment to the agency or undermine the reputation of the agency.

*Note* The duty set out in this section supplements the requirements under the [Financial Management Act 1996](#), pt 8 (Financial provisions for territory authorities) and pt 9 (Governance of territory authorities) and the requirements under the [Public Sector Management Act 1994](#), div 2.1 (Public sector standards).

## **48 Agency board member appointments**

- (1) The agency board has the following part-time members:

- (a) a chair;
- (b) a deputy chair;
- (c) at least 3, but not more than 5, expert members.

*Note* The chair and other members of the agency board are appointed by the Minister (see the [Financial Management Act 1996](#), s 78 and s 79).

- (2) An expert member must have knowledge of or experience in at least 1 of the following disciplines and areas of expertise:

- (a) urban design and planning;
- (b) social inclusion and community building;
- (c) civil engineering and civil works;
- (d) real estate sales;
- (e) property development;
- (f) law, public administration and governance;
- (g) affordable housing, community housing and public housing;
- (h) environmentally sustainable development.

- (3) The Minister must, as far as practicable, ensure that each discipline and area of expertise mentioned in subsection (2) is represented among the appointed members.
- (4) A member must not be a public servant.

#### **49 Delegation by agency board**

- (1) The agency board may delegate the agency board's functions to the agency CEO.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) The agency CEO may subdelegate to an authorised person a function delegated under subsection (1) if the subdelegation is authorised, in writing, by the agency board.
- (3) In this section:

***authorised person*** means—

- (a) a public employee; or
- (b) a person prescribed by regulation.

### **Division 3.3 Agency committees**

#### **50 Establishment of agency committees**

- (1) The agency board must establish an audit and risk committee.
- (2) The agency board may establish other committees to help the agency to exercise its functions.
- (3) Without limiting subsection (2), committees may be established in relation to the following:
  - (a) corporate governance;
  - (b) design review;

- (c) community engagement.
- (4) The agency board must establish any committee prescribed by regulation.
- (5) A regulation may prescribe—
  - (a) matters on which a committee can provide advice; and
  - (b) functions of the agency that may only be exercised after considering the advice of a committee.

## **51 Exercise of committee functions**

- (1) The agency board may decide—
  - (a) how a committee is to exercise its functions; and
  - (b) the procedure to be followed for meetings of a committee, including—
    - (i) calling meetings; and
    - (ii) the number of committee members to be present at meetings (including requirements that particular members be present); and
    - (iii) the committee member who is to preside at meetings; and
    - (iv) how questions arising at a meeting are to be decided; and
    - (v) keeping minutes of meetings.
- (2) Subject to any decision of the agency board under subsection (1), a committee may decide its own procedures.

## **52 Membership of committees**

- (1) A committee consists of the people appointed by the agency board.

*Note* For the making of appointments (including acting appointments), see the [Legislation Act](#), div 19.3.

- (2) A committee may consist entirely or partly of agency board members.

## **Division 3.4 Agency financial matters**

*Note* The agency must not give a guarantee without the Treasurer's written approval (see [Financial Management Act 1996](#), s 60).

## **53 Proceeds of sales of land by agency**

Consideration received by the agency for the sale of land is income of the agency.

## **54 Agency payment of funds to Territory**

- (1) The Treasurer may direct the agency to pay to the Territory—
- (a) the amount stated in the direction; or
  - (b) an amount calculated in the way stated in the direction.
- (2) The Treasurer may also direct the agency—
- (a) how to make the payment; and
  - (b) when to make the payment; and
  - (c) about the conditions relating to payment.
- (3) In giving a direction under subsection (1), the Treasurer must have regard to—
- (a) the agency's assets and liabilities; and
  - (b) the agency's income and expenditure; and
  - (c) the agency's ability to exercise its functions; and

- (d) the requirement that the Territory obtain a reasonable return from the development and disposal of land.
- (4) A direction under this section is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **55 Agency liability for territory taxes**

This Act does not exempt the agency from liability for a tax under any other territory law.

## **Division 3.5 Agency CEO, staff and consultants**

### **56 Appointment of agency CEO**

- (1) The [Financial Management Act 1996](#), section 80 does not apply to the agency.
- (2) The agency CEO is appointed by the chair of the agency board.
  - Note 1* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.
  - Note 2* In particular, an appointment may be made by naming a person or nominating the occupant of a position (see [Legislation Act](#), s 207).
- (3) The agency CEO must be a public servant.
- (4) The chair of the agency board is a public sector employer in relation to the agency CEO for the [Public Sector Management Act 1994](#), section 152 (Certain office-holders have management powers).
- (5) The agency CEO is not an agency board member.

## **57 Functions of agency CEO**

- (1) The functions of the agency CEO are—
  - (a) to manage the day-to-day operations of the agency including the following:
    - (i) ensuring the agency complies with the agency board's decisions;
    - (ii) managing the finances of the agency;
    - (iii) developing, for approval by the agency board—
      - (A) corporate strategies, including strategies for engaging with and managing corporate risks; and
      - (B) operational strategies, including strategies for engaging with and managing operational risks;
    - (iv) reporting to the agency board on the implementation of a strategy approved under subparagraph (iii);
    - (v) providing information and advice to the agency board on matters relating to the agency; and
  - (b) any function given to the agency CEO—
    - (i) by the agency board; or
    - (ii) under this Act or another territory law.
- (2) The *Financial Management Act 1996*, section 84 (CEO's functions) applies to the agency CEO, despite the agency CEO not being a member of the agency board.
- (3) The agency board may, at any time, give written directions to the agency CEO about the exercise of the agency CEO's functions.



## **58 Agency CEO duty of good conduct**

- (1) In exercising the functions of the agency CEO, the agency CEO must exercise the degree of honesty, care and diligence required to be exercised by a director of a corporation in relation to the affairs of the corporation.
- (2) The agency CEO also has a duty to the agency board—
  - (a) to act in good faith; and
  - (b) not to pursue personal interests at the expense of the agency's interests; and
  - (c) not to use the office to gain personal advantage; and
  - (d) not to cause detriment to the agency or undermine the reputation of the agency.

*Note* As a public servant, conduct requirements under the [Public Sector Management Act 1994](#) apply to the agency CEO.

## **59 Delegation by agency CEO**

- (1) The agency CEO may delegate the agency CEO's functions to an authorised person.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) A delegate may subdelegate to an authorised person a function delegated under subsection (1) if the subdelegation is authorised in writing by the agency CEO.
- (3) In this section:  
***authorised person*** means—
  - (a) a public employee; or
  - (b) a person prescribed by regulation.

## **60 Agency's staff**

- (1) The agency CEO may employ staff on behalf of the Territory.
- (2) The agency's staff must be employed under the *Public Sector Management Act 1994*.

*Note* The *Public Sector Management Act 1994*, div 8.2 applies to the agency in relation to the employment of staff (see *Public Sector Management Act 1994*, s 152).

## **61 Agency arrangements for staff and facilities**

The agency CEO may arrange with the head of service to use the services of a public servant or Territory facilities.

*Note* The head of service may delegate powers in relation to the management of public servants to a public servant or another person (see *Public Sector Management Act 1994*, s 18).

## **62 Agency contractors and consultants**

- (1) The agency CEO may engage consultants and contractors.
- (2) However, the agency CEO must not enter into a contract of employment under this section.

## Part 4 Miscellaneous

### 63 Treasurer must make directions for land acquisition

- (1) The Treasurer must make directions relating to the acquisition of land by the authority or agency.
- (2) Without limiting subsection (1), a direction may be made in relation to the following:
  - (a) approval needed by the authority or agency to acquire land;
  - (b) requirements for acquiring land of a particular value.
- (3) A direction is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

### 64 Sharing of protected information

- (1) This section applies despite any other territory law.
- (2) The following people may, in writing, ask an information holder for protected information:
  - (a) if the protected information is required by another information holder for the exercise of a function under this Act or another territory law—the other information holder;
  - (b) the Minister.
- (3) An information holder who receives a request for protected information—
  - (a) must give the protected information to the person who requests it; and
  - (b) if the information is requested by another information holder—may impose conditions on how the other information holder uses or stores the information.

- (4) In this section:

**information** means information, whether true or not, in any form and includes an opinion and advice.

**information holder** means—

- (a) the chair of the authority board; or
- (b) the authority CEO; or
- (c) the chair of the agency board; or
- (d) the agency CEO; or
- (e) the chief planner; or
- (f) the head of service; or
- (g) a director-general.

**protected information** means information that is disclosed to, or obtained by, an information holder because of the exercise of a function under this Act by the information holder or someone else.

## **65 Affordable, community and public housing targets**

- (1) This section applies to the following kinds of developments:
- (a) the building of dwellings on land leased by the Territory, or unleased territory land, in an urban renewal precinct;
  - (b) the building of dwellings on land leased by the Territory, or unleased territory land, in connection with urban renewal other than in an urban renewal precinct;
  - (c) the building of dwellings in a new suburb.

- (2) The Minister must determine housing targets (a *housing target determination*) for a development for the minimum number of dwellings in the development for each of the following kinds of housing:
- (a) affordable housing;
  - (b) community housing;
  - (c) public housing.
- (3) The housing target determination for a development must state the maximum number of dwellings anticipated to be built in the development.
- (4) A housing target for a development—
- (a) applies when the target is first determined; and
  - (b) if a lease is granted to a person over land leased by the Territory, or unleased territory land, that is part of a development mentioned in subsection (1) (a) or (b) after the target in relation to the land is determined—applies when the lease is granted; and
  - (c) continues to apply until the completion of all dwellings in the development that meet the housing target.
- Example—par (b)**
- The Minister determines a housing target for a development involving the building of dwellings on unleased territory land in an urban renewal precinct. If a lease over the land is granted to someone after the determination is made, the housing target for the development applies when the lease is granted.
- (5) A housing target determination may refer to a development mentioned in subsection (1)—
- (a) by referring to land identifiers; or
  - (b) by referring to a name by which the development is known; or
  - (c) in any other way the Minister considers appropriate.

- (6) Before determining a housing target, the Minister must seek the views of the housing commissioner in relation to the proposed housing target.

- (7) A housing target determination is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **66 Regulation-making power**

- (1) The Executive may make regulations for this Act.

*Note* A regulation must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (2) A regulation may create offences and fix maximum penalties of not more than 20 penalty units for the offences.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- chief planner
- entity
- housing commissioner
- Minister (see s 162)
- national capital authority
- national capital plan
- notifiable instrument (see s 10)
- public employee
- public sector member
- public service
- territory authority
- territory land
- territory plan
- the Territory
- working day.

***agency*** means the Suburban Land Agency established under section 37.

***agency board*** means the suburban land agency governing board established under section 45.

***agency CEO*** means the chief executive officer of the agency appointed under section 56.

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

***authority*** means the City Renewal Authority established under section 7.

***authority board*** means the city renewal authority governing board established under section 15.

***authority CEO*** means the chief executive officer of the authority appointed under section 28.

***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).

***land*** includes land in New South Wales.

***land improvements***—

- (a) means activities carried out in relation to land to improve the quality, amenity or value of the land; and
- (b) includes the following:
  - (i) remediation of land;
  - (ii) carrying out works on land;
  - (iii) preparing land for development;
  - (iv) maintaining land.

***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).

***statement of expectations***, for part 2 (City renewal authority)—see section 17 (1).



***statement of operational intent***, for part 2 (City renewal authority)—see section 18 (1).

***statutory greenhouse gas emissions targets*** means—

- (a) the ACT greenhouse gas emissions target under the [Climate Change and Greenhouse Gas Reduction Act 2010](#), section 6; and
- (b) the interim greenhouse gas emissions target under the [Climate Change and Greenhouse Gas Reduction Act 2010](#), section 7.

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

***urban renewal***—

- (a) means supporting, promoting, encouraging, facilitating or delivering the following:
  - (i) development for residential purposes;
  - (ii) development for commercial purposes;
  - (iii) development of industrial infrastructure;
  - (iv) development of capital works;
  - (v) development of public infrastructure;
  - (vi) land improvements; and
- (b) includes—
  - (i) carrying out work on public land; and
  - (ii) carrying out work on the Melbourne Building or Sydney Building under section 36K (Work may be carried out with consent); and

- (iii) reviewing and giving advice about work and development proposed to be carried out on private land; and
- (c) does not include carrying out work on private land, other than work carried out under section 36K.

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

***utility service***—see the [Utilities Act 2000](#), dictionary.

***whole-of-government strategy***—see the [Public Sector Management Act 1994](#), dictionary.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the [Legislation Act 2001](#), part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

---

### 3 Legislation history

#### **City Renewal Authority and Suburban Land Agency Act 2017 A2017-12**

notified LR 18 May 2017  
s 1, s 2 commenced 18 May 2017 (LA s 75 (1))  
s 202 commenced 30 June 2017 (LA s 75AA)  
sch 1 pt 1.2 commenced 30 June 2017 (s 2 and [CN2017-3](#))  
remainder commenced 1 July 2017 (s 2 and [CN2017-3](#))

as modified by

#### **City Renewal Authority and Suburban Land Agency (Transitional Provisions) Regulation 2017 SL2017-18 s 3**

notified LR 29 June 2017  
s 1, s 2 commenced 29 June 2017 (LA s 75 (1))  
s 3 commenced 1 July 2017 (s 2 and see A2017-12, s 2 and [CN2017-3](#))

as amended by

#### **Statute Law Amendment Act 2017 (No 2) A2017-28 sch 1 pt 1.2, sch 3 pt 3.3**

notified LR 27 September 2017  
s 1, s 2 commenced 27 September 2017 (LA s 75 (1))  
sch 1 pt 1.2, sch 3 pt 3.3 commenced 11 October 2017 (s 2)

#### **Planning, Building and Environment Legislation Amendment Act 2018 A2018-18 pt 2**

notified LR 16 May 2018  
s 1, s 2 commenced 16 May 2018 (LA s 75 (1))  
pt 2 commenced 17 May 2018 (s 2)

#### **Government Agencies (Land Acquisition Reporting) Act 2018 A2018-44 pt 6**

notified LR 12 November 2018  
s 1, s 2 commenced 12 November 2018 (LA s 75 (1))  
pt 6 commenced 1 January 2019 (s 2 (1))

**City Renewal Authority and Suburban Land Agency Amendment Act 2018 A2018-51**

notified LR 6 December 2018  
s 1, s 2 commenced 6 December 2018 (LA s 75 (1))  
remainder commenced 7 December 2018 (s 2)

**Planning and Environment Legislation Amendment Act 2020 A2020-22 pt 3**

notified LR 10 June 2020  
s 1, s 2 commenced 10 June 2020 (LA s 75 (1))  
pt 3 commenced 11 June 2020 (s 2)

**City Renewal Authority and Suburban Land Agency Amendment Act 2020 A2020-45**

notified LR 3 September 2020  
s 1, s 2 commenced 3 September 2020 (LA s 75 (1))  
remainder commenced 3 March 2021 (s 2 and LA s 79)

**City Renewal Authority and Suburban Land Agency Amendment Act 2021 A2021-26**

notified LR 17 November 2021  
s 1, s 2 commenced 17 November 2021 (LA s 75 (1))  
remainder commenced 25 November 2021 (s 2 and [CN2021-7](#))

**Planning and Environment Legislation Amendment Act 2023 A2023-20 pt 2**

notified LR 21 June 2023  
s 1, s 2 commenced 21 June 2023 (LA s 75 (1))  
pt 2 commenced 22 June 2023 (s 2 (1))

**Planning (Consequential Amendments) Act 2023 A2023-36 sch 1 pt 1.7**

notified LR 29 September 2023  
s 1, s 2 commenced 29 September 2023 (LA s 75 (1))  
sch 1 pt 1.7 commenced 27 November 2023 (s 2 (1) and see [Planning Act 2023 A2023-18](#), s 2 (2) and [CN2023-10](#))

## Endnotes

3 Legislation history

---

**Urban Forest (Consequential Amendments) Act 2023 A2023-52 sch 1  
pt 1.2**

notified LR 11 December 2023

s 1, s 2 commenced 11 December 2023 (LA s 75 (1))

sch 1 pt 1.2 commenced 1 January 2024 (s 2 and see [Urban Forest Act 2023 A2023-14](#), s 2)

## 4 Amendment history

### Commencement

s 2 om LA s 89 (4)

### Definitions—pt 2

s 6 def *urban renewal precinct* om [A2023-20](#) s 4

### Functions of authority

s 9 am [A2023-36](#) amdt 1.58

### Land acquisition report of authority

s 13 om [A2018-44](#) s 15

### Delegation by authority

s 14A ins [A2018-18](#) s 4

### Establishment of governing board for authority

s 15 am [A2018-18](#) s 5

### Establishment of authority committees

s 22 am [A2017-28](#) amdt 3.6-3.8

### Authority payment of funds to Territory

s 26 am [A2017-28](#) amdt 3.9

### Appointment of authority CEO

s 28 am [A2020-22](#) s 6; ss renum R8 LA

### Urban renewal precinct may be declared

s 35 am [A2021-26](#) s 4

### Criteria for land being included in urban renewal precinct

s 36 am [A2023-36](#) amdt 1.59-1.61

### Melbourne and Sydney Buildings

div 2.9 hdg ins [A2020-45](#) s 4  
sub [A2023-20](#) s 5

### Definitions—div 2.9

sdiv 2.9.1 hdg ins [A2023-20](#) s 5

### Definitions—div 2.9

s 36A ins [A2020-45](#) s 4  
def *authorised person* ins [A2020-45](#) s 4  
om [A2023-20](#) s 6  
def *draft revitalisation plan* ins [A2020-45](#) s 4  
om [A2023-20](#) s 6  
def *leased public area* ins [A2020-45](#) s 4  
def *Melbourne Building* ins [A2020-45](#) s 4  
def *owner* ins [A2020-45](#) s 4

## Endnotes

### 4 Amendment history

---

def **revitalisation work** ins [A2020-45](#) s 4  
om [A2023-20](#) s 6  
def **Sydney Building** ins [A2020-45](#) s 4

#### **Revitalisation of Melbourne and Sydney Buildings**

sdiv 2.9.2 hdg ins [A2023-20](#) s 7

#### **Draft revitalisation plan—preparation**

s 36B ins [A2020-45](#) s 4  
am [A2023-52](#) amdt 1.4; pars renum R13 LA

#### **Draft revitalisation plan—public consultation**

s 36C ins [A2020-45](#) s 4

#### **Draft revitalisation plan—approval**

s 36D ins [A2020-45](#) s 4

#### **Direction to carry out revitalisation work**

s 36E ins [A2020-45](#) s 4

#### **ACAT review of direction**

s 36F ins [A2020-45](#) s 4

#### **Authorisation to carry out revitalisation work**

s 36G ins [A2020-45](#) s 4

#### **Revitalisation work by authorised people**

s 36H ins [A2020-45](#) s 4

#### **Liability for cost of revitalisation work**

s 36I ins [A2020-45](#) s 4

#### **Protection of authorised people from liability**

s 36J ins [A2020-45](#) s 4

#### **Other work on Melbourne and Sydney Buildings**

sdiv 2.9.3 hdg ins [A2023-20](#) s 8

#### **Work may be carried out with consent**

s 36K ins [A2023-20](#) s 8

#### **Functions of agency**

s 39 am [A2021-26](#) s 5; [A2023-36](#) amdt 1.62

#### **Land acquisition report of agency**

s 43 om [A2018-44](#) s 15

#### **Delegation by agency**

s 44A ins [A2018-18](#) s 6

#### **Establishment of governing board for agency**

s 45 am [A2018-18](#) s 7



**Establishment of agency committees**s 50 am [A2017-28](#) amdt 3.10**Proceeds of sales of land by agency**s 53 sub [A2021-26](#) s 6**Agency payment of funds to Territory**s 54 am [A2017-28](#) amdt 3.11**Appointment of agency CEO**s 56 am [A2020-22](#) s 7; ss renum R8 LA**Treasurer must make directions for land acquisition**s 63 hdg am [A2017-28](#) amdt 1.2s 63 am [A2017-28](#) amdt 1.2reloc to pt 4 [A2017-28](#) amdt 1.3**Sharing of protected information**s 64 am [A2023-36](#) amdt 1.63**Affordable, community and public housing targets**s 65 sub [A2018-18](#) s 8am [A2021-26](#) s 7, s 8**Transitional**

pt 10 hdg exp 1 July 2018 (s 201)

**Transitional regulation**

s 200 exp 1 July 2018 (s 201)

**Modification—Planning and Development Act 2007**s 200A ins as mod [SL2017-18](#) s 3

exp 1 July 2018 (s 200A (2))

**Expiry—pt 10**

s 201 exp 1 July 2018 (s 201)

**Consequential amendments**

pt 11 hdg om LA s 89 (3)

**Legislation amended—sch 1**

s 202 om LA s 89 (3)

**Transitional—City Renewal Authority and Suburban Land Agency Amendment Act 2018**pt 12 hdg ins [A2018-51](#) s 4

exp 7 December 2018 (s 217)

**Definitions—pt 12**s 210 ins [A2018-51](#) s 4

exp 7 December 2018 (s 217)

## Endnotes

### 4 Amendment history

---

def **city renewal precinct** ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)  
def **connected to the city precinct** ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)  
def **land development agency** ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Transfer of assets—authority**

s 211 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Transfer of contractual rights and liabilities—authority**

s 212 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Transfer of liabilities—authority**

s 213 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Transfer of assets—agency**

s 214 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Transfer of contractual rights and liabilities—agency**

s 215 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Transfer of liabilities—agency**

s 216 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Expiry—pt 12**

s 217 ins [A2018-51](#) s 4  
exp 7 December 2018 (s 217)

#### **Consequential amendments**

sch 1 om LA s 89 (3)

#### **Excluded assets and contracts**

sch 2 ins [A2018-51](#) s 5  
exp 7 December 2018 (s 217)

#### **Dictionary**

dict am [A2018-18](#) s 9; [A2020-45](#) s 5; [A2023-36](#) amdt 1.64  
def **authorised person** ins [A2020-45](#) s 6  
sub [A2023-20](#) s 9  
def **development** om [A2021-26](#) s 9  
def **draft revitalisation plan** ins [A2020-45](#) s 6  
sub [A2023-20](#) s 9  
def **land** ins [A2021-26](#) s 10

---

def **land improvements** am [A2021-26](#) s 11  
def **leased public area** ins [A2020-45](#) s 6  
    sub [A2023-20](#) s 9  
def **Melbourne Building** ins [A2020-45](#) s 6  
    sub [A2023-20](#) s 9  
def **owner** ins [A2020-45](#) s 6  
    sub [A2023-20](#) s 9  
def **revitalisation work** ins [A2020-45](#) s 6  
    sub [A2023-20](#) s 9  
def **statement of planning intent** om [A2023-36](#) amdt 1.65  
def **Sydney Building** ins [A2020-45](#) s 6  
    sub [A2023-20](#) s 9  
def **urban renewal** am [A2023-20](#) s 10, s 11; pars renum R11  
    LA  
def **urban renewal precinct** sub [A2023-20](#) s 12

## Endnotes

### 5 Earlier republishings

## 5 Earlier republishings

Some earlier republishings were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republishings have also been published in printed format. These republishings are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 1 July 2017	1 July 2017– 10 Oct 2017	<a href="#">SL2017-18</a>	new Act and modifications by <a href="#">SL2017-18</a>
R2 11 Oct 2017	11 Oct 2017– 16 May 2018	<a href="#">A2017-28</a>	amendments by <a href="#">A2017-28</a>
R3 17 May 2018	17 May 2018– 1 July 2018	<a href="#">A2018-18</a>	amendments by <a href="#">A2018-18</a>
R4 2 July 2018	2 July 2018– 6 Dec 2018	<a href="#">A2018-18</a>	expiry of modifications and transitional provisions (pt 10)
R5 7 Dec 2018	7 Dec 2018– 7 Dec 2018	<a href="#">A2018-51</a>	amendments by <a href="#">A2018-51</a>
R6 8 Dec 2018	8 Dec 2018– 31 Dec 2018	<a href="#">A2018-51</a>	expiry of transitional provisions (pt 12, sch 2)
R7 1 Jan 2019	1 Jan 2019– 10 June 2020	<a href="#">A2018-51</a>	amendments by <a href="#">A2018-44</a>
R8 11 June 2020	11 June 2020– 2 Mar 2021	<a href="#">A2020-22</a>	amendments by <a href="#">A2020-22</a>
R9 3 Mar 2021	3 Mar 2021– 24 Nov 2021	<a href="#">A2020-45</a>	amendments by <a href="#">A2020-45</a>
R10 25 Nov 2021	25 Nov 2021– 21 June 2023	<a href="#">A2021-26</a>	amendments by <a href="#">A2021-26</a>

---

Republication No and date	Effective	Last amendment made by	Republication for
R11 22 June 2023	22 June 2023– 26 Nov 2023	<a href="#">A2023-20</a>	amendments by <a href="#">A2023-20</a>
R12 27 Nov 2023	27 Nov 2023– 31 Dec 2023	<a href="#">A2023-36</a>	amendments by <a href="#">A2023-36</a>

---

## Endnotes

6 Expired transitional or validating provisions

---

### 6 Expired transitional or validating provisions

This Act may be affected by transitional or validating provisions that have expired. The expiry does not affect any continuing operation of the provisions (see [Legislation Act 2001](#), s 88 (1)).

Expired provisions are removed from the republished law when the expiry takes effect and are listed in the amendment history using the abbreviation ‘exp’ followed by the date of the expiry.

To find the expired provisions see the version of this Act before the expiry took effect. The ACT legislation register has point-in-time versions of this Act.

© Australian Capital Territory 2024