

Australian Capital Territory

Planning and Environment Legislation Amendment Act 2023

A2023-20

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Australian Capital Territory

Planning and Environment Legislation Amendment Act 2023

A2023-20

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

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

Part 1 Preliminary

1 Name of Act

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

2 Commencement

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

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

(2) Part 3 commences on 1 July 2023.

3 Legislation amended

This Act amends the following legislation:

 [City Renewal Authority and Suburban Land Agency Act 2017](http://www.legislation.act.gov.au/a/2017-12)

 [Dangerous Substances Act 2004](http://www.legislation.act.gov.au/a/2004-7)

 [Government Agencies (Land Acquisition Reporting) Act 2018](http://www.legislation.act.gov.au/a/2018-44)

* [Professional Engineers Act 2023](https://legislation.act.gov.au/a/2023-8/).

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

Part 2 City Renewal Authority and Suburban Land Agency Act 2017

4 Definitions—pt 2  
Section 6, definition of urban renewal precinct

omit

5 Division 2.9 heading

substitute

Division 2.9 Melbourne and Sydney Buildings

Subdivision 2.9.1 Definitions—div 2.9

6 Definitions—div 2.9  
Section 36A, definitions of authorised person, draft revitalisation plan and revitalisation work

omit

7 New subdivision 2.9.2 heading

after section 36A, insert

Subdivision 2.9.2 Revitalisation of Melbourne and Sydney Buildings

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.

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

insert

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

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

substitute

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

12 Dictionary, definition of urban renewal precinct

substitute

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

Part 3 Dangerous Substances Act 2004

13 Asbestos advice  
Section 47M (1)

omit

1985

substitute

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](http://www.legislation.act.gov.au/a/2013-18), 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](https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2012-059) (NSW) as if it were an ACT law called the Community Housing Providers National Law (ACT).

Part 5 Professional Engineers Act 2023

16 Commencement  
Section 2, note 3

omit

17 New section 2 (2) and (3)

insert

(2) If this Act has not commenced within 18 months beginning on this Act’s notification day, it automatically commences on the first day after that period.

(3) The [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), section 79 (Automatic commencement of postponed law) does not apply to this 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](http://www.legislation.act.gov.au/a/2004-7), section 47I.

Explanatory note

This amendment corrects a cross‑reference.

Endnotes

1 Presentation speech

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

2 Notification

Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 21 June 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/).

I certify that the above is a true copy of the Planning and Environment Legislation Amendment Bill 2023, which was passed by the Legislative Assembly on 7 June 2023.

Clerk of the Legislative Assembly

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