



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**

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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:

## 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](#), 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](#)
- [Dangerous Substances Act 2004](#)
- [Government Agencies \(Land Acquisition Reporting\) Act 2018](#)
- [Professional Engineers Act 2023](#).

*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*, 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)*.

## 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](#), 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](#), 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 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).

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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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