

LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY

BUILDING (AMENDMENT) BILL 1998 EXPLANATORY MEMORANDUM

OUTLINE

The purpose of this Bill is to require a waste management plan to be incorporated into the approval process for building work involving the demolition of a building. The objective is to ensure that material generated from demolition activity is recycled or re-used wherever practicable.

CLAUSE NOTES

Clauses 1, 2 and 3 are formal requirements that specify the short title of the Bill; provide for commencement, and identify the Principal Act as the *Building (Amendment) Act 1972*.

Clause 4 amends the definition of “building work” to include disposal of waste materials generated by demolition of a building, except for an alteration to a dwelling that does not involve an extension of the building. This clause also adds two new definitions that are used throughout the Act - “dwelling” and “waste management plans”. The definition of “dwelling” applies the definition in section 58A to the Act as a whole.

Clause 5 amends section 32 of the Principal Act to require a waste management plan to accompany any application for approval of building work plans where the building work involves the demolition of a building.

Clause 6 amends section 33 of the Principal Act to require the Building Controller, as part of his/her assessment of building work plans, to assess whether or not the waste management plan is adequate. For the purposes of this section, a waste management plan would be deemed to be adequate if the materials included in the plan are disposed of at an appropriate recycling facility in the ACT, or if the waste management plan meets requirements that are specified by regulation.

Clause 7 amends section 34 of the Principal Act. This clause requires a waste management plan to be furnished with an application for approval of plans for building work involving the removal or demolition of an existing building and not involving the erection of a building in its place. The Building Controller must assess the adequacy of the waste management plan as part of his/her approval process.

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