

LEGISLATIVE COUNCIL

BUILDING LEGISLATION AND TREASURY LEGISLATION (TAX RELIEF)
AMENDMENT BILL 2026

(Amendments to be proposed in Committee by DAVID DAVIS)

1. Clause 4, after line 25 insert—

'(2A) In section 3(1) of the **Building Act 1993**, for the definition of *prescribed temporary structure* substitute—

"prescribed temporary structure means—

- (a) a tent, marquee, or booth, with a floor area greater than 100 square metres;
- (b) a stand with seating for more than 20 persons;
- (c) a stage or a platform (including a stage or platform with sky borders or stage wings) with a floor area greater than 150 square metres;
- (d) a prefabricated building (not placed directly on the ground) with a floor area exceeding 100 square metres;
- (e) a prescribed structure or a structure belonging to a prescribed class of structure;".

2. Clause 4, after line 29 insert—

"community-based organisation means a body, whether or not it is a corporate body, that—

- (a) is not established primarily for the purposes of profit or gain; and
- (b) does not distribute any part of any profit or gain made in the conduct of its activities to any member of the organisation; and
- (c) operates in a community wholly for—
 - (i) a philanthropic or benevolent purpose, including the promotion of art, culture, science, religion, education or charity; or
 - (ii) any sporting or recreational purpose, including the benefiting of any sporting or recreational club or association;".

3. Clause 4, page 6, lines 7 to 22, omit all words and expressions on these lines and insert—

"(a) a prescribed building or a building in a prescribed class of building, which is used or intended to be used for the purpose of providing

public entertainment and meets any prescribed criteria for the public entertainment to be provided at that building; or

- (b) a prescribed temporary structure, which is used or intended to be used for the purpose of providing public entertainment and meets any prescribed criteria for the public entertainment to be provided at that prescribed temporary structure—

but does not include a building or prescribed temporary structure—

- (c) that is used for the purposes of conducting an event or activity that is organised and controlled by a community-based organisation; and
- (d) if the number of persons in the building or prescribed temporary structure at any one time during the event or activity does not exceed 5000;".

4. Clause 9, line 18, omit "paragraph (a) of".
5. Clause 27, line 11, omit "or place" and insert "or prescribed temporary structure".

NEW CLAUSE

6. Insert the following new clause to follow clause 32—

'32A New section 62A inserted

After section 62 of the **Building Act 1993** insert—

"62A Minister to establish review panel—place of public entertainment permits and prescribed temporary structure permits

- (1) A person may apply in writing to the Minister for review of any decision under this Part in relation to a place of public entertainment permit or prescribed temporary structure permit, including the following—
 - (a) the refusal or deemed refusal of the permit;
 - (b) the imposition of a condition on the permit;
 - (c) a request for information in relation to an application for the permit;
 - (d) a failure to decide an application for the permit within the required time;
 - (e) an inspection of a place of public entertainment in relation to the permit.
- (2) On application under subsection (1), the Minister must establish a review panel for the entertainment event in relation to the place of public entertainment permit or prescribed temporary structure permit.
- (3) The Minister must appoint one or more of the following persons to the review panel established under subsection (2)—
 - (a) an employee of the Commission;

- (b) a prescribed person or prescribed class of person.
 - (4) An application for review under subsection (1) must be heard and determined by the review panel in accordance with the prescribed procedures (if any).
 - (5) An application for review under subsection (1) must be determined within the later of—
 - (a) 24 hours after the application for review is made; or
 - (b) a prescribed period that occurs before the entertainment event, or a stage of the entertainment event, is proposed to begin.
 - (6) In determining an application for review, the review panel must make a fresh decision—
 - (a) that affirms or amends the decision the subject of the review; or
 - (b) that sets aside the decision the subject of the review and substitutes another decision that the review panel considers appropriate."!
7. Clause 39, line 17, omit "or places or classes of place,".