

PLANNING AND DEVELOPMENT AMENDMENT BILL 2023

1372. Hon LOUISE KINGSTON to the minister representing the Minister for Planning:

I refer to the government's Planning and Development Amendment Bill 2023 and the plan to remove councils' ability to approve single dwelling development applications, vesting the power in the CEO.

- (1) How many local governments currently do not have a delegation to the CEO to approve single dwelling development applications?
- (2) In the instance that a single dwelling development application is deemed "noncompliant" with a local planning policy or law, will the applicant still have the right to have the application referred to council?
- (3) If not, how does the government expect refused single dwelling development applications to be dealt with?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Planning.

- (1)–(3) The Planning and Development Amendment Bill 2023 seeks to cut red tape on simple residential projects by ensuring consistency across the local government sector. Many local governments already have some level of delegation for their decision-making but this act seeks to achieve a consistent approach for simple residential projects across all local governments. Planning schemes often already have discretion built into them. This is evidenced, for example, in *State planning policy 7.3: Residential design codes*, or R-codes, embedded in every local scheme, which provide performance-based assessment criteria. Many local governments take the opportunity to further guide discretion in relation to specific matters and prepare local planning policies. Elected officials retain this responsibility. Single homes that do not meet the deemed to comply criteria of the R-codes are more appropriately assessed by suitably qualified and experienced planning staff and should not be a matter of local politics. The appeal rights for applicants remain unchanged. Under section 14 of the Planning and Development Act 2005, applicants already have a right to appeal if they are dissatisfied by a condition of approval or a decision of refusal.