

LEGISLATIVE COUNCIL

PLANNING AMENDMENT (BETTER DECISIONS MADE FASTER) BILL 2025

(Amendments to be proposed in Committee by SARAH MANSFIELD in substitution for amendments previously circulated)

1. Clause 2, lines 2 and 3, omit all words and expressions on these lines and insert—
 - "(1) This Part and section 11(2) and (3) come into operation on the day after the day on which this Act receives the Royal Assent.
 - (1A) The remaining provisions of this Act come into operation on a day or days to be proclaimed."
2. Clause 2, line 4, omit "of this Act" and insert "referred to in subsection (1A)".
3. Clause 5, line 26, after "ecological" insert "processes, and ecological".
4. Clause 9, omit this clause.
5. Clause 11, line 20, before "After" insert "(1)".
6. Clause 11, after line 22, insert—
 - '(2) After section 6(2)(j) of the Principal Act **insert**—
 - "(ja) provide that any use or development of land is conditional on the provision of an affordable housing contribution;"
 - (3) After section 6(2) of the Principal Act **insert**—
 - "(2AA) For the purposes of section 6(2)(ja), an affordable housing contribution may be imposed as a condition on a permit if—
 - (a) the relevant planning scheme identifies a need for affordable housing in the area; and
 - (b) the application exceeds a threshold prescribed in the regulations that is expressed in terms of number of dwellings or value of development.
 - (2AAB) An affordable housing contribution is to be in the prescribed form, including a monetary contribution in lieu of the provision of affordable housing.
 - (2AAC) The regulations may prescribe the maximum affordable housing contributions that can be required under a planning scheme, including the application of differing maximums by reference to different zones and overlays.
 - (2AAD) If a monetary contribution is made to acquit a requirement specified in a planning scheme for the provision of an affordable housing contribution, the monetary contribution must be collected by the responsible authority for the proposed use or development of land.

(2AAE) Despite anything to the contrary in any other Act (other than the **Charter of Human Rights and Responsibilities Act 2006**), any monetary contribution collected by a responsible authority under subsection (2AAD) must be spent on a project to construct new affordable housing in the municipal district in which it is collected.

(2AAF) A responsible authority must keep proper and separate accounts and records of any monetary contribution collected under subsection (2AAD) and how that monetary contribution was spent on the provision of affordable housing in the municipal district.

(2AAG) The accounts and records required under subsection (2AAF) must be kept in accordance with the **Local Government Act 2020**.".!

7. Clause 39, omit this clause.
8. Clause 48, omit this clause.
9. Clause 49, omit this clause.
10. Clause 86, line 14, before "A planning scheme" insert "(1)".
11. Clause 86, after line 16 insert—

"(2) A responsible authority must give notice of a specified type 2 application in compliance with this Division."
12. Clause 86, page 89, lines 2 and 3, omit all words and expressions on these lines.
13. Clause 86, page 89, line 16, omit "50D" and insert "50B(2)".
14. Clause 86, page 89, line 22, omit "50D(1)" and insert "50B(2)".
15. Clause 86, page 89, line 30, omit "50D(1)" and insert "50B(2)".
16. Clause 86, page 90, line 11, omit "50D" and insert "50B(2)".
17. Clause 102, line 4, omit "50D(1)" and insert "50B(2)".
18. Clause 102, line 19, omit "50D(1)" and insert "50B(2)".
19. Clause 145, page 140, line 32, omit "50D" and insert "50B(2)".
20. Clause 232, page 216, lines 1 to 7, omit all words and expressions on these lines.
21. Part heading preceding clause 233, omit this heading.
22. Clause 233, omit this clause.
23. Clause 234, omit this clause.
24. Clause 235, omit this clause.
25. Division heading preceding clause 249, omit this heading.
26. Clause 249, omit this clause.

27. Division heading preceding clause 255, omit this heading.
28. Clause 255, omit this clause.
29. Clause 256, lines 8 to 10, omit all words and expressions on these lines.
30. Clause 257, lines 16 to 18, omit all words and expressions on these lines.
31. Clause 258, lines 23 to 25, omit all words and expressions on these lines.
32. Clause 259, lines 31 and 32, omit all words and expressions on these lines.
33. Clause 261, line 9, omit '1AA";' and insert '1AA".'
34. Clause 261, lines 10 and 11, omit all words and expressions on these lines.
35. Clause 262, lines 18 and 19, omit all words and expressions on these lines.