



Standing Committee on Planning, Transport and City Services

Inquiry into Planning Bill 2022 **ANSWER TO QUESTION ON NOTICE**

Asked by Jo Clay MLA:

Reference: Hearing on 7 December 2022

In relation to: Territory Priority Projects

- (1) Why are Territory Priority Projects not a disallowable instrument?
- (2) Why have the provisions in relation to the declaration of territory priority projects (now section 215) changed such that only one of three considerations must be satisfied in order to declare a territory priority project? This is a significantly lesser threshold than current provisions relating to the exercise of call-in powers, and a significant difference to the consultation draft.
- (3) Has consideration been made to establishing a decision-making panel to determine either the declaration or the DA? If not, why not?
- (4) Has consideration been made to establishing a consultation panel that can hear the concerns of community on Territory Priority Projects (or significant development)? If not, why not?

Mick Gentleman MLA: The answer to the Member's question is as follows:–

- 1) A disallowance process presents inherent uncertainty as to the legal status of a project as it proceeds through the development application process and this was not considered to be in the public interest.
- 2) These provisions mirror the current call-in powers under the *Planning and Development Act 2007* and were changed following feedback received during the consultation period.
- 3) No. The Minister may seek the advice of the independent Territory Planning Authority under section 215(4)(a) of the Planning Bill 2022 prior to making a declaration, while the independent Territory Planning Authority must provide advice to the Minister prior to the Minister determining a Development Application under section 183(4).
- 4) No. Public consultation is required to be carried out under section 215(4)(b)(ii) of the Planning Bill 2022 prior to the declaration of a Territory Priority Project and under section 173 for development applications for significant developments.

Approved for circulation to the Standing Committee on Planning, Transport and City Services

Signature:



Date: 19/12/2022

By the Minister for Planning and Land Management, Mick Gentleman MLA