

SECOND READING SPEECH - THE HON BRIAN WIGHTMAN
LAND USE PLANNING AND APPROVALS AMENDMENT
(HISTORIC CULTURAL HERITAGE) BILL 2012

THE HON BRIAN WIGHTMAN MP

MINISTER FOR ENVIRONMENT, PARKS AND HERITAGE

MR SPEAKER:

I move that the Bill now be read a second time.

The purpose of this legislation is to support the amendments passed with respect to the *Historic Cultural Heritage Amendment Bill 2012*.

The principal change is to amend the timeframe by which a planning authority must make a determination for a discretionary planning permit under s57 of the *Land Use Planning and Approvals Act 1993* (the Planning Act).

Currently, the Planning Act requires that a decision must be made within 42 days unless there is an agreed extension of time between the applicant and the planning authority.

Under amendments to the Heritage Act just passed recently, the Heritage Council is able to seek an extra 14 calendar days (or 10 working days) to assess complex discretionary permit applications.

This Bill amends s57 of the Planning Act to reflect this ability.

If the Heritage Council has not required extra time to consider a discretionary permit application under the Heritage Act, the 42 day timeframe for determining a discretionary application under s57 of the Planning Act stands, unless the applicant has agreed to an extension of time with the planning authority.

If the Heritage Council has determined the need for an extra 14 calendar days (10 working days) to consider a discretionary permit application under the *Historic Cultural Heritage Act 1995* the 42 day timeframe for determining a discretionary application under s57 of the Planning Act is extended to 56 days or, if there is a further agreed extension of time between the applicant and the planning authority, by that day.

The remaining amendments are of a house-keeping nature to reflect this principal amendment.

I commend the Bill to the House.