

KP DEVELOPMENTS, KWINANA TOWN PLANNING SCHEME AMENDMENT NO 76, DELAYS

1791. Mrs C.L. Edwardes to the Minister for Planning and Infrastructure

I refer to the Minister's Brief Ministerial Statement relating to the operation of the Town Planning Appeals Tribunal and ask -

- (a) is the Minister aware that the firm of KP Developments has experienced delays of nine months regarding Kwinana Town Planning Scheme Amendment No 76;
- (b) will the Minister explain why these delays have occurred;
- (c) does the Minister regard these delays as acceptable;
- (d) why did the Minister not deal with this matter herself;
- (e) is it correct that this particular amendment was lodged long before the Town Planning Appeals Tribunal came into effect;
- (f) how does the Minister reconcile her statement that the Tribunal had been open for business since Easter and 'is already showing that it will be an effective institution' with the delays experienced by KP Developments;
- (g) has the Minister referred this amendment to the Tribunal;
- (h) if so, when and did the Minister ask for this matter to be given priority, given the delays already experienced;
- (i) if not, why not;
- (j) has any date been set for this matter to be finalised;
- (k) if so, when; and
- (l) if not, why not and when can KP Developments expect an answer?

Ms A.J. MacTIERNAN replied:

The question appears to be predicated on a misunderstanding of the Town Planning Appeals Tribunal. The Tribunal has no role to play in the Town Planning Scheme amendment process.

As Minister for Planning and Infrastructure I granted final approval to Amendment 76 to the Town of Kwinana Town Planning Scheme No 2 on 22 July.

The amendment was subsequently finalised through a notice in the Government Gazette dated 29 July 2003.

The Western Australian Planning Commission is now completing its assessment of the resultant subdivision of the land.

The Town Planning and Development Act 1928 (as amended) does not provide for the right to appeal against decisions on amendments to town planning schemes to be determined by the Town Planning Appeal Tribunal. In fact, the Town Planning Appeal Tribunal has no role in the town planning scheme amendment process.