

Prescribed Single House Development - Decision Making Reform

In July 2024 the State Government rolled out reforms relating to the determination of single houses and related structures.

Development applications for prescribed single house developments can no longer be referred to or 'called in' for determination by a Council's elected members, except where a property is on a local or State heritage list or in a designated heritage area. Determination of prescribed single house developments can only now be performed by the CEO, or an employee of the local government authorised by the CEO.

What is a Prescribed Single House Development?

A prescribed single house development is the erection of, or alterations to, a single house and the erection of, or alterations to, a building, structure, fixture, or feature, that is ancillary or incidental to a single house. This includes any new house, house extension, residential patio/carport, residential shed, granny flat (ancillary accommodation), fence, verandah, garage etc.

Legislative Amendments

The July 2024 reform introduced a new section into the *Planning and Development Act 2005* (section 257C) and into the *Planning and Development (Local Planning Schemes) Regulations 2015* (section 84C). These new sections specifically state that single house development approval functions **must be** performed for and on behalf of the local government by the CEO or an authorised employees of the local government and **cannot** be performed by the Local Government in any other manner (for example, by the Council of the Local Government or a committee of that Council).

What does this mean for the Council?

This reform means that the Council can no longer determine prescribed single house development applications.

What does this mean for our community?

Prescribed single house developments that require development approval will continue to be submitted to the Shire through the normal development application process, where they will be assessed and determined based on their planning merit. Applications that proposed variations to development standards, that may result in amenity impacts, will be publicly advertised. Any submissions received will be given due regard in the decision-making process. If an objection is received, only the CEO or the Director of Planning and Sustainability have the delegation to determine the application.

Additional Information

Scan the QR code for Department of Planning, Lands and Heritage Planning information video on the July reforms to the Decision Making for Single House.

