

Planning (Prescribed Amounts) Amendment Regulation 2024

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Meaghan Scanlon, Minister for Housing, Local Government and Planning and Minister for Public Works provide this human rights certificate with respect to the *Planning (Prescribed Amounts) Amendment Regulation 2024* (the Amendment Regulation) made under the *Planning Act 2016*.

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The policy objectives of the Amendment Regulation are to amend the *Planning Regulation 2017* (the Planning Regulation) to:

- amend the amounts in Schedule 16 to reflect the indexation of the Prescribed amounts since 1 July 2022. Schedule 16 contains the ‘Prescribed amounts’, the maximum amount a local government or distributor-retailer can adopt in a charges resolution, governing what infrastructure charges can be issued. These amounts are automatically indexed annually, and the Department of Housing, Local Government, Planning and Public Works consequently updates the Planning Regulation for ease of use.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 HR Act)

In my opinion, the decision will not engage any human rights under the HR Act.

Consideration of reasonable limitations on human rights (section 13 HR Act)

Not applicable.

Conclusion

I consider that the *Planning (Prescribed Amounts) Amendment Regulation 2024* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

MEAGHAN SCANLON MP
Minister for Housing, Local Government and Planning and
Minister for Public Works