

The Planning Amendment (Better Decisions Made Faster) Act 2026 (the Reform Act)

The Reform Act amended Part 6 of the Planning and Environment Act 1987 (the PE Act) to enforce the PE Act more effectively.

New offences and enforcement orders have been introduced, along with substantial increases to penalties for breaches of the PE Act, the *Planning and Environment Interim Regulations 2026* (the PE Regulations), or planning schemes.

False or misleading statements or information

A new section of the PE Act, 126A, makes it an offence for a person to knowingly or recklessly give false or misleading statements or information or documents to any person carrying out a function or power under:

- the PE Act,
- the PE Regulations, or
- a planning scheme.

This is to ensure that persons carrying out a function under the PE Act, the PE Regulations or a planning scheme are provided with the correct information to carry out that function.

Exemption for misleading information

A person may produce a misleading document to a person or body carrying out enforcement activities under the PE Act if the person also indicates how it is misleading.

Where a person provides such a document, there is also a provision that requires, where practicable, that person to also provide the correct information.

This exemption enables the identification of misleading documents to a person or body conducting investigations into alleged contraventions of the PE Act, PE Regulations or a

planning scheme. For example, a person may wish to provide a copy of a document given to them by a person subject to alleged contravention of planning legislation as evidence that misleading information was provided.

There is no equivalent exemption for the provision of false information.

Penalties

Any person found guilty of an offence under either section 126A(1) or 126A(2) can be issued a penalty of up to 240 penalty units or two years' imprisonment, or both.

Contravention of a supervisory intervention order

New section 132F makes it an offence for a person to contravene a supervisory intervention order.

Penalties

The penalties that can be issued for a person who contravenes a supervisory intervention order are:

- for a natural person, a maximum of 1,200 penalty units, or ten years imprisonment, or both
- for a body corporate, a maximum of 6,000 penalty units.

The definition of 'a person' includes both a *natural person* and a *body corporate*.

Indictable offence

Contravention of a supervisory intervention order is an indictable offence, meaning it carries a lengthy custodial penalty.

Contravention of an industry exclusion order

New section 132H of the PE Act makes it an offence for a person to contravene an industry exclusion order.



Penalties

The penalties that can be issued for a person who contravenes an industry exclusion order are:

- for a natural person, a maximum of 1,200 penalty units, or ten years imprisonment, or both, and
- for a body corporate, a maximum of 6,000 penalty units.

The definition of 'a person' includes both *a natural person* and *a body corporate*.

Indictable offence

Contravention of an industry exclusion order is an indictable offence, meaning it carries a lengthy custodial penalty.