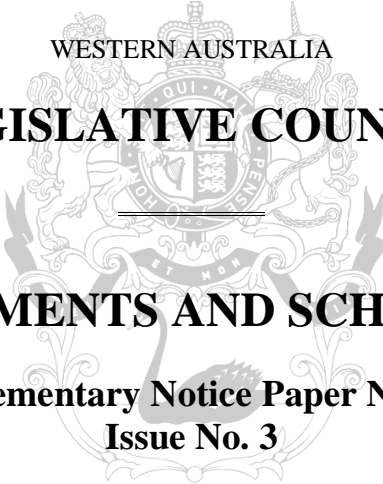


WESTERN AUSTRALIA



LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 192
Issue No. 3

TUESDAY, 16 JUNE 2020

PLANNING AND DEVELOPMENT AMENDMENT BILL 2020 [192-1]

When in committee on the *Planning and Development Amendment Bill 2020*:

Clause 4

Hon Dr Steve Thomas: To move –

1/4 Page 4, line 21 — To delete the line.

Minister for Environment representing the Minister for Planning: To move –

14/4 Page 4, line 21 — To delete the line.

Hon Tjorn Sibma: To move –

2/4 Page 4, after line 25 — To insert:

(vi) the *Local Government Act 1995*;

Minister for Environment representing the Minister for Planning: To move –

15/4 Page 4, lines 26 and 27 — To delete the lines and insert:

- (c) any enactment, other than the following —
- (i) this Act;
 - (ii) an enactment covered by paragraph (b);
 - (iii) the EP Act;

Minister for Environment representing the Minister for Planning: To move –

16/4 Page 7, line 3 — To delete “*commenced* — the” and insert:

commenced — has the

Minister for Environment representing the Minister for Planning: To move –

17/4 Page 8, after line 16 — To insert:

- (3) To avoid doubt, this Part is subject to section 5 of the EP Act.

Hon Tjorn Sibma: To move –

4/4 Page 10, after line 6 — To insert:

- (7) The Premier, within 14 days after a direction is given, is to cause a copy of the direction to be published in the *Gazette* and, as soon as is practicable, is to cause a copy of the direction to be laid before each House of Parliament or dealt with under section 268A.

Minister for Environment representing the Minister for Planning: To move –

18/4 Page 10, after line 6 — To insert:

- (7) The Minister, within 14 days after the day on which a direction is given under subsection (5), must cause a copy of it to be published in the *Gazette* and, as soon as is practicable, must cause a copy of it to be laid before each House of Parliament or dealt with under section 268A.

Hon Tjorn Sibma: To move –

5/4 Page 11, line 25 — To delete “does not have” and insert:

has

Minister for Environment representing the Minister for Planning: To move –

19/4 Page 15, line 22 — To delete the line and insert:

- (a) consult the CEO (as defined in the *Contaminated Sites Act 2003* section 3(1)) if the development is of land referred to in section 58(1)(a)(i) of that Act in respect of which a memorial is registered under section 58 of that Act; and

Hon Charles Smith: To move –

9/4 Page 16, after line 27 — To insert:

- (5A) The Commission must —
 - (a) in the manner the Commission considers appropriate, advertise the development application, inviting members of the public to make submissions to the Commission within the period specified in the invitation; and
 - (b) have due regard to any submissions made by members of the public within that period in response to the invitation.
- (5B) The period specified in the invitation under subsection (5A) must be a period of not less than 28 days after the day on which the development application is first advertised.

Minister for Environment representing the Minister for Planning: To move –

20/4 Page 16, line 28 to page 17, line 7 — To delete the lines and insert:

- (6) The Commission must —
 - (a) consult any person or body not referred to in subsections (2) to (5) whom the Commission considers it appropriate to consult; and
 - (b) in the manner the Commission considers appropriate, advertise the development application, inviting submissions from members of the public generally or from a class or group of members of the public that the Commission considers appropriate; and
 - (c) have due regard to any submissions made by members of the public in response to the invitation under paragraph (b).
- (6A) The Commission may do anything else that is not covered by subsections (2) to (6) and that the Commission considers it appropriate to do in order to obtain a document, information, an opinion or any other contribution from any person or body.

Hon Charles Smith: To move –

10/4 Page 17, lines 1 to 3 — To delete the lines.

Minister for Environment representing the Minister for Planning: To move –

21/4 Page 17, lines 8 and 9 — To delete “referred to in subsection (6)(a), (b) or (c),” and insert:

under subsection (6)(a) or (b) or (6A),

Hon Charles Smith: To move –

11/4 Page 17, line 9 — To delete “(6)(a), (b) or (c),” and insert:

(6)(a) or (c),

Hon Charles Smith: To move –

12/4 Page 17, lines 15 and 16 — To delete the lines.

Minister for Environment representing the Minister for Planning: To move –

22/4 Page 18, lines 34 and 35 — To delete the lines.

Hon Tjorn Sibma: To move –

6/4 Page 19, line 14 — To delete “48 months” and insert:

24 months

Minister for Environment representing the Minister for Planning: To move –

23/4 Page 24, after line 24 — To insert:

- (6A) The Minister, within 14 days after the day on which the direction is given, must cause a copy of it to be published in the *Gazette* and, as soon as is practicable, must cause a copy of it to be laid before each House of Parliament or dealt with under section 268A.

Hon Tjorn Sibma: To move –

7/4 Page 24, after line 27 — To insert:

- (8) The Minister, within 14 days after a direction is given, is to cause a copy of the direction to be published in the *Gazette* and, as soon as practicable, is to cause a copy of the direction to be laid before each House of Parliament or dealt with under section 268A.

Hon Tjorn Sibma: To move –

8/4 Page 26, after line 24 — To insert:

- (7) The Minister, within 14 days after a direction is given, is to cause a copy of the direction to be published in the *Gazette* and, as soon as is practicable, is to cause a copy of the direction to be laid before each House of Parliament or dealt with under section 268A.

Minister for Environment representing the Minister for Planning: To move –

24/4 Page 26, after line 24 — To insert:

- (7) The Minister, within 14 days after the day on which the direction is given, must cause a copy of it to be published in the *Gazette* and, as soon as is practicable, must cause a copy of it to be laid before each House of Parliament or dealt with under section 268A.

Hon Charles Smith: To move –

13/4 Page 27, lines 1 to 3 — To delete the lines and insert:

- (2) Any of the following may apply to the State Administrative Tribunal (the *Tribunal*) for a review of the Commission’s decision to make the determination —
 - (a) the applicant;
 - (b) any person who, within the period specified in the invitation under section 276(5A) (including as applied by section 279(6)), made a submission in response to the invitation and who, in that submission, objected to, or in effect objected to, as the case requires —
 - (i) the granting of approval for the development or any part or aspect of the development; or
 - (ii) the granting of the application under section 279.

