

LEGISLATIVE COUNCIL

PLANNING AND ENVIRONMENT AMENDMENT BILL 2021

(Amendments and New Clause to be proposed in Committee by Dr RATNAM)

1. Clause 1, line 6, after "buildings" insert ", objects, trees and landscapes".
2. Clause 3, line 5, omit "definition—" and insert "definitions—".
3. Clause 3, line 9, omit 'scheme;.'" and insert "scheme;"
4. Clause 3, after line 9 insert—

'heritage landscape means a landscape or geological formation which is a place, or forms part of a place, that has been given heritage protection under a planning scheme;

'heritage object means an object which has been given heritage protection under a planning scheme;

'heritage tree means a tree which has been given heritage protection under a planning scheme;".'
5. Clause 4, line 13, after "**buildings**" insert "etc.".
6. Clause 4, line 22, after "demolishing" insert ", destroying or removing".
7. Clause 4, line 23, omit "buildings;" and insert "buildings, heritage objects, heritage trees or heritage landscapes;".
8. Clause 4, line 24, after "buildings" insert "or heritage objects".
9. Clause 4, line 28, after "demolishing" insert ", destroying or removing".
10. Clause 4, line 29, omit "buildings;" and insert "buildings, heritage objects, heritage trees or heritage landscapes;".
11. Clause 4, line 30, after "buildings" insert "or heritage objects".
12. Clause 4, page 4, line 5, after "building" insert ", heritage object, heritage tree or heritage landscape".
13. Clause 4, page 4, line 6, after "demolished," insert "destroyed or removed,".
14. Clause 4, page 4, line 7, after "or" insert ", in the case of a heritage building or heritage object,".

15. Insert the following New Clause to follow clause 19—

'19A Approval of amendment by Minister

After section 35(4) of the **Planning and Environment Act 1987**
insert—

- "(5) If an amendment is submitted to the Minister under section 31, the Minister must approve or refuse to approve the amendment or a part of the amendment within the period of 90 days after receiving the amendment and the prescribed information.
- (6) The Minister may extend the period referred to in subsection (5) by a further 30 days, by notice published in the Government Gazette before the end of that period.
- (7) The Minister may extend the period referred to in subsection (5) once only.
- (8) If, within the period allowed by subsection (5) or (6), the Minister does not approve or refuse to approve an amendment or a part of an amendment submitted to the Minister under section 31, the amendment is taken to be approved in full.".'
16. Clause 20, page 18, line 4, omit 'amendment.'".' and insert "amendment."
17. Clause 20, page 18, after line 4 insert—
- '(1A) To avoid doubt, the Minister must publish notice of the approval of an amendment in the Government Gazette even if—
- (a) the Minister does not intend to make a copy of the approved amendment available in accordance with subsection (1)(a) or (b); or
- (b) the amendment was taken to be approved under section 35(8).".'