

LEGISLATIVE COUNCIL

PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS
AUTHORITY AND MISCELLANEOUS) BILL 2013

(Amendments and New Clause to be proposed in Committee by Mr TEE)

1. Clause 8, lines 6 to 8, omit all words and expressions on these lines.
2. Clause 8, line 12, omit "section 97D(3)" and insert "Division 6".
3. Clause 8, lines 15 and 16, omit "responsible authority specified in the planning scheme" and insert "ongoing responsible authority (within the meaning of Division 6)".

NEW CLAUSE

4. Insert the following New Clause to follow clause 9—

'A Section 97A substituted

For section 97A of the **Planning and Environment Act 1987**
substitute—

"97A Definitions

In this Division—

ongoing responsible authority has the meaning set out in
section 97H(4);

referring responsible authority means the responsible
authority that referred an application to the Minister under
section 97B or 97C." . '

5. Clause 10, omit this clause.
6. Clause 11, line 25, omit "(1)".
7. Clause 11, lines 28 to 33, omit all words and expressions on these lines.
8. Clause 12, lines 4 and 5, omit "responsible authority specified in the planning scheme" and insert "ongoing responsible authority".
9. Clause 13, after line 6 insert—
 - '() In section 97H of the **Planning and Environment Act 1987**, for "Once"
substitute "Subject to subsections (2) and (3), once". . '
10. Clause 13, line 7, before "In section" insert "(2)".
11. Clause 13, after line 10 insert—
 - '() At the end of section 97H of the **Planning and Environment Act 1987**
insert—

- "(2) If at the time of the grant of the permit, the responsible authority specified in the planning scheme is not the same person as the referring responsible authority, the responsible authority specified in the planning scheme does not become the responsible authority for the administration and enforcement of this Act and the relevant planning scheme in respect of the permit (whether or not the permit is amended) under subsection (1) unless it consents to becoming the responsible authority for those purposes.
- (3) If the responsible authority specified in the planning scheme does not give consent under subsection (2), the referring responsible authority becomes the responsible authority for the administration and enforcement of this Act and the relevant planning scheme in respect of the permit (whether or not the permit is amended) under subsection (1).
- (4) The person that is to be the responsible authority for the administration and enforcement of this Act and the relevant planning scheme in respect of the permit (whether or not the permit is amended) under subsection (1), except for the matters in respect of which the Minister remains the responsible authority for the permit under that subsection, is the *ongoing responsible authority*." . '

12. Clause 14, lines 14 and 15, omit "responsible authority specified in the planning scheme" and insert "ongoing responsible authority".

13. Clause 15, lines 19 and 20, omit "responsible authority specified in the planning scheme" and insert "ongoing responsible authority".