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**PLANNING AND INFRASTRUCTURE**

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PI301\*

Planning and Development (Consequential and Transitional Provisions)  
Act 2005

## **Planning and Development (Consequential) Regulations 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Planning and Development (Consequential) Regulations 2006*.

### **2. Statements of planning policy amended**

Each statement of planning policy made under the *Town Planning and Development Act 1928* section 5AA and in force on the coming into operation of these regulations is amended by deleting each reference to “statement of planning policy”, or that term using capital letters in one or more places, and inserting instead —

“ State planning policy ”.

### **3. Metropolitan Region Scheme amended**

- (1) The amendments in this regulation are to the Metropolitan Region Scheme as defined in the *Planning and Development Act 2006*.
- (2) Clause 3 is amended as follows:
  - (a) by inserting before “In” the subclause designation “(1)”;
  - (b) by deleting “Expressions used in this Scheme have respectively the same meaning as in the Scheme Act and the Town Planning and Development Act 1928, as amended from time to time.”;
- (3) At the end of clause 3 the following subclause is inserted —

“

  - (2) A word or expression used in this Scheme has the same meaning as it has in the *Planning and Development Act 2005* unless —
    - (a) this Scheme gives it another meaning; or

”

- (b) the contrary intention appears in some other way.
- ”.
- (4) Clause 5 is amended by deleting “section 19 of the Scheme Act” and inserting instead —
- “
- section 16 of the *Planning and Development Act 2005*
- ”.
- (5) Clause 7 is amended by deleting “Scheme Act” and inserting instead —
- “ *Planning and Development Act 2005* ”.
- (6) Clause 20(1) is amended by deleting “Scheme Act” and inserting instead —
- “ *Planning and Development Act 2005* ”.
- (7) Clause 20(3) is amended by deleting “Scheme Act” and inserting instead —
- “ *Planning and Development Act 2005* ”.
- (8) Clause 21 is amended as follows:
- (a) by deleting “Town Planning Scheme” and inserting instead —
- “ local planning scheme ”;
- (b) by deleting “Town Planning scheme” and inserting instead —
- “ local planning scheme ”.
- (9) Clause 24(2)(a) is amended by deleting “section 35C of the Scheme Act” and inserting instead —
- “ section 112 of the *Planning and Development Act 2005* ”.
- (10) Clause 29(1) is amended as follows:
- (a) in paragraph (b) by deleting “section 35C of the Scheme Act” and inserting instead —
- “
- section 112 of the *Planning and Development Act 2005*
- ”.
- (b) in paragraph (c) by deleting “section 20 of the *Western Australian Planning Commission Act 1985*” and inserting instead —
- “
- section 16 of the *Planning and Development Act 2005*
- ”.

- (11) Clause 29(2) is amended by deleting “*Western Australian Planning Commission Act 1985*” and inserting instead —  
“ *Planning and Development Act 2005* ”.
- (12) Clause 30(1) is amended by deleting “Scheme Act” and inserting instead —  
“ *Planning and Development Act 2005* ”.
- (13) Clause 30A(5) is amended by deleting “section 18(4) of the *Western Australian Planning Commission Act 1985*” and inserting instead —  
“  
section 17 of the *Planning and Development Act 2005* ”.
- (14) Clause 30A(6) is amended by deleting “Scheme Act” and inserting instead —  
“ *Planning and Development Act 2005* ”.
- (15) Clause 33(1) is amended by deleting “an operative Town Planning Scheme or a Town Planning Scheme made or amended pursuant to section 35 of the Scheme Act” and inserting instead —  
“ a local planning scheme ”.
- (16) Clause 33(2) is repealed and the following subclause is inserted instead —  
“  
(2) Part 14 of the *Planning and Development Act 2005* applies to an appeal under subclause (1). ”.
- (17) Clause 40 is amended by deleting “Scheme Act” and inserting instead —  
“ *Planning and Development Act 2005* ”.
- (18) Clause 41 is amended by deleting “sub-section (6) of section 37 of the Scheme Act.” and inserting instead —  
“ section 196 of the *Planning and Development Act 2005* ”.
- (19) Clause 43 is amended by deleting “Section 33H of the Scheme Act” and inserting instead —  
“  
sections 50 and 61 of the *Planning and Development Act 2005* ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.