

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Amendment Regulations (No. 3) 2022

SL 2022/178

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Planning and Development (Local Planning Schemes) Amendment Regulations (No. 3) 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) Part 2 — on the day on which the *Emergency Management Amendment (Temporary COVID-19 Provisions) Act 2022* section 7 comes into operation;
- (c) the rest of the regulations — on the day on which the *Emergency Management Amendment (Temporary COVID-19 Provisions) Act 2022* section 30 comes into operation.

3. Regulations amended

These regulations amend the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Part 2 — Amendments relating to *Emergency Management Act 2005 Part 6A*

4. Schedule 2 Part 10B heading amended

In the heading to Schedule 2 Part 10B after “**emergency**” insert:

or COVID-19 declaration

5. Schedule 2 clause 78H amended

- (1) In Schedule 2 clause 78H(1) delete “Part 5” and insert:

Part 5, or a COVID-19 declaration is in force under Part 6A of that Act,

- (2) In Schedule 2 clause 78H(2) delete “the emergency to which the state of emergency declaration relates.” and insert:

as the case requires —

- (a) the emergency to which the state of emergency declaration relates; or
- (b) the occurrence of COVID-19 in the area to which the COVID-19 declaration applies.

- (3) In Schedule 2 clause 78H(4) after “declaration” insert:

or the COVID-19 declaration, as the case requires,

Note: The heading to amended Schedule 2 clause 78H is to read:

Minister may issue notice of exemption from planning requirements if state of emergency declaration or COVID-19 declaration in force

6. Schedule 2 clause 78J amended

In Schedule 2 clause 78J(2)(a) after “declaration” insert:

or the COVID-19 declaration, as the case requires,

**Part 3 — Amendments relating to deletion of
*Emergency Management Act 2005 Part 6A***

7. Schedule 2 Part 10B heading amended

In the heading to Schedule 2 Part 10B delete “or COVID-19 declaration”.

8. Schedule 2 clause 78H amended

- (1) In Schedule 2 clause 78H(1) delete “Part 5, or a COVID-19 declaration is in force under Part 6A of that Act,” and insert:

Part 5

- (2) In Schedule 2 clause 78H(2) delete the passage that begins with “as the case requires — ” and ends with “applies.” and insert:

the emergency to which the state of emergency declaration relates.

- (3) In Schedule 2 clause 78H(4) delete “or the COVID-19 declaration, as the case requires,”.

Note: The heading to amended Schedule 2 clause 78H is to read:

Minister may issue notice of exemption from planning requirements in state of emergency

9. Schedule 2 clause 78J amended

In Schedule 2 clause 78J(2)(a) delete “or the COVID-19 declaration, as the case requires,”.

V. MOLAN, Clerk of the Executive Council.
