

WESTERN AUSTRALIA

**PLANNING LEGISLATION
AMENDMENT ACT 1993**

No. 35 of 1993

AN ACT to amend the *Metropolitan Region Town Planning Scheme Act 1959* and the *State Planning Commission Act 1985*.

[Assented to 16 December 1993]

The Parliament of Western Australia enacts as follows:

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Planning Legislation Amendment Act 1993*.

Commencement

2. This Act comes into operation on the day on which it receives the Royal Assent.

**PART 2 — METROPOLITAN REGION TOWN PLANNING
SCHEME ACT 1959**

Principal Act

3. In this Part the *Metropolitan Region Town Planning Scheme Act 1959** is referred to as the principal Act.

[* Reprinted as at 11 March 1993.]

Section 33 amended

4. (1) Section 33 (2) (f) (i) of the principal Act is amended by deleting “a subcommittee of the Commission appointed by it for the purpose and which it is hereby authorized to appoint.” and substituting the following —

“
a committee of the Commission established under
section 19 of the *State Planning Commission Act 1985*.
”

(2) Section 33 (2) (f) (ii) of the principal Act is amended by deleting “a subcommittee of the Commission.” and substituting the following —

“
by a committee of the Commission established under
section 19 of the *State Planning Commission Act 1985*.
”

(3) After section 33 (2) (g) of the principal Act the following paragraph is inserted —

“
(gaa) For the purposes of paragraph (g) the
Commission may adopt a report by a
committee referred to in paragraph (f) and
submit it as, or include it in, the report of
the Commission.
”

(4) After section 33 (6) of the principal Act the following subsection is inserted —

“

(7) Where the Council is performing the functions of the Commission under this section pursuant to a delegation under section 20 of the *State Planning Commission Act 1985*, a reference in subsection (2) (f) to a committee of the Commission established under section 19 of that Act is to be read as a reference to a committee of the Council established under section 36 of that Act.

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PART 3 — STATE PLANNING COMMISSION ACT 1985

Principal Act

5. In this Part the *State Planning Commission Act 1985** is referred to as the principal Act.

[* *Act No. 91 of 1985.*

For subsequent amendments see 1992 Index to Legislation of Western Australia, Table 1, p. 200.]

Section 19 amended

6. Section 19 (1) (a) of the principal Act is deleted and the following paragraphs are substituted —

“

(a) establish committees and —

(i) prescribe the constitution of any committee;
and

(ii) authorize a committee to establish any subcommittee;

(aa) appoint such —

(i) members of the Commission;

(ii) members of the Commission and other persons; or

(iii) persons other than members of the Commission,

as the Commission thinks fit to be members or deputy members of a committee established under paragraph (a);

”

Section 36 amended

7. Section 36 (1) (a) of the principal Act is deleted and the following paragraphs are substituted —

“

(a) establish committees and prescribe the constitution of any committee;

(aa) appoint such —

(i) members of the Council;

(ii) members of the Council and other persons;
or

(iii) persons other than members of the Council,

as the Council thinks fit to be members of a committee established under paragraph (a);

”.