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SWAN AND CANNING RIVERS (CONSEQUENTIAL AND
TRANSITIONAL PROVISIONS) ACT 2006



**SWAN AND CANNING RIVERS
(TRANSITIONAL)
REGULATIONS 2007**

Swan and Canning Rivers (Consequential and Transitional Provisions)
Act 2006

**Swan and Canning Rivers (Transitional)
Regulations 2007**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Swan and Canning Rivers (Transitional) Regulations 2007*.

Note: Under the *Interpretation Act 1984* section 25(3), these regulations take effect on the day on which the *Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006* section 9 commences.

2. Interpretation

(1) In these regulations —

“**commencement day**” means the day on which the *Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006* section 9 commences;

“**repealed Act**” means the *Swan River Trust Act 1988*.

(2) Unless the contrary intention appears, words and expressions used in these regulations have the same meaning as they have in the *Swan and Canning Rivers Management Act 2006*.

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3. Pending Part 5 development applications

- (1) An application for approval of a development made under Part 5 of the repealed Act and not finally dealt with under the repealed Act immediately before the commencement day is to be dealt and determined under the repealed Act as if the *Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006* section 4 and the *Swan and Canning Rivers Management Act 2006* Part 5 had not been enacted.
- (2) Despite subregulation (1), the Trust, in dealing with an application referred to in that subregulation after the coming into operation of these regulations, is to be constituted under the *Swan and Canning Rivers Management Act 2006*.
- (3) A development referred to in subregulation (1) in respect of which all necessary approvals under the repealed Act are given may be lawfully carried out as if it were approved under the *Swan and Canning Rivers Management Act 2006*, and the *Swan and Canning Rivers Management Act 2006* section 70 applies in relation to the approval, and any conditions and restrictions attached to the approval, accordingly.

4. Pending MRS development applications

An application for approval of a development made under the Metropolitan Region Scheme and not finally dealt with immediately before the commencement day is to be dealt and determined as if the *Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006* Part 4 had not been enacted.

5. Section 10 agreements

Any agreement made under the repealed Act section 10 and of effect immediately before the commencement day continues in force for the term of the agreement or, if no term is specified in the agreement, until —

- (a) 2 years after the commencement day; or

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- (b) the agreement is replaced by an arrangement made under the *Swan and Canning Rivers Management Act 2006* section 27,
whichever is the sooner.

By Command of the Governor,

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