

PI302*

Planning and Development (Consequential and Transitional Provisions)
Act 2005

Planning and Development (Transitional) Regulations 2006

Made by the Governor in Executive Council.

1. Citation

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

2. Commencement

These regulations are deemed to have come into operation on 9 April 2006.

3. State planning policies in course of preparation

- (1) In this regulation —
“**commencement day**” means the day on which the *Planning and Development Act 2005* section 28 comes into operation.
- (2) Any statement of planning policy or amendment to a statement of planning policy that, immediately before the commencement day, was being prepared under the *Town Planning and Development Act 1928*, may continue to be prepared as a State planning policy or amendment to a State planning policy under the *Planning and Development Act 2005* as if the steps taken under the *Town Planning and Development Act 1928* were taken under the *Planning and Development Act 2005*.
- (3) For the purposes of subregulation (2), if the Western Australian Planning Commission, before the commencement day, had complied with the requirements of the *Town Planning and Development Act 1928* section 5AA(3) in relation to the statement of planning policy or amendment, the Commission is not required to comply with the requirements of the *Planning and Development Act 2005* sections 27 and 28.

4. Construction of references in instruments of delegation

Unless the context otherwise requires, a reference in an instrument of delegation made under an Act repealed by the *Planning and Development (Consequential and Transitional*

*Provisions) Act 2005 to a provision repealed under that Act includes a reference to the corresponding provision, if any, of the *Planning and Development Act 2005*.*

By Command of the Governor,

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