

Swan and Canning Rivers Management Amendment Regulations (No. 2) 2023

SL 2023/63

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Swan and Canning Rivers Management Amendment Regulations (No. 2) 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Swan and Canning Rivers Management Amendment Act 2023* section 3 comes into operation.

3. Regulations amended

These regulations amend the *Swan and Canning Rivers Management Regulations 2007*.

4. Regulation 8 replaced

Delete regulation 8 and insert:

8. Application of this Division

This Division does not apply to —

- (a) anything done in accordance with an approval for the purposes of section 70; or
- (b) anything done in accordance with a determination of the Western Australian Planning Commission under the Metropolitan Region Scheme clause 30A; or
- (c) anything done in accordance with a licence agreement; or
- (d) anything that may lawfully be done because of section 69(4).

5. Regulation 16A amended

Delete regulation 16A(b) and insert:

- (b) the person holds a permit to carry out the activity.

6. Regulation 16 replaced

Delete regulation 16 and insert:

16. Application of this Part

This Part does not apply to —

- (a) anything done in accordance with an approval for the purposes of section 70; or
- (b) anything done in accordance with a determination of the Western Australian Planning Commission under the Metropolitan Region Scheme clause 30A; or
- (c) anything done in accordance with a licence agreement; or
- (d) anything that may lawfully be done because of section 69(4).

7. Regulation 17 amended

Delete regulation 17(2)(b)(i) and insert:

- (i) in accordance with a licence granted under the *Conservation and Land Management Regulations 2002* regulation 94; or

Note: The heading to amended regulation 17 is to read:

Restrictions on commercial acts and activities

8. Regulation 31 amended

After regulation 31(1) insert:

- (1A) Without limiting subregulation (1), the CEO may impose a condition on a permit that requires the holder to take out and maintain insurance in connection with the activity to which the permit relates.

9. Schedule 1 amended

In Schedule 1 in the item for regulation 16A delete “licence or”.

10. Schedule 2 Form 1 replaced

Delete Schedule 2 Form 1 and insert:

Form 1

Swan and Canning Rivers Management Act 2006

Section 72

APPLICATION FOR APPROVAL OF DEVELOPMENT

1. Applicant details

The applicant is the person with whom the department, on behalf of the Chief Executive Officer, will correspond, unless an authorised agent has been appointed to act on behalf of the applicant, in which case correspondence will be sent direct to the agent.

Name			
Position (if applicable)			
Organisation (if applicable)			
Contact person			
Postal address			
Town/Suburb		State	
		Postcode	
Telephone	Work		Mobile
Email			

I give authority for an agent (as identified at item No. 3) to act on my behalf during ☐ YES ☐ NO the assessment of the application.

If 'YES', please provide Agent's details at item No. 3.

Applicant signature		Date	
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2. Landowner details

All owner(s) of the land **must sign this application**. Where land is owned by the Crown, or has a management order granted to a local government or other agency, this application must be signed by the relevant landowner or management body as required under section 72(5)(a) of the Act. If there are more than 2 landowners, please provide the additional information and signature(s) on a separate page.

Details of first landowner

Name			
Position (if applicable)			
Organisation (if applicable)			
Contact person			
Postal address			
Town/suburb		State	
		Postcode	

I consent to this application being made.

First landowner
signature

Date

Details of second landowner (if applicable)

Name

Position (if applicable)

Organisation (if
applicable)

Contact person

Postal address

Town/suburb

State

Postcode

I consent to this application being made.

Second landowner
signature

Date

3. Authorised agent details (if applicable)

The applicant must sign the form and tick the authorisation under item No. 1 to provide authority for an appointed authorised agent to act on their behalf.

Details of authorised agent

Name

Position (if applicable)

Company/agency (if
applicable)

ACN/ABN (if applicable)

Postal address

Town/suburb

State

Postcode

Telephone

Work

Mobile

Email

Authorised agent
signature

Date

4. Location of proposed development

Certificate of title
information

Volume

Folio

Diagram/plan/deposit plan no.

Lot No.(s)

Location	<input type="text"/>
Reserve No.(s) (if applicable)	<input type="text"/>
Street No.(s) and name	<input type="text"/>
Town/suburb	<input type="text"/>
Nearest road intersection	<input type="text"/>

5. Details of proposed development

Please provide a written description of the proposed development (refer to the Development Application Guidelines for further details on what information to include in this section).

Estimated cost of development	<input type="text" value="\$"/>
Current use of land	<input type="text" value="Please describe below how the land is currently used."/>
Proposed development	<input type="text" value="Please provide a summary of the proposed use and development. Additional detail should be provided as an attachment to this application form."/>

V. MOLAN, Clerk of the Executive Council.