

AG301*

Soil and Land Conservation Act 1945

Soil and Land Conservation Amendment Regulations 2004

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Soil and Land Conservation Amendment Regulations 2004*.

2. The regulations amended

The amendments in these regulations are to the *Soil and Land Conservation Regulations 1992**.

[* *Published in Gazette 17 June 1992, p. 2519-29.*

For amendments to 9 March 2004 see Western Australian Legislation Information Tables for 2002, Table 4, p. 357.]

3. Regulation 5 amended

- (1) Regulation 5(1) is amended by deleting “in the manner set forth in Form 2 in Schedule 2.” and inserting instead —
“ in a form approved by the Commissioner. ”.
- (2) After regulation 5(2) the following subregulation is inserted —
“
 - (2a) A notice under subregulation (1) or (2) is to be accompanied by —
 - (a) a plan or an aerial photograph in a scale approved by the Commissioner —
 - (i) with a north point and the scale clearly marked;”

- (ii) identifying the land to which the notice relates and adjacent land, including lot or location numbers;
 - (iii) showing the location of the proposed drains or pumping works, and where the water will be discharged; and
 - (iv) showing any public roads adjacent to the land to which the notice relates;
- and
- (b) any approval, permission or consent to —
 - (i) carry out the proposed draining or pumping, or to discharge the water; or
 - (ii) construct any works to be used for the proposed drainage or pumping, or to discharge the water,
 obtained under any law of the State, or any application submitted for such approval, permission or consent.

”.

4. Regulation 6 amended

- (1) Regulation 6(1) is amended by deleting “in the manner set forth in Form 3 in Schedule 2.” and inserting instead —
 - “ in a form approved by the Commissioner. ”.
- (2) After regulation 6(2) the following subregulation is inserted —
 - “
 - (2a) A notice under subregulation (1) or (2) is to be accompanied by —
 - (a) a plan or an aerial photograph in a scale approved by the Commissioner —
 - (i) with a north point and the scale clearly marked;
 - (ii) identifying the land to which the notice relates and adjacent land, including lot or location numbers;
 - (iii) showing the location of the proposed drains or pumping works, and where the water will be discharged; and
 - (iv) showing any public roads adjacent to the land to which the notice relates;
 - and
 - (b) any approval, permission or consent to —
 - (i) carry out the proposed draining or pumping, or to discharge the water; or

- (ii) construct any works to be used for the proposed drainage or pumping, or to discharge the water,

obtained under any law of the State, or any application submitted for such approval, permission or consent.

”.

5. Regulation 14 inserted

After regulation 13 the following regulation is inserted —

“

14. False statements in notices

A person who in any notice given to the Commissioner under regulation 4, 5 or 6 —

- (a) makes a statement which the person knows is false or misleading in a material particular;
- (b) makes a statement which is false or misleading in a material particular, with reckless disregard as to whether or not the statement is false or misleading in a material particular;
- (c) provides, or causes to be provided, information that the person knows is false or misleading in a material particular; or
- (d) provides, or causes to be provided, information that is false or misleading in a material particular, with reckless disregard as to whether the information is false or misleading in a material particular,

commits an offence.

Penalty: \$1 000.

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6. Schedule 2 amended

Schedule 2 is amended by deleting Forms 2 and 3.

By Command of the Lieutenant-Governor and
deputy of the Governor,

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