
ENVIRONMENTAL PROTECTION

EP301*

Environmental Protection Act 1986

Environmental Protection Amendment Regulations (No. 2) 2000

Made by the Governor in Executive Council on the recommendation of the Environmental Protection Authority.

1. Citation

These regulations may be cited as the *Environmental Protection Amendment Regulations (No. 2) 2000*.

2. The regulations amended

The amendments in these regulations are to the *Environmental Protection Regulations 1987**.

[* Reprinted 2 April 1999.

For amendments to 28 September 2000 see Gazette 17 December 1999, 7 July and 4 and 15 August 2000.]

3. Part 7A inserted

After Part 7 the following Part is inserted —

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Part 7A — Burning on development sites

16A. Interpretation

In this Part —

“**development site**” means a lot that is, or contiguous lots that are together, larger than 2 000 m² and on which development work is being carried out;

“**development work**” means work to develop land for use, including —

- (a) the clearing of vegetation or topsoil;
- (b) recontouring or other bulk earthworks; or
- (c) trench or road construction;

“**lot**” has the meaning given by the *Town Planning and Development Act 1928*.

16B. Burning on development sites prohibited in certain areas

A person who, in an area prescribed in Schedule 5A, burns, or causes or allows to be burned, vegetation or other matter on or from a development site commits an offence unless —

- (a) the person is a public authority and the burning is done in the exercise of a function conferred by a written law; or
- (b) the burning is carried out for agricultural purposes.

Penalty: \$5 000.

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4. Schedule 5A inserted

After Schedule 5, the following Schedule is inserted —

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Schedule 5A — Areas where burning matter on or from development sites is prohibited

[r. 16B]

1. Perth metropolitan area

The area comprising the area bound by the coastline and the local government district boundaries of the City of Wanneroo, the City of Swan, the Shire of Mundaring, the Shire of Kalamunda, the City of Armadale, the Shire of Serpentine-Jarrahdale and the City of Rockingham.

2. Mandurah area

The area comprising the local government district of the City of Mandurah.

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5. Schedule 6 amended

Schedule 6 is amended by deleting items 7, 8 and 9 under the heading “*Environmental Protection Regulations 1987*” and inserting instead the following item —

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7. regulation 16B	500	1 000
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Recommended by the Environmental Protection Authority.

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Chairman

By Command of the Governor,

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