

[Extract from Government Gazette (No. 175) of Friday, 11 December, 1992]

ENVIRONMENTAL PROTECTION ACT 1986
ENVIRONMENTAL PROTECTION (PEEL INLET-HARVEY ESTUARY) POLICY APPROVAL ORDER 1992

Made by the Minister under section 31 (d).

Citation

1. This order may be cited as the *Environmental Protection (Peel Inlet-Harvey Estuary) Policy Approval Order 1992*.

Approval and commencement of environmental protection policy

2. The environmental protection policy set out in the Schedule —
- (a) is approved; and
 - (b) shall have the force of law on and from the day on which this order is published in the *Gazette*.

SCHEDULE

(Clause 2)

ENVIRONMENTAL PROTECTION ACT 1986
ENVIRONMENTAL PROTECTION (PEEL INLET-HARVEY ESTUARY) POLICY 1992

Approved by the Minister under section 31 (d).

PART 1 — PRELIMINARY

Citation

1. This policy may be cited as the *Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992*.

Purpose of policy

2. The purpose of this policy is —

- (a) to set out environmental quality objectives for the Estuary which if achieved will rehabilitate the Estuary and protect the Estuary from further degradation; and
- (b) to outline the means by which the environmental quality objectives for the Estuary are to be achieved and maintained.

Interpretation

3. In this policy, unless the contrary intention appears —

“environmental quality objectives” means the environmental quality objectives set out in clause 7;

“Estuary” means Peel Inlet and Harvey Estuary;

“median load (mass) of total phosphorus” means the middle observed phosphorus load in the observed series of measured annual phosphorus loads, measured over the immediately preceding 10 year period;

“Planning Policy” means “Statement of Planning Policy No. 2; The Peel-Harvey Coastal Plain Catchment” prepared by the State Planning Commission under the *Town Planning and Development Act 1928* and published in the *Gazette* of 21 February 1992 at pp. 947-955, and includes any amendments made to that Policy;

“policy area” means the portion of the environment to which this policy applies;

“this policy” means this environmental protection policy.

Application

4. The portion of the environment to which this policy applies is the area of land defined in Schedule 1.

PART 2 — BASIS FOR PROTECTION OF ESTUARY, ENVIRONMENTAL QUALITY OBJECTIVES, AND ACHIEVEMENT AND MAINTENANCE OF THOSE OBJECTIVES

Beneficial uses

5. The following uses of the Estuary are declared to be beneficial uses to be protected under this policy —

- (a) use of the Estuary as a resource for studying the natural environment;

- (b) use of the Estuary as a habitat for diverse and abundant native flora and fauna communities;
- (c) use of the Estuary to support commercial and amateur fisheries;
- (d) use of the Estuary for recreation, tourism and landscape amenity;
- (e) use of the Estuary as a focus for residential development.

Basis for protection of Estuary

6. (1) Nutrient enrichment of the Estuary has been caused by the clearing of native vegetation in the policy area and by land uses that result in nutrients, especially phosphorus, leaching into waterways in the policy area and then flowing into the Estuary.

(2) Nutrient enrichment in the Estuary has stimulated the excessive growth of algae, causing the degradation of the Estuary and creating a serious public nuisance.

Environmental quality objectives

7. The environmental quality objectives to be achieved and maintained in respect of the Estuary are a median load (mass) of total phosphorus flowing into the Estuary of less than 75 tonnes with —

- (a) the median load (mass) of total phosphorus flowing into the Estuary from the Serpentine River being less than 21 tonnes;
- (b) the median load (mass) of total phosphorus flowing into the Estuary from the Murray River being less than 16 tonnes; and
- (c) the median load (mass) of total phosphorus flowing into the Estuary from the Harvey River and drains being less than 38 tonnes.

Achievement and maintenance of environmental quality objectives

8. (1) The rehabilitation and protection of the Estuary is to be effected by the achievement and maintenance of the environmental quality objectives, objectives which will prevent excessive growth of algae in the Estuary.

(2) The environmental quality objectives are to be achieved and maintained through —

- (a) implementation of the Planning Policy by local authorities through their relevant town planning schemes, and by the State Planning Commission through the Metropolitan Region Scheme;

- (b) appropriate land management by landholders and management authorities in the policy area;
- (c) government extension services including the provision of advice to landholders in the policy area; and
- (d) local authorities and the State ensuring that decisions and actions are compatible with the achievement and maintenance of the environmental quality objectives.

SCHEDULE 1

(Clause 4)

POLICY AREA

PEEL HARVEY CATCHMENT AREA

All that portion of land bounded by lines starting from the southernmost southeastern corner of Lot 1 of Wellington Location 50A as shown on Office of Titles Diagram 13001, a point on a northeastern side of the dedicated section of Korijekup Avenue, and extending northwesterly along that side and the northeastern side of the undedicated section of that road and onward to a northwestern side of Government Road; thence southwesterly along that side to the northern side of Harrison Road; thence westerly along that side to the southeastern corner of Lot 3 of Location 696 as shown on Office of Titles Plan 3500 (3); thence northerly along that boundary to the easternmost southern boundary of Location 3297; thence easterly, northerly and westerly along boundaries of that location to the easternmost southeastern corner of Uduc Agriculture Area Lot 46; thence northerly along the easternmost eastern boundary of that lot and onwards to a northern side of Fouracre Road, thence westerly along that side to an eastern side of Wellard Road; thence northerly and westerly along sides of that road to a eastern side of Babbage Road; thence northerly along that side to the prolongation easterly of the northern side of Smith Road; thence westerly to and along that side and onwards to a western side of Richardson Road; thence generally northerly along sides of that road to a southern side of Riverdale Road; thence generally westerly along sides of that road to a northeastern side of Old Coast Road; thence generally northwesterly along sides of that road to the southwestern corner of Lake Clifton Townsite; thence easterly and northerly along boundaries of that townsite to a southern side of Clifton Road; thence easterly and generally southeasterly along sides of that road to the prolongation southerly of the western boundary of the southwestern severance of Location 3168; thence northerly to and along that boundary to the southeastern corner of Lot 162 of Murray Location 793 as shown on Office of Titles Plan 15946; thence westerly along the southern boundary of that lot and the southern boundaries of Lots 163, 165, 166, 167 and westerly along the southern boundary of Lot 103 as shown on Office of Titles Plan 15944 and onwards to a northeastern side of Old Coast Road; thence generally northwesterly and generally northeasterly along sides of that road to the prolongation southeasterly of the southwestern boundary of Lot 46 of Location 723 as shown on Office of Titles Plan 14504; thence northwesterly to and along that boundary and onwards to the southern boundary of Location 721; thence westerly and generally northwesterly along boundaries of that location to the southernmost southwestern corner of the southeastern severance of A Class Reserve 12189; thence generally

northwesterly, northerly, westerly, again northerly and generally northeasterly along boundaries of that severance and onwards to the prolongation southerly of the eastern boundary of the northern severance of that Reserve; thence northerly to and northerly, northwesterly, northeasterly and again northwesterly along boundaries of that severance to the southernmost southeastern corner of Location 1788 (A Class Reserve 12189); thence westerly, northeasterly and generally northwesterly along boundaries of that location and generally northwesterly, northerly and easterly along boundaries of Location 1787 (A Class Reserve 12189) and onward to the prolongation southerly of the southernmost western boundary of Location 506; thence northerly to and northerly, westerly and again northerly along boundaries of that location to the southernmost southeastern corner of Location 285; thence northerly, westerly, again northerly and easterly along boundaries of that location to the prolongation southeasterly of a southwestern side of the undedicated portion of Old Coast Road as shown on Office of Titles Plan 7823 (1); thence northwesterly to and generally northwesterly and northerly along sides of that road and generally northerly and generally northeasterly along sides of the dedicated portion of Old Coast Road and onwards to the prolongation southwesterly of the southeastern boundary of Location 1562; thence northeasterly to and along that boundary to the southeastern corner of that location; thence southeasterly to the centreline of the Old Mandurah Bridge; thence northeasterly along that centreline and onwards to the prolongation southerly of a western side of Mandurah Terrace; thence northerly to and northerly and generally northeasterly along sides of that road to the prolongation westerly of a northern side of Gordon Road; thence easterly to and generally easterly and generally northeasterly along sides of that road to a southwestern side of Mulga Drive; thence generally northerly along sides of that Drive to the prolongation northwesterly of a southwestern side of Merrit Road; thence southeasterly to and generally easterly along sides of that road and onwards to a southeastern side of Stock Route Road; thence generally northerly along sides of that road to a southern side of Paganoni Road; thence easterly along that side to the prolongation southerly of an eastern side of Nairn Road; thence northerly to and generally northeasterly along sides of that road to a southern side of Harvey Road; thence easterly and generally northerly along sides of that road to a southern side of Stakehill Road, thence easterly and northeasterly along sides of that road to the prolongation southeasterly of the northeastern boundary of Lot 34 of Peel Estate Lots 856, 857 and 858 as shown on Office of Titles Diagram 75678; thence northwesterly to and northwesterly and generally northeasterly along boundaries of that lot to the southeastern corner of Lot 33 of Lots 855 and 856; thence northeasterly, westerly and northerly along boundaries of that lot to a southern side of Churcher Road; thence easterly along that side to the prolongation southerly of an eastern side of Foster road; thence northerly to and along that side and onwards to the southern boundary of Lot 91 of Lot 746 as shown on Office of Titles Diagram 64485; thence westerly, northerly and northeasterly along boundaries of that lot to the prolongation southwesterly of the northwestern boundary of Lot 93 as shown on Office of Titles Plan 15231; thence northeasterly to and along that boundary to a southwestern side of Wandoo Drive; thence southeasterly and easterly along sides of that drive to the prolongation southerly of the western boundary of Lot 141 of Lot 742 as shown on Office of Titles Plan 15233; thence northerly to and northerly and easterly along boundaries of that lot to the southeastern corner of Lot 143; thence northwesterly along the northeastern boundary of that lot to the southern side of Yates Court; thence easterly and generally northerly along sides of

that Court to the westernmost northwestern corner of Lot 145; thence northerly to the southwestern corner of Lot 148; thence northerly along the western boundary of that lot and northerly and northeasterly along boundaries of lot 150 as shown on Office of Titles Diagram 67290 to the prolongation southerly of the eastern boundary of Lot 571; thence northerly to and along that boundary and northerly and southwesterly along boundaries of Lot 22 of Lot 643 as shown on Office of Titles plan 14716 (2) to the easternmost southeastern corner of Lot 18 of Lots 643, 653, 65 and 644; thence northerly along the eastern boundary of that lot and onwards to the southern boundary of Lot 10 of Cockburn Sound Location 16 as shown on Office of Titles. Plan 14716 (1); thence easterly and northerly along boundaries of that lot to a southwestern boundary of Lot 26; thence generally northwesterly and easterly along boundaries of that lot to the southeastern corner of Peel Estate Lot 640; thence northeasterly along the southeastern boundary of that lot and the southeastern boundaries of Lots 639, 638 and 637 to the southern boundary of Lot 325; thence easterly and northerly along boundaries of that lot to the southern boundary of Lot 323; thence easterly and generally northwesterly along boundaries of that lot and onwards to the southern corner of Lot 312; thence northeasterly, northwesterly and northerly along boundaries of that lot and onwards to the southern boundary of Lot 308; thence easterly, northerly and westerly along boundaries of that lot to the southwestern corner of Lot 296; thence northerly along the western boundary of that lot to a southern side of Kerosene Lane; thence easterly and generally northeasterly along sides of that lane to the prolongation southerly of the eastern boundary of Lot 291; thence northerly to and along that boundary to the southern boundary of Cockburn sound Location 2173; thence easterly and northerly along boundaries of that location and northerly along the eastern boundary of Location 2170 to the northeastern corner of that location; thence northwesterly to the westernmost southwestern corner of Kwinana Lot 279, a point on a southeastern side of Parmelia Avenue; thence generally northeasterly and generally northeasterly and generally northwesterly along sides of that avenue to a southeastern side of Sulphur Road; thence generally northeasterly along sides of that road and onwards to the prolongation southeasterly of a northeastern side of McLauchlan Road; thence generally northwesterly to and along sides of that road and onwards to a northeastern side of Thomas Road; thence generally northwesterly along sides of that road to an eastern side of Postans Road; thence generally northerly along sides of that road and onwards to a northeastern side of Hope Valley Road; thence generally southeasterly along sides of that road to a northwestern side of Hill Road; thence generally northeasterly and northerly along sides of that road to the southeastern corner of Kwinana Lot 606; thence northerly along the eastern boundary of that lot to the southwestern corner of Peel Estate Lot 792; thence northerly and easterly along boundaries of that lot and onwards to a southwestern boundary of Lot 663; thence generally northwesterly and easterly along boundaries of that lot to the western boundary of Lot 681; thence northerly and easterly along boundaries of that lot and onwards to a southern side of Rowley Road; thence easterly along that side and onwards to the prolongation southerly of an eastern side of Lyon Road; thence northerly to and along that side and onwards to the northern side of Gaebler Road; thence easterly along that side to the southwestern corner of Lot 6 of Jandakot Agriculture Area Lot 415 as shown on Office of Titles Diagram 31466; thence northerly along the western boundary of that Lot and the western boundaries of Lots 5, 4, 3, 2 and 1 to the southwestern corner of Lot 7 as shown on Office of Titles

Diagram 44679; thence northerly and easterly along boundaries of that lot and onwards to a northeastern side of Beenyup Road; thence generally northwesterly along sides of that road to a northern side of Gibbs Road; thence easterly along that side to the prolongation northerly of the western boundary of Lot 427; thence southerly to and along that boundary and southerly along the western boundary of Lot 27 and onwards to a southern side of Oxley Road; thence easterly along that side and onwards to the southwestern side of Road Number 1832; thence southeasterly along that side to a northern side of Road Number 8977; thence easterly along that side and onwards to the prolongation northwesterly of a northeastern side of Hopkinson Road; thence southeasterly along that side to a northern side of Rowley Road; thence generally southerly and generally southeasterly and easterly along sides of that road and onwards to the northern corner of Reserve Number 35706; thence southwesterly along a northeastern boundary of that reserve to the southwestern corner of Lot 161 of Canning Locations 401 and 146 as shown on Office of Titles Diagram 15070; thence easterly along the southern boundary of that lot and onwards to the eastern side of Phariap Drive; thence southerly and southeasterly along sides of that drive to the northwestern corner of Lot 185; thence easterly and southeasterly along boundaries of that lot and onwards to the western corner of Lot 190 of Locations 146 and 22 as shown on Office of Titles Diagram 78121; thence generally southeasterly along boundaries of that lot and southeasterly along the southwestern boundary of Lot 191 to a northwestern corner of Lot 90 of Locations 22 and 245 as shown on Office of Titles Diagram 42273; thence northeasterly, northwesterly, again northeasterly and generally southeasterly along boundaries of that lot to the prolongation westerly of the southern side of Keenan Street; thence easterly to and along that side and onwards to the prolongation northerly of the western boundary of Lot 1 of Location 245 as shown on Office of Titles Diagram 47352; thence southerly to and generally southerly along boundaries of that lot and Lot 12 of Locations 306 and 22 as shown on Office of Titles Plan 14456 to the prolongation westerly of the northern side of Butcher Road; thence easterly to and along that side and onwards to a southeastern side of South Western Highway; thence generally southwesterly along sides of that Highway to an eastern boundary of Cockburn sound Location 16; thence southerly along that boundary to a northwestern corner of Lot 10 of Location 16 and Murray Locations 1352 and 1353 as shown on Office of Titles Plan 14695; thence southerly and westerly along boundaries of that lot and onwards to the northeastern corner of Cockburn Sound Location 461; thence southerly along the eastern boundary of that Location to the northeastern corner of the northern severance of Lot 2 of Locations 773 and 16 as shown on Office of Titles Plan 13999; thence southerly along the eastern boundary of that severance and onwards to and southerly along the southernmost eastern boundary of the southern severance of that lot to the northernmost northeastern corner of Lot 29 as shown on Office of Titles Plan 4616; thence generally southerly along boundaries of that lot to the northwestern corner of Lot A16 as shown on Office of titles Plan 740A; thence generally southerly along boundaries of that lot and onwards to a northeastern boundary of the eastern severance of Lot 151 as shown on Office of Titles Plan 10914; thence northwesterly, southwesterly, again northwesterly, southerly and easterly along boundaries of that severance to a northeastern corner of Murray Location 1; thence southerly and westerly along boundaries of that location to the northeastern corner of Location 1173; thence southerly and westerly along boundaries of that location to the northwestern corner of Location 1207; thence southerly

along the western boundary of that location and southerly along the western boundaries of Locations 54 and 976 and onwards to the northwestern corner of Location 977; thence southerly and southeasterly along boundaries of that location to the prolongation northerly of the westernmost western boundary of Location 717; thence southerly, to and along that boundary and southerly along the western boundary of Location 718 to the northernmost northeastern corner of Lot 3 of Locations 375, 1136 and 1177 as shown on Office of Titles Diagram 26469; thence southerly, easterly and southeasterly along boundaries of that lot and southerly to the northeastern corner of Lot 6 of Locations 925, 1177, 1138 and 151 as shown on Office of Titles Diagram 35248; thence generally southwesterly, westerly, again generally southwesterly and southeasterly along boundaries of that lot and onwards to the prolongation westerly of the northern boundary of Lot 1 of Location 311 as shown on Office of Titles Diagram 13105; thence easterly to and easterly, southeasterly and southwesterly along boundaries of that lot to a northeastern side of Burnside Road; thence generally southeasterly and southwesterly along sides of that road and onwards to a prolongation southeasterly of a southwestern side of Maddison Road; thence northwesterly to and northwesterly and westerly along sides of that road to the northwestern corner of Location 310; thence southerly along the western boundary of that location and the western boundary of Location 532 to the northern boundary of Location 308; thence easterly and southerly along boundaries of that location and onwards to the northern boundary of Location 131; thence westerly along that boundary and westerly and southerly along boundaries of Location 219 to the northwestern corner of Location 220; thence southerly along the western boundary of that location and onwards to the easternmost northern boundary of Lot 2 of Location 9 as shown on Office of Titles Plan 6022; thence easterly, and generally southwesterly along boundaries of that lot to the northeastern corner of Lot 4 as shown on Office of Titles Diagram 14119; thence southerly along the eastern boundary of that lot and generally southerly along sides of Bowles Road and onwards to the northern boundary of Location 255; thence westerly, southerly and easterly along boundaries of that location to the northeastern corner of Location 652; thence southerly along the eastern boundary of that location to the northern boundary of Location 203; thence easterly, southerly and westerly along boundaries of that location to the westernmost northwestern corner of Location 513; thence southerly along the westernmost western boundary of that location and southerly and easterly along boundaries of Location 265 to the northwestern corner of the western severance of Location 482; thence southerly and easterly along boundaries of that severance to the northeastern corner of Lot 4 of Location 180 as shown on Office of Titles Plan 15400; thence southerly along the eastern boundary of that lot and onwards to and southerly and westerly along boundaries of Lot 5 to the northwestern corner of Location 458; thence southerly along the western boundaries of that location and Location 195 to the northeastern corner of Location 184; thence easterly and southerly along boundaries of that location to its southwestern corner, a point on a southern side of Lyons Road; thence westerly along that side and onwards to and westerly along a southern side of Weir Road to the northeastern corner of Lot 12 of Location 26 as shown on Office of Titles Diagram 72050; thence southwesterly and northwesterly along boundaries of that lot and northwesterly and westerly along boundaries of Lot 9 as shown on Office of Titles Diagram 55788 to the southernmost southeastern corner of Location 1816; thence easterly along the southern boundary of Lot 8 of Location 26 to a northeastern side of 'South Western Highway; thence generally southerly along sides of that Highway to a northeastern

side of Waterous Road; thence generally southeasterly along sides of that road to the prolongation easterly of the northern boundary of the southwestern severance of Location 484; thence westerly to and westerly southerly and southeasterly along boundaries of that location to the prolongation northerly of the eastern boundary of Location 916; thence southerly to and along that boundary and, southerly along the western boundary of Wellington Location 354 to the westernmost northeastern corner of the northern severance of Location 366; thence westerly and southerly along boundaries of that severance and onwards to the northwestern corner of the southern severance of that location; thence southerly and easterly along boundaries of that severance to the westernmost northwestern corner of Murray Location 247; thence southerly along the westernmost western boundary of that location to the northern boundary of Location 868; thence westerly and southerly along boundaries of that location and southerly and easterly along boundaries of Location 1160 to the prolongation northerly of the eastern boundary of Wellington Location 4238; thence southerly to and along that boundary to the northernmost northwestern corner of Location 4201; thence southerly, westerly and again southerly along boundaries of that location to the northern corner of the northern severance of Location 5156; thence southwesterly, southerly, southeasterly and again southerly along boundaries of that severance to the southernmost northwestern corner of the northwestern severance of Location 2281; thence southerly along the southernmost western boundary of that severance and onwards to and along the westernmost western boundary of the southern severance of that location to the northern boundary of Location 2682; thence westerly, southerly and easterly along boundaries of that location to the northeastern corner of Location 1253; thence southerly along the eastern boundary of that location to the northern boundary of Location 804; thence westerly and southerly along boundaries of that location and onwards to the northern boundary of Location 816; thence westerly, southerly and easterly along boundaries of that location to a western boundary of Location 688; thence southerly along that boundary to a northern side of Black Rock Road, thence generally southwesterly along sides of that road to a northeastern side of South Western Highway; thence generally southerly along sides of that highway to the prolongation easterly of the southern boundary of Lot 11 of Location 50A as shown on Office of Titles Diagram 53874; thence westerly to and generally southerly, southeasterly, southwesterly and northwesterly along boundaries of that lot to the northwestern corner of Lot 7 as shown on Office of Titles Plan 9197; thence southwesterly along the northwestern boundary of that lot to the prolongation easterly of the southern boundary of Lot 5 as shown on Office of Titles Diagram 12515 and thence westerly, northeasterly, generally northwesterly, southwesterly and northwesterly along boundaries of that lot and onwards to the starting point.

JIM McGINTY, Minister for the Environment.