

**Draft Environmental Protection
(Peel-Harvey Estuarine System)
Policy 1992**

**Environmental Protection Authority
Perth, Western Australia
March 1992**

ISBN 0 7309 4701 7

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(Peel Harvey Estuarine System) Policy, 1991

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An explanation of the Draft Environmental Protection (Peel Harvey Estuarine System) Policy, 1992

1. Background

Since the mid 1970s the Peel Inlet and Harvey Estuary have suffered severe degradation from algal blooms. These algal blooms consisted of huge populations of large green algae, such as sea lettuce (macroalgae) or of floating algae (phytoplankton), principally the toxic blue-green alga *Nodularia spumigena*. These algal blooms have resulted from excessive amounts of chemical nutrients (principally phosphorus) entering this waterbody, and stimulating rapid algal growth.

More than 12 years of investigation have shown that the principal source of phosphorus is broad-acre agricultural use of superphosphate fertiliser, and that other land uses in the coastal catchment such as intensive animal industries (feedlots, abattoirs and piggeries), irrigated horticulture and urban stormwater all contribute to the total phosphorus load to varying degrees.

Beached algal blooms commonly foul the beaches of the estuary, destroying their amenity for recreation, and causing large clean-up costs. When algae die, they decompose, causing sudden reductions in the dissolved oxygen content of the water, and hence the death of many aquatic animals. Decaying algae also cause unpleasant odours in an area valued for recreation, tourism and residential development. For these reasons the Western Australian Government has acted to protect and rehabilitate this important waterway.

In 1988 the EPA considered a Management Strategy for the Estuary, proposed by the State Government through the Department of Agriculture, the Department of Marine and Harbours and the Waterways Commission, to protect the Peel-Harvey Estuarine System. The strategy took account of the sources of excessive phosphorus leaching to the Estuary, the importance of agriculture as an industry and the benefits and costs of a wide range of possible management measures. The final strategy consisted of a mixture of catchment management measures to reduce phosphorus inputs to the Estuary, and a new channel to the ocean at Dawesville. The proposed Dawesville Channel would increase the flushing of phosphorus to the sea and enhance a chemical reaction in the estuary which permanently binds phosphorus into the sediment where it cannot contribute to the algal bloom problem.

The EPA reported to the Minister for the Environment that, among other things, an Environmental Protection Policy (EPP) should be prepared for the Coastal Plain Catchment. At the same time, the Authority recommended that a channel, known as the Dawesville Channel, be constructed between the estuary and the Indian Ocean. It is considered that this combination of remedial measures for land use management, along with increased flows between the estuary and the ocean, will virtually prevent noxious blue-green algal blooms occurring, while allowing responsible development and important agriculture to continue.

In January 1989, the Minister for the Environment approved the management strategy, subject to 13 conditions. One of these conditions required the preparation of an Environmental Protection Policy for the coastal plain catchment of the Peel-Harvey Estuary.

2. Environmental Protection Policies — how they are developed

The Environmental Protection Act provides for the establishment of Environmental Protection Policies. An Environmental Protection Policy can be prepared to protect any portion of the environment or to control pollution.

The Act requires that firstly a draft policy be prepared and widely advertised, and that submissions be invited from government authorities and the community, particularly from those people who might be affected by the policy. These submissions must be considered in further development of the policy.

At this stage the EPA is required to publish a report to the Minister for the Environment. The report must address issues raised during the public submission period and a modified draft of the policy can be included.

The Minister himself must then further public consult people directly affected by the Policy. When he is satisfied with the Policy he can declare it under the Environmental Protection Act. EPPs must be reviewed within seven years of gazettal.

3. Purpose of this policy

The proposed EPP for the Peel-Harvey Estuary will provide a legal mechanism to help rehabilitate and protect the uses of the Peel Inlet and Harvey Estuary from the adverse environmental effects of eutrophication (nutrient enrichment). The uses of the estuary include fisheries, tourism and protection of the habitat for plants and animals.

Key elements of this draft policy relate to:

- setting phosphorus management targets for the coastal plain catchment of the Peel Inlet and Harvey Estuary, to minimise the likelihood of noxious algal blooms occurring; and
- establishing principles to be employed by Government and the community to achieve these phosphorus management targets.

Most importantly, the policy provides an environmental framework to guide development, land use planning and land management.

This will be achieved through:

- voluntary efforts of rural and urban landowners;
- pollution control and licensing provisions of the Environmental Protection Act (1986), to prevent pollution from occurring;
- continuing with the existing Ministerial Conditions imposed on the Peel Inlet - Harvey Estuary Management Strategy - Stage 2 (Appendix 1); and
- reducing the loss of native vegetation by introducing the controls and the land management powers of the Soil and Land Conservation Act (1945).

An important feature of this Environmental Protection Policy is that its objectives are reflected in land use planning controls contained in the State Planning Commission's Statement of Planning Policy for the Peel-Harvey Coastal Plain Catchment (Appendix 2). Such Statements of Planning Policy are prepared under Section 5AA of the Town Planning and Development Act, 1928. Key elements of the Statement of Planning Policy will then be included in Local Government Town Planning Schemes.

This means that the environmental criteria for development in the EPP are ultimately reflected in local government land use controls.

In conjunction with the Dawesville Channel and voluntary management of nutrients by landowners, the environmental planning controls contained in:

- the Environmental Protection Policy;
- the Statement of Planning Policy; and
- Local Government Planning Schemes

will ensure that the Peel-Harvey Estuary will once again be clean, healthy and resilient and the local economy will prosper.

Interested persons and organisations are invited to submit written comments by 8 May 1992 to:

The Chairman
Environmental Protection Authority
Westralia Square
38 Mounts Bay Road
Perth WA 6000

Attention: Mr Vaughn Cox
Telephone (09) 222 7133

Draft Environmental Protection (Peel-Harvey Estuarine System) Policy 1992

Citation

1. This policy may be cited as the Environmental Protection (Peel-Harvey Estuarine System) Policy, 1992.

Definition of terms used

2. In this environmental protection policy:

"beneficial use" means use of the environment, or any portion thereof, which is conducive to public benefit, public amenity, public safety, public health or aesthetic enjoyment and which requires protection from the effects of discharges of waste or of emissions of noise, odour or electromagnetic radiation.

"catchment" means the area of land which drains into a waterbody.

"land suitability" means the ability of the land to be developed or used without degradation of that land or pollution of its waters.

"median" means the value of a quantity such that half of a given set of quantities have values greater than the value of that quantity.

"subcatchment" means a discrete area of surface drainage within a catchment.

"Statement of Planning Policy" means a policy established under Section 5AA of the Town Planning and Development Act, 1928.

Purpose of the policy

3. The purpose of this policy is to:

- (a) Provide a set of guiding principles for planning and management of land use and development within the Swan Coastal Plain catchment of the Peel Inlet and Harvey Estuary.
- (b) Ensure that the Peel-Harvey Estuarine System becomes clean, healthy and resilient and its beneficial uses are maintained or improved.

Beneficial uses to be protected

4. Beneficial uses of the Peel-Harvey Estuarine System include:

- (a) Habitat for diverse and abundant native flora and fauna communities.
- (b) Commercial and amateur fisheries.
- (c) Scientific research and education.
- (d) Recreation and tourism.
- (e) Residential development.

Application

5. This Policy applies to:

- (a) All land contained in that portion of the catchment area of the Peel Harvey Estuarine System which lies on the Swan Coastal Plain of Western Australia and as defined by the cadastral boundary (Schedule 1) and on the attached plan (Figure 1).
- (b) All land use activities by all persons, corporations, government departments, Government agencies and responsible authorities, within the area defined in Schedule 1.

Management targets

6. To meet the purpose of this Policy in accordance with Section 3 of this policy, the Environmental Protection Authority has set the following targets:
 - (a) An annual total phosphorus load to the Peel-Harvey Estuarine System of 75 tonnes of phosphorus in an median streamflow year. The total phosphorus export target is allocated on a major river catchment basis according to the following:
 - (i) Serpentine River - 21 tonnes/annum;
 - (ii) Murray River - 16 tonnes/annum;
 - (iii) Harvey River and Drains - 38 tonnes/annum;
 - (b) An average total phosphorus concentration in the estuarine water of less than 0.02 milligrams per litre in any nine years of any 10-year period.

Principles to be used

7. The following principles shall be used to achieve the objectives of this Policy:
 - (a) Planning and management of land use and development shall be on a catchment and sub-catchment basis.
 - (b) Land-use planning and management shall be based on land suitability.
 - (c) Management targets shall be achieved through reductions of phosphorus from urban, rural and industrial areas.
 - (d) The plans, policies and operations of government departments and agencies shall be co-ordinated to achieve management targets.
 - (e) Phosphorus management programmes shall take account of additional research information into catchment processes and technological development.
 - (f) Community groups and local government authorities shall receive assistance from the State Government and other responsible authorities to develop and implement agreed management plans to meet target phosphorus levels.
 - (g) Government agencies shall consult public authorities and persons affected by changes to phosphorus management programmes.
 - (h) The State Planning Commission's Statement of Planning Policy for the Peel-Harvey Coastal Plain Catchment shall incorporate the principles and purpose of this policy.

Schedule 1

Peel-Harvey administrative catchment boundary

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 an 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 southeasterly 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 Pharlap 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.

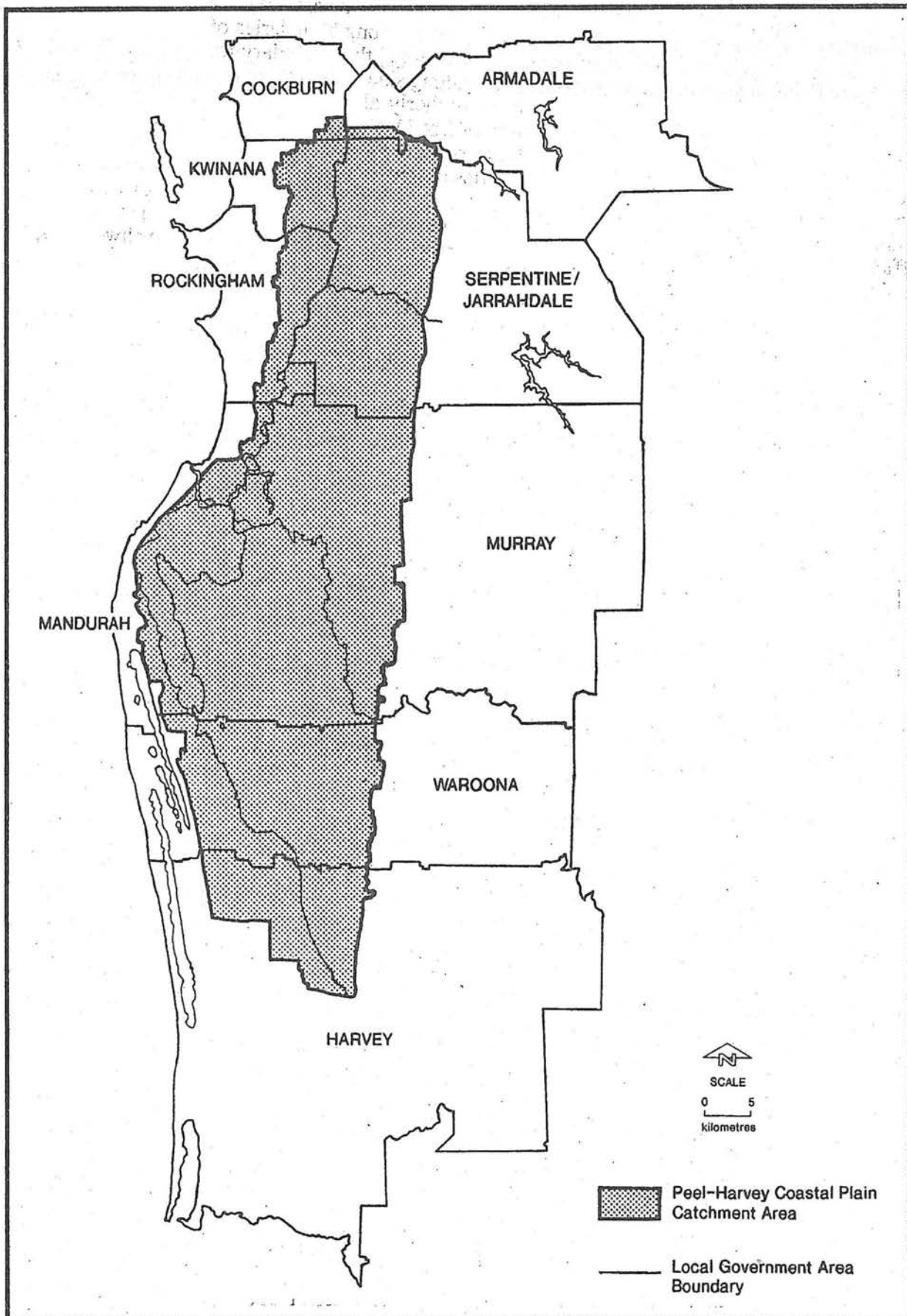


Figure 1: Boundary of the Peel-Harvey coastal catchment plan

Appendix 1

Ministerial conditions



MINISTER FOR ENVIRONMENT

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL PROTECTION ACT 1986)

PEEL INLET-HARVEY ESTUARY MANAGEMENT STRATEGY - STAGE 2

MINISTER FOR TRANSPORT
MINISTER FOR AGRICULTURE
MINISTER FOR WATERWAYS

This proposal may be implemented subject to the following conditions:

1. The proponents shall adhere to the proposal as assessed by the Environmental Protection Authority and shall fulfil the commitments made and listed in Appendix 2 of Environmental Protection Authority Bulletin 363, as amended (copy of commitments attached).
2. The proponents shall develop proposals for control of phosphorus through catchment management, to the satisfaction of the Environmental Protection Authority, and shall implement them as rapidly as possible so that, in conjunction with the Dawesville Channel, the following objective is met:

. the Peel-Harvey System becomes clean, healthy and resilient.

To achieve this objective, the following interim targets should be used:

- (1) annual phosphorus input to the system shall not exceed 85 tonnes in more than four years out of ten (on average) and shall not exceed 165 tonnes in more than one year out of ten (on average). [These are based on 60 and 90 percentile loads]; and
- (2) average phosphorus concentration in estuary water shall not exceed 0.2 milligrams per litre in nine years out of ten (on average).

Published on

4 JAN 1989

These target figures shall be reviewed by the Environmental Protection Authority after 3 years or sooner if environmental conditions dictate, in the light of measured performance of the System and may subsequently be varied by the Environmental Protection Authority.

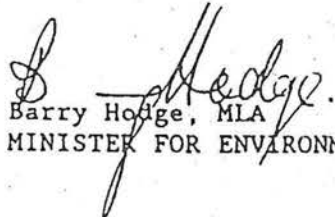
3. The proponents shall jointly prepare an Environmental Protection Policy for the Peel-Harvey catchment in consultation with such persons and agencies as Government may specify, to the satisfaction of the Environmental Protection Authority, in accordance with the objective and targets specified in Condition 2 above. The target date for the Draft Policy (under Section 26 of the Environmental Protection Act 1986) is 31 December 1989.
4. The proponents shall develop in consultation with such persons and agencies as Government may specify, an integrated catchment management plan designed to meet the objective and targets specified in Condition 2 above, to the satisfaction of the Environmental Protection Authority, and which shall be in accordance with the principles to be developed in the Environmental Protection Policy for the area pursuant to Condition 3. The target date for the implementation of the integrated catchment management plan shall be 31 December 1990.
5. The proponents shall ensure that the moratorium on clearing and drainage in the Peel-Harvey coastal plain catchment proposed in the Stage 2 Environmental Review and Management Programme (Commitment 3.6) continues until the Minister for Environment is satisfied that these activities would be environmentally acceptable.
6. Relevant decision-making authorities shall ensure that all developments within 2 kilometres of the Peel-Harvey Estuary System (as defined in the Estuarine and Marine Advisory Committee Report to the Environmental Protection Authority, Department of Conservation and Environment Bulletin 88, March 1981.) include appropriate nutrient-attenuating waste disposal systems and management practices, to the satisfaction of the Environmental Protection Authority.
7. Prior to construction, a dredging and spoil disposal management plan for the Dawesville Channel shall be prepared by the proponents, to the satisfaction of the Environmental Protection Authority. Dredging not already forming part of the proposals in the Stage 2 Environmental Review and Management Programme shall be the subject of separate assessment by the Environmental Protection Authority.
8. The proponents shall ensure that weed harvesting and control is continued and increased as necessary to manage the expected initial increase in the occurrence of nuisance macroalgae.

9. Decisions on developments which may release phosphorus or nitrogen to the environment in the Peel-Harvey Estuary area and coastal plain catchment area should be conservative until the new assimilative capacity of the Peel-Harvey Estuary System is determined and the effects of the management elements have been measured or are being managed. To this end, such proposals for development in these areas shall be referred to the Environmental Protection Authority for assessment. These developments include new and expansion of existing intensive horticultural and intensive animal industries.
10. The Peel-Harvey regional park concept, as originally proposed in the System 6 Redbook report (Conservation Reserves for Western Australia: The Darling System - System 6, Department of Conservation and Environment Report 13, Parts I and II, October 1983.) shall be implemented within such time as to be determined by the Minister for Environment.
11. If the Dawesville Channel is constructed, the proponents shall be responsible for ensuring that mosquito management is effective and is carried out in an environmentally acceptable manner, to the satisfaction of the Minister for Environment and the Minister for Health.
12. The proponents shall be jointly responsible for the environmental aspects of:
 - (1) the construction, operation, monitoring and maintenance of the Dawesville Channel and its impacts within the estuaries and within the immediate marine environment;
 - (2) the management and required monitoring of the catchment, and collection of data necessary for the development of the integrated catchment management plan for the Peel-Harvey catchment; and
 - (3) all in-estuary monitoring and management, including weed harvesting.

All of the above shall be carried out to the satisfaction of the Environmental Protection Authority.

13. Prior to the construction of the Dawesville Channel, the proponents shall prepare in stages, a monitoring and management programme, to the satisfaction of the Environmental Protection Authority. This programme shall include:
 - (1) essential additional baseline monitoring required to be in place as soon as possible and prior to construction commencing;


- (2) construction stage impacts and monitoring, prior to construction; and
- (3) operational and long-term monitoring, in stages, to be determined by the Environmental Protection Authority.



Barry Hodge, MLA
MINISTER FOR ENVIRONMENT

14. Proposals which may release nitrogen or phosphorus to the environment shall not be referred to the Environmental Protection Authority provided that they are consistent with the draft Statement of Planning Policy for the Peel-Harvey Coastal Catchment. Proposals not consistent with the draft Statement of Planning Policy for the Peel-Harvey Coastal Catchment shall be referred to the Environmental Protection Authority.

This Condition will apply to the final Statement of Planning Policy for the Peel-Harvey Coastal Catchment when it is gazetted.



Bob Pearce, MLA
MINISTER FOR THE ENVIRONMENT

2 OCT 1991

Appendix 2

Statement of planning policy for the Peel-Harvey coastal plain catchment

TOWN PLANNING AND DEVELOPMENT ACT 1928**STATEMENT OF PLANNING POLICY NO. 2****THE PEEL - HARVEY COASTAL PLAIN CATCHMENT**

PREPARED UNDER SECTION 5AA WITH THE APPROVAL OF THE MINISTER FOR PLANNING BY THE DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT AND APPROVED BY HIS EXCELLENCY THE GOVERNOR

BACKGROUND

1. The Peel-Harvey Estuarine System is an important regional resource of Western Australia. It has been placed on the Register of the National Estate. The Estuary is surrounded by a substantial population and investment in homes, tourist development, agriculture and infrastructure. The Estuary currently receives 70% -100% more phosphorus per year from the Peel-Harvey Coastal Plain Catchment than it can assimilate resulting in excessive seasonal growth of algae which degrades the estuarine system and creates a serious public nuisance. Clearing of vegetation in the catchment exacerbates the problem by resulting in a rise in the water table and increasing run-off, which requires artificial drainage. The replacement of native vegetation with land uses which result in increased nutrient application is a major contribution to increased nutrient pollution of the estuary. These developments have increased the surface drainage and nutrient loads into the Estuary.
2. In 1981, the State Government of the day resolved that:
Measures be taken to ensure that there is no significant increase of nutrients into the estuary from urban sources by requiring that all developments within 2 km are to include appropriate sewage disposal systems.'
3. Intensive studies undertaken over past years have attempted to find ways of improving the environmental quality of the estuary. Specifically a two stage Environmental Review and Management Programme and associated EPA Assessment Reports have resulted in a strategy to improve the condition of the estuary. This strategy includes the construction of the Dawesville Channel to improve flushing, and active catchment management to reduce nutrients entering the estuary. The strategy has been endorsed by Government and funding for its implementation has been committed.
4. In January 1989 a general moratorium on clearing and drainage proposed in the Stage 2 ERMP was set as a Ministerial Condition. These controls are to continue until the Minister for Environment is satisfied that these activities are be environmentally acceptable. In addition new potentially nutrient discharging industries are tightly regulated within the Catchment. These controls have had the effect of requiring the proponents of the ERMP (the Ministers for Transport, Agriculture and Waterways) to exercise control on clearing and drainage. Some flexibility has been permitted in the interpretation of these controls provided projects are designed to significantly reduce nutrient flows to the estuary.
5. Planning controls have not existed in the past over new market gardens which are likely to pollute ground and surface waters with fertilisers. No planning approval has been required to change from broad scale rural use to market gardening. The absence of this control led to the assumption that although Water Authority well licences are required such development could automatically take place. The EPA has the power to formally assess proposals for new market gardens under Part IV of the Environmental Protection Act when they are likely to cause significant pollution. This is an unsatisfactory way to achieve the environmentally sound location of such small proposals.
6. In October 1990 the Government resolved that a Statement of Planning Policy under Section 5AA of the Town Planning and Development Act 1928(as amended) be prepared to draw attention to the unacceptability of uses of specified types which are likely to result in pollution of surface or ground waters.

7. This policy statement should be read in conjunction with the following:-

- Policy No. DC 2.5 Special Residential Zones.
- Policy No. DC 2.8 Town Planning Considerations in the Provision of Effluent Disposal.
- Policy No. DC 3.4 Rural Land Use Planning Policy
- Policy No. DC 6.3 Planning Considerations in the Metropolitan Region for sources of Public Water Supply and Sensitive Water Resource Areas.
- Guidelines for the Preparation of a Local Rural Strategy.
- Guidelines for Protecting Watercourse Reserves, Planning Bulletin 1/90.
- The draft Peel Regional Plan.
- The Catchment Management Plan for the Peel-Harvey Coastal Plain Catchment.
- The Draft Environmental Protection Policy (Peel-Harvey Estuarine System) 1992.

The policy replaces Town Planning Board policy P.12, Subdivision in the vicinity of the Peel-Harvey Estuarine System.

STATEMENT OF PLANNING POLICY THE PEEL-HARVEY COASTAL PLAIN CATCHMENT.

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1. Introduction
2. Policy objectives
3. Application of policy
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 - 6.2 Rural residential lots over 4000m²
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 - 6.4 Commercial development
 - 6.5 Industrial development
 - 6.6 Intensive agriculture
7. Implementation through town planning schemes

Appendix 1 Model town planning scheme text amendment

1. INTRODUCTION

- 1.1 This policy is required to recognise the requirements of the Minister for the Environment in consultation with the Minister for Planning, and to ensure that land use changes within the Peel-Harvey Estuarine System likely to cause environmental damage to the estuary are brought under planning control and prevented. A major purpose of the policy is to ensure that landowners seek development approval prior to committing their investments, however it is not the purpose of the policy to require a new series of approvals for existing developments.
- 1.2 The policy will be implemented by reference to it in the Draft Environmental Protection Policy (Peel-Harvey Estuarine System) 1992 and town planning schemes (in accordance with a model text amendment appended to the policy), and by its adoption by the State Planning Commission. It will also ensure that significant public investment being committed to the improvement of the environment via the Dawesville Channel is not jeopardised and that the area is carefully managed for sustainable agriculture. This policy provides guidance regarding planning requirements that will be expected to be in place before development can proceed.

2. POLICY OBJECTIVES

The objectives of this policy are:-

- To improve the social, economic, ecological, aesthetic, and recreational potential of the Peel-Harvey Coastal Plain Catchment.
- To ensure that changes to land use within the Catchment to the Peel-Harvey Estuarine system are controlled so as to avoid and minimise environmental damage.
- To balance environmental protection with the economic viability of the primary sector.
- To increase high water-using vegetation cover within the Peel-Harvey Coastal Plain Catchment.
- To reflect the environmental objectives in the Draft Environmental Protection Policy (Peel-Harvey Estuarine System) 1992.
- To prevent land uses likely to result in excessive nutrient export into the drainage system.

3. APPLICATION OF POLICY

This Policy applies to all residential, commercial, industrial, rural and recreation land uses, and public sector undertakings within that portion of the Catchment of the Peel-Harvey Estuarine System that lies on the Swan Coastal Plain of Western Australia and as defined generally on the attached plan (Figure 1), and specifically on Figure 2 'Boundary of the Peel-Harvey Coastal Plain Catchment'.

4. DEFINITIONS

Intensive agriculture

means the use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks normally associated with the following:

- the production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
- the establishment and operation of plant and fruit nurseries;
- the development of land for irrigated fodder production and irrigated pasture (including turf farms);
- the development of land for the keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat, or fur production), and other livestock in feedlots;
- dairy milking sheds;
- the development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by the Department of Agriculture in consultation with surrounding farmers for the applicable pasture type;
- aquaculture,

Aquaculture

means any fish farming operation for which a fish farm licence issued pursuant of the provisions of Part V of the Fisheries Act 1905 (as amended) and the Fisheries Regulations 1938 (as amended) is required.

5. GENERAL POLICY PROVISIONS

Development, including both material changes in land use and the construction of buildings, in the policy area should relate to land capability and suitability and specific management practices (such as effluent treatment, red mud amendment, revegetation, and stocking rates). Moreover some of the policy provisions are likely to be conservative and modifications are likely as knowledge improves and new technology becomes available.

- 5.1 Except in accordance with this policy, land shall not be rezoned for urban purposes (which includes special residential but not rural residential or special rural) unless certification is received from the Water Authority that arrangements have been made so that connection to an adequate sewerage service, or alternative system satisfactory to the EPA and Health Department, will be available to all lots in the subdivision.
- 5.2 Proponents shall ensure that proposed changes to land zonings take account of land capability/suitability criteria with regard to the net effect that such changes are likely to have on the nutrient load discharging from that catchment into the Peel-Harvey Estuarine System.
- 5.3 Land used for intensive agriculture, which is likely to drain towards the Peel-Harvey Estuarine System shall be managed to reduce or eliminate nutrient export from that land.
- 5.4 The retention and rehabilitation of existing remnant vegetation is to be encouraged. A catchment target of 50% of land area established to deep rooted perennial plants, preferably local indigenous species but including high water using and suitable exotic species, shall be attempted. Remnant vegetation shall be retained along water courses, or the margins shall be replanted to higher water-using vegetation, to maintain the stability of banks and exert some control on sediment and nutrient movement.
- 5.5 Subdivision proposals shall make provision for a drainage system which maximises the consumption and retention of drainage on site. Biological wetland filters, or other means of drainage water retention or treatment approved by the EPA, will need to be incorporated into the drainage design possibly by amendment of the soils in drainage basins or by the provision of wetland filters with nutrient retentive soil amendments in accordance with drainage management to the satisfaction of the State Planning Commission and the EPA. Conservation reserves are not appropriate as biological wetland filters. Development near conservation reserves may require special constraints to protect and preserve them.
- 5.6 Open space recreation areas should be carefully designed to retain native vegetation and water, and plant with water using vegetation to minimise the need to apply fertiliser and water. The treatment of open space soils with nutrient retentive soil amendment should be undertaken where phosphorus retention is low and the necessity for this soil amendment should be identified in nutrient management plans prepared by developers. Drainage should be designed to retain nutrients on site in most years; direct drainage off-site will not be permitted unless to the satisfaction of local government.
- 5.7 The Commission may consider, upon the advice of the Water Authority, the Health Department and the EPA, small-scale subdivisional developments with alternative wastewater treatment and effluent disposal systems for evaluative purposes. The onus of proof will rest with the subdivider to provide sufficient technical and engineering evidence that alternative systems or site modifications remove any adverse effects on public health, water resources or the environment while not detrimentally impacting on the character of the area.
- 5.8 Local Government is responsible for the supervision and management of alternative effluent systems, particularly Aerated Treatment Units (ATUs).
- 5.9 Approvals will be required from the Water Authority with regard to water supply from bores, wells, rivers in proclaimed water management areas and WAWA drains and for connection of private and local authority drains to WAWA drains. The limited availability of water may constrain some types of development.

6. SPECIFIC POLICY PROVISIONS

6.1 Residential and Special Residential zones with lot size up to 4000m² and tourist development.

- 6.1.1 All lots created in the Policy area for residential and tourist use are to be connected to a reticulated sewerage system unless exempted under the provisions of 5.7.
- 6.1.2 Existing vegetation should be retained except where there are defined building envelopes, approved utility requirements and firebreaks. Replanting should be encouraged - particularly along water courses and drains. Where lots do not have building envelopes, existing vegetation may be removed for the construction of approved buildings.
- 6.1.3 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council. Animal stocking rates shall not exceed those recommended by the Department of Agriculture for the pasture type for the policy area.

6.2 Rural residential lots over 4000m²

- 6.2.1 Lots that are created in this category should only use conventional on-site effluent disposal if:
 - a) factors such as slope, soil type, permeability, vegetation cover and system design have been addressed. (The onus of proof rests with the subdivider to justify that on-site disposal and/or any associated site modifications would be acceptable to remove any adverse effects on public health, water resources or the environment while not detrimentally impacting on the character of the area),
 - b) environmental acceptability can be demonstrated to the EPA,
 - c) at least a 2m vertical separation exists between the base of the leach drain and the highest known groundwater level or bedrock,
 - d) there is at least 100m horizontal separation between the disposal system and the nearest water body, and
 - e) the land unit is satisfactory for on-site disposal at a density of not more than one domestic system per hectare.
- 6.2.2 Development within public groundwater resource areas utilising on-site effluent disposal will require approval from the Water Authority of Western Australia. Disposal systems require Health Department approval.
- 6.2.3 Because of potential nitrate contamination of the groundwater, on-site effluent disposal will be limited to densities of no more than one effluent disposal system per 1 hectare unless specific investigation of the capacity of the local environment to absorb the effluent is undertaken and subject to alternative systems as set out in Clause 5.7.
- 6.2.4 Existing vegetation should be retained except where there are defined building envelopes, approved utility requirements and firebreaks. Where lots do not have defined building envelopes existing vegetation may be removed from an area of up to 1000m² for the construction of approved buildings except where special approval is granted for a greater area of clearing.
- 6.2.5 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council. Animal stocking rates shall not exceed the stocking rates recommended by the Department of Agriculture for the pasture type for the policy area.

6.3 Recreational facilities (including golf courses, ovals and large grassed areas).

- 6.3.1 Local government authorities and landowners shall develop, in association with appropriate government departments, nutrient management plans which identify appropriate irrigation, fertilisation regimes and vegetation patterns.

6.4 Commercial development

- 6.4.1 New development must incorporate effluent management systems approved by the Health Department, the EPA and the Water Authority of Western Australia, or connect to an existing reticulated sewerage system if available.

6.5 Industrial development

- 6.5.1 Proposals to develop land for industry, where the industrial process would create liquid effluent, must include provision for connection to a reticulated sewerage system.
- 6.5.2 Works approvals and licences will be required from the EPA where the proposal has a wastewater discharge or falls within the list of scheduled premises under Part V of the Environmental Protection Act. Some types of industrial development may require an impact assessment under Part IV of the Environmental Protection Act.

6.6 Intensive agriculture

- 6.6.1 Proposals to develop land for intensive agriculture will require formal development approval from the local government authority.
- 6.6.2 In considering applications for the use of land or a rezoning for intensive agriculture, a local authority shall take account of the environmental advice of the EPA and land suitability advice from the Department of Agriculture.
- 6.6.3 The responsible authority will take account of soil types, slope and groundwater flows and surface water drainage and proximity to the Estuary in considering the suitability of land for intensive agricultural use. Generally only land on the foothills of the Darling Scarp or deep yellow Spearwood soils on the Western edge of the catchment have suitable qualities to sustain intensive agriculture apart from such uses which rely on hydroponics and thereby do not result in contamination of groundwater or surface drainage, or include red mud, or other suitable soil amendment, at rates recommended by the Department of Agriculture.
- 6.6.4 Proposals which would provide additional direct drainage to the Estuary, its tributaries or Water Authority drainage systems will not be permitted without appropriate nutrient reduction measures.
- 6.6.5 Works approvals and licences will be required from the EPA where the proposal has a wastewater discharge or falls within the list of scheduled premises under Part V of the Environmental Protection Act. Some intensive agricultural proposals may require environmental impact assessment under Part IV of the Environmental Protection Act.

7. IMPLEMENTATION THROUGH TOWN PLANNING SCHEMES

- 7.1 It is the Policy of the State Planning Commission that all town planning schemes operating within the Peel-Harvey Coastal Plain Catchment shall require development to be subject to the provisions of this Policy.
- 7.2 Town planning schemes should be amended to add 'Intensive Agriculture' and 'aquaculture' to the list of interpretations, or the definition should be amended to incorporate the expanded interpretation. This may require the amendment of existing interpretations to exclude the activities now defined within intensive agriculture. The use class table should be amended to include 'Intensive agriculture', cross-referenced with an 'AA' or 'X' in all Rural zones.
- 7.3 Town planning schemes are to incorporate the salient provisions of this policy by using the model scheme text provisions set out in Appendix 1 and by the delineation of the Catchment boundaries on the scheme map.

APPENDIX 1

A town planning scheme shall refer to this policy in the following manner:

'THE PEEL-HARVEY COASTAL PLAIN CATCHMENT'

- 1.1 FOR THE PURPOSES OF THIS SCHEME THE PEEL-HARVEY COASTAL PLAIN CATCHMENT MEANS THE PEEL HARVEY COASTAL PLAIN CATCHMENT AS SET OUT IN STATE PLANNING COMMISSION STATEMENT OF PLANNING POLICY NO. 2, TOGETHER WITH ANY AMENDMENTS THERETO.
- 1.2 COUNCIL SHALL BE GUIDED BY THE OBJECTIVES AND POLICY STATEMENTS CONTAINED IN THE DRAFT ENVIRONMENTAL PROTECTION POLICY (PEEL-HARVEY ESTUARINE SYSTEM) 1992 AND THE PEEL-HARVEY COASTAL PLAIN CATCHMENT STATEMENT OF PLANNING POLICY, AS AMENDED, A COPY OF WHICH SHALL BE KEPT AND MADE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICES OF THE COUNCIL.
- 1.3 FOR THE PURPOSES OF THE DEFINITION OF DEVELOPMENT UNDER THE ACT 'INTENSIVE AGRICULTURE' SHALL BE DEEMED TO BE A MATERIAL CHANGE OF USE REQUIRING APPROVAL OF THE COUNCIL.
- 1.4 NOTWITHSTANDING ANY OTHER INTERPRETATION CONTAINED WITHIN THE SCHEME, INTENSIVE AGRICULTURE MEANS THE USE OF LAND FOR THE PURPOSES OF TRADE, COMMERCIAL REWARD OR GAIN, INCLUDING SUCH BUILDINGS AND EARTHWORKS, NORMALLY ASSOCIATED WITH THE FOLLOWING:
- THE PRODUCTION OF GRAPES, VEGETABLES, FLOWERS, EXOTIC AND NATIVE PLANTS, FRUIT AND NUTS;
 - THE ESTABLISHMENT AND OPERATION OF PLANT AND FRUIT NURSERIES;
 - THE DEVELOPMENT OF LAND FOR IRRIGATED FODDER PRODUCTION AND IRRIGATED PASTURE (INCLUDING TURF FARMS);
 - THE DEVELOPMENT OF LAND FOR THE KEEPING, REARING OR FATTENING OF PIGS, POULTRY (FOR EITHER EGG OR MEAT PRODUCTION), RABBITS (FOR EITHER MEAT, OR FUR PRODUCTION), AND OTHER LIVESTOCK IN FEEDLOTS;
 - DAIRY MILKING SHEDS;
 - THE DEVELOPMENT OF LAND FOR THE KEEPING, REARING OR FATTENING OF OTHER LIVESTOCK ABOVE THOSE STOCKING RATES RECOMMENDED BY THE DEPARTMENT OF AGRICULTURE FOR THE APPLICABLE PASTURE TYPE IN CONSULTATION WITH SURROUNDING FARMERS;
 - AQUACULTURE,
- AQUACULTURE MEANS ANY FISH FARMING OPERATION FOR WHICH A FISH FARM LICENCE ISSUED PURSUANT OF THE PROVISIONS OF PART V OF THE FISHERIES ACT 1905 (AS AMENDED) AND THE FISHERIES REGULATIONS 1938 (AS AMENDED) IS REQUIRED.
- 1.5 IN CONSIDERING A PROPOSAL TO DEVELOP LAND FOR INTENSIVE AGRICULTURE THE COUNCIL SHALL:
- i. TAKE ACCOUNT OF SOIL TYPES, SLOPE AND GROUNDWATER FLOWS AND SURFACE WATER DRAINAGE AND PROXIMITY TO THE ESTUARY,
 - ii. TAKE ACCOUNT OF THE OBJECTIVES OF THE PEEL-HARVEY COASTAL PLAIN CATCHMENT STATEMENT OF PLANNING POLICY, AS AMENDED WITH RESPECT TO THE POTENTIAL IMPACT OF THE PROPOSAL ON THE ENVIRONMENT AND WATER QUALITY.
 - iii. SEEK ADVICE FROM THE DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL PROTECTION AUTHORITY AND TAKE ACCOUNT OF THAT ADVICE IN MAKING ITS DETERMINATION OR DEFER THE DECISION PENDING A FORMAL ASSESSMENT UNDER PART IV OF THE ENVIRONMENTAL PROTECTION ACT."

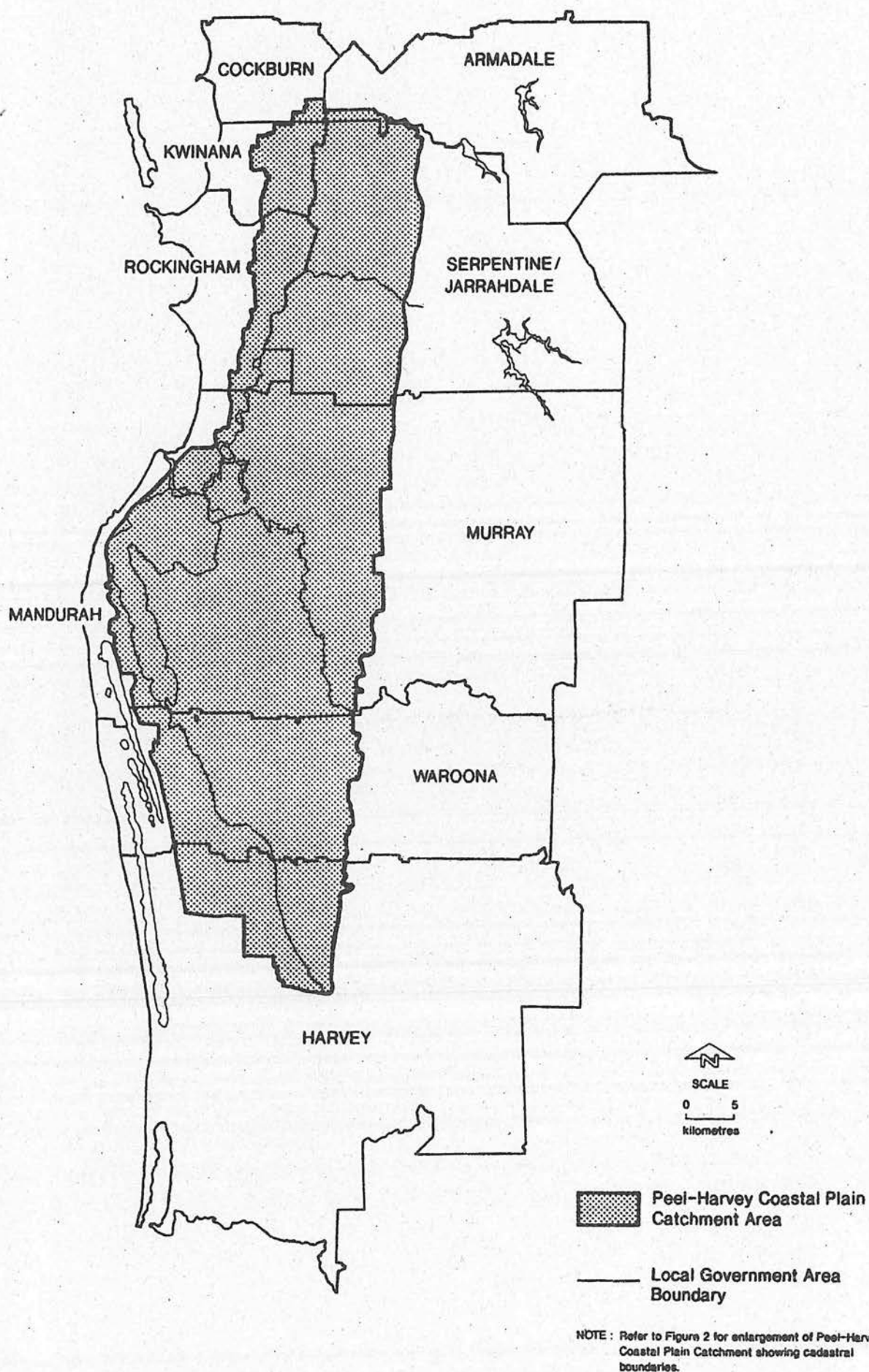


Figure 1 BOUNDARY OF THE PEEL-HARVEY COASTAL PLAIN CATCHMENT