

PEEL–HARVEY CATCHMENT MANAGEMENT BILL 2014

Second Reading

MR C.J. TALLENTIRE (Gosnells) [4.02 pm]: I move —

That the bill be now read a second time.

The Peel–Harvey Catchment Management Bill 2014 establishes a new legal framework to regulate the environmental health of the estuary. The new legal framework is heavily influenced by the success of the Swan and Canning Rivers Management Act 2006. It also incorporates two prominent documents currently forming much of the estuary’s regulatory framework: the “Environmental Protection Peel Inlet–Harvey Estuary Policy 1992” and “State Planning Policy 2.1: Peel–Harvey Coastal Plain Catchment”.

Many scientific reports conclude that the governance arrangements for the Peel–Harvey need a dramatic overhaul. Some of the wetlands in the area are of major significance. The Peel–Yalgorup Ramsar site is internationally recognised as a destination for migratory birds that are protected through international agreements. Approximately 200 bird species are known to exist or to have existed in the area. In 2007, a report by the environmental consultancy URS entitled “State of Play: Peel–Harvey Eastern Estuary Catchment Environmental Assessment Discussion Paper” reported on the strength of community support for the Peel–Harvey as a clean and healthy environment. Invasive species have been highlighted as one of the Peel–Harvey’s environmental threats. Chytrid amphibian fungus and phytophthora dieback are a major concern, as are introduced weed species and feral animals, including rabbits, foxes, cats and pigs. Mosquito control is another important issue for the environmental health of the estuary. It is a problem that is best managed by a body that has overarching governance powers.

The impacts of climate change are already being felt in the estuary, with the declining annual rainfall causing a reduction in stream flows. Already stressed ecosystems are even more vulnerable to increased nutrient levels, fires, floods—often occurring during summer rainfall events—and droughts. Solving the eutrophication problems of the Peel–Harvey was the original aim of the construction of the Dawesville Channel. However, the reality is that the extent of flushing has not been as great as anticipated. The 1992 EPP makes clear that governance arrangements should control the discharge of nutrients into the Serpentine, Harvey and Murray rivers—the three rivers that flow directly into the estuary. The 1992 SPP highlights the importance of “active catchment management to reduce nutrients entering the estuary”. In 2013, Murdoch University and the CSIRO published a long-awaited report into the Peel–Harvey estuary and its management structures. The report, entitled “Identifying key dynamics and ideal governance structures for successful ecological management”, made the following indictment of the status quo —

The Peel–Harvey estuary is returning to a highly eutrophied state; qualitative models suggest that, as they stand, the management structures are insufficient to halt this decline, let alone rehabilitate the system. While scientists and managers are aware of the severe ecological problems ... the critical point is that stakeholders and the general public lack an effective means to rehabilitate and manage the system **due to ineffective governance structures, or policies that are only weakly implemented.** The report highlighted a few areas of governance that were of particular concern, such as:

- **“Unclear roles and responsibilities”:** “The effectiveness of catchment-level policy interventions is frequently limited by overlapping jurisdictions and fragmented administrative structures. In some cases this resulted in weak or non-existent monitoring of assets.”
- **Compliance problems:** “In some cases, the Peel–Harvey system lacks a means of ensuring compliance with rules. For instance, agricultural and industrial inputs reduce water quality in the estuary, yet they cannot be regulated by the government department mandated to manage public water resources and there is no consistently effective strategy to deal with non-compliance.”
- **The need for legislative reform:** “In order for the rules to be complied with there is a need for legislation to support the regulator.”

This bill seeks to provide solutions to the problems identified by the report. It provides legislative support to a new regulator with clear roles, responsibilities and powers. It ensures compliance with the planning rules, environmental quality objectives and other reasonable requests of the regulator through legislative instruments that have been successful in the context of the Swan and Canning Rivers Management Act. These include estuary protection notices and a new development approvals process. It allows for a comprehensive estuary protection plan and creates an integrated approach towards catchment management. This approach is to be led by

the trust and inclusive of local government, state planning authorities and community organisations such as the Peel–Harvey Catchment Council.

This magnificent waterway of the Peel–Harvey, the largest estuarine system in the south west, is the lifeblood of the region and underpins the overall health and wellbeing of the Peel, economically, socially and environmentally, yet the system is under enormous stress from population growth and poor land management practices. The time to act to save this magnificent environmental asset has come. Providing statutory protection for the Peel–Harvey has been a long time coming. Now is the time to act and ensure that we have the legislative teeth to protect one of nature’s most enchanting aquatic areas.

I commend the bill to the house.

Debate adjourned, on motion by **Mr M. McGowan (Leader of the Opposition)**.