

ENVIRONMENTAL PROTECTION

EP301

ENVIRONMENTAL PROTECTION ACT 1986**ENVIRONMENTAL PROTECTION (SWAN COASTAL PLAIN WETLANDS)
REGULATIONS 1991**

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

Citation

1. These regulations may be cited as the *Environmental Protection (Swan Coastal Plain Wetlands) Regulations 1991*.

Interpretation

2. In these regulations—
“material” includes waste;
“Plain” means area of the Swan Coastal Plain as defined in Schedule 1;
“wetlands” means those portions of the environment to which these regulations apply.

Application of regulations

3. These regulations apply to those portions of the environment situated in the Plain and defined in Schedule 2.

Plan

4. The plan referred to in Schedules 1 and 2 is—
(a) certified under the hand of an authorized land officer within the meaning of the *Land Act 1933*; and
(b) open to public inspection during normal office hours at the head office of the Environmental Protection Authority in Perth.

Prescribed kinds of pollution

5. For the purposes of paragraph (c) of the definition of “pollution” in section 3 (1) of the Act—
(a) the placing of any material in such a position that the whole or any portion of a wetland is filled in;
(b) mining or excavation of the whole or any part of a wetland; or
(c) the drainage of water into or out of the whole or any portion of a wetland,

is a direct or indirect alteration of the environment of a prescribed kind.

Schedule 1 (Regulation 2)**Area of Swan Coastal Plain**

All of that portion of land bounded by lines starting from the intersection of the High Water Mark of the Indian Ocean with the left bank of the Moore River and extending generally north-easterly upwards along that bank to its intersection with the summit line of the Gingin Scarp; thence generally south-easterly along that summit line to the summit line of the Darling Scarp; thence generally southerly along that summit line to the summit line of the Whicher Scarp; thence generally south-westerly, generally westerly and generally north-westerly along that line and onwards to the High Water Mark of the Indian Ocean aforesaid at Eagle Bay and thence generally easterly and generally northerly along that high water mark to the starting point, as delineated and shown bordered in red on Land Administration Miscellaneous Plan 1700.

Schedule 2 (Regulation 3)**Portions of Environment to Which Regulations Apply**

All those portions of significant perennial and non-perennial hydrographic features (including lakes, swamps, land subject to inundation, features associated with watercourses and integral adjacent natural features) comprised within the Swan Coastal Plain, as delineated by Letratone LT25 40% and shown coloured in blue on Land Administration Miscellaneous Plan 1700.

By His Excellency's Command,

L. AULD, Clerk of the Council.