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Mr Ian MacRae
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Dear Mr MacRae

DISCUSSION PAPER: MANAGING PHYTOPHTORA DIEBACK THROUGH THE PLANNING PROCESS

The Urban Development Institute of Australia (UDIA) (WA) is the peak body representing the property industry in Western Australia. It is in this capacity that UDIA responds to the City of Armadale's Discussion Paper - *Managing Phytophthora dieback through the planning process*.

UDIA members agree that the spread of Phytophthora Dieback (Dieback) is a major issue impacting on native vegetation and that management of this disease is imperative to ensure the future of our native environment.

UDIA accepts that the development industry has a role to play in minimizing the spread of Dieback in Western Australia through appropriate management measures during the development process. However, such measures should be imposed equitably on all landowners and land managers, not just developers. If developers are required to undertake mapping and additional management measures then so should the City where it controls or manages land and so should the Department of Environment and Conservation and other government agencies.

UDIA offers the following comments in response to questions posed in the discussion paper:

1. Is mapping of medium and high risk areas useful? If so should all medium risk areas of the City be managed to prevent the spread of Phytophthora dieback?

UDIA believes that the mapping of medium and high risk areas by the City of Armadale is useful providing that maps are regularly maintained or given a strict lifespan and used in a way that accounts for the uncertainties involved in dieback mapping.

Mapping of medium and high risk areas would allow developers to take appropriate measures for the management of the disease on their land if and where appropriate.

Prior to any policy development regarding the mapping and management of dieback, it is suggested that a strategic analysis of the likely development across the municipality is undertaken. Any new policy should focus its efforts on areas where the greatest contribution to dieback management can be made and where the planning process is most suited to delivering that contribution.

For those areas of Armadale already fully urbanised, many of the proposed dieback management measures are unlikely to be applicable or effective. However, in areas where there is potential for significant development intensification, a detailed understanding of dieback extent is likely to have significant benefit to dieback management.

2. At what stage of the planning process should dieback mapping be required?

The City of Armadale should undertake an initial mapping exercise to establish base data indicating areas of dieback. Mapping should be done as early as possible in the planning process because this would allow the greater number of planning decisions to be informed by the distribution of dieback infestations.

Alternatively, if an update of mapping is required then it would be appropriate for the developer to undertake this in an environmental report undertaken at the structure plan stage.

5. To what extent should dieback mapping results dictate structure plan layout?

The extent to which dieback mapping results would impact structure plan layout would be dependant on the level of dieback risk and other factors impacting on the development.

UDIA encourages a holistic approach to urban development, to ensure the best possible outcome for all stakeholders. There are numerous aspects that must be taken into account when drafting a structure plan, such as environmental and sustainability considerations, transport needs as well as community and consumer expectations. The importance of Dieback mapping and management within a certain area must be weighed up against all of these other considerations.

6. If dieback mapping shows dieback free and dieback infested areas, should the landholder be encouraged or obliged to treat the boundaries every four years to minimise spread of the disease?

We consider this to be the responsibility of the local authority considering the costs and the authority's commitment to the greater good.

7. At the subdivision stage are there circumstances when the measures required need to be weighed against the costs to developers and the need to encourage development in the City?

UDIA agrees that a holistic approach to urban development in a growth area such as the City of Armadale is extremely important. Currently developers can often experience lengthy delays during the planning process which result in extra costs being passed on to the consumer. It is important that delays and costs are kept to a minimum in order to ensure the continued availability and affordability of land in the City of Armadale.

UDIA emphasises that it is important that no particularly onerous conditions be imposed unless strong evidence exists that there would be a real benefit to the management of dieback. Developers must clear numerous conditions through numerous different agencies during the planning process and more conditions add more layers to an already complicated process.

8. What should a model condition for subdivision require and can this be concisely worded into a workable condition?

And

9. When should conditions or advice notes be used for subdivisions?

If conditions are imposed, there should be a range of different model conditions that should be applied selectively after consideration of case-by-case conditions and after considering what are the most reasonable measures for a given subdivision proposal.

Dieback is a living organism that is difficult to monitor and predict and therefore it would not be appropriate to have a 'one size fits all' approach to its management.

10. Is it reasonable to require development approval applications to consider *Phytophthora dieback* only if *Phytophthora dieback* has been addressed at rezoning, structure planning or subdivision stage? Are there circumstances when it would it be reasonable to require mapping of *Phytophthora dieback* and implementation of appropriate management measures as a condition of development?

The earlier in the planning process that Dieback mapping and management plans are considered the better.

Consideration of appropriate measures at the development application stage should be on a case by case basis. The scale and level of soil and water disturbance associated with individual development proposals varies considerably from application to application and blanket decisions for all applications would be problematic.

11. How should compliance with conditions be demonstrated?

Compliance with conditions could be out sourced to pre-approved auditors if resourcing within the City of Armadale is insufficient. This would be similar to the process established under the Contaminated Sites Act 2003.

It is important that clear compliance measures are put in place in order to provide certainty for developers in regard to what they are required to undertake and how this will be measured.

12. Should *Phytophthora dieback* be managed through conditions even if enforceability is difficult?

This is not encouraged by UDIA as it is important for agencies involved in the planning process to provide clear policy that ensures developers are certain of what they need to do in order to clear a condition.

It is important to ensure that any new policy on Dieback does not contribute to an already lengthy planning process that can hinder the provision of adequate and affordable land to the WA community.

CONCLUSION

UDIA commends the City of Armadale issuing the discussion paper on managing *Phytophthora dieback*. We remind the City that the management of dieback should not become the sole responsibility of the development industry nor that onerous conditions be applied to development where it is unwarranted. This would stymie development and contribute further to land supply issues already being experienced in Perth.

It is clear that a community education program focused on the ease with which dieback is spread is required in the City of Armadale. It would be prudent for the City to educate

homeowners of the potential dangers of bringing in soils from contaminated areas for their gardens, or the introduction of the disease through building materials or car tyres.

In terms of open space, developers should undertake required management measures as required for as long as the developer is responsible for the open space. It is important the local authority undertakes forward planning so that it is prepared to take over the management once the developer relinquishes control of POS to the authority.

Managing Phytophthora dieback is a critical issue for the City of Armadale and UDIA supports the City's initiative in seeking to control its spread through the planning process.

Yours sincerely

Judith Harley
A/EXECUTIVE DIRECTOR