

e [udia@udiawa.com.au](mailto:udia@udiawa.com.au)  
t 08 9321 1101  
f 08 9321 1102  
w [www.udiawa.com.au](http://www.udiawa.com.au)

Urban Development Institute of Australia  
(Western Australia)  
Level 5, 150 St Georges Terrace,  
Perth, Western Australia 6000



10 September 2010

Sarah Molloy  
Environment Policy Officer  
Western Australian Local Government Association  
15 Altona Street  
West Perth WA 6005

Dear Sarah,

**Re: WALGA Water for Public Open Space Policy Background Paper**

The Urban Development Institute of Australia (UDIA WA) is pleased to provide comment on the (draft) **Water for Public Open Space Policy Background Paper**.

UDIA (WA) is the peak body representing the property industry in Western Australia with members engaged in a range of disciplines including land development, planning, environmental planning, urban design, infrastructure and engineering. Our members are responsible for the design and provision of POS in residential developments and the issue of water allocation and water licensing resonates with them strongly.

UDIA's key objection to the potential impact of the policy is that water allocation alone cannot be allowed to drive the future of POS and it needs to be recognised as but one element that is part of a much broader debate on how POS will be allocated and managed in the future. It is not an option for the water agenda to drive POS policy and while we appreciate the significance of this to local government it is important that the policy be aware of the broader context and the many competing elements that will impact on deliberations on POS.

The policy must be workable for both local government and the development industry and while recognising the intent and importance of the draft policy there are a number of items that warrant further review. These are detailed below.

**Specific Comments**

***Section 1.1 Purpose***

This paragraph implies that the policy might not be drafted although the purpose of the paper suggests otherwise. Consultation should not be used to determine if a policy is required, rather it should inform the development of the policy.

***Section 1.2 Scope***

Delete 'Development of the Water Resources Management Bill' to read 'Water Resources Management Bill' as it is currently being drafted. State and Federal Legislative frameworks should also include *Directions 2031 and Beyond* (WAPC 2010).

### ***Section 1.2.1 Defining public open space***

The definitions of Public Open Space are confusing. The definition should clearly define the types of POS that unequivocally require water for irrigation whether they are publicly or privately owned (i.e. based on public benefit).

### ***Section 2 Background***

UDIA suggests the following wording in the second paragraph: "...Local Government which provides water for public benefit with no direct charge or fee to the users unlike other organisations who will compete for this resource under a water trading market regime." Following this statement, the balance of this paragraph may not be necessary.

### ***Section 2.2 WA's Water Challenge***

WA's Water Challenge and the goal to be achieved are not clearly defined in the document. The document should indicate the type and number of water source options being considered. Furthermore, the impact of insecure irrigation sources on locally based landscape enterprises and maintenance staff should also be included.

### ***Section 2.3 Water reform in WA***

It is UDIA's view that genuine water reform at the state level has been slow to materialise. The document would benefit from an overview of how the water strategies and plans integrate with each other.

#### ***Section 2.3.4 State Water Plan***

Section 2.3.4 makes reference to the Department of Sport and Recreation (DSR) and their involvement in reviewing the use of water for public open space. It would be useful to include the key findings of this review. UDIA queries the extent of involvement of the DSR in regards to sustainability and protection of the water resource and whether they are involved in reviewing structure plans, POS provision and landscape design.

#### ***Section 2.4.2 Water Allocation Plans***

The draft policy proposes that water allocation plans will replace the existing licensing allocation system where users are granted a specific allocation based on the area of irrigation. The draft policy states that the trigger for an allocation plan is when an area has reached or is reaching over-allocation of the water resource. It is industry's experience that this happens frequently today so it is to be expected that this will become the norm.

Under the new system it is understood that users would share in a consumptive pool depending on the condition of the resource. The document would benefit from more information on the consumptive pool arrangements. The concern lies in regard to rules for the sharing of the resource and conditions of the allocation of the water resources. UDIA queries how the sustainability of the resource will be maintained in order to ensure the resource existence.

A further point of note regards ground water allocation and the establishment of community bores as an alternative to private bores. In accordance with current DoW policy, there are development areas that are fully allocated or may have limited capacity for use of groundwater. In some of these areas for development, excluding those proclaimed water supply areas and underground water pollution control areas, it is permissible for new lot owners to establish a bore for private

abstraction. Currently, there is no licence requirement and thus it would be possible that all new lot owners could establish a private bore in the development.

An alternative approach would be establishment of community bores used for POS and front and rear gardens of all lots. Use of these schemes saves water because they are managed separately from the household, based on local requirements and save over watering. In the Brighton development, a weather station at the school is utilised to monitor rainfall and wind conditions with watering of POS and residential lawns occurring only during periods of prolonged dryness to avoid over watering.

#### ***Section 2.4.3 Water trading***

The last paragraph reads, "The Association and Department of Water will be contacting the National Water Commission to provide more clarity to the definition of 'public benefit.'" The definition of 'public benefit' should be qualified 'in the WA context' due to the different requirements in Perth compared to other capital cities of Australia.

#### ***Section 2.5 Liveable Neighbourhoods***

This section should include a reference to *Directions 2031 and Beyond*. Definitions for active and passive recreation that clearly demonstrate the need for irrigation (and/or contrasting with active/passive uses that are not dependent on irrigation) would be beneficial.

#### ***Section 2.6 Local government water use on Public Open Spaces***

The last sentence, first paragraph should read ... where these sources are 'practical and permitted by State Agencies (e.g. Department of Health, Department of Water).' The contribution to POS irrigation efficiency of the land development industry would be worthy of reference in this section as typically, land developers comply with WaterWise practices in the design of new parks.

It is not an uncommon experience for Water Sensitive Urban Design (WSUD) in POS in developments to be opposed by local government. Developers report that they install WSUD initiatives such as vegetated swales or native plants that require less water only to be told they will have to be removed before handover to the local authority because of maintenance reasons. The local authority's preference is for extensive turf areas however the water requirements are significantly higher than POS areas designed to WSUD principles. Local governments need to commit to WSUD and dispose of the maintenance driven approach to POS.

#### ***Section 2.7 Resourcing***

This section would benefit by addressing more than the negative reasons why a water trading market is unsuitable for LGA's. It should also consider the changes required to make LGA's viable players in a water trading market (for example, through increased Council rates or levies).

#### ***Section 3.1 Water Availability***

This section makes no reference to winter 2010 being the lowest stream flow winter on record with a need to shift away from reliance on winter rainfall being the main source of water for industry and residential use. The winter rainfall in Perth for 2010 equates to only nine days of normal summer use for the Perth Metropolitan Area, a serious concern.

### ***Section 3.2 Population and increasing demand***

The 10% allocation of POS calculated in the 1950's and the principles on which it was calculated may not hold the same relevance today, it can be argued that it is wasteful in today's context and a large part of sustainable water usage will require increased densities and more efficient use of POS. Any increase in POS requires an increase in the volume of water used for maintenance. Further studies of efficient and innovative use of space may provide positive benefit for developers and local government.

The POS draft notes that the 10% POS allocation may need to be increased because of increased densities; however any planning review needs to take into account a range of planning issues, not just water allocation. The issue of maintenance costs for POS is a contentious issue and an increase in POS will require higher maintenance costs in the longer term for the local authority. In addition, an increased allocation to POS will result in lower residential yields as there is less land to develop. This will reduce the feasibility of the prospect development and reduce the affordability to the end user.

### ***Section 4.1 POS is fundamental to our lifestyle, wellbeing, mental and physical health***

Local government acknowledges they have a role in maintaining POS for the health and wellbeing of the community, however, the draft policy suggests this is subject to State Government decision making and internal resourcing. Local government either accepts the responsibility or not, the draft policy suggests it would prefer to shift the responsibility to the State Government. UDIA's position is that greater clarity on how the various types of POS available to communities are utilised is required.

### ***Section 4.3 Water for Public Open Space should be excluded from any water trading regime.***

It will be important to clarify that the water for environmental and other public benefits, such as POS, is to be excluded from any consumptive pool arrangements and from the proposed water trading regime. It is noted that there is no reference to the Department of Water working with developers regarding the water allocation planning process. Developers design the Public Open Space areas within developments in accordance with local government regulation. It would therefore be advisable to include developers in the water allocation planning process.

### ***Section 4.4 Irrigation of POS should be designed to increase water efficiency with continued investment from Local Government***

It is imperative that local authorities are mindful of the cost of new technology for water saving initiatives as it will inevitably impact on housing affordability. The added costs of these initiatives will filter down to the end user adding further costs to property prices.

### ***Section 5***

The document should acknowledge that WA faces social and environmental circumstances unique to Australia that must be accommodated within a national water reform framework. The onus for identifying and implementing 'alternative water sources and technologies' should be placed on the DoW and Water Corporation if the existing sources of low cost irrigation water (for example, groundwater) are to be made the subject of an open market water trading scheme.

Alternatively, economic frameworks should be identified by the WA State Government to ensure the provision of POS irrigation remains financially sustainable for LGAs.

***Omissions***

The draft policy is silent on the category of regional POS, for example regional playing fields. These need to be given a priority as there is a high social and health need for such facilities.

**Conclusion**

Changes to the management of water may provide the development industry with the opportunity to innovate in partnership with local government. Initiatives could include sharing bores, using treated wastewater and transferability of water allocations. However, the future of POS does not solely rely on the water agenda and UDIA counsels against WALGA promoting water allocation and management as the key determinant.

We trust that you will find these comments constructive and that they be given due consideration when finalising Water for Public Open Space Policy Background Paper.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Debra Goostrey', with a stylized flourish at the end.

**Debra Goostrey**  
Chief Executive Officer