

9 October 2024

Response to the Derbal Yiragan (Swan) Djarlgarro (Canning) River Protection Strategy

Property Council WA welcomes the opportunity to provide feedback to the Department of Biodiversity, Conservation and Attractions (DBCA) on the draft Derbal Yiragan (Swan) Djarlgarro (Canning) River Protection Strategy (“draft RPS”).

A robust strategy to manage the Swan and Canning rivers, adjacent reserves and surrounding land, that strikes a careful balance between protection and enhancement, is essential for Perth’s continued growth and evolution.

About the Property Council of Australia

The Property Council of Australia is the peak industry body representing the whole of the property industry. In Australia, the property industry employs more than 1.4 million Australians and shapes the future of our communities and cities.

As industry leaders we support smarter planning, better infrastructure, sustainability, and globally competitive investment and tax settings which underpin the contribution our members make to the economic prosperity and social well-being of Australians.

In WA, our membership comprises more than 300 member companies. They are architects, urban designers, town planners, builders, investors and developers. Our members conceive of, invest in, design, build and manage the places that matter most – our homes, retirement living communities, shopping centres, office buildings, education, research and health precincts, tourism and hospitality venues.

Our submission centres on elements of the draft RPS related to development and the industries where our expertise is focused.

General comments

Property Council WA holds concerns about the assertion embedded in the draft RPS that development constitutes a key threat to the river. While construction activities need to be carefully managed to mitigate ecological impact, development does not in and of itself represent a threat to the river. Indeed, the river system has been the backbone around which Perth has developed and grown for hundreds of years. As development practices have evolved with technology, modern construction methods and increased regulatory standards, the impact on the river system has been more easily managed and mitigated.

Furthermore, it is regrettable that little consideration is given in the draft RPS to industry’s role in helping to deliver the strategy’s objectives and actions. We acknowledge the draft RPS is broad by necessity and must accommodate a wide range of legislative requirements which

predominantly focus on river protection. However, we believe the draft document represents a missed opportunity to recognise the important role that the development industry will have in the delivery of the strategy, including both funding and executing many of the key actions and improvements outlined within the draft RPS. For example, the identified need to upgrade key onshore infrastructure alongside river reserves, making improvements to the reserves themselves, providing industry's applied knowledge to assist in preserving and enhancing various ecological values, and other initiatives aimed at maximising the river's amenity and enjoyment by locals and visitors.

The negative characterisation of development and construction also contrasts with the draft RPS's stated desire to engage with industry to understand best practices across design, development and environmental protection. This creates confusion about industry's interface with the river and how industry can play its part to manage and enhance the river for the broader public.

We recommend the strategy contain more balanced commentary, recognising the role of the development industry and the contribution it will make to ensuring the river remains pristine and enjoyable for generations to come.

Planning system

Our members have deep experience with the WA planning system as they frequently interact with the Planning and Development Act and its suite of planning policies on a daily basis. The draft RPS provides a good overview of land use considerations in relation to the river and the strategy itself. It highlights the complexity and number of legislative frameworks interacting with each other, including where some requirements may limit the ambitions or actions permitted under other settings.

In crafting the strategy and actions to support it, there should be greater acknowledgement that Perth has a longstanding 47 per cent infill development target as set by *Perth and Peel @ 3.5 million*. A significant portion of that infill is earmarked for areas that are within the river park's Development Control Area or close by. There is already major redevelopment taking place next to the Swan and Canning rivers at the South Perth Peninsula, Canning Bridge and Burswood.

The draft RPS acknowledges that future development will place additional demand on the river park as a hub for recreational and lifestyle amenities. There should be greater consideration given in the draft RPS objectives and actions as to how this can be best managed in conjunction with industry, so that management activities don't result in additional costs or regulations for industry, residents and ratepayers.

The draft RPS refers to "poor historic land use decisions" that have impacted the ecological value of the river, with "best practice foreshore planning" cited as critical to overcoming these historical challenges. However, it is not clear what best practice foreshore planning entails in the context of the Swan and Canning rivers. We note – and urge the final strategy to be mindful of – the series of overarching planning considerations and instruments already in force along the length of the river. Those existing instruments include Local Planning Schemes, Activity Centre Plans (including at the South Perth Peninsula and Canning Bridge) and State Planning

Policy 2.10 – Swan-Canning River System, which outline expected and required development at key locations around the river. We note that specific reference to State Planning Policy 2.10 does not feature in the draft RPS other than high-level references to State Planning Policies more generally.

The draft RPS should be careful in calling for updated planning practices and policies where overarching planning instruments already have effect. There is a risk that the draft RPS, and any actions stemming from it, may conflict with these important instruments and add to the complexity of the numerous planning documents and masterplans that already exist for strategic locations along the river.

Resourcing and financial costs

As alluded to in the general comments section, the draft RPS notes that significant investment is needed to deliver elements of the strategy. Central to this is the recognition that many of the reserves and built infrastructure along the river require major upgrades to ensure facilities and amenities are accessible, fit-for-purpose and responsive to user needs.

Although the draft RPS does not indicate funding sources, it is likely that any financial contributions will come from a mixture of sources, including state government agencies, local governments, individual businesses or property owners, or a combination.

As an objective, the draft RPS should consider the role of private investment in the funding mix to enable those upgrades through mechanisms that provide greater development outcomes in suitable locations along the river. Any mechanism should consider the opportunities for enhancement or greater activation of the river to meet user needs, while also allowing for a commercial return to the entities operating those activities or facilities.

Allowing for greater partnerships between industry and authorities responsible for river management can deliver benefits to residents, visitors and to government by offering more activities at lower cost to taxpayers, ratepayers and residents.

At the same time, it is important that any funding or resourcing for the draft RPS, its actions or upgrades are done in a sensible way that do not put excessive financial pressure on industry.

Collaboration, industry engagement and information sharing

The draft RPS makes attempts through objectives and supporting strategies to foster collaboration and information sharing across different river stakeholders. Property Council WA strongly welcomes the intent to productively engage with stakeholders to help achieve common aspirations for Perth's greatest asset.

Indeed, shared responsibility is a guiding principle of the Swan and Canning River Management Act, as highlighted by the draft RPS itself and is essential for the overall management and maintenance of the river.

However, we reiterate that the potentially hostile tone taken towards industry within the draft RPS may limit key partners' openness to engage in conversations around the river's future. It also risks reinforcing a misunderstanding of the role industry has to play in supporting the draft RPS's objectives.

Our position is that industry can make significant contributions to the proactive management and enhancement of the river in a way that balances its special place in Perth's cultural psyche, as well as the role the river itself will continue to play in our city's life.

Next steps

The Property Council appreciates the opportunity to provide a response to the draft RPS consultation. Separately, we also extend an open invitation for representatives from DBCA and the Swan River Trust to engage with industry proactively as the strategy is finalised and implemented.

The Swan and Canning rivers are a unique and significant part of Perth's identity. It is essential that the management of the river is underpinned by balancing existing planning frameworks, aspirations and an understanding of industry's role in maximising the river's enjoyment in future years.

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