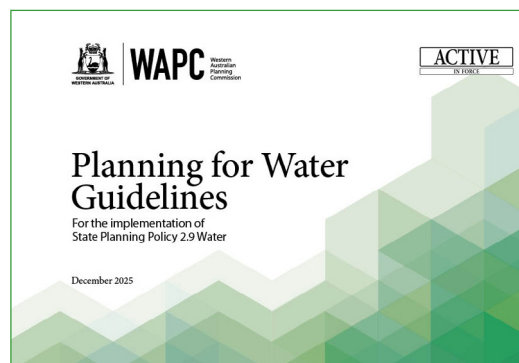
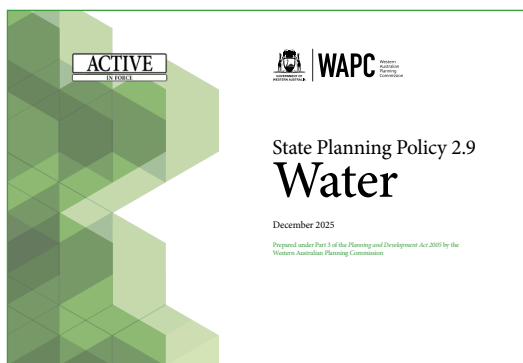




# PUBLIC ENGAGEMENT OUTCOMES REPORT

## State Planning Policy 2.9 Water and Planning for Water Guidelines

December 2025



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Published by the  
Western Australian Planning Commission  
Gordon Stephenson House  
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Perth WA 6000

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Perth WA 6001

Publication date: 16 December 2025  
Operational date: 18 December 2025

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# CONTENTS

[click to follow](#)

1	INTRODUCTION	1	6.8	Use of Australian Standard/ New Zealand Standard 1547 On-site Domestic Wastewater Management to underpin SPP 2.9's wastewater disposal measures and guidance	7
2	BACKGROUND	1	6.9	Flooding	7
3	KEY STAKEHOLDER ENGAGEMENT	1	6.10	Irrigation of public open space	8
4	PUBLIC ADVERTISING PERIOD	1	6.11	Climate change impacts on water resources	8
5	PUBLIC SUBMISSION FEEDBACK	2	6.12	Ecological linkages	9
6	WHAT YOU SAID AND WHAT WE HAVE CHANGED	3	6.13	Mosquitos	9
6.1	Local government's role in endorsing local and district Water Management Reports (WMR)	3	6.14	Inclusion of TECs and PECs in the mapping for SWRA	10
6.2	Aboriginal and historic heritage	4	6.15	Urbanisation of Public Drinking Water Source Areas (PDWSA)	10
6.3	Sediment	4	6.16	Strength of policy wording	11
6.4	Endemic native and deep- rooted vegetation	5	6.17	Use of fill to achieve vertical separation between wastewater disposal systems and groundwater	11
6.5	Cumulative impacts	5	6.18	10% AEP flood event mapping	12
6.6	Determining wetland buffers	6	6.19	Dams, crossings and rural drains	12
6.7	Requirements for Priority 3 and Priority 3* to be identified as special control areas (SCAs) in local planning schemes	6	6.20	Other important environments	13
7	FINALISATIONS	14			



## 1 INTRODUCTION

This Public Engagement Outcomes Report (the Report) provides a high-level overview of the comments received on the draft State Planning Policy 2.9 – Planning for Water (SPP 2.9) and draft Planning for Water Guidelines (the Guidelines) during its public advertising period.

It is noted that the policy suite was advertised as ‘Draft State Planning Policy 2.9 Planning for Water’ and ‘State Planning Policy 2.9 Planning for Water Guidelines’. However, following administrative changes and process improvements, the document titles have been updated and will be gazetted as ‘State Planning Policy 2.9 Water’ and ‘Planning for Water Guidelines’.

## 2 BACKGROUND

The review of the Western Australian Planning Commissions (WAPC) water-related policy framework has led to the consolidation of six water-related SPPs, the *Better Urban Water Management* guidelines and the *Government Sewerage Policy* (GSP) into a single draft SPP 2.9 Water (SPP 2.9) and implementation guideline.

## 3 KEY STAKEHOLDER ENGAGEMENT

SPP 2.9 was developed with close collaboration between the WAPC and a Stakeholder Reference Group, with representatives from a range of State Government agencies, local government, industry and interest groups providing extensive knowledge and experience.

In addition, meetings, workshops and presentations were held directly with stakeholders, including:

**Department of Water and Environmental Regulation (DWER)**

**Water Corporation**

**Peel Harvey Catchment Council**

**Urban Development Institute of Australia (UDIA)**

**Western Australian Local Government Association (WALGA)**

**Department of Health (DoH)**

**Department of Primary Industries and Regional Development (DPIRD)**

**Department of Biodiversity, Conservation and Attractions (DBCA)**

## 4 PUBLIC ADVERTISING PERIOD

The draft SPP 2.9 and the Guidelines were released for public comment for a period of 90 days, between 10 August 2021 – 15 November 2021.

During the public comment period, the Department of Planning, Lands and Heritage (DPLH) held a range of meetings, briefings and presentations with a broad range of stakeholder groups. This included online forums, face-to-face meetings and presentations at several workshops and conferences.

Communications also involved:



**WA.gov Have your say survey**



**Social media posts  
(Facebook and LinkedIn)**



**Promotion on DPLH’s website**

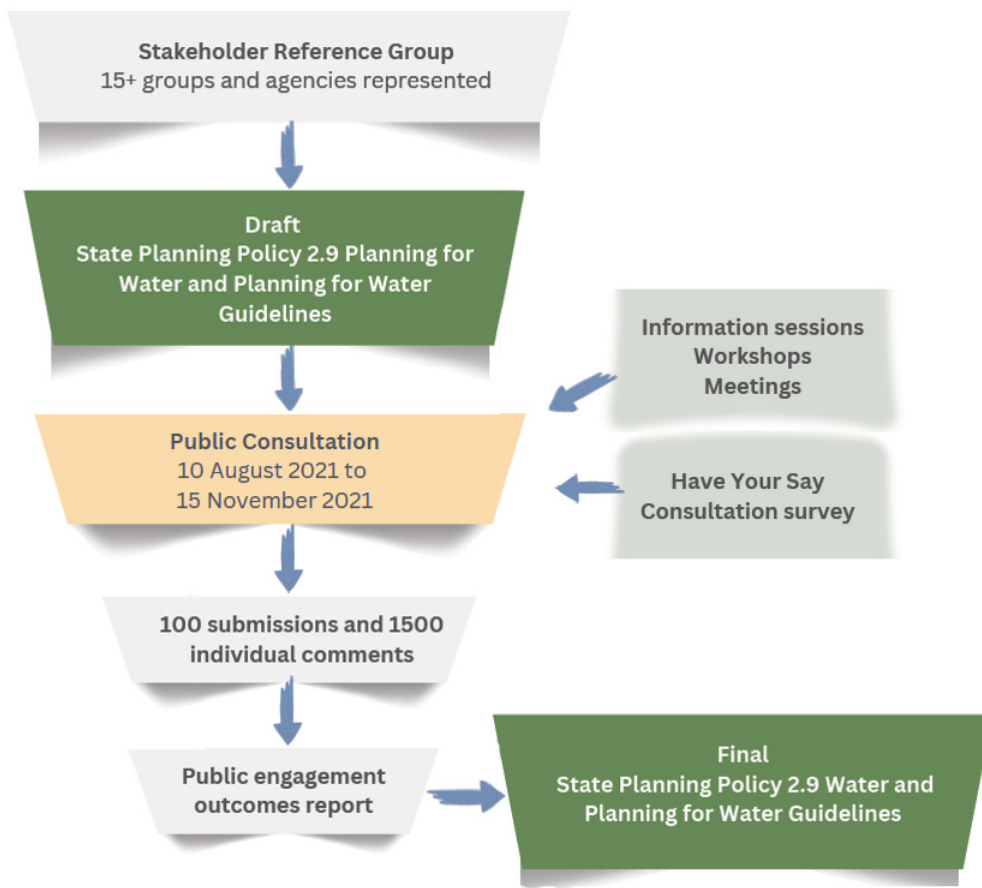


**Ministerial Media statement  
10 August 2021**



Figure 1 shows the key consultation activities undertaken during the public comment period and key steps between the draft policy public comment period and finalisation of the policy and guidelines.

**Figure 1: Key consultation activities and key steps**



## 5 PUBLIC SUBMISSION FEEDBACK

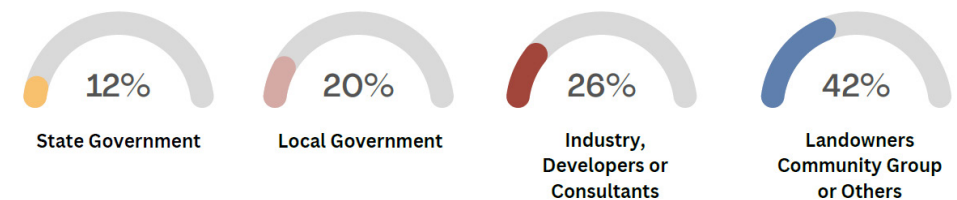
Owing to the many dimensions of water- considerations during different processes and stages of planning and development, there was a diverse range of matters raised on the draft documents.

A total of 100 public submissions were received during the public advertising period. Submissions broadly supported the consolidated format and content of the policy and guidelines which facilitates integrated approaches to water resource planning.

As illustrated in Figure 2 below, most of the submissions (42%) were made by the public (e.g. landowners and community groups), 26 of submissions were made by industry/ developers, 20% were made by local government authorities and 12% were made by State Government agencies.

In total, the 100 submissions comprised of over 1500 individual matters. As shown in Figure 3 below, approximately two thirds of these individual matters related to the Guidelines and one third related to SPP 2.9.

**Figure 2: Percentage of comments by stakeholder type**



**Figure 3: Percentage of comments by document**





## 6 WHAT YOU SAID AND WHAT WE HAVE CHANGED

Stakeholders were generally very positive about the new policy format and appreciated how the policy and guidelines have been brought together in a more streamlined way. There was also strong support for the policy's focus on promoting a holistic, integrated approach to water in land use planning.

Most submissions supported the intent of the proposed measures, with only minor wording changes suggested. These tweaks were generally accepted, particularly where they improved the accuracy of the policy, addressed information gaps, clarified key points or supported better implementation and outcomes. A few suggestions would have created unnecessary regulatory overlap or repeated what's already covered in other government policies, those changes have not been adopted. Instead, where relevant, feedback has been shared with other government agencies.

The next section sets out the main issues and themes raised by stakeholders ('what you said') and explains how the new SPP 2.9 and Guidelines have responded ('what we have changed').

### 6.1 Local government's role in endorsing local and district Water Management Reports (WMR)

Under draft SPP 2.9, proponents were required to prepare Local and District WMRs with the approving agency as *"WAPC with endorsement of WMR from DWER (in close consultation with relevant local government/s)"* (section 5 of the Guidelines).

#### what you said

Industry representatives and some local governments felt that local governments should have a stronger role, rather than just being "closely consulted." They suggested SPP 2.9 include a requirement for formal support from local governments.

On the other hand, several local governments raised concerns that the guidelines might impose greater responsibilities on them, which they felt unprepared to handle due to limited technical expertise and resources.

#### what we have changed

Section 5.1 of the Guidelines clarifies the existing arrangements between DWER and local governments, including clarity around which local governments are the appropriate body to endorse local WMRs. This approach provides flexibility for local governments that have the capacity and, with agreement from DWER, wish to take a more active role in WMRs, while also acknowledging that not all local governments have the resources or skills capability to take on this role.

## 6.2 Aboriginal and historic heritage

The water-related planning policy framework has not previously addressed Aboriginal heritage. Draft SPP 2.9 included a measure to identify, protect, and promote Aboriginal and other historic places and values.

### what you said

This measure was generally supported. However, since the policy was advertised, changes in legislation have required SPP 2.9 to be revised and updated to ensure alignment.

### what we have changed

Modifications have been made to align with the current *Aboriginal Heritage Act 1972* and clarify the head of power for the protection of heritage values.

## 6.3 Sediment

Draft SPP 2.9 stated that proposals should reduce the amount of nutrients and non-contaminants that leave the site and enter nearby water resources. It also required measures to be in place to manage contaminants so that water quality is maintained.

### what you said

Some submissions highlighted the importance of sediment control and requested edits to ensure sediment management was addressed through the preparation of a WMR.

### what we have changed

To ensure sediment management is appropriately considered, the term 'contaminants' has been expanded in the policy and 'sediment' is specifically mentioned in measures, 7.2(i) and (h). In addition, a number of changes throughout the Guidelines highlight sediment management and updated references that point to resources available on the Erosion Control Association (IECA) Australasia website.

The IECA site includes the Best Practice Erosion and Sediment Control document, which is widely regarded as the national reference for managing erosion and sediment on construction sites. It provides practical strategies, design standards, and step-by-step guidance for preparing erosion and sediment control plans.

It is important to note that the control of sediment is largely an operational and technical matter which sits beyond the reasonable scope of SPP 2.9.



## 6.4 Endemic native and deep-rooted vegetation

Under draft SPP 2.9, endemic species were preferred for the restoration and protection of vegetation associated with a waterbody, including the use of deep-rooted native and endemic species for vegetation within sensitive water resources areas.

### what you said

Some submissions stated that wetland buffers and foreshore areas should always use endemic native species rather than this being 'preferable'. Others suggested changing 'endemic' to 'native' for simplicity, and for the terms to be defined in the policy.

A few submissions also recommended deleting 'deep-rooted' as this may imply that shallow rooted vegetation would not need protection.

### what we have changed

SPP 2.9 is written in broad and general terms as it applies across the whole of WA and requires flexibility in implementation. Further, there are other documents better placed to provide specific guidance on suitable and non-suitable species for revegetation (including DBCA's *A Guide to Managing and Restoring Wetlands in Western Australia*), and to provide technical definitions for vegetation (including EPA's Guidance Statement 33: Environmental Guidance for Planning and Development).

We agreed to remove 'deep-rooted' because root depth isn't the deciding factor. The policy's main aim is to retain endemic species wherever possible, whether they are deep or shallow-rooted. Dropping this term also gives the provision more flexibility. As such, changes have been made to retain 'endemic' and remove reference to 'deep-rooted' throughout SPP 2.9.

## 6.5 Cumulative impacts

Draft SPP 2.9 required the cumulative impacts on water resources to be considered (by the decision-maker) particularly at the regional and district levels of planning, and at the subdivision stage if not previously considered.

### what you said

Many submissions supported the idea of considering cumulative impacts but asked for clearer guidance on what that actually means in practice.

### what we have changed

Policy measure 7.1(e) of SPP 2.9 now makes it clear that the responsibility for considering cumulative impacts rests with decision-makers only. This is not a requirement for proponents. The Guidelines also include explanatory information to help decision-makers understand how cumulative impacts can be assessed.

Implementation of this measure will be monitored, and additional guidance may be provided in the future if needed. Stakeholder feedback will play an important role in shaping any future updates, ensuring the approach remains practical and effective.



## 6.6 Determining wetland buffers

Draft SPP 2.9 provided for a case-by-case approach to determine appropriate wetland buffers and refers to additional guidance provided in the Environmental Protection Authority's *Guidance Statement 33 Environmental Guidance for Planning and Development* (EPA, 2008).

### what you said

A key issue raised was the need for clearer guidance on buffer distances and parameters for negotiating buffer distances.

### what we have changed

A separate review is being undertaken into the broader wetland planning policy framework. As part of this work, a review of existing policy is being undertaken to strengthen guidance on establishing wetland buffers through the land use planning process. Once this new guidance is complete, it will also go through its own consultation process.

To maintain alignment and avoid unnecessary overlap with the wetland guidance that's being developed, we haven't made any major changes to wetland-related content in SPP 2.9 or the Guidelines at this stage.

## 6.7 Requirements for Priority 3 and Priority 3\* to be identified as special control areas (SCAs) in local planning schemes

Priority 3 (P3) and Priority 3\* (P3\*) areas are urban drinking water source protection zones. Draft SPP 2.9 required P3 and P3\* areas to be identified as Special Control Areas in local planning schemes in the Metropolitan Region Scheme (MRS) or equivalent to manage risks to the drinking water source through the planning framework.

### what you said

Some submissions suggested removing this requirement for P3 areas and instead use a land use permissibility table and provisions within the local planning scheme to establish appropriate land uses.

### what we have changed

SPP 2.9 has been updated to make it clear that SCAs are required for Priority 1 (P1), Priority 2 (P2), and Priority 3\* (P3) areas in the MRS, and for P1, P2, and P3 areas outside the Metropolitan Region Scheme.

The policy also allows for SCAs to be adopted where they suit the local context and are the preferred way to ensure land uses and development remain compatible.





## 6.10 Irrigation of public open space

The draft SPP 2.9 required proposals to consider water infrastructure provision and water supply for public open space (POS).

### what you said

Some submissions requested more emphasis on irrigation of POS at the District WMR stage and for a minimum standard of irrigation to be provided in the guidelines.

### what we have changed

At regional and district planning stages, details like the location, size, form and irrigation needs of POS usually aren't known yet. That's why SPP 2.9 focuses on providing information that matches the level of planning and sets up a framework to guide later stages.

SPP 2.9 and the Guidelines already give comprehensive advice on considering POS within the water policy framework. Other policies cover specific POS requirements, so it wouldn't be appropriate for SPP 2.9 to impose a one-size-fits-all standard.

As such, no changes have been made to the policy content relating to irrigation of POS.

## 6.11 Climate change impacts on water resources

Draft SPP 2.9 presented a new measure requiring proposals to consider water resource related issues associated with climate change.

### what you said

Some submissions requested more and clearer guidance on the expected impacts of climate change.

### what we have changed

Climate change is a global issue. A lot of issues raised on the matters were outside the scope of SPP 2.9. Broader climate matters will be *addressed* through the whole of Government Climate Policy being implemented by DWER, as well as in other WAPC policies as they are reviewed and developed.

SPP 2.9 provides for the consideration of climate change impacts on water resource planning and is flexible in its approach. As a result, no changes to the policy content relating to climate change were made.



## 6.8 Use of Australian Standard/New Zealand Standard 1547 On-site Domestic Wastewater Management to underpin SPP 2.9's wastewater disposal measures and guidance

Draft SPP 2.9's on-site sewage disposal measures (section 7.4 of the policy and section 8.7.5 of the Guidelines) were based on *AS/NZS 1547:2012 On-Site Domestic Wastewater Management* (AS/NZS 1547).

### what you said

Some submissions did not support AS/NZS 1547 and considered it to be significantly more stringent than the current *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

### what we have changed

SPP 2.9 will continue to reference this standard to ensure on-site sewage planning aligns with national best practices and future regulations proposed under the Public Health Act 2016.

As such, no changes were made to SPP 2.9 measures and guidance relating to the use of AS/NZS 1547. The Department of Health supports this approach, and it is consistent with their recommendations on the creation of a new regulatory framework for wastewater conveyance, treatment, and disposal.

## 6.9 Flooding

Draft SPP 2.9 addressed flooding in the context of "riverine flooding" from annual seasonal and flood-producing rainfall events. Section 7 of the Guidelines outlined how various other forms of flooding (e.g. groundwater inundation) is dealt with both within SPP 2.9 and beyond.

### what you said

A key issue raised was that objective 5.3 and the outcomes in SPP 2.9 needed to expand beyond "riverine flooding" and instead refer to "flooding" more generally to include other forms of flooding.

There were also comments regarding the structure of the policy and guidelines, particularly how and where flooding is addressed. Suggestions included separating different types of flooding into distinct sections and the inclusion of coastal sea-level rise.

### what we have changed

To improve clarity, policy objective 5.3 has been revised to remove specific reference to "riverine" flooding and now addresses flooding more broadly.

No changes were made to structure or scope of flooding guidance in SPP 2.9, as all related elements to flooding, e.g. stormwater management and drainage, are comprehensively covered. The guidelines also note that coastal storm surge and tidal inundation should be addressed in accordance with State Planning Policy 2.6: State Coastal Planning.



## 6.12 Ecological linkages

The rescinded SPP 2.9 Water Resources (2006) did not cover ecological linkages. The draft SPP 2.9 added a new measure to maintain and restore ecological linkages where possible.

### what you said

While generally supported, some submissions consider the phrase 'where possible' to be too weak, possibly providing flexibility where it isn't supported.

### what we have changed

SPP 2.9 and Guidelines includes the words 'where possible' in recognition that maintaining and restoring ecological linkages won't be possible or practical in all circumstances. Further, some matters are outside the scope of SPP 2.9 and relevant to other policy areas, e.g. POS, SPP 2.0 and SPP 2.8 Bushland Policy for the Perth Metropolitan Region.

As such, the wording of the new measure is appropriate for the scope of SPP 2.9 and no changes were made.

## 6.13 Mosquitos

Draft SPP 2.9 recognised the need to consider potential impacts a waterway or wetland may have on surrounding land uses, and the potential need for adequate separation between disease vectors, such as mosquitos, and people. One way this can be addressed is through identification of foreshore reserves and wetland buffers.

### what you said

Some submissions raised the need for SPP 2.9 to do more to manage the risks of mosquitos to people and public health.

### what we have changed

While the planning framework can encourage separation distances to help reduce the impacts of mosquito and midge in urban areas, effective mosquito management also relies on non-planning interventions (including chemical, physical, cultural, and biological controls) which fall outside the scope of SPP 2.9.

DPLH has shared this feedback with broader government, as draft guidelines to address mosquito and waterborne disease risks are already in the works. Updates have also been made to the Guidelines to point proponents to the Department of Health website for practical advice on managing mosquito risk. Looking ahead, we plan to include references to any new guidance material as it becomes available.



## 6.14 Inclusion of TECs and PECs in the mapping for SWRA

Draft SPP 2.9 was supported by a state-wide spatial layer titled 'Sensitive Water Resource Areas' (SWRA), which covers areas where development has the potential to affect water quality and high value water dependent ecosystems. The SWRA mapping layer most strongly corresponds with the wastewater disposal component of SPP 2.9.

### what you said

Some submissions did not support the definition for SWRA and sought to expand the definition and spatial layer to include all threatened ecological communities (TECs) and priority ecological communities (PECs) (beyond just those identified as 'water dependent').

### what we have changed

After analysing the TECs and PECs datasets, it was determined that their inclusion would result in a much larger portion of the state being subject to more stringent wastewater disposal controls.

This would have significant planning implications, including requiring secondary treatment systems in areas where they've never been required. Many of these communities aren't water-dependent, and it's unlikely that on-site wastewater disposal would negatively impact them.

As such, it was agreed to keep the current definition and mapping and no changes to the definition or mapping layer were made.

## 6.15 Urbanisation of Public Drinking Water Source Areas (PDWSA)

Draft SPP 2.9 kept the existing presumption against development and land uses that pose a risk to PDWSAs. Intensification should only be considered where it is identified in the MRS and supported by a strategic planning document prepared by the WAPC.

### what you said

Some submissions suggested that SPP 2.9 should allow proponent-led proposals for development in PDWSA and include clear criteria to support this.

### what we have changed

The current process for changing the classification of a PDWSA remains appropriate because areas suitable for urban development have already been identified at a higher strategic level. The MRS amendment process already provides for proponents to request land to be rezoned and this is subject to advice from relevant State government referral agencies. Making significant changes to this process could undermine the Perth and Peel @ 3.5 million frameworks.

For these reasons, no changes have been made to the policy content relating to PDWSAs.



## 6.16 Strength of policy wording

Draft SPP 2.9 used the terms ‘should’ and ‘where possible’ to provide flexibility for proposals where certain provisions may not apply in every situation.

### what you said

Some submissions supported ‘should’ as the preferred term, while others argued for stronger wording such as ‘must’ or ‘shall’. There were also concerns that “where possible” weakens the policy and gives proponents room to argue that meeting the provisions isn’t feasible.

### what we have changed

Flexibility in policy implementation is important. The term “should” is considered appropriate and has been applied consistently throughout the policy and guidelines. Further, given the due regard status of State Planning Policies, terms ‘shall’ and ‘must’ are not suitable as they are more aligned with legislation or regulations, not policy.

For these reasons, no changes have been made to the wording. However, feedback on clarity and strength of language will continue to inform future reviews to ensure the policy remains practical and effective.

## 6.17 Use of fill to achieve vertical separation between wastewater disposal systems and groundwater

To meet site requirements for on-site wastewater disposal, systems must maintain a minimum vertical separation between the discharge point and the highest groundwater level. Where substantial fill is needed, the draft Guidelines noted that conditions of subdivision may require fill to be provided before lots are created or include a notification on the title.

### what you said

Submissions asked for greater clarity on whether the soil texture of existing ground or imported fill should determine the size of the land application area (LAA). Many suggested the Guidelines should clearly state that calculations be based on the underlying natural soil, not imported fill.

Concerns were also raised about using model subdivision condition W11 (notification on title), with some suggesting it could negatively affect land value and consumer confidence. An alternative approach was proposed, linking the condition to achieving minimum groundwater separation as outlined in draft SPP 2.9.

### what we have changed

As a Site and Soil Evaluation (SSE) is required to determine soil type and necessary vertical separation, and this is typically done prior to the importation of fill, it is appropriate that the LAA be based on the underlying soil and not imported fill. Additional wording has been added to the Guidelines to make this clear.

In regard to the model condition, its use remains appropriate where it informs prospective landowners about the need for significant fill to enable on-site wastewater disposal. As such, no change to wording relating to conditions was required.



## 6.18 10% AEP flood event mapping

Draft SPP 2.9 contained a requirement for on-site wastewater disposal to not be in areas subject to the 10% AEP (Annual Exceedance Probability) flood event. However, DWER mapping does not make clear where these areas are.

### what you said

Some submissions requested assistance with, and reference to, mapping. Comments indicated mapping needed to be updated or expanded, and / or the service from DWER needed to be expanded to confirm mapping for flooding.

### what we have changed

It is acknowledged that policy implementation would be simpler if mapping of the 10% AEP flood event was publicly available. As mapping becomes publicly available DPLH will ensure SPP 2.9 refers to these maps to assist with implementation.

## 6.19 Dams, crossings and rural drains

Draft SPP 2.9 established key objectives and outcomes to be achieved in determining dams, crossings and rural drains, but allowed for local government to specify through local planning policy or scheme provisions criteria for when planning approval for a dam may be exempt.

### what you said

Submissions supported the local discretion afforded to local governments in considering the need for dams to require development approval.

### what we have changed

The ability for local governments to provide further guidance or exemptions through the development of local planning policy is supported and has been highlighted further in SPP 2.9.



## 6.20 Other important environments

Draft SPP 2.9 was supported by a state-wide spatial layer titled Sensitive Water Resource Areas, which maps key water-related areas that have the potential to be impacted by contamination associated with land use and development. Its primary purpose is to support wastewater related measures in SPP 2.9.

Due to the challenges in mapping every water resource of significance in WA, the spatial layer does not depict every water resource requiring policy protections. Draft SPP 2.9 also included references to a broad list of 'other important environments' to ensure they are given consideration.

### what you said

Some submissions requested SPP 2.9 protect all 'important environments', not just Sensitive Water Resource Areas. This includes, all waterways, significant wetlands, estuaries, floodplains, in addition to non-water related environments including, DBCA managed conservation estate, vegetation, threatened flora and fauna and their habitats (protected under the *Biodiversity Conservation Act 2016*), threatened ecological communities, and potentially other environments.

Some submissions also sought inclusion of additional references to 'other important environments' throughout the policy and guidelines.

### what we have changed

It is acknowledged that adverse impacts to water quality and quantity can impact 'other important environments' and this is why reference to these has been included as a key consideration. This inclusion also acts as a type of 'catch all' considered necessary given the complexity of accurately capturing every water resource in data layers across a state as vast as Western Australia.

However, these environments vary a lot in type, nature, and size, so it is important that SPP 2.9 references them carefully.

The goal is to stay within the reasonable scope of the policy and keep the focus on water resources. Plus, many of these 'other important environments' aren't clearly defined and giving them too much weight could create ambiguity and make implementation difficult.

Where appropriate, changes have been made to the draft SPP2.9 policy and guidelines to reference "other important environments".



## 7 FINALISATIONS

The SPP 2.9 and Guidelines will be operational from 18 December 2025.

For any queries regarding the policy, feedback, or its implementation, please contact:

[waterpolices@dph.wa.gov.au](mailto:waterpolices@dph.wa.gov.au)