

21 February 2007

Mr Mick Geaney
Assistant Licensing Director
Economic Regulation Authority
Level 6 Governor Stirling Tower
197 St Georges Terrace
PERTH WA 6000



Dear Mr Geaney,

APPLICATION TO AMEND OPERATING LICENCE N0 32

The Peel Harvey Catchment Council (PHCC) wishes to provide the following comments in relation to the proposed amendments to the Water Corporation's Water Services Operating License No 32 as requested via notice in January of this year.

In regards to the consultation process involved with the proposed amendments the PHCC would like to express its concern about the lack of information, explanation or rationale that has been provided to assist stakeholders, be they Government, local government, catchment groups or the community to adequately assess the possible affect of the proposed changes and therefore make an informed opinion and comment.

Specifically related to the proposed amendments, the PHCC is concerned that the proposed changes are inconsistent with the Government of Western Australia's current direction on drainage reform¹ and pre-empts the outcomes of the Coastal Drainage Initiative of the Department of Water (DoW) both of which are investigating the need to manage drainage for water quality outcomes, which is unlikely to be achieved through compliance with the Rural Drainage Manual of Standards 1977.

The PHCC agrees that the current licence conditions need to be reviewed; however this review needs to be undertaken in an open, transparent, and holistic way and the specific need for the proposed amendment to these few aspects of the license has not be adequately explained.

¹ Government of Western Australia (2003) *A State Water Strategy for Western Australia*. Perth, Western Australia Pg 43

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The PHCC is very concerned about the use of the Rural Drainage Manual of Standards 1977 as the mandated standard for drainage infrastructure. As referred to above, the use of the Rural Drainage Manual of Standards 1977 ignores current 'best practice' which requires water quality to be considered in drainage design.

Perhaps more confusing is that officers of the PHCC have been previously advised that the Rural Drainage Manual of Standards 1977 is no longer formally used by Water Corporation. When Water Corporation staff have previously provided copies of the 1977 manual they have done so with the inclusion of a disclaimer indicating that it is an outdated document and is not to be used for current design work. Furthermore, Davies (1994)² reported over ten years ago that the data set and methodology used in the construction of this manual was fundamentally flawed.

In relation to the changes of the license conditions relating to the Serpentine River levees (near Baldivis), although the PHCC has no specific objection to this being the case, no supporting information, basis or rationale for the proposed changes has been provided. This information is required for an adequate assessment of the changes to be made by relevant stakeholders. Also it is the understanding of the PHCC that a Serpentine River Flood Study has recently been tendered by the Department of Water and again, this amendment could be seen to be pre-empting the outcomes of this investigation.

Thank-you for the opportunity to provide comment on the proposed amendments and my contact details are included below should further information be required.

Yours sincerely



Damien Postma
Executive Officer

² Davies & Associates (1994) *Review of Rural Drainage Maintenance Practices with Special Regard to Nutrient Reduction*, Water Authority of Western Australia, Bunbury WA

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