

TOWN OF COTTESLOE SUBMISSION ON THE “GREEN PAPER: MODERNISING WA’S PLANNING SYSTEM”

1. Strategically-led

Council is supportive of putting ‘strategy’ at the centre of the planning system and in giving the community an opportunity to say how their neighbourhoods can be developed. It is noted that the Green Paper states that many local governments have Local Planning Strategies that are out of date and that these need to be updated. In this regard, it is suggested that a simpler and speedier method could be considered for future planning, such as the development of an overall ‘Vision Plan’ for a local authority that does not include some of the other more detailed aspects of a Local Planning Strategy. This is not negating the need for a Local Planning Strategy (because this requires sufficient detail to inform a scheme review as well as to inform future planning) subject to review as suggested below, but the preparation of a Vision Plan may enable a more regular review of future planning for a local government (which could be every two years), and this would enable a more up to date Plan which could respond to the speed of change in our planning environments, as well as involve the community on a more regular basis.

The content requirements for a Local Planning Strategy as set out in the Local Planning Manual need to be reviewed, and an element of ‘scaleability’ introduced, as the existing content is unnecessarily onerous for smaller local governments such as Cottesloe.

Further, the Regulations should stipulate a time limit for DPLH to review Local Planning Strategies, as there is currently no time limit and delays in review can be considerable.

The requirement for stand-alone Local Housing Strategy (reform proposal 1.3.1) is not supported without a comprehensive review of the content requirements of Local Planning Strategies, as mentioned above.

2. Legible

It is acknowledged that local planning schemes are currently available online through the WAPC website. Some of the State Planning Policies are rather lengthy and need to be streamlined and made more effective through guidance.

However, the recommendation that local governments hold-off substantive reviews of their Local Planning Strategies and Local Planning Schemes during the planning reform process (reform proposal 2.4.3) is not supported. Many Local Planning Schemes and Strategies are old, the process of updating can take several years and the time frame for the reform process is unknown.

3. Transparent

It is considered essential that the community be involved in developing the vision and strategic plans for a local government area, and while this is something that

would form part of the preparation of a Local Planning Strategy, it is reiterated that it would be useful to consider a more efficient process in developing a strategy for a local government, whereby the community are involved in shaping and preparing a 'Vision Plan' for the future planning of a local authority that does not include some of the more detailed aspects of a Local Planning Strategy. A Vision Plan of this type could be accompanied by guidance notes, and could be updated more regularly.

The establishment of a Charter for Community Engagement (reform proposal 3.2.1) is generally supported, provided that it takes account of the variation in resources between local governments. Such a Charter should also bind State agencies involved in the planning process.

Third party appeal rights have not been given adequate attention in this review. Council supports third party/neighbour/local government appeal rights, to ensure that planning decisions accord with community aspirations and expectations. This should be included in any planning reform. The focus on community engagement in planning is welcome. However, to give effect to community aspirations, it is essential that affected neighbours and local governments can appeal all planning decisions.

Council opposes Development Assessment Panels, as they allow planning outcomes that do not reflect the community's aspirations and expectations. Reform of WA's planning system should include the abolishment of DAP's. Alternatively, the ability of applicants to opt-in to DAP should be abolished, and DAP process should be accessed only by WAPC call-in limited to regionally significant developments with a minimum value (suggested as \$20m). The composition of DAP's should also be changed to ensure at least 50% local government members, with the Chair obliged to cast any casting vote to preserve the status quo.

Subject to the comments above requiring a more comprehensive review of DAP's, any reforms which increase the efficiency and transparency of DAP procedures and access to the public is welcomed.

4. Efficient

Council supports the key proposal to increase delegation of statutory and administrative matters from the WAPC to local governments, subject to comments below regarding financial assistance from the State. Dependent on the specifics of this proposal, the aim would be to create more streamlined processes, and a more efficient turn-around time for applications and projects. We would be keen to liaise with the WAPC to explore these opportunities.

Planning Reform must provide for State financial assistance to local governments to fully compensate for implementation of reforms and additional costs incurred by local governments resulting from reforms. This has been done in other jurisdictions.

In addition, fees and charges specified within the Planning Regulations 2009 must be reviewed prior to any reforms being implemented, particularly since they have been frozen since 2013. It is also suggested that local governments be allowed

more flexibility to recover costs from applicants on an hourly rate and on a user-pays basis.

Council does not support a fast-track 30-day planning approval for single house applications requiring only minor variations to the R-Codes (reform proposal 4.2.14) as this places pressure on local government administration which may compromise decision making.

The WAPC may need to consider the statutory and non-statutory status of strategic planning in order to effectively utilise strategic planning at the local government level. For example, the structure plan provisions in the Planning and Development (Local Planning Schemes) Regulations 2015 have changed structure plans from having statutory bearing to being policy instruments only. The WAPC has greater power over structure plans through the Regulations, so whilst the local government prepares the structure plan, undertakes advertising and considers submissions, it then reports to the Commission who determines whether to approve, modify or refuse the structure plan.

In relation to the abovementioned issues, the key proposal to “require that Structure Plans and Activity Centre Plans be read as part of the scheme to provide greater certainty to the community and applicants” is supported.

5. Planning for Smart Growth

The Town of Cottesloe welcomes the opportunity to work with the State Government in the planning and delivery of key centres and infill locations.