

Green Paper summary

Modernising WA's Planning System:

Concepts for a strategically-led system

The Minister for Planning has commissioned an independent review of the planning system to identify ways to make it more effective, streamlined, open and understandable to everyone.

The Green Paper outlines challenges in the planning system and proposes five key reform areas. It is a discussion paper and does not commit the State Government to adopt the proposals.

Feedback on the Green Paper will inform a White Paper that will set out the Government's proposed reforms for a contemporary planning system to enable the State's continued prosperity and liveability.

This summary provides a brief overview of the key principles and proposals detailed in the Green Paper. The full Green Paper can be downloaded at www.planning.wa.gov.au/planningreform.

Development of our growing State is managed through plans, policies and rules under the Western Australian planning system. An effective planning system is vital to create vibrant communities with a variety of houses and access to jobs, services and quality public spaces.

Have your say

We want to hear from you.

- Tell us your experiences of the planning system.
- Do you agree with the ideas and proposals in the Green Paper?
- Do you have other ideas for reforming the planning system?

Submission can be made online at www.planning.wa.gov.au/planningreform

or by emailing planningreform@dplh.wa.gov.au

The closing date for submissions is Friday 20 July 2018.

Independent planning review



Consultation



Consultation



State Government
approval and
implementation

Western Australian Government

Why is reform needed?

There is some concern that Western Australia's planning system has become overly complex and focusses too much on individual applications for development. Also, most people only engage with the planning system to react to a development proposal in their neighbourhood, rather than contributing to the future form of their community.

The planning system has many out-of-date and overlapping policies and guidelines. As a result, decision-makers often respond to individual development proposals, rather than setting a vision for an area to which the development industry can respond.

Strategic planning encourages early involvement by the community to shape their future and assists landowners to clearly understand what is the vision for their area and what is permitted on their lots.

Many of the proposals within the Green Paper give precedence to strategic planning.

A strategically-led system establishes a line of sight through State and local government strategies to explain how they work together to inform decision-making. Shifting from statutory-led to strategically-led planning is long overdue.

Reform principles

Fairness	Transparency	Integrity	Efficiency
The views and interests of all stakeholders are considered and balanced.	Users are able to understand the planning system.	The community is meaningfully involved in strategic planning.	The planning system is well organised to deliver timely outcomes.

The key reform proposals

1. Strategically-led

Make strategic planning the cornerstone of the planning system

2. Legible

Make the planning system easy to access and understand

3. Transparent

Open up the planning system and increase community engagement in planning

4. Efficient

Make the planning system well-organised and more efficient

5. Delivering smart growth

Refocus the planning system to deliver quality urban infill



Key reform 1: A Strategically-led planning system

Putting strategy at the centre of our planning system will give the community a say in how their neighbourhoods will be developed.

It will also provide the development industry with a clear understanding of what is expected for the future development of an area.

Strategic planning should guide the growth of our towns and cities and be the backbone of the planning system.

Over the past five years, New South Wales, Queensland, South Australia and Victoria have all undertaken significant reforms of their planning systems to put greater emphasis on strategic planning that guide decisions on development proposals.

The process of preparing a planning strategy enables the community, local government and other stakeholders to set the vision and values for a region or area. Decisions about local character and values, growth, housing types, local centres, lands for jobs and transport networks are made in the strategic planning process.

Many local governments have allowed their Local Planning Strategies to become out-dated with little connection between the strategy and the local planning scheme. As a result, the local government and community direct their

time and effort in debating individual proposals for development. This effort is better invested in maintaining a strategic plan against which individual projects can be understood and assessed.

Key proposals

- Require local governments to maintain up-to-date **local planning strategies** in consultation with their communities, and to review the strategy prior to a scheme amendment.
- Amend the Planning and Development Act to make **strategic planning for sustainable development** the purpose of planning in Western Australia.
- Develop a new State Planning Policy that defines sustainable development and decision-making for sustainable outcomes.
- Require local governments to prepare a **local housing strategy** to show where growth will be accommodated and what types of housing are needed.

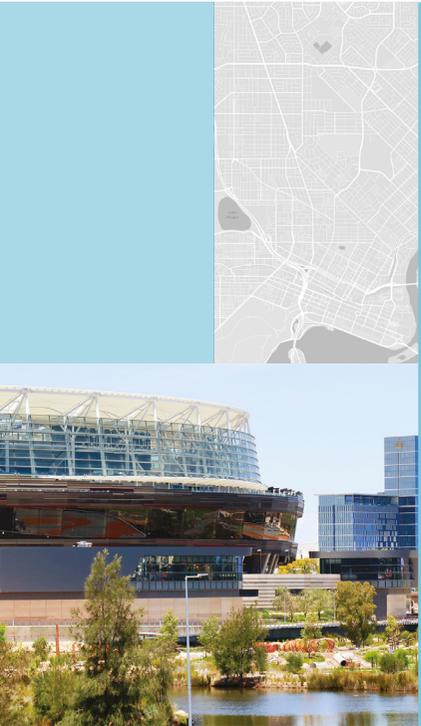


Figure 1: Changing the focus of planning effort
Source: Productivity Commission



Figure 2: Hierarchy of planning elements

Key reform 2: A legible planning system



The planning system should be easy to access and understand.

A consistent set of schemes, policies and plans will restore trust in the system by reducing red tape and the need for discretionary decision-making.

A planning system that is easy to access and understand allows all users to engage more effectively with planning and development in their community. This can reduce time, cost and frustration for community members, the development industry and decision-makers.

Currently, people struggle to determine how the planning system affects them.

The review found that some development requires more than a dozen documents, including scheme, plans, strategies, regulations, policies and codes that need to be read, understood and cross-referenced.

Some documents are out-dated, while others have been in draft form for a long time. Some documents are poorly written without clear guidance. There is overlap and inconsistency between documents with no clear indication of precedence. There is also significant variance between local government schemes, zones and policies. This causes confusion and unnecessary red tape and can result in outcomes that aren't aligned with strategy or community expectations.

The strategies, plans, schemes and policies which make up the planning system should be presented simply and concisely with a focus on outcomes, not process. Strategies and plans that are used together, such as the State Planning Policies and Local Planning Schemes, need to be presented in a coordinated document.

Key proposals:

- Consolidate State Planning Policies into a single concise framework with easy-to-understand guidance.
- The links between State Planning Strategy and State Planning Policies, and local planning strategies and schemes should be strengthened and made clear and understandable.
- Define common strategic elements for the State planning framework and require all planning documents to be organised around these elements.
- Require all local planning schemes, strategies and policies to be published in a single, easy-to-navigate, standardised format, to be known as a Comprehensive Local Planning Scheme.
- Reduce red tape for business by standardising land use permissibility for the most commonly-used zones.

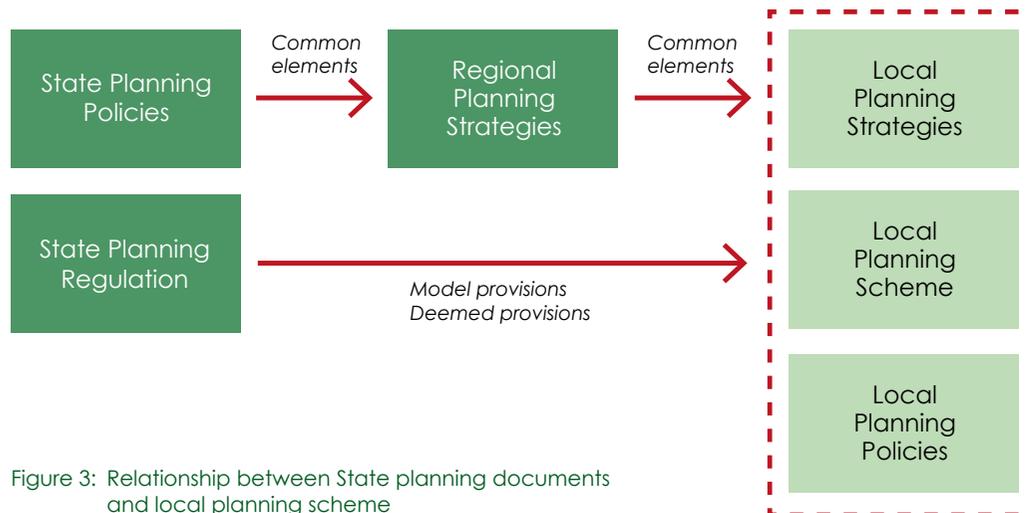


Figure 3: Relationship between State planning documents and local planning scheme

Key reform 3: A transparent planning system

Involving people in shaping strategic plans for their communities will improve dialogue between stakeholders and help create a shared understanding of how an area will develop.

Making all planning decisions transparent will create trust that the planning system is delivering fair outcomes for the community.

Consultation processes within the Western Australian planning system often means that communities can only respond to plans and proposals, rather than have early involvement in shaping the vision and plans for their community.

Communities require more opportunities to participate meaningfully in shaping strategies and plans that may affect them.

Contemporary planning systems in Australia and internationally are giving people more voice in setting the strategic direction for their community.

It is also important for the community to understand why decisions are made. If a development proposal varies what has been agreed in a strategic plan, then the community should have the opportunity to let decision-makers know whether they think the proposal should go ahead. Decision-makers should also make the reasons for their decisions available to the community.

Key proposals:

- Develop a **Community Engagement Charter** to require contemporary community engagement practices, with a focus on community involvement in developing the vision and strategic plans.
- Provide **reasons for decisions** on planning proposals and develop a guideline for planning decision-makers.
- Require local governments to **report on their performance in undertaking planning responsibilities**, including decision-making timeframes and outcomes, and the status of their local planning strategy and scheme.



Figure 4: Community involvement in Strategic Planning



Development Assessment Panels

The State Government aims to improve accountability and transparency of the DAP system.

Development Assessment Panels (DAP) are planning decision-makers comprising planning professionals and local government representatives. They make decisions on high-value and complex development proposals, taking into account relevant State and local government strategic plans and statutory planning schemes.

Feedback to the planning review team included:

- Concerns that DAPs are making decisions based on dated or ambiguous local planning requirements. This has resulted in inconsistent decision-making and community mistrust.
- DAP meetings appear to be organised at short notice and irregular times, which limits community access and participation.
- Meeting proceedings and reasons for decisions are not freely available.
- There is a lack of flexibility in meeting processes, which restricts DAP members from thoroughly investigating and obtaining advice on complex proposals.
- There is limited transparency on reconsideration of applications by a DAP following State Administrative Tribunal (SAT) processes.

Key proposals:

- **Schedule DAP meetings at regular times** to improve accessibility.
- Require each **DAP meeting to be recorded** and made available on the DAP website.
- Require the DAP to **provide reasons for all of its decisions**.
- Create **more flexibility in DAP processes** for proposals which seek significant variations, to enable better scrutiny and to provide for advice and input from community and stakeholders.
- Require **proposals amended** as a result of a SAT mediation process **be readvertised** unless fully compliant.
- Appoint a **Presiding DAP Member** with responsibility for monitoring, advising and mentoring DAP members.
- Draw **specialist DAP members** from a state-wide pool of members based on the nature of application being heard.
- Provide that **new specialist members** be included when SAT invites the DAP to reconsider a decision, to **ensure fresh consideration** of the proposal.
- Encourage the SAT to prepare a framework that allows third parties with a strong interest to be considered during SAT mediation of DAP matters.

Key reform 4: An efficient planning system

Clarity of planning roles

The efficiency of the planning system and decision-making will be improved by better defining the roles and responsibilities of the Western Australian Planning Commission (WAPC), Department of Planning, Lands and Heritage, local government and other State agencies.

The scope, diversity and volume of matters considered by the WAPC contribute to inefficient dealings on statutory matters and divert resources from strategic planning and policy.

The WAPC needs to focus on the provision of strategic leadership for the State Planning Policy framework and regional and sub-regional planning. The WAPC also has a leadership role to play in strategic planning for smart growth, such as working proactively with local governments and other agencies to prepare urban corridor and activity centre plans.

This can be achieved by expanding delegation of statutory and administrative matters that are not of regional or State significance to the Department of Planning, Lands and Heritage and accredited local governments.

Key proposals:

- Revise the WAPC membership down to **five - seven members** with a **breadth of skills and experience** focussed on State policy, regional plans and planning for smart growth.
- Give the WAPC the **flexibility to form expert committees** as required in response to emerging issues or specific projects.
- Increase **delegation of statutory and administrative matters** from the WAPC to accredited local governments with delegations in place.

Quicker, better decisions

The following proposals will streamline processes that prolong approvals.

- Use a **track-based approach** to assess regional scheme amendments, local strategies and local structure plans/activity centre plans.
- Provide a process for decision-makers and applicants to **collaborate** during the **assessment process**, including **formal pre-lodgement advice**.
- Create rules for **efficient referral** of planning matters.
- A maximum **timeframe** for decision-makers to request **additional information** from applicants.
- Provide for **up-front agreement** on the **scope and content of Local Structure Plans**.
- Require that **Structure Plans and Activity Centre Plans** be read as part of the scheme to provide greater certainty to the community and applicants.
- Create a maximum **30-day planning approval** process for single houses proposals with only minor variations to the Residential Design Codes.
- Incorporate **development contribution schedules** in Comprehensive Local Planning Schemes.
- Require local government to **report** on administration of **development contributions**.

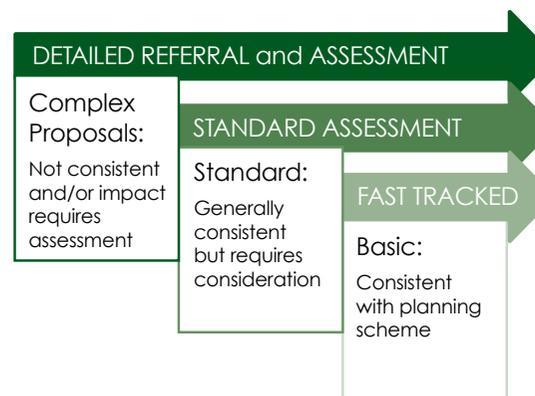


Figure 5: Track based approach for planning proposals

Key reform 5: Planning for connected smart growth

The planning system should focus on achieving high-quality growth to meet the needs of the growing and diverse population and economy.

The WAPC's metropolitan strategy *Perth and Peel@3.5million (2018)* proposes that approximately 53 per cent of growth will be accommodated in greenfields communities and 47 per cent through infill development within existing urban areas.

Perth and Peel@3.5million proposes that the majority of urban infill will be provided within urban corridors, activity centres and station precincts. The challenge for all levels of government is to undertake timely and effective planning to achieve high-quality infill development that enhances existing communities. The WAPC is well-placed to assume a leadership role in prioritising the planning of infill locations, determining the method of delivery and collaborating with local government in delivering the planning framework and coordinating the necessary infrastructure to facilitate quality development.

Given that half of the growth will occur in new greenfields development, ongoing policy guidance is required to ensure development of new communities is high quality, well-served with infrastructure and social services, and responsive to community needs.

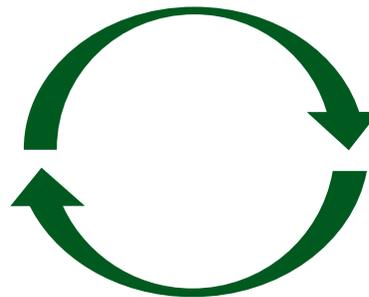
Key proposals:

- **State Government** to develop clear arrangement for the **planning and delivery of key infill locations** in partnership with local governments and other agencies.
- **State Government** to provide local governments with **advice on forward planning of State infrastructure**.
- **WAPC** to assume a leadership role and collaborate with local government for **planning of priority infill areas** and assist with **land use and infrastructure coordination**.
- **WAPC** to prepare a new **Consolidated and Connected Smart Growth State Planning Policy** to guide planning and delivery of smart growth.
- Elevate **Liveable Neighbourhoods** to a **State Planning Policy**.
- Provide for an **Industrial Deferred Zone** in the **Metropolitan Region Scheme** to plan effectively for future economic activity.
- Ensure that arrangements for provisions of State infrastructure are in place prior to permitting development in Urban or Industrial Deferment zones.
- Include **Urban Corridor** as a road category in the Metropolitan Region Scheme, requiring a **coordinated transport response** for planning proposals within urban corridors.



Land Use Planning

The **provision of Infrastructure** shapes the city and regions to which land use needs to respond.



The **land use planning system** sets the location and form of urban development and gives rise to the need for infrastructure.

Infrastructure Planning