

Draft Council Policy 3.5 Initiation of Local Planning Scheme Amendments

Summary of Submission

The Property Council WA welcomes the opportunity to provide feedback to the Draft Council Policy 3.5 Initiation of Local Planning Scheme Amendments (“Draft Policy”).

In its submission to the City of Perth Planning Strategy consultation, the Property Council identified the freeze on scheme amendments as highly problematic, as it inhibits the progression of projects that have the potential to support targets outlined in the Strategy for an unknown period.

The Property Council welcomes the development of this Draft Policy. This policy represents a positive step in the right direction concerning new schemes in recognition of how long it takes to realise gazettal.

There are numerous benefits associated with permitting scheme amendments to continue. Significantly, investment is not static. Opportunities requiring a scheme amendment that do not progress during the planning strategy development period may be lost forever if that capital is reallocated to other projects.

This submission proposes some minor considerations to the Draft Policy to enable planning to continue to support a strong investment and development environment for the City of Perth, aligned with the planning vision for the future.

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 that underpin the contribution our members make to Australia’s economic prosperity and social well-being.

The Property Council WA membership consists of more than 290 member companies, representing 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.

This submission is informed by the Property Council's key member representatives and expert committee members.

Recommended Changes

[Clarification on how clauses 7\(d\) and 9 \(a\) will be applied](#)

The Property Council requests clarification on how clauses 7(d) and 9 (a) will be applied.

Clause 7(d) states *"Scheme Amendments should not unduly pre-empt the Council's decisions on the draft Local Planning Scheme or other strategic planning documents (like Precinct Structure Plans)"*. As Council's decision cannot be known, there is a risk this clause will add undue ambiguity to the process. The Property Council proposes a definition or examples of what could "unduly" pre-empt Council decisions should be provided to give guidance to applicants and officers when assessing such proposals.

Similarly, clause 9(a) requires consideration of community support for the proposal and states "Consideration needs to be given to any external feedback received on the Local Planning Strategy or other planning instruments that may relate directly to the Scheme Amendment." The Property Council proposes this clause is too broad and should be narrowed to give greater direction within the policy.

[Extension of provisions in clause 8](#)

Clause 8 provides a series of considerations relating to the alignment of the proposed scheme amendment and existing scheme/ policy objectives.

The Property Council welcomes the inclusion of uniqueness, site outcome and community benefits as considerations in the decision making and views there is an opportunity for this clause to include due consideration to the economic benefits the proposal may deliver. Given the Planning and Development Act 2005's requirement for the promotion of sustainable use and development of land in the State (economy being a pillar of sustainability), consideration to the economic outcomes of planning proposals should be considered. This also aligns with the aims and objectives of the current City of Perth local planning scheme to ensure that the local government of Perth and its environs will be widely recognised as a viable world class city providing a high level of services and amenities in a friendly and accountable manner.

Perth finds itself in the position of competing for investment against other capital cities, strong regional centres and development hubs. The impacts of COVID-19, border closures and the economic hardship felt by the conclusion of the mining boom are still felt in the current CBD economy. Perth is exceptionally well-positioned to recover and secure a positive legacy which elevate the cities position nationally and internationally, strong consideration of the economic opportunities created by investment will support the City of

Perth ensuring strategic economic opportunities and not missed during this period of transition for the Planning Scheme.

Next Steps

The Property Council appreciates the opportunity to provide feedback to the Draft Policy.

Should it be of interest to the project team, we would be happy to host a feedback session with the Property Council WA Planning and Cities and Emerging Precincts Committee to explore more deeply any of the recommendations in this submission.

If you require further information or clarification, please contact Emily Young, Deputy Executive Director at eyoung@propertycouncil.com.au.

Yours sincerely,



Sandra Brewer
Executive Director WA
Property Council of Australia

[Submitted 23 November 2022]