

To: Mr Eric Lumsden  
WAPC Chairman  
Western Australian Planning Commission  
140 William Street  
Perth 6000 WA

26<sup>th</sup> August 2014

Dear Mr Lumsden

**AMENDMENT TO STATE PLANNING POLICY 3.1 RESIDENTIAL DESIGN CODES –  
MULTIPLE DWELLINGS, PARKING AND OTHER INCIDENTAL CHANGES**

The Property Council is leading advocate for Australia's property industry. It counts the bulk of the State's property investors, developers- as well as the industry's professional and trade providers- amongst its members. The Property Council of Australia welcomes the opportunity to make comment on the proposed Amendment to State Planning Policy 3.1 Residential Design Codes: Multiple Dwellings, Parking and Other Incidental Changes.

The Property Council does NOT support the proposed amendments to SPP 3.1 Residential Design Codes. The supposed need for these amendments entirely lack an evidentiary basis and these amendments directly conflict with the express purpose of the R-Codes and the broader policy objectives that they exist to deliver.

The Residential Design Codes (R-Codes) provide a development control across the State aimed at consistently addressing design trends, sustainability, improve clarity and deliver strong residential design outcomes throughout Western Australia. It is the view of the Western Australian property industry that, overall, the R-codes have proved to be a useful. The R-Codes, however, do not operate in isolation, but rather serve as a tool to deliver desired policy outcomes such as housing diversity and affordability.

**Lack of An Evidentiary Basis**

The Report states that concerns have been raised by some local governments regarding the effect of R-Codes multiple dwelling provisions.

From the report, it can be understood that these concerns relate to

a perception that the R-Codes encourages inappropriate multiple dwellings densification that is inconsistent with the amenity of predominantly single dwelling neighbourhoods with a R30 or R35 coding.

There is no explanation and no evidence supplied as to what these 'amenity' inconsistencies are. The proposed amendments are justified by the claim that some local governments have expressed concern. To make changes that directly conflict with the policy objectives of the R-Codes and of *Directions 2031 and Beyond* on this basis alone is unacceptable.

### **The Proposed Amendments Fail to Support Broader Policy Objectives**

The WAPC, Department of Planning and the Department of Housing have delivered strong policy objectives to support Western Australia's unprecedented population growth and demographic change that these proposed amendments utterly fail to align with.

*Directions 2031 and Beyond* and the *State Affordable Housing Strategy* define the policy objectives to actively facilitate and prioritise density to deliver diverse and affordable housing. *Directions 2031* identified the connected city model as the preferred medium-density future growth scenario for the metropolitan area. This model is characterised by increased diversity, adaptability, affordability and choice; planning and developing key transport corridors, urban corridors and transit orientated developments to accommodate increased housing needs and encourage reduced vehicle use.

*The Housing We'd Choose* study determined that affordability drives housing decisions. Survey respondents stated a clear preference for the Inner Central Region of Perth; however, affordability limited their ability live in these areas. Almost half of households chose three-bedroom options, primarily as it allowed them to access their preferred location. The report concluded that there needed a shift in supply to ensure diversity of housing types and sizes in all areas, particularly semi-detached options in Perth's inner areas.

The proposed amendments are a retrograde step away from the conclusions and policies of *Directions 2031 and Beyond* and the *State Affordable Housing Strategy*. Furthermore, they deny Western Australians with the opportunity to access dwellings in their preferred location at an affordable price. Ultimately, the proposed amendments are a shift back towards the uncertain regulatory framework that the R-Codes were introduced to overcome.

### **More Appropriate Mechanisms to Deal with 'Unintended and Undesirable Consequences'**

The R-Codes provide a development control to deliver consistent design outcomes throughout Western Australia.

If there is concern in specific local governments about the design of multi-unit residential dwellings, that is something that should be addressed on a local level and not through changes to a State-wide policy. Such an approach is inelegant and untargeted, and inappropriate to address the concerns of a small few.

While the Property Council recognises the WAPC and Department of Planning's wish to avoid the potential for excessive local variations, this is not an appropriate means to address these concerns.

Addressing local concerns should be done on a local government level. A quick scan through the minutes of a number of the Development Assessment Panels demonstrates that amenity is already taking into account when they make their decisions. If local governments need to stress this aspect further when making their recommendations and submissions to DAPs, that is their prerogative, but it is not the place of the R-Codes to address issues of this nature.

### **Increasing Minimum Amount of Car Parking**

The provision of car parking should be a market based decision, not that of a regulatory body. To increase the car parking space requirements is utterly inappropriate, particularly for dwellings located near public transport, and adds significant costs to the development.

The average industry cost per car bay is \$30,000 per bay and at least \$80,000 per bay if basement bays have to be developed. The proposed amendments not only ignore the fact that additional bays are not demanded by the market, but provide no leniency to reduce the minimum number of visitor car bays. The increased development cost will ultimately have to be shouldered by the consumer, in contrast to the Government's policy to deliver diverse and affordable housing.

If these local governments are concerned with overflow parking issues, they should investigate parking permits, which would act as a source of revenue for those governments and can be reinvested into car park infrastructure.

**Sets a Substandard Precedent**

Pandering to the complaints of these particular local governments, whose claims have not been properly articulated in the report or backed with empirical evidence, creates a precedent where every local government that does not support the principles of *Direction 2031 and Beyond* will threaten to change their local policies if the R-Codes are not amended in their favour.

To ignore the principles of *Directions 2031* and the findings of *Housing We'd Choose* as a result of local government pressure will ultimately limit diversity, density and affordability in Western Australia.

If you wish to discuss the proposed amendments further, please contact our policy advisor, Rebecca Douthwaite, on 9426 1203.

Yours sincerely,



Joe Lenzo  
Executive Director

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