

26 November 2018

Gail McGowan
Director General
Department of Planning, Lands & Heritage
Locked Bag 2506
PERTH, WA 6001

Dear Ms McGowan

Submission on *Planning for Entertainment Noise in the Northbridge Area*: Public Consultation Paper

The Property Council appreciates the opportunity to provide feedback on the recently released *Planning for Entertainment Noise in the Northbridge Area* consultation paper.

The Property Council represents around 300 companies across Western Australia in the residential, commercial, retail, retirement living, industrial and tourism sectors. The property industry now employs more people in WA than any other sector, with more than 233,500 jobs.

We support the intent of the advertised policy to provide more clarity and balance between the needs of different stakeholders in entertainment precincts. It is particularly important as we move to more mixed-use development in activity centres, and within individual buildings as facilitated by new strata legislation. The needs of residents must be balanced with the needs of operating a viable business in Perth's strategic entertainment destinations, and we believe the State Government has struck the right balance in what they propose.

By acknowledging and addressing the fact that noise emissions are a realistic part of a shift to more vibrant and active precincts, the State Government has outlined positive and pragmatic steps that will share responsibility for delivering community amenity. If a person chooses to live in an entertainment area, they should expect some noise to be associated with that, and proactive developers would already be taking steps to provide appropriate noise amelioration for these dwellings.

Equally, imposing noise mitigation requirements on outside living areas, as has been the case to date, is clearly unrealistic and we welcome the proposal to remove this imposition.

We have considered potential cost impacts on residential properties, and the detail will obviously depend on the level of noise attenuation required, such as double glazing and increased external wall acoustics. However, in our view most developers would include such measures as good practice anyway in the locations that might be classified as Entertainment Precincts. We ask for a sensible approach to be taken when imposing noise attenuation

requirements, that is not excessive and that reflects the fact that any costs imposed on developers of such residential properties will be passed on to the individual home buyers and will therefore impact on housing affordability.

In that context, it will be critical that the State Government only creates these special control areas in locations where they are genuinely needed. We are encouraged that only Northbridge is being discussed so far and we would support in-principle the measures being extended to a location such as central Fremantle, but we ask for caution to be applied when considering any proposals for less strategically significant entertainment areas.

Finally, we emphasise the need for any requirement for acoustic assessment to be imposed at the building licence stage, i.e. as a condition of planning approval, not as a prerequisite to gaining planning approval. It is important that proponents have the certainty of planning approval before investing in detailed studies of this nature, particularly as the associated requirement to incorporate noise amelioration only becomes relevant once detailed design commences.

The policy should be applied based on an assumption that residential development is suitable in entertainment precincts if noise amelioration is incorporated where required. This would mean there'd be no need for decision-makers to review acoustic assessments in order to issue conditional planning approval for the use or development of residential dwellings. They would simply need to impose a condition on the planning approval to ensure an acoustic assessment was undertaken at building licence stage.

Thank you for the opportunity to provide industry feedback on this proposal.

Should you wish to discuss our comments please don't hesitate to contact Emma Thunder on 9426 1204 or by email to ethunder@propertycouncil.com.au.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'S. Brewer'.

Sandra Brewer
WA Executive Director