

Submission to the Inquiry into *Home Ownership* by the House of Representatives' Standing Committee on Economics

Policy solutions to improve housing affordability

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1. Executive Summary

The Property Council welcomes the opportunity to provide a submission to the Inquiry into Home Ownership.

Housing affordability is now one of the highest priorities for the community and it is important that federal policy makers adopt a position of national leadership on this issue.

Despite record levels of housing approvals (218,000 in the year to May 2015), high levels of housing commencements and completions and record low interest rates, many Australians still suffer from unacceptable levels of housing stress.

The greatest barrier to housing affordability is a lack of supply for a growing population and out-dated planning and taxation systems which mean that housing is often far more expensive than it needs to be.

Australia has one of the highest levels of population growth in the OECD, and the demographic composition of our society is also changing significantly, best demonstrated by Federal Government's Intergenerational Report IV. We need supply side settings which enables the production of the new housing needed to meet this growth and change.

ABS household formation statistics show that 164,000 households are being formed each year from 2011 to 2016. This number is expected to climb to 172,000 per year from 2016. Even though the current approvals and commencements figures look robust, a mere 153,000 homes were completed per year for the past decade. This means a significant deficit of housing in Australia.

The ability of supply to keep pace with demand, and in turn keep downward pressure on prices, depends on streamlined and efficient planning systems. Any discussion about housing affordability cannot ignore the desperate need for planning reform around Australia.

Despite the planning reform undertaken in various jurisdictions over the last decade, Australia has a significant lack of housing supply, both in terms of the volume of dwellings being delivered, but also the type and location of housing supply. More must be done to facilitate development of housing that meets the needs of all parts of our society, that doesn't lock people into unsuitable housing or force them to commute hours each day to work.

Our cities need housing that is affordable to rent or to buy, in locations that are well serviced with infrastructure – not just roads, but schools, childcare and hospitals – and close to employment opportunities. In the absence of increased supply, greater strain will be placed on government budgets, particularly in the areas of health and welfare.

There is an opportunity for the Federal Government to adopt a national leadership position to incentivise reform to address housing affordability and promote economic activity.

Housing affordability is a national issue, and its solutions require leadership from all sides and all levels of politics, as well as industry and the community.

Improvements to planning systems, better infrastructure provision, and reforms to state and federal taxation arrangements are all required to increase housing supply, reduce costs, and ultimately improve housing affordability.

The Property Council's Housing Affordability Plan comprises the following five key policies, which are the basis for the policies outlined later in this submission:

1. **Zone more land for housing** - our capital cities need more inner city density, middle ring renewal, as well as new land releases.
2. **Simpler planning, faster processes** – new developments are hampered by complex building rules and slow assessment processes that just force up base prices.
3. **Tax the production of new housing less** – the production of housing is a highly taxed activity. Stamp duties, land taxes, GST and large development levies can make up as much as 26% of the total cost of a finished house, and up to 21% of the total cost of a finished apartment. To make housing more affordable we need to tax the production of housing less.
4. **Link housing and jobs** - strategic delivery of new road and rail links will bring more housing closer to jobs, which in turn improves people's lives, opens up economic opportunities and deepens labour markets for business.
5. **Incentivise reform** - the Federal Government should consider kick-starting reform to bolster housing affordability by reaching a new competition agreement with the states, with incentive payments for achieving best practice planning reform.

2. Solutions to improve housing affordability

2.1 Zone more land for housing

The causes of declining housing affordability are many, however as noted earlier, the major cause is the failure of housing supply to keep pace with demand.

This is largely due to a failure by all levels of government to properly plan for growth. It is also due to complex and inefficient planning systems which cause time delays and add significant costs to development. These planning systems cannot be reviewed and updated at a rate that better responds to growth and changing demand, and thus are unable to deliver the housing our cities need.

Our cities need strategic growth plans based on relevant and up-to-date data. These plans must be developed with input from the community and industry alike, and outline clearly how growth will be managed to maintain Australia's enviable living standards.

There must be an appropriate mix of high density inner city or CBD development, medium density middle ring development and low density greenfields housing development. Without a variety of housing types, and affordability within those types, there will be people trapped in housing that is not matched to their needs, which creates further drags on the economy, and places stress on individuals.

Appropriately located housing development allows families to live near schools and childcare, allows older persons and those wishing to downsize and remain within the community that provides their support, and allows key workers to live in proximity to their jobs which improves economic outcomes for the community.

Reforms should:

- Provide capacity within city strategies and local statutory plans to accommodate a growing population.
- Ensure clear citywide and local housing targets are in place, reported on and met.
- Support planning strategies to place homes nearer to the opportunities and services within the community.
- Clearly acknowledge the importance of retirement living facilities, and facilitate their development.

2.2 Simpler planning, faster processes

A major component of the cost of producing new housing is the sheer complexity of the system.

The Property Council's Development Assessment Report Card 2015 (see **Attachment 1**) is the most comprehensive review of development assessment systems across the country. The report rates each state and territory's development assessment system against ten nationally endorsed principles. The findings clearly show that despite reform efforts in all jurisdictions, there is still a

significant amount of work to do in every state and territory before we have a planning system which adequately supports the growth and change of our cities, suburbs and towns.

A renewed effort is needed to reduce the cost of producing new housing, starting with a concerted effort nationally to reduce the number and complexity of planning instruments that currently add time and cost to the development of housing.

The cost of compliance with multiple layers of planning development legislation and regulation is now a significant component of the cost of housing. These include, but are not limited to:

- the Building Code of Australia
- various state planning instruments
- local council planning requirements
- specific design guidelines for apartments and other targeted instruments

In some instances the requirements of a single measure in one of these instruments can add \$10,000 per dwelling in additional costs.

These multiple layers of requirements also serve to stifle and/or hinder innovation, particularly in construction techniques, which may reduce the cost of housing. For example, timber construction for apartment buildings is cheaper than concrete or steel, however the BCA does not allow for such techniques except in specific circumstances. This is despite the successful use of timber construction overseas.

Not only are the requirements of each level of planning instrument at times onerous, the delays caused by multiple layers of assessment processes also add significant cost to the delivery of housing.

Housing development in most states requires compliance not only with national construction codes and state strategic level planning policies, but also with local government requirements. In addition, it is primarily the local governments who have responsibility for the assessment and approval (or otherwise) of planning and development applications. It is at this level that the most urgent reform efforts should be targeted.

The development assessment stage of the planning system is not the point at which policy arguments should be made. Nor is it the place for politically expedient decision making. Unfortunately, both are rife in most jurisdictions.

Development assessment processes vary significantly within and across states and territories, with some jurisdictions such as WA and the Northern Territory having far more streamlined and efficient approaches than states such as NSW or Victoria (see **Attachment 1**).

Complexity of development assessment process increases the risk to development, and adds significantly to timeframes. It also serves to deter investment in certain areas in favour of other areas where the process is easier and less costly. This distorts housing supply, and creates sub-optimal planning outcomes.

Generally speaking, reform is needed around the country to reduce the time taken for development assessment and to facilitate supply of new housing coming to market.

In many states, local government involvement in the process, particularly by elected officials rather than qualified professional staff, remains a concern and an impediment to development.

There is also a need for much greater consistency between state and local planning frameworks, and objective targets for housing delivery at all levels.

Planning reform is a vital enabler of economic growth. It can help improve housing affordability by integrating housing development with infrastructure and land use planning, as well as making it easier and less costly to deliver new supply to the market.

Planning reform, at a state and local level, must be focused on streamlining development laws and regulations, to reduce costs and remove political blockages to allow new housing to be delivered to market more efficiently and for a lower cost.

Reforms should:

- Integrate local government land use planning and community planning.
- Introduce effective community engagement in earlier stages of planning approvals processes to minimize costly, late-stage public backlash to development.
- Introduce an independent State Planning Commission where one does not yet exist to oversee the focus and implementation of planning reform.
- Introduce assessment panels where they do not yet exist to depoliticise the decision making process.
- Assign the majority of routine housing, industrial and commercial applications to an exempt, self-assessable or code-assessable process.
- Commit to the resourcing of e-planning initiatives and to a timetable that provides for e-lodgement and tracking for all development applications within each jurisdiction by 2017.
- Review third party appeal rights where they exist.
- Mandate regular reporting by local governments on performance against land use planning objectives and housing targets.
- Require all states and territories to introduce and maintain a performance-based culture in local and state planning systems.

2.3 Tax the production of new housing less

Australia's tax system is in urgent need of reform, particularly its treatment of the property sector that is currently the key driver of the country's economic growth and job creation.

The production of housing is a highly taxed activity. Stamp duties, land taxes, GST and large development levies can make up as much as 26 per cent of the total cost of a finished house, and up to 21 per cent of the total cost of a finished apartment.

Housing affordability in Australia had deteriorated over the last 20 years due to range of issues – notably planning failures that have restricted supply, and the increasing tax burden on the sector.

Property in Australia is taxed right throughout the supply chain, from land acquisition, to building, to market transactions, all of which are passed through to the end consumer.

By far the most economically destructive tax is stamp duty, a highly distortionary tax that the Federal Treasury continues to warn has a destructive economic impact on housing supply, economic activity, and labour force mobility.

Treasury's own analysis highlights how damaging stamp duty is, with a 73 per cent loss of economic livelihood for every dollar taxed.

On that basis, we believe it is time for the Commonwealth to lead reform on the abolition of stamp duty, a reform that would act as a catalyst for stronger economic growth and activity.

Recent proposals have called for a broad-based land tax to replace stamp duty as a revenue source for the states. While on paper there may be merit in the idea, the experience of the ACT in attempting to do just that shows that transferring the full stamp duty revenue base onto land tax is politically and economically problematic.

Residential rates in the ACT have risen by 9 per cent, and commercial rates have jumped by 40 per cent as part of the move to phase out stamp duty. Not only are the increased land rates economically destructive, they present political challenges as well.

By contrast, the South Australian government has taken a bold decision to abolish all commercial stamp duties over just three years, with full abolition of the tax by July 1, 2018. This move shows other states and territories that meaningful tax reform is achievable.

Ultimately however, a whole of federation deal will be needed to retire stamp duties completely, universally acknowledged as Australia's most distorting tax. Stamp duty must be removed, but states and territories will need replacement revenue.

New calls to consider extending the GST on financial transactions – again from South Australia – suggests the pathway forward for broad-scale tax reform.

Expanding the GST, be it through an increase to the rate or a removal of exemptions, demands the cooperation of all governments – and commitment from the federal government to not shy away from national taxation reform.

National leadership and cooperation by all governments in the tax reform process can deliver improvements to housing affordability. This should be a central objective of the tax reform white paper process, supported by the states and territories.

2.3.1 Facilitate foreign investment

Foreign investment provides valuable capital for new housing development and should not be the subject of punitive charges that act as a tariff on capital flows, as the government is proposing with its excessive fees for foreign investment applications. The Property Council supports the proper monitoring and enforcement of the existing rules around foreign investment in residential real estate, but does not support unnecessarily high charges that will deter investment in much needed housing supply.

2.3.2 Maintain negative gearing and CGT concessions

New housing supply needs capital to get off the ground, and investors (both foreign and domestic) as well as owner occupiers are a critical source of that capital. Negative gearing unlocks an important source of finance to boost new supply.

Negative gearing is nothing more than the ability to deduct legitimate expenses against income. It has been part of our tax system for 100 years.

Negative gearing in Australia is primarily used by average workers, 73% of whom own only one investment property. These are ordinary Australians saving for their retirement.

Negative gearing also helps encourage young Australians and first homeowners to take their first step into the property market by providing what can be a more economical option – purchasing initially as an investment rather than as an owner occupier.

As per the latest 2012-13 Australian Taxation Office Statistics, there are 1,968,865 individuals that declared a rental interest (have a rental property) of which 1,356,980 of these individuals earned around or under \$80,000pa.

By age, there were 1,260,485 individuals declaring a net rental loss of which 839,310 earned around or under \$80,000pa or 67 per cent of all persons with a rental interest declaring a rental loss. Therefore, the majority of all Australians with a rental interest declare a net rental loss. This percentage declaring a net rental loss and therefore accessing the negative gearing concession has declined in recent years due to lower interest rates which account for the largest proportion of the loss made on a rental property.

As noted in table one, the majority of people, particularly those 40 or under declare a net rental loss.

Table One: Individual declarations by age, ATO Taxation Data, 2012-13.

Individual declarations by age	Net rental interest	Net rental loss no.	Net rental loss \$	Average net loss	% of segment declaring a loss
Individuals 18-29	131,375	112,445	-\$ 819,941,534	-\$ 7,291.93	86%
Individuals 30-39	396,275	315,425	-\$ 2,706,140,663	-\$ 8,579.35	80%
Individuals 40-49	501,985	356,995	-\$ 3,663,370,459	-\$ 10,261.69	71%
Individuals 50-59	534,525	338,180	-\$ 3,557,824,762	-\$ 10,520.51	63%
Individuals 60-64	189,410	88,550	-\$ 854,268,492	-\$ 9,647.30	47%
Individuals 65-69	106,545	34,020	-\$ 318,726,010	-\$ 9,368.78	32%
Individuals over 70	107,050	14,870	-\$ 124,152,958	-\$ 8,349.22	14%
	1,967,165	1,260,485	-\$ 12,044,424,878	-\$ 9,555	
Individuals over 60	403,005	137,440	-\$ 1,297,147,460.00	-\$ 9,437.92	34%

Source – Australian Taxation Office, Residential Development Council, 2015.

86 per cent of young people with a rental interest rely upon the concession early on in their lives which contrasts with the 34 per cent of people over 60 years of age declaring a net rental loss. This figure drops to 14 per cent for those over the age of 70 who declare a rental loss which

shows that the concession supports investment for the young and shifts to a positive gearing position over people's lives.

As shown in table two, the ATO taxation data show 90,000 clerical staff, 53,855 teachers, 52,255 salespeople, 35,910 nurses and midwives, and over 22,625 hospitality workers that each earn a taxable income of less than \$80,000 and declare a net rental loss.

In the case of 10,415 emergency services workers such as police and ambulance officers, 90 per cent of these workers earning around \$80,000 or under declare a net rental loss of over \$11,000pa.

Table Two: Individual declarations by occupational groups, ATO Taxation Data, 2012-13.

Occupations with taxable income less than \$80,000	Net rent loss (no.)	Net rent loss (\$)	Average net loss	% of segment declaring a net rent loss
Clerical	90,000	\$619,675,605	\$6,885	71%
Teachers – Primary, secondary, VET, Other	53,855	\$439,348,188	\$8,158	71%
Salespersons	52,255	\$372,367,268	\$7,126	71%
Construction – Trades	42,460	\$356,632,515	\$8,399	74%
Nurses and Midwives	35,910	\$276,534,419	\$7,701	74%
Hospitality Workers	22,625	\$158,157,084	\$6,990	70%
Transport Workers	16,590	\$128,947,581	\$7,773	71%
Carers – Child Care, Aged, Special	12,280	\$66,284,349	\$5,397	69%
Emergency Services Workers	10,415	\$116,932,290	\$11,227	90%
Social and Welfare Workers	10,255	\$69,082,949	\$6,737	71%
Cleaners	6,670	\$36,471,151	\$5,468	59%
Auto Electrical Trades	6,090	\$45,702,698	\$7,504	70%
Security and Prison Officers	4,745	\$41,719,901	\$8,792	79%
Defence Workers	3,620	\$34,425,733	\$9,786	90%

Source – Australian Taxation Office, Residential Development Council, 2015.

Almost 73 per cent of all persons with a rental interest only own one investment property. A further 18 per cent own two investment properties.

Additionally, the 50 per cent CGT discount ensures that the Government is only taxing real gains, and is designed to remove the impact of inflation. Instead of calculating inflation impacts for each year of ownership, the discount was set at a rate of 50 per cent.

The Henry Tax Review acknowledged that any changes to the tax treatment of investment properties should only be implemented after other housing supply constraints are resolved.

The most commonly discussed alternative to the current arrangements is to quarantine net losses to the investment property – that is, investors are still able to get deductions up to the rental income and carry forward any excess loss against future income (including capital gains). This alternative will:

- push up rent in the short term as investors recoup the gearing shortfall and as investment halts in the face of rising population (supply & cost issues);
- push middle Australia out of an investment class in favour of the rich (only for those who push rents up or can buy investments largely unleveraged);
- push families out of rental homes and push the more vulnerable taxpayers into public housing; and,
- fail to halt the rise in property prices – they will continue to rise at the same rate but with more expensive rents because no-one is addressing the supply problem

Limiting negative gearing to new dwellings will increase demand for new dwellings, displace owner occupier buyers and induce capital flight from investment in established housing – this will ultimately lead to higher prices for new dwellings.

ABS data on dwelling commencements show that Australia's total housing stock has been on an upward trend since the 1950s. A significant proportion of these new dwellings have been financed by investors.

While ABS housing finance data suggest that property investors overwhelmingly invest in existing housing, it is also the case that a significant proportion of new housing construction is financed by investors. Property Council commissioned research has shown that around 27 per cent of all loans for the construction of new housing in 2014 were to investors. This proportion has remained relatively constant over the last 30 years. Investment loans for new housing grew at a significant rate after the reintroduction of negative gearing concessions in late 1987.

In this regard, the popular depiction of the declining amount of investor loans committed to new housing construction relative to the total value of housing finance for established properties is highly misleading. Given that the evidence shows a constant trend for investor loans committed to new dwelling constructions since 1986, the more important policy question that needs to be considered is why have investor loans committed to established housing grown at a much faster rate than for new dwellings.

The answer to this question requires detailed analysis of the state of housing markets as well as understanding the behaviour of property investors. However, one plausible explanation is likely related to the fact that there are more purchase options available to investors in the established housing market than the new dwelling market. This is particularly true in urban areas in close proximity to city centres, where planning regulation constrains the amount of new dwellings constructed. In an environment where options to invest in new property are scarce, and given that a large share of property investors do in fact live in cities and urban areas, these investors are left with little choice but to purchase established dwellings.

If negative gearing were to be limited to new dwellings only, it is likely that there would not be sufficient new dwellings to soak up a shift in investor demand towards new dwellings, which

indicates that the measure would encourage many investors to exit the rental property market. This reflects the fact that new dwellings add less than 2 per cent to the total stock of residential dwellings in a year. In recent years, the growth in the number of property investors has been growing, on average, at around 3 per cent per year. The difference in growth rates of new dwellings and the number of property investors suggest that there would not be enough new dwellings to meet investor demand, even if 100 per cent of new dwellings are purchased by investors. Consequently, some of these investors are likely to shift their attention to alternative investment assets where yields are larger but riskier.

In addition, the policy measure would pit a large number of investors against aspirant owner occupiers in the relatively small new dwelling market. Many of the aspirant owner occupiers of new dwellings are first home buyers. These buyers obtain stamp duty exemptions for the purchase of new dwellings in some states while the investors are seeking to bypass punitive taxes on savings and costs if they invest in existing dwellings. The competition is likely to be intense.

Given these factors, the proposed tax change is likely to impose upwards pressure on the prices for new dwellings.

The impact on the market for existing dwellings is more difficult to discern. There would be considerably less demand for existing dwellings from potential residential property investors. Meanwhile there would be additional demand for existing dwellings from owner occupiers escaping the tight competition for new housing stock. There is likely to be significant imbalances between these forces in particular markets that do not start from market equilibrium and where constraints on the supply side of the market play a significant role.

The drop in demand for existing dwellings would also mean an effective moratorium on rental properties in existing inner and middle ring suburbs, which are in high demand for key workers and those seeking to live in proximity to the CBD of cities, in areas with high levels of infrastructure and services.

It is notable that there would likely be significant community unhappiness if there was a widespread and enduring displacement of the opportunity for first home buyers to actually own a new dwelling as a result of such a proposed policy reform.

Similar to restricting negative gearing to new dwellings only, limiting it to a maximum number of properties per taxpayer would be highly distortionary and there is no sound basis for choosing an upper limit

Additionally, there have been calls to abolish the 50 per cent CGT discount. This will:

- stifle the supply of new rental accommodation in the short and medium term because it is harder to make a profit at existing prices and it will stall development;
- push up rental in the medium to long term because supply is constrained even further than before;
- skew investment away from property to other investments with favourable CGT concessions; and,

- ultimately push up house prices as rents increase and population increases until a new equilibrium of higher rentals to prices is reached (house prices follow rental increases).

The 50% CGT discount ensures that governments only tax real gains – it is designed to remove the impact of inflation. Instead of calculating inflation impacts for each year of ownership (which was considered to be administratively complex), the discount was set at a rate of 50%.

The fundamental principle of not taxing inflation needs to be retained in any review of CGT.

Any wholesale removal of negative gearing or the CGT discount that discriminates against property would significantly harm investment, diminish rental supply and ensure that in the short to medium term, rents and property prices will increase.

The key to making homes more affordable is to increase the supply of new housing stock to better meet demand, and any move to restrict the current tax arrangements would be disastrous, particularly for rental supply.

2.3.3 *Abolish stamp duties*

Stamp duty is highly volatile, fluctuating as much as 60 per cent year on year, and has been subject to significant bracket creep. According to Treasury analysis, stamp duty reduces Australia's economic well-being by 73 cents for every dollar of revenue raised. This is a 50 per cent worse impact than company tax, and three-and-a-half times worse than personal income tax or the GST.

As acknowledged in the Tax Discussion Paper (at p145), stamp duty is a highly inefficient tax because it:

- leads to misallocation of housing stock (households living in homes that are too big or too small for their needs);
- causes inefficiencies in the labour market (job seekers not taking jobs where they are available because of the transaction costs of buying a new home);
- acts as a barrier to first home ownership (erodes savings); and,
- reduces the ability of businesses to be flexible and adjust to market conditions (by moving or expanding their locations), which reduces overall competitiveness.

The Government's current tax discussion paper, and many other reviews including the Henry Tax Review, note that taxes such as stamp duties on conveyancing are destroyers of jobs and economic opportunities, restricting mobility and acting as a punitive barrier to people seeking jobs or better housing for their growing families, or elderly people seeking to downsize.

Abolishing this tax will allow the more efficient allocation of housing resources and open up supply. Tax frameworks should be particularly focused on supporting new supply of housing.

Property owners have always and will always pull their weight in the economy but it is critical that low and middle income earners are not prevented from entering the housing market by stamp duty burdens. Similarly, the ability for people to move to better employment opportunities are impacted by the stamp duty costs associated with the purchase of a home in proximity to those opportunities.

Often, the disincentive is great enough that people will endure significant commute time (with the subsequent effects on productivity and quality of life), or not move to new employment, which itself creates negative outcomes for the individual as well as the broader society.

Finally, on the other side of the stamp duty equation are state government budgets which are left vulnerable to highly volatile revenue streams that stamp duties provide, subject to the prevailing domestic market conditions, but also at risk of impacts from conditions overseas.

While we often think of the abolition of stamp duty as something that will benefit first-time homebuyers (the swathe of stamp duty concessions previously offered to that group are clear evidence of this), removing stamp duty will also remove a barrier for older persons moving into a retirement village.

Most people moving into a retirement village do not pay stamp duty when doing so, as the village units are leasehold. However stamp duty and the additional costs it adds to the purchase price of the home the retirement village resident is seeking to sell in order to make the move can create a barrier, as it makes that property less attractive, or affordable, to prospective buyers.

2.4 Link housing and jobs

Land use planning, including that for housing, should be done in partnership with infrastructure planning and economic development policies. Infrastructure provision has not kept pace with growth, particularly in our larger cities, and the result is long commute times, lack of employment opportunities within a reasonable proximity to housing development, increased pressure on services in certain areas, and a general decline in living standards for a growing proportion of the population.

The strategic delivery of road and rail links will bring more housing closer to jobs, which in turn improves people's lives, opens up economic opportunities and deepens labour markets for business. **Reforms should:**

- Coordinate the supply of new housing in proximity to a range of jobs, thereby supporting productivity.
- Integrate infrastructure provision with the zoning of land for housing and commercial uses.
- Recognise major property projects as projects of significance to be determined by an integrated state government assessment process.

Currently, the majority of new housing is delivered either in the inner city/CBD of our major centres, or on the fringes in new development corridors. There is reluctance at all levels of government to encourage, let alone require greater density in existing suburbs, despite those suburbs already being well serviced with infrastructure and access to services and employment opportunities. Coordinating land and housing supply that allows better access to a range of jobs would allow a lift in national productivity.

For those communities that are being developed, the provision of infrastructure that links people to economic opportunities is vital, and this in turn requires significant funding. The Property Council has supported an asset recycling program around the country, the funds of which are to go to new infrastructure provisions. We would urge that this continue.

A more strategic, long-term approach to infrastructure delivery is required from all governments. Better planned delivery of new road and rail links that increases the amount of ‘well located housing’ with transport connections to jobs, in turn will open up economic opportunities and deepen labour markets for business. Greater provision of infrastructure assists housing affordability by taking the supply pressure off areas that are central to good transport and jobs, allowing the development of more linked communities across our major cities.

Cities have become the engines of Australia’s prosperity – home to the bulk of our population, the location of our most productive businesses and the generators of much of our wealth. They are also growing rapidly.

The Federal Government has rightly put a spotlight on productivity as a core driver of the country’s future prosperity. Our productivity performance has been poor over the past decade. Failure to adequately manage the growth of our cities would represent a serious productivity risk for Australia.

It is more important than ever to ensure the investments and actions of different levels of government are aligned to maximise economic outcomes.

A concerted policy focus is needed to ensure affordable housing located within fast-growing population centres is connected to the economic intensity of our city centres.

Without consistent guidance from the Commonwealth Government, economic productivity, tax revenue and social equity will be eroded over time.

The UK Government has recognised this challenge and introduced a formal compact to deliver this alignment: UK City Deals. It is essentially a geographic intergovernmental agreement on the growth of a region or city. It is a compact, authored by the UK treasury, aimed squarely at boosting productivity and growth, which recognises that different levels of government have different responsibilities to make this happen.

Australian infrastructure planners should look to UK City Deals as a vehicle for lifting economic productivity.

The UK model represents a radically new approach to infrastructure priority-setting, funding and financing. The more ambitious City Deals involve establishing a growth benchmark for a city or region in return for a dose of growth focused self-help. The UK model determines an economic growth budget for a designated region, measured as gross value added – a local “GDP”. A city or region that exceeds this benchmark on the back of its self-help then receives a fiscal reward – that is, a share of the windfall tax arising from additional economic growth.

The governance structures employed to implement a deal are just as important as the mechanical details of the deal itself. Similarly, the delivery of infrastructure, no matter the focus, is dependent on funding.

The UK City Deal approach to infrastructure funding has proven successful in delivering increased economic activity, infrastructure funding and development certainty in a number of cities and is continuing to be rolled out across the United Kingdom.

The application of the model to Australia, however, should not represent a wholesale transfer of the UK approach. There is a role for the Federal Government to work with regions considering a new approach to infrastructure funding and learn from the successes of the UK approach.

The UK City Deal model is the British Government's innovative strategy for building stronger urban and regional growth via smarter strategic planning, infrastructure investment and local governance.

In Australian public policy terms, the UK City Deal prototype represents a National Competition Policy style approach to economic development. The core goal of UK City Deals is to direct infrastructure spending to projects that boost productivity, employment and economic growth.

The provision of infrastructure that links housing to employment and improves the economic productivity of our cities will bring benefits not only for the economy, but to housing affordability and accessibility for more Australians.

2.5 Incentivise reform

State and local governments should be provided with the right incentives to engage in politically difficult reform areas that will nevertheless deliver strong economic and community benefits

The Federal Government should consider kick starting national planning reform as this is a key area to unlocking land release and other supply opportunities that is in urgent need of reform.

Every state and territory has engaged in some form of planning reform effort over the last decade. Despite this, no jurisdiction scored highly in the Property Council's 2015 Development Assessment Report Card document.

This suggests that the pace and depth of reform needs to increase markedly.

The recent Harper Inquiry into Australia's Competition Policy recommended a return to the idea of using federally funded incentives to drive state reform in difficult areas. This approach was highly successful in supercharging Australia's productivity in the 1990s.

The Commonwealth's Federation White Paper process provides the perfect opportunity to apply this model to planning reform. This could be achieved by reaching a new competition agreement with the States, which would allow incentive payments to be paid for achieving best practice planning reform and practices.

Reforms should:

- Recognise that comprehensive planning reform would deliver significant productivity dividends to the economy. This would in turn boost tax revenues which can be used to fund reform incentives.

- Take the form of a written agreement between the commonwealth and the states and territories, whereby the federal government agrees to provide incentive payments on the achievement of specific planning reform objectives and outcomes.

3. Other reform opportunities

Affordable housing for all Australians will require innovative policy.

A new policy model is needed that attracts both public and private capital into crisis and public housing.

A key to this will be innovation in lowering the cost of access to land and other issues that affect supply in these areas.

Community housing partnerships also need fresh perspectives on overcoming obstacles to the development of supply.

3.1 Unlock home equity for seniors

In addition, the age pension income test acts as a strong disincentive to pensioners who wish to downsize and unlock some of their home equity.

A tightly targeted scheme such as the one the Property Council has proposed ('Unlocking the Equity') would allow a portion of the proceeds of the sale of a home to be exempt from the age pension test. This policy change would remove a disincentive for people to downsize their homes, and keep more money in pensioners' pockets while enabling them to make co-contributions to the cost of health and community care packages (which are federally funded). It would only apply to those seniors who:

- are homeowners;
- are aged 75 or over;
- receive the full age pension; and,
- purchase a cheaper home within 12 months (this aligns with the time Centrelink currently allows for sale proceeds from a family home not to be assessed.) NB: a lower price is the best proxy for downsizing.

It would provide the following key benefits:

- pensioners can choose housing that is more suitable to their needs, prolonging independent living years and reducing the demand for residential aged care;
- housing stock can be made available for families and first home buyers – easing housing supply and affordability pressures;
- a higher proportion of healthcare and service costs (e.g. meals on wheels, community care packages) will be met privately – reducing government health expenditure and service subsidies;
- pensioners will be less reliant on personal care – reducing the strain on carers and associated budget costs; and,
- impacts on pension expenditure would be offset by the resultant savings in health and aged care spending. Economic modeling shows that living in a retirement village, for instance, delays an older person's entry into federally-funded residential aged care by five years.

There are also significant productivity improvements associated with increased housing supply of larger homes in established suburbs, which are well serviced and proximate to services and employment opportunities.

3.2 Community Housing Strategy

The provision of subsidised or supported housing for the disadvantaged in our society presents an opportunity for industry, the not-for-profit sector and the government to better work together to provide innovative solutions.

The first step should be to leverage mature community sector capabilities and efficiencies that are in synch with the development industry. For example:

- Supporting the transfer of stock to accompany affordable housing programs to borrow against the assets to create multipliers;
- Linking community sector attention to solutions such as those included in the Homes for Australia strategy; and,
- Retaining existing drivers of the supply of new rental stock such as Negative Gearing and Capital Gains Tax arrangements.

3.2.1 Stock Transfers

Increasing the role of community housing providers has been on the national agenda for some years, since a COAG commitment that set a target for community housing to manage 35 per cent of total social housing by 2020. Stock transfers to community housing (comprising both title and management transfers) should form part of any strategy to meet that target.

Transfers of tenancy management and assets from public to community housing is often proposed to resolve some of the current financial problems in public housing. It can introduce new revenue streams through rents, and maintain existing stock with the current tenant profiles.

Transfers can also help to grow the housing stock of community housing providers by providing them with an asset base that can be deployed as security for private finance. To the extent that community housing providers can raise such finance, they can then invest in additional housing stock, or refurbishment of existing stock.

Any model that proposes stock transfer from public to community housing providers must be transparent and provide clear governance frameworks. However this type of policy presents a sensible and economically balanced approach to increasing the provision of affordable housing to those most disadvantaged in our society.

3.3 National Rental Affordability Scheme (NRAS)

Residential developers organise their business around deadlines – for example pre-sale payments or stage completions, and rely on projects running smoothly.

Partnerships between residential developers and the community sector through the National Rental Affordability Scheme have demanded these efficiencies of the latter group as well.

As a result of NRAS, the community housing sector has developed a strong capacity to partner with the private sector in joint ventures and partnerships to provide affordable housing solutions.

This principles underlying this model should be considered as part of a suite of policies to improve access to and affordability of housing – i.e. where the community sector and the development sector use commercial returns to deliver affordable housing with funding and support from the Federal Government to ensure the model remains sustainable. The Property Council supports this model and would be keen to work with government on its reintroduction.

3.4 National Disability Insurance Scheme (NDIS)

The NDIS has been frequently criticised for not addressing the housing needs of those with a significant disability (i.e. people who require either home modifications, or a specially designed home, with ramps, grab rails, lower light switches, wide doorways etc.) However, housing is ultimately outside the scope and funding envelope of the NDIS, with the exception of small sums for minor home modifications.

Nevertheless, there is a large unmet need for private housing to be built to disability access specification for Australians with a significant disability, whose specialist housing needs the NDIS home modifications funding will not cover.

These specifications, and different 'standards' (silver, gold and platinum) have been agreed to by industry and the Australian Government. They are administered by Liveable Housing Australia, are voluntary guidelines, with sophisticated IT platforms to support accreditations and queries from developers, builders and the public.

There is an opportunity for industry and government to work more closely to deliver new housing stock that meets LHA specifications. Some housing developers are leading the way, with commitments to build a percentage or all new stock, both apartments and detached dwellings, to a Silver LHA standard. Many others are considering where they can incorporate these standards into their future housing projects.

In addition to new developments meeting LHA standards, there is also an increasing opportunity to take advantage of renovations to existing dwelling to retrofit accessibility measures, not just for those with a disability, but also for the growing ageing population.

The private sector would like to work with governments to meet the market need in this area, both at present and into the future. However, additional funding, although modest, is required to fund housing retrofits that would allow more Australians to live independently.

3.5 National housing supply data repository

Domestic and foreign investment has seen residential building activity hit record level. Harnessing this activity in harmony with land development and infrastructure provision to maximise housing supply and supply side responsiveness in the future requires a central data repository.

Better monitoring and data collection on housing supply and demand will lead to better and more long-term policy development. The Property Council recommends that the information gaps be addressed through a new residential investment and supply data repository. This repository would:

- track foreign investment and the impact on supply;
- analyse the established housing market and the impact it has on the performance and development of new house and land product;
- analyse renter, first homebuyer, owner-occupier, senior and domestic activity in the residential market;
- encourage both private sector and government land activation to support residential development pipelines into the future;
- track Local Government land release strategic planning;
- support appropriate provision of urban infrastructure which grows the economy; and,
- assist decision makers to understand market conditions for national greenfield corridors and the sub markets in which they operate.

A recent meeting of State and Territory Treasurers decided that housing title data should be collected centrally and made available to inform future government actions to address housing affordability and general actions on matters of the economy.

Collection and analysis of this data will allow early identification of trends and issues in the housing market, providing an immediate edge in understanding supply, demand and affordability that presently eludes both industry and government. Residential development policy has a place at the centre of Federal and State decision making and consolidated data on supply and demand of housing is crucial to all future government business.

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Attachments

1. Development Assessment Report Card 2015, Property Council of Australia

DEVELOPMENT ASSESSMENT

PROSPERITY | JOBS | STRONG COMMUNITIES

2015
REPORT CARD

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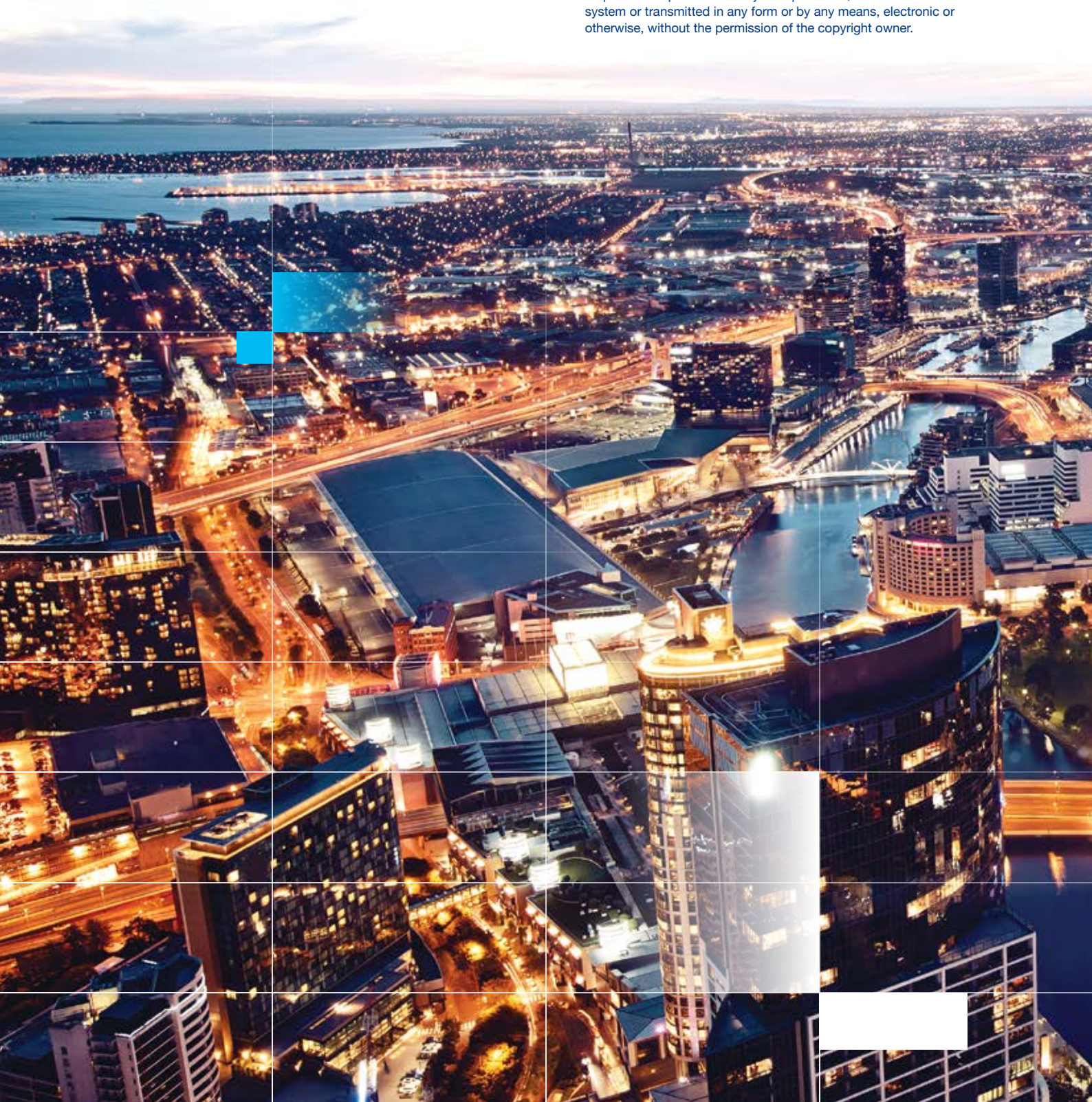
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FOREWORD

Planning is rarely understood, but crucial to the shape and evolution of our cities. It sets a regulatory framework for investment in new housing and jobs, how our cities and regions are planned, and a platform for community confidence.

Planning systems have a direct impact on housing affordability. When they're efficient, streamlined and fair they reduce the time it takes to build new houses, and shrink the cost of doing so. On the other hand, poor planning systems stifle development, denying people the ability to live close to services and job opportunities.

That's why the Property Council regularly commissions a report card on planning systems across the nation to test their performance and relevance.

The case for root-and-branch transformation of state and territory planning laws remains compelling. Housing approvals currently sit at record levels, and the property and construction industry is shoring up the Australian economy as manufacturing and mining activity declines, but there are still many barriers that prevent us realising its full economic potential.

Diverse and layered planning systems increase the level of uncertainty and charges associated with development – and feed into house prices and business costs.

The 2015 Development Assessment Report Card is the most comprehensive national assessment of Australia's planning framework ever undertaken.

It is a user-based review that provides a broad overview of the various planning reform initiatives that have or are being progressed by the states and territories. It reflects the opinions and experiences of those who interact with the system on a daily basis including developers, local government officers, planning consultants, lawyers and academics.

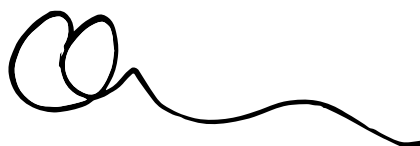
Central to the report is a scorecard to benchmark planning systems against ten leading practice assessment principles established by COAG over a decade ago.

This is the third and most extensive Development Assessment Report Card, with previous iterations released in 2009 and 2012. This year's release builds on previous work to provide recommendations for further reforms to reduce red tape, costs and delays.

This report has demonstrated that planning reform is now a constant, and that there is an almost universally enhanced understanding of planning as a tool to drive economic growth. It is central to creating employment and improving the productive capacity of our cities.

The Property Council and its members have nominated planning as a top priority issue for governments around the country, including the Federal Government. We believe there must be a far stronger link between policy settings and development assessment, one that brings the community into the conversation far earlier, and in more productive ways.

It is time to take stock of the advancements that have been made, and to learn from the experiences of each state and territory to ensure that continued reform is focussed, well – communicated and deliverable.



KEN MORRISON

Chief Executive // Property Council of Australia



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An aerial photograph of a city skyline, likely Sydney, Australia. The foreground is dominated by a large, lush green park with many trees. In the background, a dense cluster of skyscrapers and high-rise buildings rises against a clear blue sky. The image is overlaid with a grid pattern and a semi-transparent light blue box containing text.

Background

The leading practice principles for development assessment were first published in March 2005, following engagement with industry and government around Australia.

The principles (see **Appendix A**) set a framework for how development assessment systems should be developed and operate. They remain an important reference for state and territory governments in advancing reform of planning systems.

In late 2009, the Property Council's Residential Development Council (RDC) published the first Report Card on progress made by the states and territories with respect to the adoption and implementation of the leading practice principles. This was followed by a second Report Card in 2012. Both Report Cards ranked each jurisdiction according to both the recent reforms they had undertaken and those they planned to undertake.

The 2015 Report Card 3rd edition incorporates a detailed 'user's appraisal' discussion of reform that has been introduced since the 2012 Report Card in each state and territory (see *Chapter 2*). It includes a detailed comparison of E-Planning (see *Appendix B*), development assessment as currently practiced (see *Appendix C*) and is validated by a 1,000 head survey (see *Appendix D*).





01

EXECUTIVE SUMMARY

7

Development assessment (DA) system users today see planning becoming increasingly complex across state and territory boundaries, reflected in the myriad approaches to planning reform that have been adopted.

However, it is heartening to note that almost all jurisdictions are engaging in reform on an ongoing basis. There is clear recognition that effective and streamlined planning and DA systems can help drive economic outcomes through investment activity, as well as job creation and community development.

Where there has been a concerted reform effort, jobs, productivity and stronger community outcomes have resulted. This in turn has aided economic growth and supported state and federal government revenue flows.

There is also a growing realisation that reformed DA systems not only deliver direct economic benefits, but also significantly improve housing affordability and provide a diversity of housing types in response to changing demographics, particularly the ageing population.

Over the past decade, most, if not all state and territory governments have attempted to undertake reform to improve housing affordability, albeit with mixed and often isolated results.

While there have been success stories, there have also been some notable failures. However it is clear that all levels of government now understand the broader impacts of planning reform. This report card clearly identifies and supports the in-principle willingness to continue the reform process.

It is important that planning and DA reform priorities are better coordinated across the country. National leadership today will accelerate results and improve housing affordability for decades to come.

State and territory achievements and scores //

The **Northern Territory** continues to outperform other states in its adoption of assessment principles. Already recognised for its relatively simple DA process, a key highlight has been the introduction of a Planning Commission in 2013 to progress the Territory's strategic plans and planning policies, and to provide independent planning advice.

Close behind in 2015 is **Western Australia**. WA has the most comprehensive reform blueprint of all the states and territories and has chipped away handsomely at its reform agenda. It performed particularly well in advancing its strategic policy base with the West Australian Planning Commission (WAPC) playing an increasingly noticeable role in overseeing the implementation of planning strategy. WA has also undertaken a substantial review of the role of metropolitan local councils, although reform in this area had stalled at the time of writing this report.

Victoria moved into equal 3rd place in 2015, alongside South Australia. Both states showed particular initiative in 'getting things done' – **Victoria** leading by example with a proactive, business-like metropolitan strategy and accompanying new planning authority; and **South Australia** with its substantial effort in promoting inner city development through Renewal SA and the new Inner Metropolitan Development Assessment Committee.

Queensland earned the 'most improved' status, having successfully turned a difficult planning culture into a responsive system that is better able to engage with all system users. This was considered by many to be 'no mean feat'. As yet, it is too early to determine whether the recent change of state government will maintain the positive reform momentum.

The **ACT's** planning structure was commended in 2012, but was found to be lacking policy support. This has been addressed in the intervening period through the completion of key planning and transport strategies, numerous *Territory Plan* variations, new master plans and several omnibus administrative and policy amendments.

New South Wales and Tasmania occupy the bottom rung positions for the 2015 Report Card, having been left well behind by the more actively reformist jurisdictions.

New South Wales delivered too little too late, with the particularly disappointing rewrite of the *Planning and Environment Act* being derailed in late 2013. With the re-election of the Baird Government with clear mandates and an upper house that is potentially more supportive of broadscale planning reform, much-needed changes to the DA system are now in a good position to get underway.

Tasmania has shown initiative and purpose in introducing a Planning Reform Taskforce with a clear remit to drive change and simplification, however as it has only just commenced operation its success or otherwise cannot be judged. The Government's clearly stated intentions for reform should see the state's score improve significantly over the latter part of 2015 and into 2016.

The individual performance of states and territories in terms of their adoption of the DA principles is provided in the table below:

State and territory performance scores

Leading Practice Principles	NT	WA	VIC	SA	QLD	ACT	NSW	TAS
Effective policy development	8.5	8.5	9	7	6.5	7	4	6
Objective rules and tests	7	8	8	6	6.5	7	4	3
Built-in improvement mechanisms	8	7.5	8	6	5	7	5	4
Track based assessment	8	7	7	6	7	8	7	7
Single point of assessment	8.5	7.5	7	7	8	6	6	7
Notification	7	5	6	8	7	6	5	7
Private sector involvement	6	3.5	5	4	5	6	5	3
Professional determination of applications	6	9	7	8	7	6	8	5
Applicant appeals	9	9	8	8	9	8	9	8
Third-party appeals	9	10	4	9	7	7	6	6
Total	7.7	7.5	6.9	6.9	6.8	6.8	5.9	5.6

*all scores out of a possible 10

A comparison of the scores for each jurisdiction across each of the three Report Cards is provided in the table below:

Report Card scores // 2009 - 2015

	NT	WA	VIC	SA	QLD	ACT	NSW	TAS
2009	7.3	5.3	6.2	6.8	5.8	6.2	5.2	5.2
2012	7.5	7.1	6.2	6.5	5.8	6.5	5.9	5.4
2015	7.7	7.5	6.9	6.9	6.8	6.8	5.9	5.6



Scoring and validation of results //

For the 2015 Report Card, a single score has been used to measure the performance of each jurisdiction against the leading practice principles. This reflects how the principles have been implemented and how introduced reforms have improved planning practice in each state and territory.

The score used for the 2015 Report Card is based on qualitative and quantitative measures, including a comprehensive review of reforms undertaken across each jurisdiction since the release of the 2012 Report Card.

The score has also been informed by the views of a variety of system users including developers, builders, architects, planners, property professionals and local government staff, mainly through a series of informal workshops in each state and territory.

The Property Council has also incorporated the views of the State and Territory Treasurers, Planning Ministers and Heads of Planning into this report.

Additionally, for the 2015 Report Card a comprehensive survey of over 1,000 industry participants was conducted, the results of which have also informed the scoring. This survey was incorporated into this edition of the Report Card to increase the diversity of planning system users represented across the country.

The survey, undertaken in late 2014 and early 2015, was designed to gain an understanding of what planning system users perceive as the positive and negative aspects of their jurisdiction's system. It also provided respondents the opportunity to provide their views on particular elements of the process such as pre-lodgement processes or online application submission, as well as list areas they see as priorities for reform.

RECOMMENDATIONS

The findings of this Development Assessment Report Card are very clear. There is a significant amount of work to do in every state and territory before we have a planning system which adequately supports the growth and change of our cities, suburbs and towns.

Governments need to embrace a reform agenda which makes our communities more liveable, our cities more productive, our economy more prosperous, and our housing more affordable.

The findings of this report have been distilled into five key recommendations.

1 // Zone more land for housing

With a growing population, Australia needs planning systems which support this growth.

This means zoning more land for new housing that delivers inner city density, middle ring urban renewal and new greenfield land developments. **Reforms should:**

- Provide capacity within city strategies and local statutory plans to accommodate a growing population.
- Ensure clear citywide and local planning targets are in place, reported on and met.
- Support planning strategies to place homes nearer to the opportunities and services within the community.
- Clearly acknowledge the importance of retirement living facilities, and facilitate their development.

2 // Simpler planning, faster processes

A major component of the cost of producing new housing is the sheer complexity of the system.

Unnecessary complexity means unnecessary costs in designing projects, complying with rules which deliver little value, working through rezoning processes in outdated planning controls, and spending money on unneeded consultant reports. Approval processes which are slow, complex, politicised or span multiple levels of government also add considerably to the cost of producing housing.

Planning reform is required to make planning frameworks simpler and approval processes less complex.

Reforms should:

- Integrate local government land use planning and community planning.
- Introduce effective community engagement in earlier stages of planning approvals processes to minimise costly, late-stage public backlash to development.
- Introduce an independent State Planning Commission where one does not yet exist to oversee the focus and implementation of planning reform.
- Introduce assessment panels where they do not yet exist to depoliticise the decision making process.
- Assign the majority of routine housing, industrial and commercial applications to an exempt, self-assessable or code-assessable process.
- Commit to the resourcing of e-planning initiatives and to a timetable that provides for e-lodgement and tracking for all development applications within each jurisdiction by 2017.
- Review third party appeal rights where they exist.
- Mandate regular reporting by local governments on performance against land use planning objectives and housing targets.
- Require all states and territories to introduce and maintain a performance-based culture in local and state planning systems.

3 // Less taxes on the production of housing

The production of housing is a highly taxed activity. Stamp duties, land taxes, GST and large development levies can make up as much as 26% of the total cost of a finished house, and up to 21% of the total cost of a finished apartment¹.

To make housing more affordable we need to tax the production of housing less. This should be a central objective of the Federal Government's tax reform white paper process, supported by the states and territories. **Reforms should:**

- Identify a pathway for the abolition of conveyancing stamp duty, Australia's most growth-distorting tax, replacing this revenue source with more efficient options.
- Shift away from complex, ad-hoc and inequitable infrastructure charging regimes to more sustainable models for infrastructure funding that do not add to the cost of housing.

4 // Link housing and jobs

The strategic delivery of road and rail links will bring more housing closer to jobs, which in turn improves people's lives, opens up economic opportunities and deepens labour markets for business. **Reforms should:**

- Coordinate the supply of new housing in proximity to a range of jobs, thereby supporting productivity.
- Integrate infrastructure provision with the zoning of land for housing and commercial uses.
- Recognise major property projects as projects of significance to be determined by an integrated state government assessment process.

Reforms should:

- Recognise that comprehensive planning reform would deliver significant productivity dividends to the economy. This would in turn boost tax revenues which can be used to fund reform incentives.
- Take the form of a written agreement between the commonwealth and the states and territories, whereby the federal government agrees to provide incentive payments on the achievement of specific planning reform objectives and outcomes.

5 // Incentivise reform

Every state and territory has engaged in some form of planning reform effort over the last decade. Despite this, no jurisdiction scored highly in this Development Assessment Report Card.

This suggests that the pace and depth of reform needs to increase markedly.

The recent Harper Inquiry into Australia's Competition Policy recommended a return to the idea of using federally funded incentives to drive reform in difficult areas. This approach was highly successful in supercharging Australia's productivity in the 1990s. The Commonwealth's Federation White Paper process provides the perfect opportunity to apply this model to planning reform.

“Australia fundamentally doesn't produce enough houses to meet demand... fundamentally we don't have enough supply to meet demand.”

The Hon Joe Hockey MP, Treasurer, 2015



02

STATE-
BY-STATE
SNAPSHOT

12

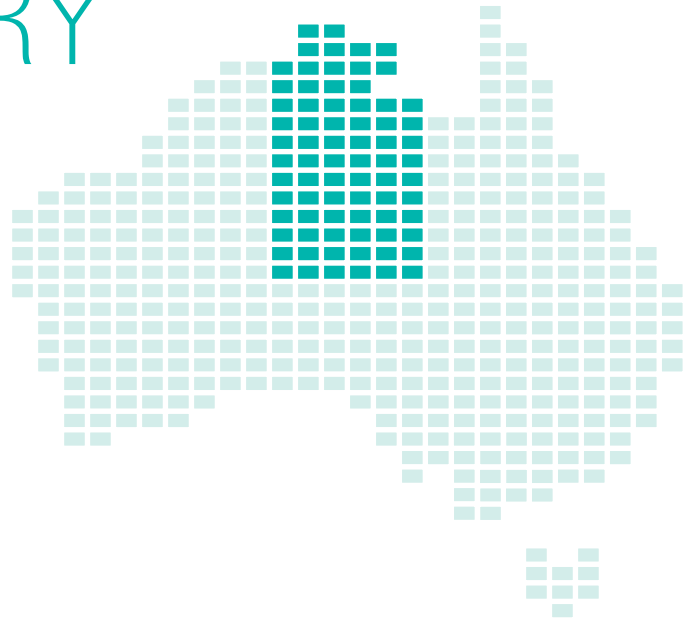
This section contains a detailed analysis of the current state of development assessment frameworks in each state and territory, as measured against the leading practice principles.

It also highlights key reforms that have been undertaken since the 2012 Report Card, as well as the positive and negative attributes of each system. These are supported by the jurisdiction-specific results of the national user survey.

For each jurisdiction, a list of the government's reform priorities is provided in addition to further reforms that are required to create a best-practice development assessment framework.



NORTHERN TERRITORY



246,300

Territory Population



1.4% p.a.

Population Growth Rate



136,200

Darwin // Capital City Population



CLP

Government Type



4yr fixed

Election Cycle



2016

Next Local Government
Elections // 4yr cycle



1,979

Housing Approvals (trend) //
year ending March 2015

Summary //

7.7

2015 Score

7.5

Previous Score

1/8

Ranking

The Northern Territory again leads the way, as acknowledged by its users and as demonstrated by ongoing improvements to the system.

Despite the acknowledged simplicity of the Territory's planning assessment system, some tensions have begun to arise, stemming from a lack of clear strategic direction for the Territory's major urban centres.

The Northern Territory Planning Commission, established in 2013, now has responsibility for progressing the Territory's strategic planning and policy agenda. The Commission is expected to assist in the regular delivery of strategic planning content, an area in which the Territory has been found lacking in previous reviews.

The regular review of key strategic planning strategies must remain a focus for planning reform, to ensure the Territory's assessment procedures and processes remain relevant.



2012 Report Card results // Current state of play //

Users consistently found the Northern Territory system to be clear and straightforward. It is easy to navigate with simple development classifications, a single Planning Scheme, prescribed response times for planning referrals, and the ability to apply for an 'exceptional permit' for development that is otherwise prohibited. NT also achieved 100 per cent on-line lodgement for DAs since July 2010.

Seven Development Consent Authorities (DCAs) operate across the Territory, including one for Greater Darwin. The DCAs are the sole consent authorities for most DAs, except those dealt with at an officer level and/or the more significant applications called in by the Minister. The role of local councils in development assessment is limited to that of a referral agency, providing input regarding matters of civil construction and civic outcomes.

In 2012 the NT scored 7.5 for its incorporation of the accepted development assessment principles and recorded a potential score of 8.4 for future reform, primarily relating to further strategic planning for Greater Darwin and the progressive update of the NT Planning Scheme.

In January 2013 the newly formed Northern Territory Planning Commission was charged with the responsibility for developing strategic plans and planning policies, an area in which the Territory was found to be deficient in the 2012 Report Card. The Commission's role has focused on the undertaking of necessary community consultation to ensure issues are understood and strategies are able to be progressed.

The *Katherine Land Use Plan* and the *Tennant Creek Framework* have since also been finalised. More recently, in November 2014 the Commission's findings with respect to the *Darwin Regional Land Use Plan* were published.

The Commission is currently holding public forums in relation to the review of planning scheme provisions for the Alice Springs CBD.

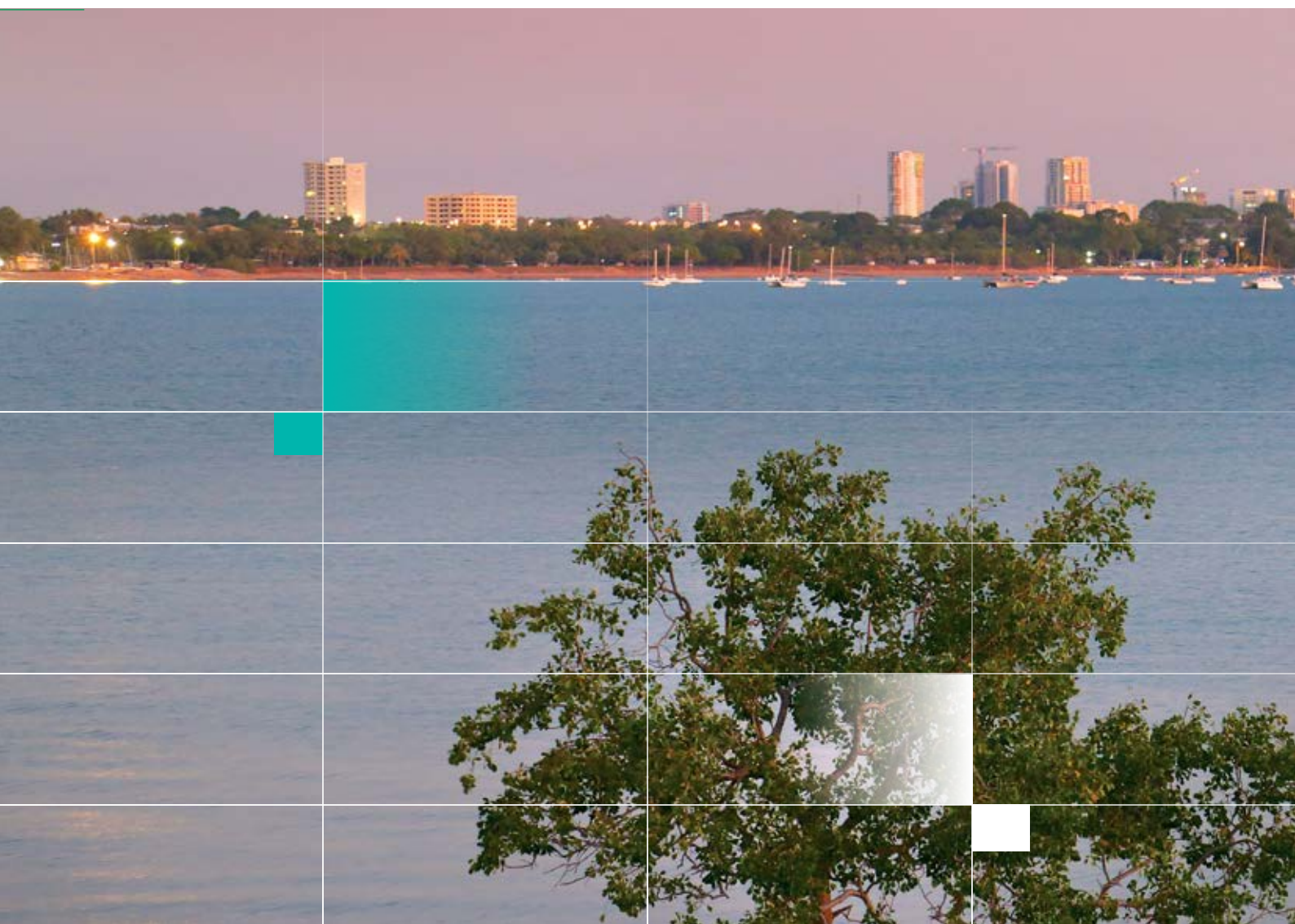
On the ground, some weaknesses in the Territory system have begun to emerge, stemming from community angst with respect to both 'urban densification' and 'urban creep'. These problems stem from a lack of clear policy direction and system users have suggested that uncertainty is now more of a factor.

Concerns have also been raised, following recent departmental restructures, about the level of resources available to carry forward a large reform agenda.

Reform highlights since 2012 //

Planning reform across the Territory has continued to be rolled out since 2012. New initiatives have included:

- The launch of the final stage of Building Approvals Online, a web-based system that allows private sector building certifiers to lodge all documentation electronically;
- Improvements to the Development Applications Online system - applicants can now track the progress of their DAs;
- New Land Suitability Guidelines were published in December 2013, as a reference document under the Planning Scheme. They outline the information required to address the term 'unconstrained land' against clause 11.4.1 and cover a range of criteria relating to drainage, wastewater management, erosion risk, soil salinity, acid sulphate soils and flooding;
- Concurrent applications - single applications that comprise both an amendment proposal (rezoning) and a development proposal (DA) can now be lodged following an amendment of the Planning Act, commencing 1 May 2014;
- Amendments to the NT Planning Scheme to provide for wider housing choice, such as smaller lots in the multiple dwelling zone and deregulating granny flats (independent units);
- Continued strategic investigations and area planning for infill areas of Darwin including Berrimah North, Berrimah Farm, the old Darwin Hospital and Flagstaff Park;
- Area plans and zoning maps have also been completed for several remote towns including Daguragu, Kalkarindji, Maningrida and Ali Curung. Area plans are presently being exhibited for the towns of Elliott and Yirrkala;
- Land release across the Territory, including the awarding of projects to successful tenderers at Zuccoli (stage 2), Katherine East and Humpty Doo industrial land; and,
- Stage 1A of Kilgariff is being developed by the Land Development Corporation and Zuccoli (stage 3 and 4) were released to the market in May 2014.



Government reform priorities //


Current and ongoing reform initiatives include:

- The *Darwin CBD Master Plan*, which incorporates spatial mapping, retail, landscape and urban design guidelines and draws on previous transport and car parking studies; and,
- Subdivision development guidelines are under preparation.

Other announced objectives include:

- Further Planning Scheme amendments to reduce regulatory burden e.g. by allowing more uses without planning approval;
- The continued delivery of greenfield and infill land across all Territory centres, with the concurrent delivery of headworks and trunk infrastructure services to support development;

- The development of an urban densification strategy across NT centres;
- Continued efforts to increase the capacity of the building certification industry and to change compliance requirements to build a culture of compliance in the community;
- The continued development of town plans (NT Planning Scheme area plans and zoning maps) for growth centre Aboriginal communities; and,
- The release of the draft Compact Urban Growth Policy as a plan to encourage higher density residential land uses in urban brownfield, greenfield, specific redevelopment and renewal localities. Further long term strategic planning is still needed here coupled with a coordinated infrastructure provision policy.



“I’m delighted that the Northern Territory’s planning system has topped the 2015 Development Assessment Report Card with an improved score on three years ago.”

The Hon David Tollner MLA, Minister for Lands and Planning, 2015

Positive attributes of the NT system //

- A single Planning Scheme applies to the whole of the Territory, except areas subject to a specific planning scheme under s.8 of the *Planning Act*.
- DA decisions must advance or be consistent with the 'planning principles' of the Planning Scheme.
- Assessment performance criteria are included in NT Planning Scheme - for residential, commercial, industrial and non-urban development.
- Simple development classifications: Permitted (without consent); Discretionary (requiring consent); or Prohibited.
- A single 'concurrent application' for a rezoning and DA can now be lodged.
- All DA decisions are made by an independent, five-member Development Consent Authority (DCA).
- Third party appeal rights apply only to residential zone unless the land is adjacent to or opposite a residential zone. Third party appeal rights apply only to those persons who made submissions on a DA.

The Northern Territory Planning Commission //

The Northern Territory Planning Commission commenced its operations in January 2013. Its primary role is to help develop strategic plans and planning policies. It does this by undertaking necessary community consultation in the preparation of integrated strategic plans for regions, towns and centres.

The Commission also provides advice to the Minister on development proposals that have a potentially significant impact on the strategic planning of the Territory, its natural environment or existing amenity.

Under the *Planning Act*, the Commission must perform its functions and exercise its powers independently, impartially and in the public interest.

The Planning Commission comprises the Chairman; the Chairpersons of the Development Consent Authority, the Heritage Council and the Northern Territory Environment Protection Authority; a representative of the Local Government Association; and five other members with appropriate qualifications and expertise appointed by the Minister.

The composition of the Planning Commission purposely includes the Chairpersons of three bodies with statutory decision-making powers in order that a greater shared understanding of the aspirations of the planning system is achieved.

Concurrent applications for NT //

Amendments to the *Planning Act 2009* commenced on 1 May 2014.

The amendments introduced a new application stream in The Northern Territory for proposals that require both a rezoning and development permit.

Concurrent applications are a single application that comprises both a planning scheme amendment proposal (rezoning) and a development proposal (development application).

Key elements of the concurrent application process are:

- A compulsory pre-application meeting between the applicant and a dlpe planning adviser to discuss proposals and to provide comprehensive feedback on compliance with strategic policy and development provisions;
- A **single** application and package of supporting information;
- A **single** exhibition period for both the amendment and development components of the application;
- A **single** submission or comment by community members and referral authorities;
- A **single** hearing for the application; and,
- Development permit is subject to approval of both the planning scheme amendment proposal and the development proposal. If either of these proposals is refused, application lapses.

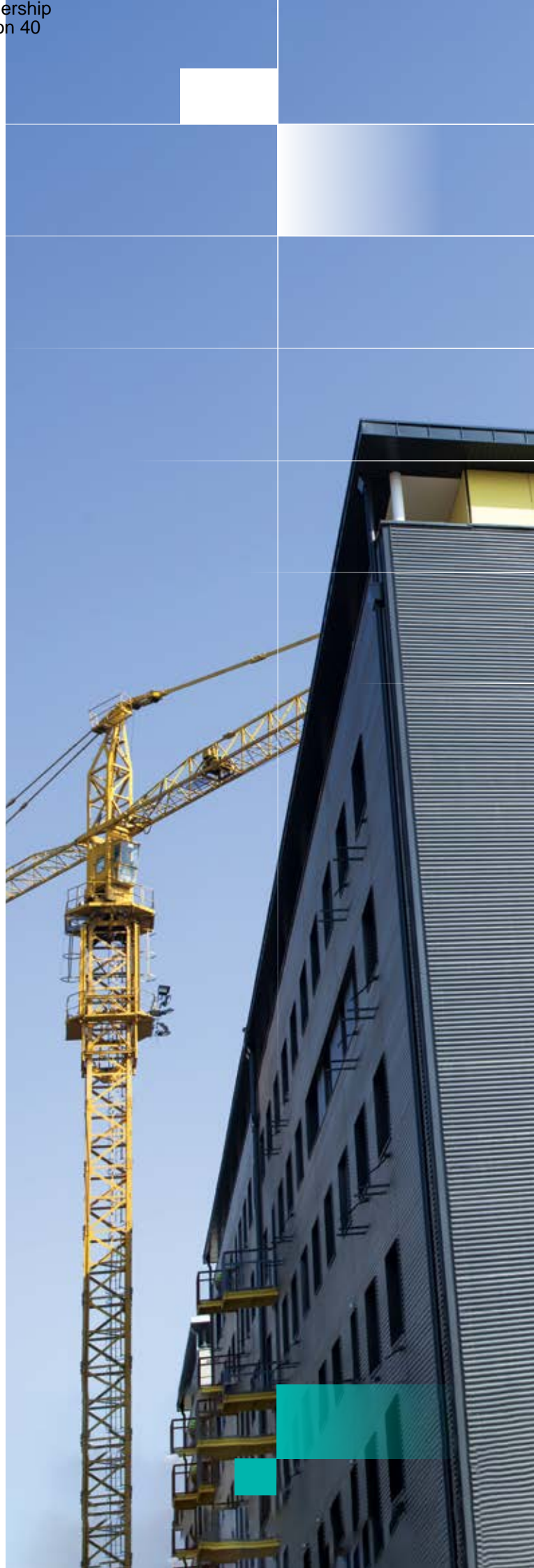
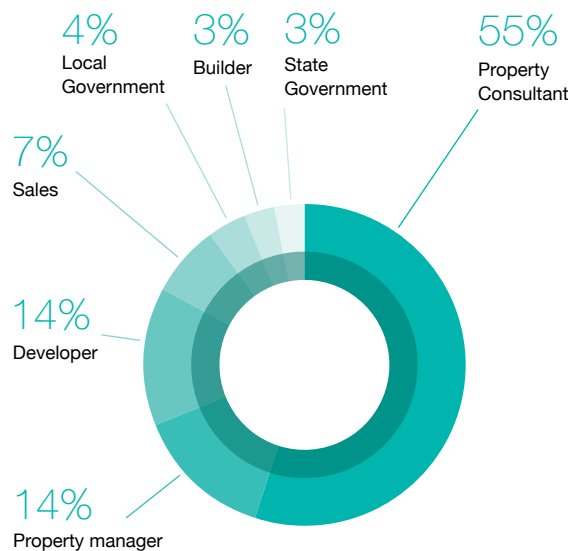
Negative attributes of the NT system //

- The need for further refined planning strategy and policy to allay general community concerns about the nature and direction of Darwin's growth. Whilst final reports on the *Darwin Strategic Land Use Plan* have been handed down, overall progress on this issue has been slow.
- The generally slow release of land for residential development.
- The need to expand the number of land uses categorised as 'permitted' and therefore exempt from the need for development consent.

Survey responses //

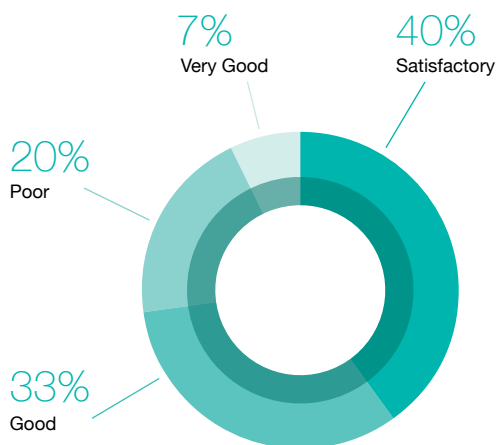
Over 1,000 responses were received to the Property Council's planning system survey. Of a large number who operate in the Northern Territory, 33 respondents primarily conduct their business there and have provided the following feedback.

Respondent type //

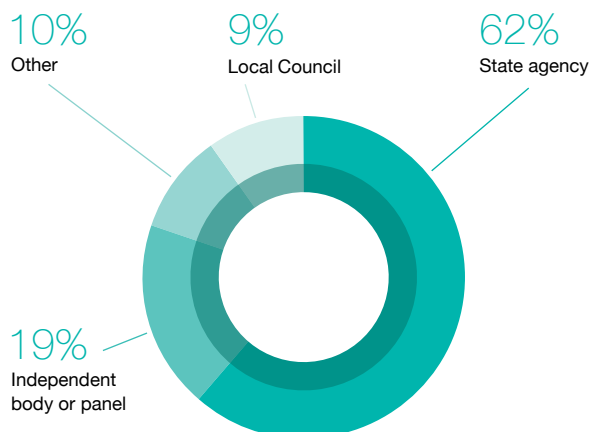


- 43% of respondents reported a 'positive' experience in their dealings with an independent assessment panel. Only 5% reported a less than satisfactory experience, although 52% of respondents had no experience with panels.
- 85% of respondents could access information to compile their DAs and lodge them electronically.
- 70% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 67% of respondents rated the state's new planning reforms as satisfactory or better.
- 36% of respondents thought that the Northern Territory planning system was less than satisfactory in responding to emerging trends.

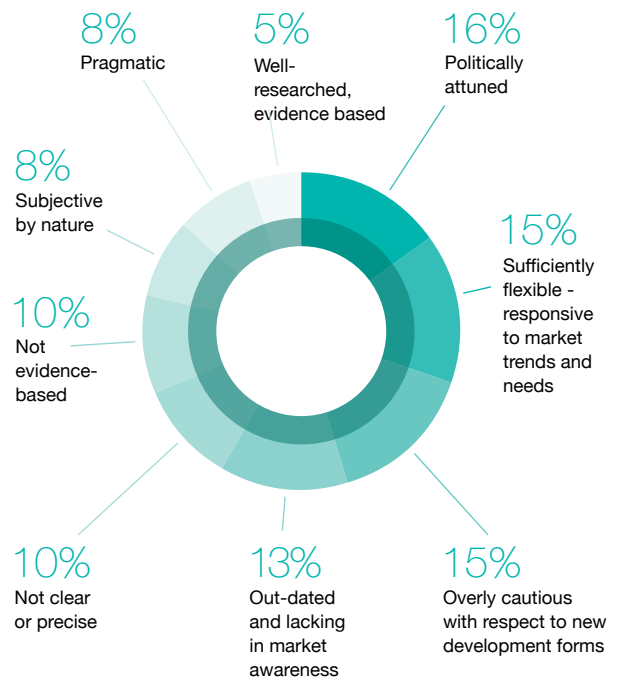
How do you rate your state or territory planning system structure or framework?



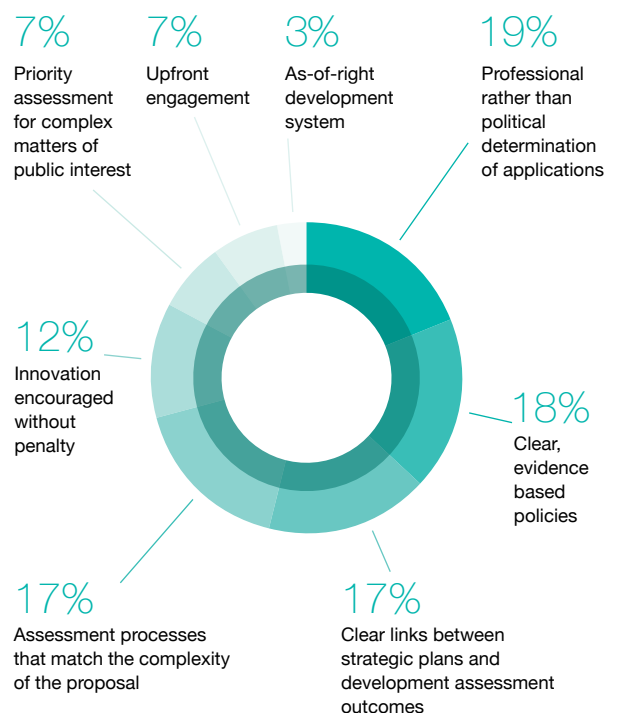
For complex matters, who would you prefer to deal with?

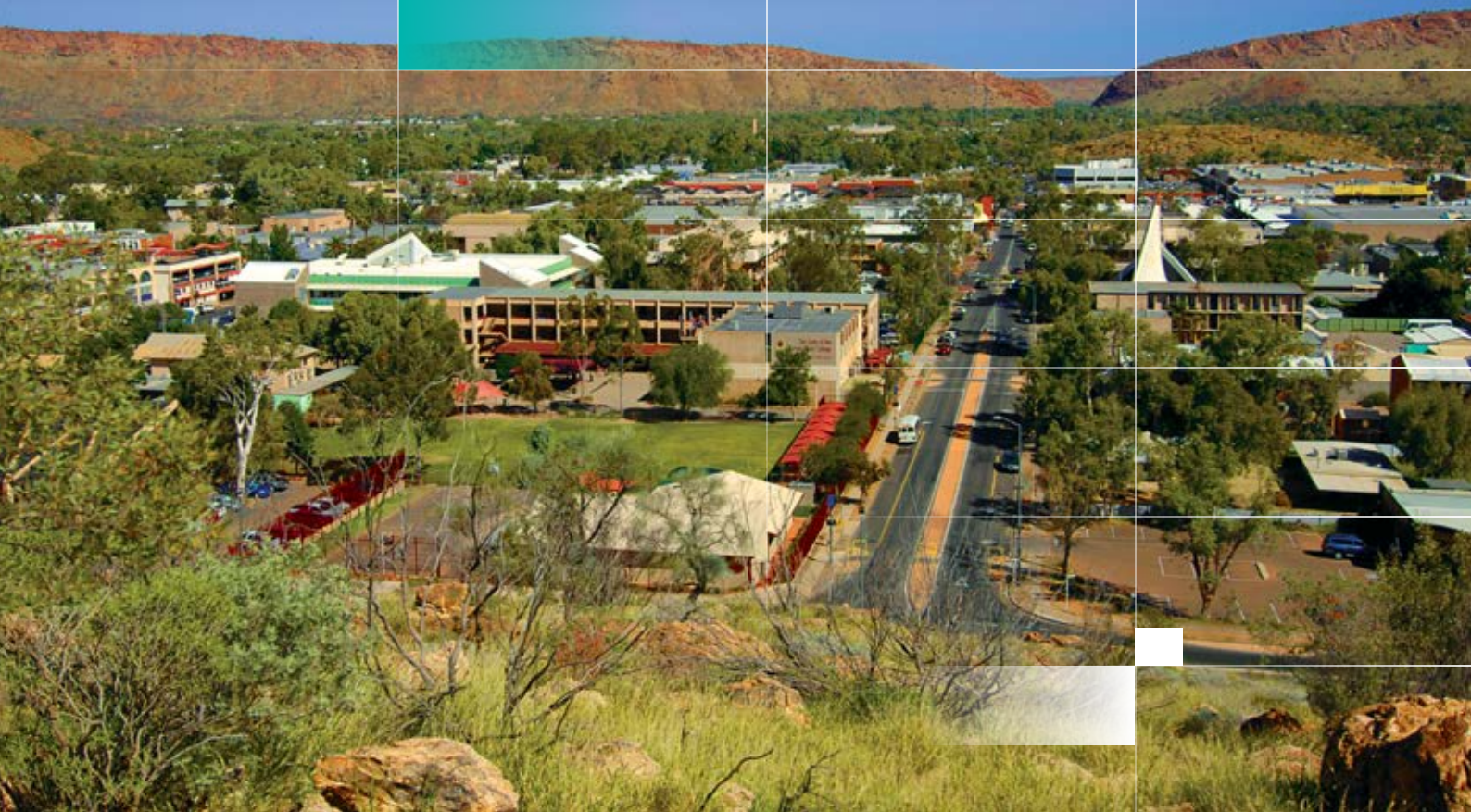


How would you describe your state or territory planning system or framework?



Which planning system criteria are the most important?





Reform opportunities //

Whilst the NT planning system is highly valued for its simplicity and directness, it remains in need of a strategic spine and policy basis to guide the assessment process for both major and minor applications, and nurture community engagement and understanding along the way.

Much of the Territory's future potential is contingent upon the continued roll-out of announced reforms and the clear direction that is required of key strategic documents. In this respect, far too much time has already been taken to produce the long awaited *Greater Darwin Land Use Strategy*.

Areas of reform identified by system users are listed below:

- 1 The development of an **urban densification strategy** across NT centres, coupled with broad community and industry consultation in the making.
- 2 An **expansion of land use types that can be categorised as 'permitted'** and therefore exempt from the need for development consent.
- 3 Broad government commitment to the **regular production and review of key strategic planning strategies** and related policies, especially for Darwin.

WESTERN AUSTRALIA



2,589,100

State Population



2.5% p.a.

Population Growth Rate



1,970,000

Perth // Capital City Population



Coalition

Government Type



4yr fixed

Election Cycle



Oct 2015

Next Local Government Elections //
2yr cycle for ½ council only



31,581

Housing Approvals (trend) //
year ending March 2015

Summary //

7.5

2015 Score

7.1

Previous Score

2/8

Ranking

Western Australia has continued the systematic planning reform program it commenced in 2009. It is the most consistent performer over the report card series.

Western Australia's forward reform program is well mapped out. It is expected that the state's planning assessment framework will continue to be enhanced, with due priority assigned to redrafting the state's Model Scheme Text and other identified enhancements.

However, the failure to proceed with the Perth Metropolitan local government reform program, including council amalgamations and boundary changes, is a significant setback in the state's ongoing planning reform process. Western Australia's overall performance was undermined by the failed local government reform process.

2012 Report Card results //

Western Australia was the 'most improved' of all states and territories at the time of the 2012 Report Card, jumping to a score of 7.1 for its embodiment of accepted development assessment system principles. This was achieved on the back of the solid *Planning Makes It Happen* reform blueprint.

The reform program was expected to deliver further and ongoing benefit, with a swag of Phase Two reforms announced to continue what *Planning Makes It Happen* had commenced. WA attained a potential planning system score of 8.0 for its ongoing reform agenda, focussed principally around improvements to the Model Scheme Text, Development Contributions, the R-Codes and the Structure Plan process.

Current state of play //

At first glance the WA planning system appears the most layered and potentially complex of all systems across the nation. In effect, however, the system works well, enhanced by the stewardship of the Western Australian Planning Commission (WAPC) and Department of Planning.

Substantial progress in ticking off the phase one reforms incorporated within the *Planning Makes It Happen* 2009 blueprint has been made, but this does not entitle the state to rest on its laurels as further work remains to be done, particularly at the local level and in further streamlining planning processes and improving policy implementation.

Regrettably, the promised reform of metropolitan local government (boundaries and operations) has stalled. Slow progress on several 'phase one' reforms, especially with respect to the Model Scheme Text, has also delayed meaningful reform in scheme-making and legibility.

Based on pure endeavour alone, however, WA leads the pack this time round.



Reform highlights since 2012 //

The planning reforms introduced in 2009 and implemented over the intervening period have delivered changes to statutory planning processes as well as a renewed focus on strategic planning guidance.

Introduced reforms have included:

- A new *State Planning Strategy* (SPS 2050) as Western Australia's highest-level strategic plan (June, 2014);
- A State Coastal Planning Policy (July, 2013);
- An *Economic and Employment Lands Strategy* (April, 2012);
- Development Assessment Panels that provide for the professional determination of substantial projects at the local level (July, 2011);
- The *Directions 2031 and Beyond* Strategy for the Perth and Peel regions (August, 2010);
- The release of an annual report card *Delivering Directions 2031* to provide a progress update on the effectiveness of state and local government to deliver a metropolitan-wide program of planning and development initiatives to achieve the outcomes sought by *Directions 2031* (December 2012);
- The Multi-unit Housing Code (2010 and ongoing review);
- A review of key WAPC policies (ongoing);
- Delivery of the Urban Development Program Online;
- New Structure Plan Guidelines;
- Model Subdivision Conditions;
- The Section 76 process (empowering the Minister for Planning to order a local council to prepare or adopt an amendment to a local planning scheme);
- A review to restructure and rationalise the WAPC committees (February 2015); and,
- The introduction of new E-lodgment system "ePlan" available for sub-division applications (February 2015).

There are 15 Development Assessment Panels (DAPs) that now operate across the state. They assess all development proposals valued at \$7m or above, with an opt-in choice for projects of \$3m or above. For the City of Perth the equivalent amounts are \$15m and \$10m (for the opt-in option).

Since 2010, there have been 13 successful requests by proponents to have the Minister, under Section 76, require a planning scheme amendment. Many of these requests relate to mixed use and infill development, demonstrating the government's commitment to implementing the intent of plans such as the *Directions 2031 and Beyond* Strategy.

In addition to on-ground planning reform, the government committed to review of local government operations and boundaries. This reform would have heralded a new era for local government, giving councils the ability to combine resources, reduce duplication and streamline processes. The local government reform process was intended to complement the announced Phase Two planning reforms. The proposed amalgamations and council boundary changes are not going to proceed as programed. The state government announced the future of local reform now rests with councils.

"Planning reform is largely driven by the need to ensure that the planning system delivers quality outcomes for the community through approvals processes which are streamlined, functional and provide certainty and clarity for developers."

The Hon John Day MLA, Minister for Planning; Culture and the Arts, 2015



Government reform priorities //

Current government attention is focused on the completion of previously announced reforms, including:

- Review of Development Contributions Policy;
- Model Scheme Text and Regulations review;
- The integration of planning and environmental approvals;
- The Metropolitan Region Scheme (MRS) text review; and,
- Local government reporting.

Further *Planning Makes It Happen: Phase Two* reforms have also been announced (August, 2014) and include, inter alia:

- Improving the amendment process for regional planning schemes;
- Allowing sub-regional structure plans to amend regional planning schemes;
- The concurrent amendment of regional planning schemes and local planning schemes;
- Improving the process of local planning scheme review and the process of amending schemes;

- Streamlining the structure plan process and installing the WAPC as the single decision-maker on structure plans;
- Developing a 3-tracked (exempt, standard and complex) development assessment model;
- Developing an electronic application system;
- Refining the role of Development Assessment Panels and working with the Western Australian Local Government Association (WALGA) to introduce a best-practice model of decision delegation;
- Introducing design and development standards;
- Improving the function of the Infrastructure Coordinating Committee; and,
- An administrative review of the *Planning and Development Act 2005*.

Of this comprehensive list, it is understood that the ongoing review of the Model Scheme Text will take priority. This will deliver consistent local scheme provisions to improve the efficiency and effectiveness of planning across the state.

Draft new proposed regulations that amend and replace the *Town Planning Regulations 1967* and associated Model Scheme Text have been prepared and published for industry feedback (November, 2014). Adoption of the final recommended changes is expected on 1 July 2015.

Positive attributes of the Western Australian system //

- The WAPC is highly regarded and provides for a whole-of-government coordination of planning policy and system improvements.
- The strategic structure of planning in Western Australia is very strong. State, city and regional planning is taken seriously.
- The WA system is not overly front-end loaded. It aligns process and detail as development progresses from rezoning through to construction.
- Development Assessment Panels have recently been successfully introduced at the local level.
- The spirit of partnership permeates planning endeavour – there are good working relationships between government and private enterprise.
- Land supply and housing construction monitoring is regular and reference data is regularly made publicly available.
- R-Codes apply to all forms of residential construction – they are well-practised and understood, and are continually reviewed.
- There are no third party appeal rights for development projects.

Local Government reform in Western Australia //

Improved strategic planning, greater focus on activity centres and better-resourced approvals processing were touted as benefits of the local government reforms in Western Australia.

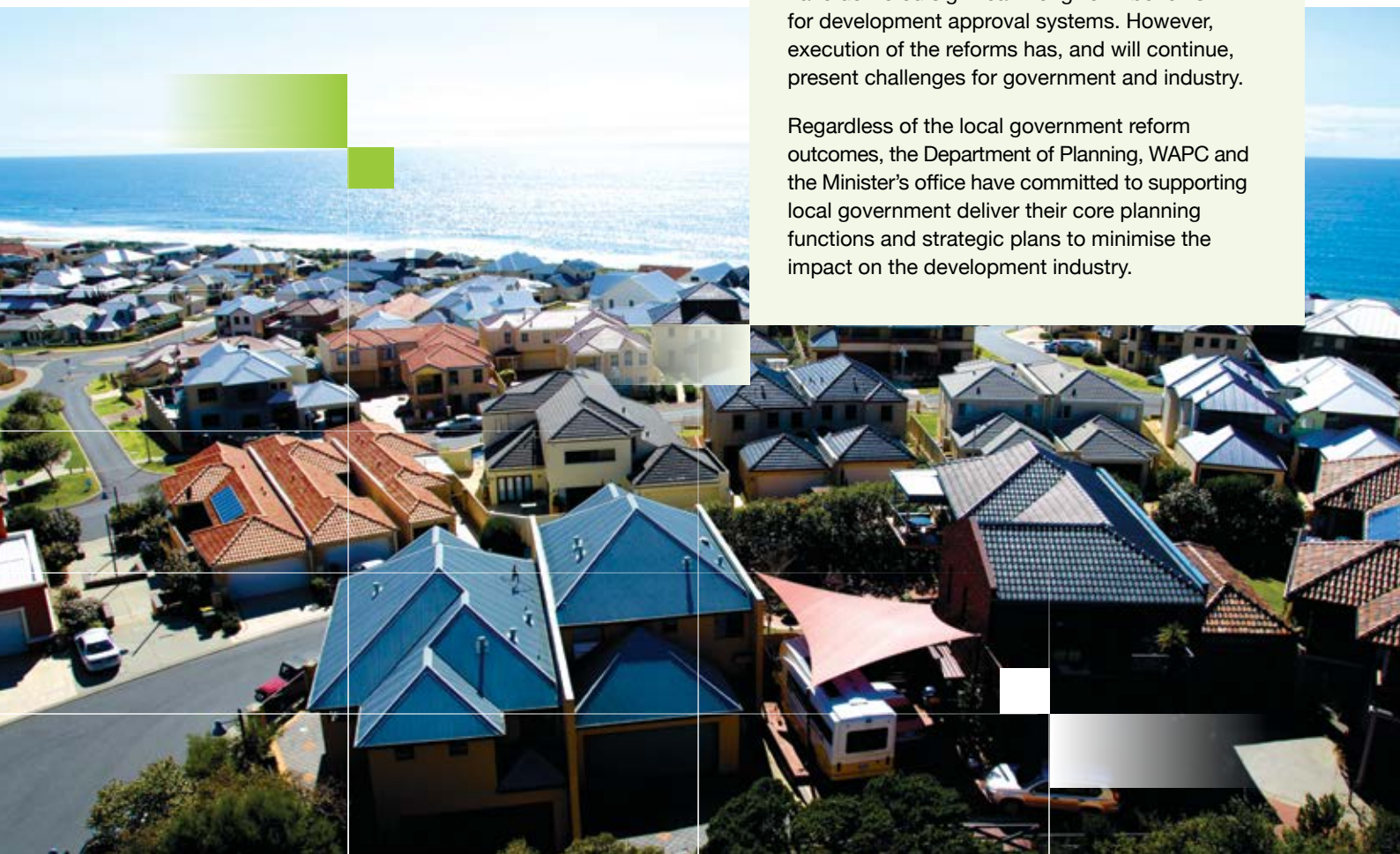
The Perth metropolitan region has 30 local governments for a population of 2 million. The state government proposed a series of boundary realignments and amalgamations to reduce the number of local governments to 16, to commence from 1 July 2015. This proposal was met with strong community and political opposition.

Local government reform would have been of significant benefit as it would consolidate the 30 local planning schemes, each with their own nuances and specific policies. This consolidation would be underpinned by Planning Phase Two reforms, which include the review of the model scheme text to help standardise local planning schemes.

The state government has also committed to improving the building approval process and to introduce private certification for single (detached) dwellings (Instant Start).

The implementation of the local government, planning and building approval reforms would have delivered significant long-term benefits for development approval systems. However, execution of the reforms has, and will continue, present challenges for government and industry.

Regardless of the local government reform outcomes, the Department of Planning, WAPC and the Minister's office have committed to supporting local government deliver their core planning functions and strategic plans to minimise the impact on the development industry.



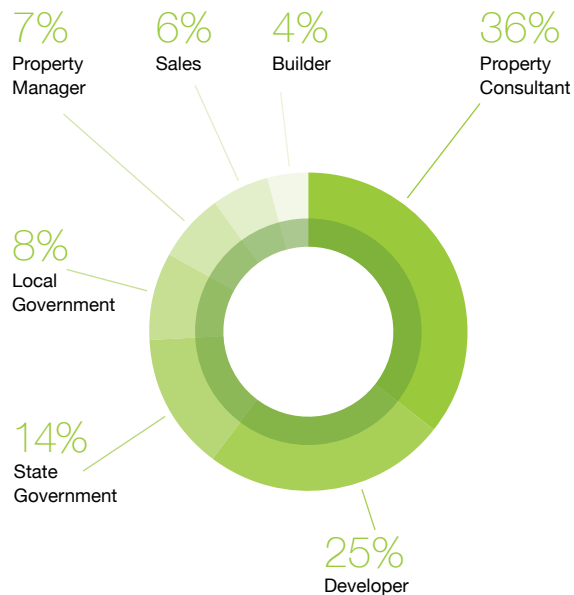
Negative attributes of the Western Australian system //

- Western Australia's planning system does not have a comprehensive strategy for delivering economic and employment outcomes – the placeholder for the economy and employment policy (State Planning Policy No. 4) remains empty.
- Structure planning processes are cumbersome and 'back and forth'.
- There is little in the way of communication from government to industry on the progress of the Strategic Assessment Frameworks which was meant to provide more consistency and certainty but has had the opposite effect.
- The introduction of private certification for routine and other development matters has stalled. Western Australia lags other states in this area of reform. Proposed changes from mid-2015 will allow private certification of single dwellings only if they comply with the Residential Design (R) Code.
- A limited number of local governments have introduced e-DA but is not widely available. A consistent state-wide facility for application lodgement and referrals is required.

Survey responses //

Over 1,000 responses were received to the Property Council of Australia's planning system survey. Of a large number who are active in the state, 175 respondents primarily conduct their business in Western Australia and have provided the following feedback.

Respondent type //

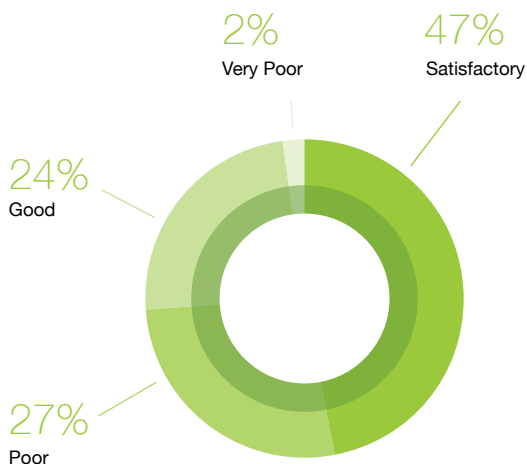


“Much more needs to be done to improve the WA Planning System but the WA Government has committed to some noteworthy reforms and the industry is now awaiting their speedy implementation.”

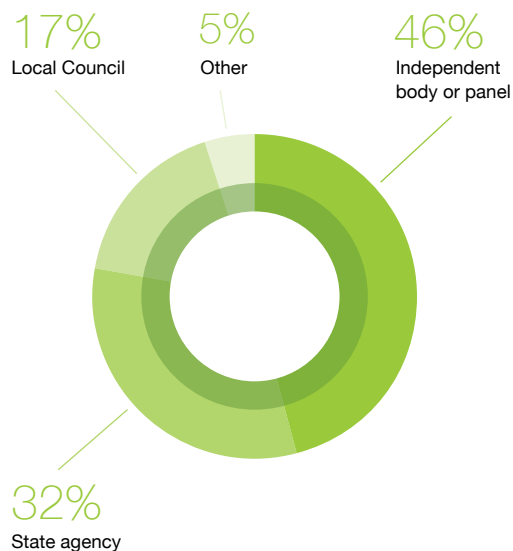
Vernon Butterly, Chairman, Property Council WA Division Planning and Urban Economics Committee, 2015

- 48% of respondents reported a 'positive' experience in their dealings with an independent assessment panel. 46% of respondents had no experience with panels.
- Responses for electronic lodgements and accessing application information were pretty evenly split – some could, some couldn't, whilst others weren't sure.
- 69% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 78% of respondents rated the state's new planning reforms as satisfactory or better. 22% thought they were poor or very poor.
- 39% of respondents thought that the Western Australian planning system was less than satisfactory in responding to emerging trends.

How do you rate your state or territory planning system structure or framework?

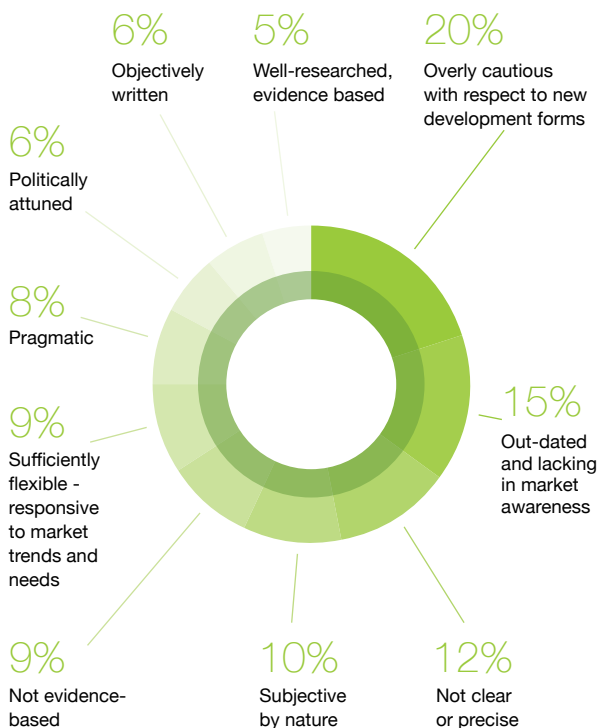


For complex matters, who would you prefer to deal with?

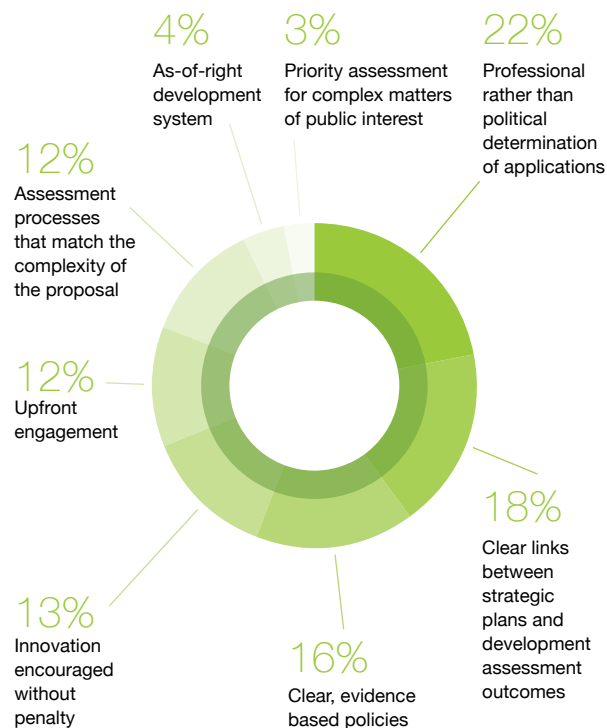


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How would you describe your state or territory planning system or framework?



Which planning system criteria are the most important?



Reform opportunities //

Western Australia's future potential has been jeopardised by the failure of the local government reform program. All parties, state and local, need to quickly pick up the pieces of the reform process and commit to a new program of local government reform.

More than any other jurisdiction, however, Western Australia's planning reform agenda is well-established. The Phase Two planning reforms were the subject of broadscale public and inter-government discussion.

The ongoing reform agenda is clear and is expected to reap substantial benefit in process and planning efficiencies.

Areas for reform identified by system users are listed below.

- 1 **WAPC** to assist local government to deliver their core planning functions and strategic plans more effectively and efficiently in light of the stalled local government reform.
- 2 Ensure **local council consistency in planning schemes and development codes**, hinging on the introduction of model scheme text.
- 3 Implementation of a **specific, economic-focused planning strategy** which underpins housing and employment delivery for the state.
- 4 **Further and ongoing communication** to address local government and public perceptions about housing density (including apartment living and small lot housing).
- 5 The **elevation of structure planning** in the reform package priority listing.
- 6 Implementation of an **Infrastructure Delivery Plan** to outline government priorities and available funding and timing of provision.
- 7 Continued refinement of the **Development Assessment Panels** and their decision-making capacities and the scope of matters that come before them.
- 8 The introduction of **development codes** for non-residential development.
- 9 The introduction of a **certification system** for routine and other development and consideration of other state systems that have been successfully introduced.
- 10 **Expansion of e-planning capacities**, particularly for local governments.



VICTORIA



5,866,300

State Population



1.9% p.a.

Population Growth Rate



4,350,000

Melbourne // Capital City Population



Labor

Government Type



4yr fixed

Election Cycle



Oct 2016

Next Local Government
Elections // 4yr cycle



63,815

Housing Approvals (trend) //
year ending March 2015



Summary //

6.9

2015 Score

6.2

Previous Score

3.5/8

Ranking

Victoria has approached planning reform with significant vigour since the last report, recognised by the achievement of the previous 'potential score' in this review. The state has tackled some of the harder planning challenges by providing a new metropolitan direction (*Plan Melbourne*) and by establishing a new authority to implement its aims (Metropolitan Planning Authority).

The planning system is regarded by its users to have "improved overall", although further and ongoing reform is still necessary at the operational level to support the strong strategic base that has been created. The biggest area for performance uplift has been the implementation of residential zone reform.



The reforms enjoy widespread industry and community support, however, the promise of improved growth management has not eventuated due to the misallocation of the zones. Improving the clarity of planning overlays and funding arrangements for infrastructure and open space are also seen as key industry priorities.

Victoria is also home to the strongest third party appeal rights system in all of Australia. Consequently it remains, in practice, highly adversarial, litigious and costly.

2012 Report Card results //

The previous Report Card recorded that Victoria's planning reform performance had made some small gains over the 2010-2012 period.

In the opinion of regular planning system users, Victoria's planning system was not quite on the same ambitious reform path as other jurisdictions. The state was perceived as having exciting potential with considerable upside for development into the future.

Victoria scored 6.2 for its incorporation of the accepted development assessment principles and recorded a potential score of 6.9 for future reform. This was primarily on the back of a planning system Ministerial Advisory Committee that had been established to consider broadscale reform and the imminent preparation of a metropolitan and several regional planning strategies.

“We are already delivering on election promise to keep Victoria livable. We’re talking with the development industry and community about the best way forward for a strong, transparent planning system and I am confident we will continue to build on our progress.”

**The Hon Richard Wynne MP,
Minister for Planning, 2015**

Current state of play //

Planning reform has occurred at pace and in volume across Victoria since the 2012 Report Card was published, dispelling any thoughts that reform is not being taken seriously.

Several of the introduced reforms, and the structures developed to implement them, are still relatively new, leaving system users somewhat unsure of their overall effect.

Plan Melbourne “in essence, is good” – it provides a positive contribution to development endeavours and, importantly, recognises the role of planning as an economic tool, supporting the productivity of Melbourne as a globally focused business centre.

Some users, however, remain unconvinced by its lack of narrative about why certain choices have been made. Others see a large role ahead for the Metropolitan Planning Authority (MPA), an independent statutory body tasked with implementing *Plan Melbourne* and working with local councils, other government agencies and the planning and development industry to do so.

Notwithstanding, the ambit and wherewithal of the MPA along with its willingness and ability to work with local government and other agencies to deliver planning outcomes, impresses on a national scale. There is no other body across Australia that takes such a ‘sleeves rolled up’ approach to metropolitan plan implementation.

The Victorian planning system was seen by its users to have improved overall, although still somewhat burdened by an abundance of planning overlays. These have introduced unnecessary complexity to standard development scenarios and have become more apparent because of the residential zone reform process, which has severely restricted development opportunities in inner metropolitan local government areas.

Some local councils are ‘doing their bit’ to respond to the challenges of growing a global city, with several metropolitan fringe councils identified by users as praiseworthy. Notwithstanding these efforts at the fringe, greenfield housing was generally seen to be becoming more difficult, with frustration directed at new layers of planning policy and process.

Victoria’s ‘culture of objecting’ still resonates amongst industry users of the system, clearly placing the state out on a limb as the only jurisdiction in the country where third party appeal rights are so broadly available.



Reform highlights since 2012 //

- *Plan Melbourne* was released in May 2014 as state government policy. An updated Ministerial direction and incorporation of the Plan's directions and initiatives into local planning schemes give statutory effect to the Plan.
- The Metropolitan Planning Authority, an independent statutory body, has been created to work with councils, landowners and government agencies in order to implement *Plan Melbourne*.
- New zones designed to target growth around activity centres and transport hubs and to broaden the development potential of industrial lands.
- Eight regional growth plans were released over 2013-2014 to provide broad direction for regional land use and development.
- Regional grouping of councils for infrastructure planning – requiring the cooperation of member councils and their collective agreement for all infrastructure bids.
- VicSmart has expanded the range of developments that are code assessable and includes small scale routine developments which qualify for a 10-day permit turnaround. This innovation offers a framework for further code based assessment in Victoria.

- The implementation of Victoria's Biodiversity Conservation Strategy has helped by streamlining offsets and has provided a simpler method of calculating offset costs.
- Other routine system reforms have revised VCAT procedures, facilitated the creation of new Planning Application Committees, considered planning scheme content and processes and developed strategic assessment guidelines.

Government reform priorities //

Current and ongoing reform initiatives include:

- Implementation and further improvement of the state's standard development contribution system (infrastructure funding);
- Consideration of the role of the government architect's office and building design generally;
- A proposed contaminated land policy reform designed to improve risk management and redevelopment opportunity; and,
- Review of the *Planning and Environment Regulations 2005*, which sunset in 2015.



Positive attributes of the Victorian system //

- *Plan Melbourne* and the Regional Growth Plans.
- The independent Metropolitan Planning Authority's role in coordinating Council approaches to planning in areas designated for growth.
- The introduction of multiple new Precinct Structure Plans has bolstered the Victorian Government's capacity to accommodate population growth in areas where the private-sector has an interest in developing.
- The incorporation of a Municipal Strategic Statement in local planning schemes, providing guidance to decision-making.
- The Minister's 'call-in' powers and jurisdiction over significant projects in nominated areas.
- Standardised planning provisions ensure a consistent approach to assessing development applications across Victoria.

Victoria's Metropolitan Planning Authority //

Melbourne is destined to become a city of 7.7 million by 2051, requiring up to 1.6 million new homes and the creation of 1.7 million jobs.

The Metropolitan Planning Authority (MPA) was launched in October 2013 to plan for and manage Melbourne's anticipated growth. The MPA is overseen by a highly experienced board from a broad range of disciplines including planning, development, economics, financial management, local government and housing. The Board reports to the Minister for Planning under the *Planning and Environment (Growth Areas Authority) Act 2006*.

A key responsibility of the MPA is to implement the initiatives outlined in *Plan Melbourne*, the Victorian Government's metropolitan planning strategy. The MPA will work closely with councils and government agencies. The authority will also continue the former Growth Area Authority's (GAA's) precinct planning work across Melbourne's seven declared growth areas – the municipalities of Cardinia, Casey, Hume, Melton, Mitchell, Whittlesea and Wyndham.

The primary objectives of the MPA are to:

- Maintain a steady supply of quality housing;
- Identify opportunities to create jobs and encourage investment;
- Set out the delivery of new roads, public transport, schools, and other infrastructure for the future; and,
- Consider how to make the best use of unused and underused land.

The MPA is responsible for the planning of strategically important precincts and projects (e.g. Fishermans Bend), at the same time seeking to encourage design excellence and innovation. The MPA will work to maximise the capacity and potential of identified employment clusters and activity centres in order to encourage business and jobs growth.

The MPA has planning authority status. It will consider rezoning and development application matters for designated areas – this means that councils and the private sector can initiate rezonings that are consistent with *Plan Melbourne* and have them assessed and determined by the MPA.

In a planning sense the MPA will focus on:

- Commencement of detailed structure planning and infrastructure coordination for key strategic sites as identified in *Plan Melbourne*;
- A continued emphasis on detailed growth area planning;
- A review and refresh of Precinct Structure Planning Guidelines;
- Consultation with local government on the process for working with the sub-regional groups;
- Ongoing infrastructure coordination and streamlined approvals for the East Werribee Employment Precinct; and,
- Presenting an infrastructure pipeline to Government to help inform future government investment.

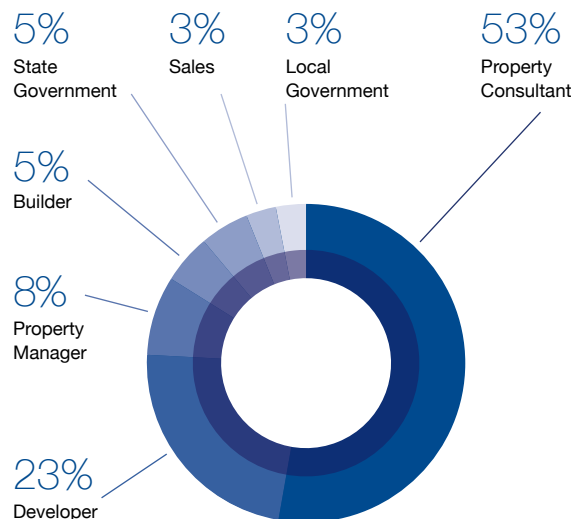
Negative attributes of the Victorian system //

- Planning assessment decisions are still, in the main, made at the local government level. Many other states and territories have introduced independent panels to determine locally and regionally significant DAs.
- Overlays are abundant, making straightforward development assessment matters unnecessarily complex. Overlays often have competing and conflicting objectives.
- The Precinct Structure Plan process' lack of ability to deliver development ready land.
- Victoria's third party appeal rights are substantially more entrenched than in any other jurisdiction. Given the quantum of system checks and balances and policy directives, leeway could be found to bring this component of the planning system into line with others.
- The VCAT system is under-resourced and is still constrained by the need to handle minor issues. Recently flagged changes which contemplate an increased emphasis on public opinion are of major concern.

Survey responses //

Over 1,000 responses were received to the Property Council of Australia's planning system survey. Of a large number who operate in the state, 214 respondents were primarily Victorian based and have provided the following feedback.

Respondent type //



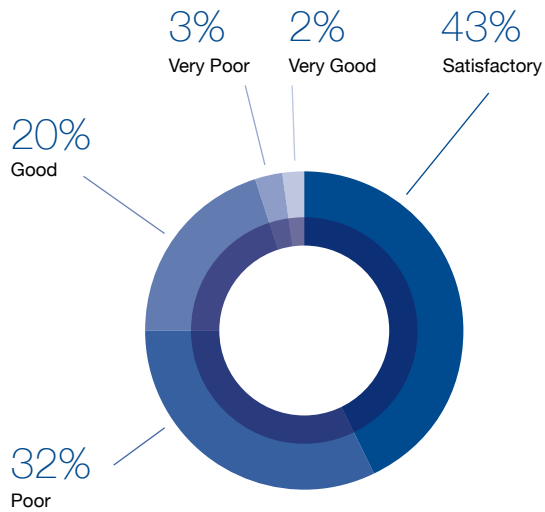
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“Reforms to VicSmart and the introduction of the MPA have both improved the performance of Victoria’s planning system, however there is still more work to be done.”

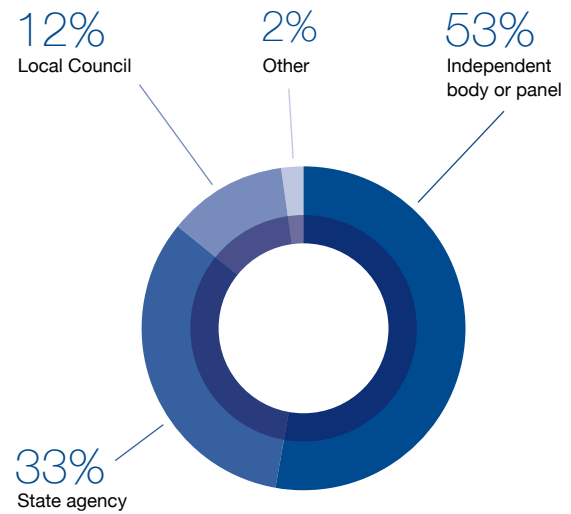
**Carolyn Viney, President,
Property Council Victoria
Division, 2015**

- More than 50% of respondents reported a ‘positive’ experience in their dealings with an independent assessment panel. 43% of respondents had no experience with panels.
- Responses for electronic lodgements and accessing application information were pretty evenly split – some could, some couldn’t, whilst others weren’t sure.
- 27% of respondents recorded a less than satisfactory experience with pre-lodgement meetings.
- 58% of respondents rated the new planning reforms as satisfactory or good. 42% thought they were poor or very poor.
- 91% of respondents thought that the Victorian planning system was less than satisfactory in responding to emerging trends.

How do you rate your state or territory planning system structure or framework?



For complex matters, who would you prefer to deal with?

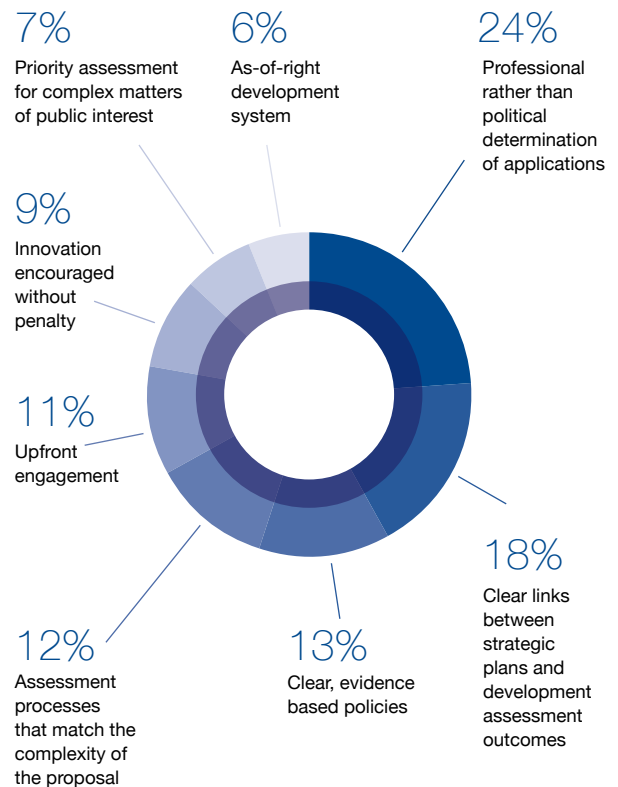


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How would you describe your state or territory planning system or framework?



Which planning system criteria are the most important?



Reform opportunities //

Victoria's progress in what many regard as the harder areas of planning reform, i.e. in establishing a clear strategic direction and in making required implementation adjustments, has been commendable over the past 2 years.

Further and ongoing reform, particularly at the operational level, is now necessary to solidify the strong strategic base that has been created.

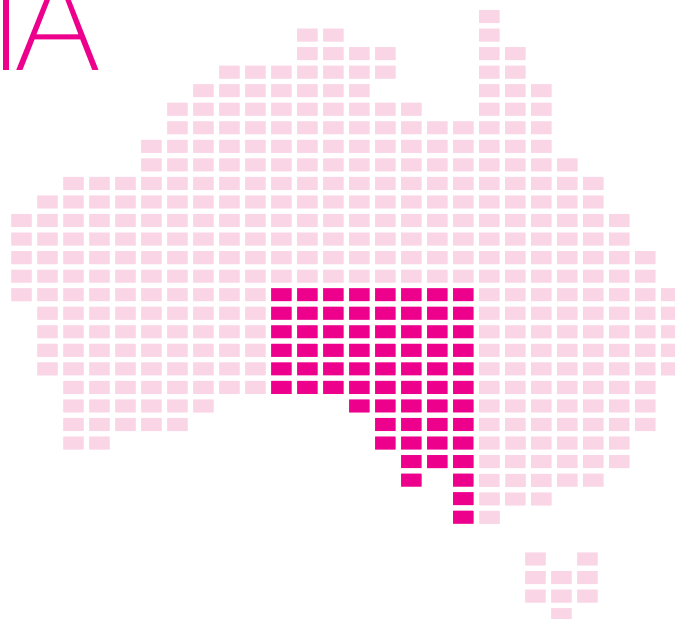
The current focus of the MPA on finalising a series of Precinct Structure Plans for new suburbs in the growth areas and in regional Victoria is promising.

Areas of reform identified by system users are listed below.

- 1 **A comprehensive review of overlays** to rationalise their use and meaning across planning schemes.
- 2 **A root and branch review of third party appeal rights** in Victoria, having regard for current practices in other jurisdictions and other planning systems to avoid unnecessary delays in obtaining planning approvals.
- 3 The **introduction of assessment panels** to replace local government determination of applications.
- 4 **Review of planning assessment processes** for greenfield housing to reduce the process and assessment delays.
- 5 A fresh **review of the capacity of designated 'new' residential zones** to deliver the volume and diversity of housing required to meet medium term needs (growth management), and of the policy implications that arise from this review (e.g. considering the need for LGA-based housing targets).



SOUTH AUSTRALIA



1,688,700

State Population



0.9% p.a.

Population Growth Rate



1,290,000

Adelaide // Capital City Population



Labor

Government Type



4yr fixed

Election Cycle



Nov 2018

Next Local Government
Elections // 4yr cycle



11,269

Housing Approvals (trend) //
year ending March 2015

Summary //

6.9

2015 Score

6.5

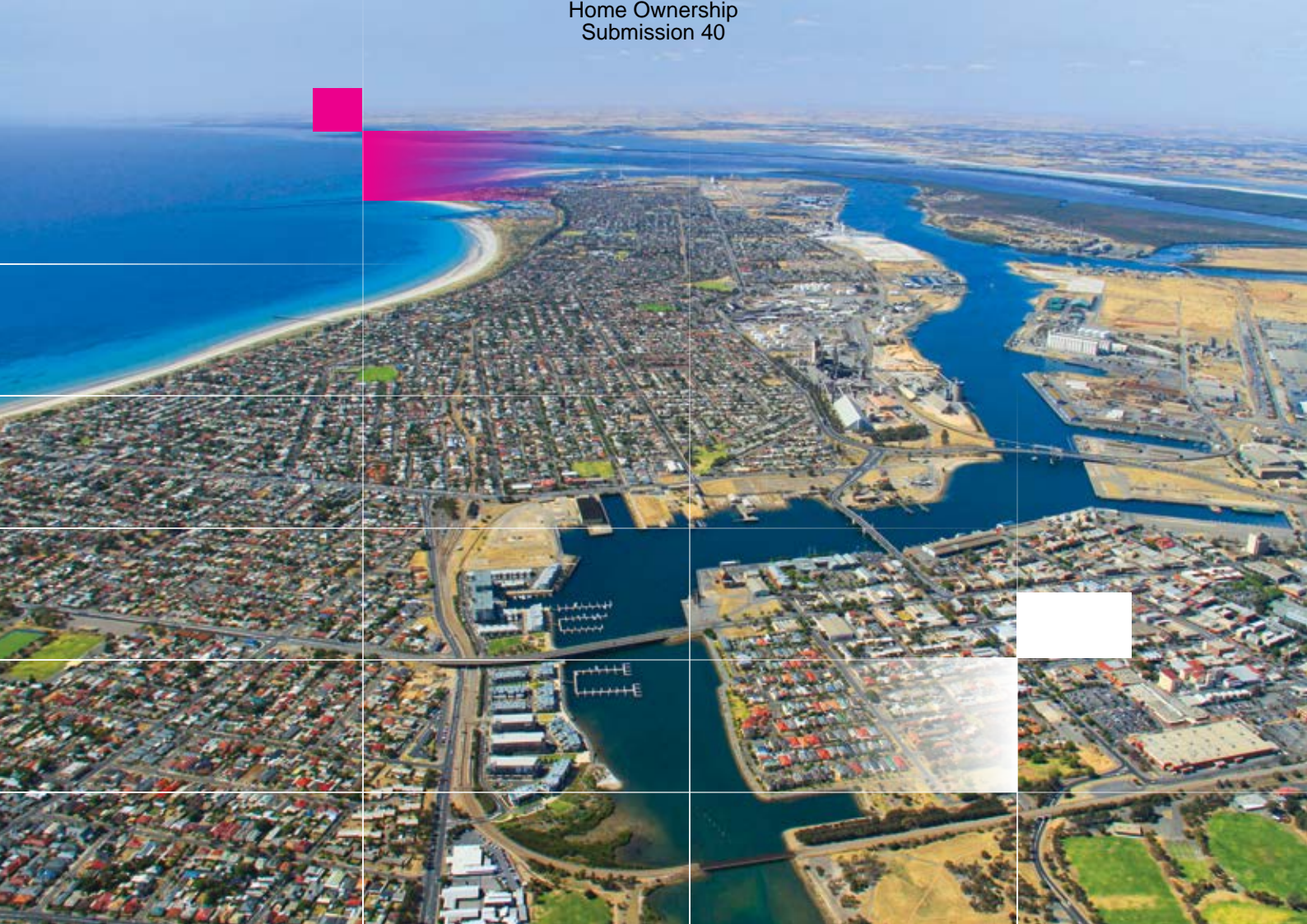
Previous Score

3.5/8

Ranking

South Australia has made substantial in-roads with respect to its facilitation of development in strategic locations. The fact that it has had to “go outside the system” to achieve this, by establishing special zones and processes, reflects the lethargic nature of its local government-based planning system.

The main challenge ahead for South Australia is to build efficiencies into its planning system to ensure projects of merit, regardless of location, are assessed appropriately. A substantial focus on local government progress will be required.



2012 Report Card results // Current state of play //

Local government resistance impacted South Australia's overall rating for the 2012 Report Card. At the time the state's planning system was identified as "dishevelled, disjointed and inconsistent" by the Planning Minister, with major reforms announced at the end of 2011 and further stages of reform expected to be delivered over coming years.

In 2012 South Australia scored 6.5 for its adoption of planning assessment principles and recorded a potential score of 7.5 for future reform, in anticipation of the announced reforms and council Development Plans being brought up to date with the 2010 edition of the *30 Year Plan for Greater Adelaide*.

The *30 Year Plan for Greater Adelaide* (February 2010) sets broad targets for a more compact Adelaide city, with a strong preference for the majority of new development in infill locations.

Substantial progress has been made in recent years with respect to the implementation of the strategy, through the adoption of new Development Plans (planning schemes) at a local and sub-metropolitan level, the creation of new agencies with a pro-development facilitation focus and through a "*once-in-a-generation review of the city's planning policies and zones to support the government's vision*" (Planning Strategy for South Australia – Annual Report, 2011-2012).

Much of the current reform effort has been based on creating necessary alternate development pathways that avoid, or allow for the call-in of projects from local government processes. A major challenge remains to build capacity in the system – which primarily revolves around local government and is still largely regarded by system users as "quite difficult".

Reform highlights since 2012 //

- In January 2012 the Department of Planning, Transport and Infrastructure (DPTI) was formed to align the government's strategic land use planning objectives with the delivery of infrastructure and transport services. DPTI now leads the implementation of the Government's planning strategy.
- In March 2012 the Urban Renewal Authority (now operating as Renewal SA) was created from the former Land Management Corporation, Defence SA and the SA Housing Trust. Renewal SA is charged with delivering a number of urban renewal projects (including Bowden and Port Adelaide) and negotiating infrastructure agreements in new growth areas.
- In April 2012 a new policy framework for development in Adelaide city was introduced. A pre-lodgement case management service is now available for development proposals of more than \$10m in Adelaide city. A new Inner Metropolitan Development Assessment Committee (IMDAC) was initiated in November 2013 as a sub-committee of the Development Assessment Committee (DAC) to determine such proposals in the CBD and in adjoining inner ring areas.
- Strategic parts of the city have been rezoned through the Capital City Development Plan Amendment in pursuit of a more vibrant capital city. An Inner Metropolitan Growth DPA and an Inner Metro Rim Structure Plan have also been introduced to encourage housing opportunity along key urban corridors. Pre-lodgement processes and approval pathways have been introduced for DAs of 5-storeys and over in the rezoned areas.
- A further Inner Metropolitan Growth amendment was gazetted in October 2013, introducing a new urban corridor zone along Greenhill, Fullarton, Churchill, Prospect and Main North roads.
- Changes to the Residential Code were introduced in August 2012 to improve its coverage and information requirements. From April 2013 private certifiers are permitted to undertake planning assessments of residential code developments.
- Affected councils have been required to review their Development Plans following the adoption of the *30-Year Plan for Greater Adelaide* and finalisation of the region plans.





- Several DPAs were approved over 2012 and 2013, and several others commenced. More recent Minister-initiated DPAs include those that apply to the redevelopment of Tonsley Park, Woodville Station, the Riverbank Health and Entertainment Precinct and the AAMI Stadium Precinct.
- In July 2014 further reforms were introduced to allow the Coordinator General to 'call in' projects of \$3m or more in value for determination by DAC, should these projects not be dealt with in a timely manner by local government.
- A new Office for Design and Architecture, headed by the Government Architect, has been established to provide strategic advice to the Government. Design Review Panels have been created to inform major project assessments.
- In addition to promoting a more compact and vibrant capital city, a key policy of the *30-Year Plan for Greater Adelaide* is to maintain a 15-year supply of land ready to support housing and employment generating activities. Land releases, primarily to the north of Adelaide, have assisted in meeting this objective. Lot production in recent years has been substantially below the decade average and is expected to decrease further with increased opportunities for urban consolidation.

“The State Government’s bold planning reform agenda has a strong focus on making our new planning system an engine for economic growth and a platform for the creation of vibrant communities in South Australia.”

**The Hon John Rau MP,
Deputy Premier**

Government reform priorities //

An independent Expert Panel on Planning Reform consulted widely on the requirements and expectations of the state's planning system and handed down its final report in December 2014. Amongst its recommendations, the following reforms are suggested:

- Introduce a State Planning Commission (to include independent members) to guide planning policy and direction;
- Create a network of regional planning boards, encouraging local governments to form regional authorities;
- Provide for a Citizen Charter, elevating engagement upfront in the planning process where competing viewpoints can be debated and determined;
- Introduce regional planning documents;
- Create a State Planning Code containing consistent zones and planning rules and incorporating design considerations and guidelines;
- Redefine development assessment pathways to expand the use of 'complying' assessment and to lessen the number of DAs determined under the 'merit' pathway; and,
- Improve the effectiveness of independent panels and allow for accredited professionals to determine low-risk applications.

In the interim, previously announced reforms are ongoing. These have a focus on the review and updating of planning policies, building on the Better Development Plans (BDP) project, which began in 2007 and introduced the concept of standardised planning policies and development plan formats across the state.

Current policy reform involves a review of retail, industry and residential policies to accommodate new development forms. A further stage of reforms will involve a review of all remaining zones and the format and structure of the policy library.

Positive attributes of the South Australian system //

- City and Regional Plan structure is comprehensive – new strategic plans apply to Adelaide and regional areas.
- Assessment panels are operative at a local level.
- Development Assessment Commission (DAC) role in assessing major proposals.
- Applicants are able to discuss projects directly with referral agencies before lodgement of application.
- New development pathways have been created for major projects (>\$10m in value) in the Adelaide CBD – streamlined assessment via DPTI and determination by DAC.
- Similar pathways have been created for development of >5-storeys in key growth precincts and corridors.
- New State Coordinator-General role to call in for DAC assessment projects >\$3m that are delayed at local government.

Negative attributes of the South Australian system //

- There are significant Development Plan variances between councils and a loss of confidence in DPs generally as the primary planning instrument. A standardised DP format is yet to be introduced.
- Rezoning (DPAs) are slow and getting slower. The mean time for Development Plan Amendments in 2012-13 was 37 months.
- Merit based assessment exists for 90 per cent of applications. The number of DAs that are assessed under the 'complying' track is minimal and needs to be expanded.
- The Residential Code is limited in its application and effect. Its most recent update is messy and unhelpful. Other codes are still yet to be introduced.
- Similarly, the amount of development classified as 'Category 3' and therefore requiring more extensive notification is excessive.
- Despite recent changes, there is still only a limited role for accredited professionals to determine routine or low-risk applications.
- Infrastructure funding and coordination is cumbersome and lags the announcement of new release area land.

South Australia's Development Assessment Commission // DAC

The Development Assessment Commission (DAC) is an independent statutory body established under South Australia's *Development Act*.

Its role is to:

- Assess and determine development applications, pursuant to schedule 10 of the Development Regulations;
- Act as the concurring authority for non-complying applications approved by a council or regional assessment panel;
- Assess and report on crown development and public infrastructure applications to the minister for planning;
- Assist in the initial stages of proposals being assessed under the major development provisions of the Act;
- Act as the lodgement authority for all land division applications; and,
- Provide advice to the Minister.

The Commission independently assesses and determines specified kinds of development applications. These are prescribed in the *Development Act 1993* and the *Development Regulations 2008* and include:

- Certain developments of significant regional impact e.g. new landfill facilities, railway infrastructure and commercial forestry;

- Certain types of development in key areas of the State, including the Hills Face Zone, the River Murray Flood Zone, the Adelaide Park Lands, Conservation Zones and the Adelaide Hills water catchments, irrigation areas, Port Adelaide Centre Zone, Osborne Maritime Policy Area, Bowden Urban Village, the MFP (The Levels) Zone;
- Most Housing SA applications;
- Certain types of development by councils themselves or involving council land, and applications where the council requests (and the Minister for Planning agrees) that the DAC be the assessing authority; and,
- Development in the City of Adelaide with a value of greater than \$10million.

In addition, the Commission acts as if it was a council for planning and building approvals in areas of the state outside a council area (such as the Far North of the state, and many off-shore islands).

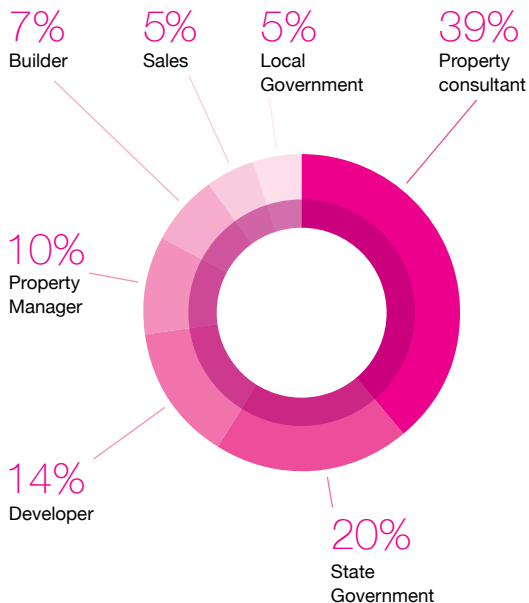
DAC members are usually appointed for two years. Commissioners are selected from various fields of expertise.

Both the Presiding Member and the Deputy Presiding Member must have relevant qualifications and experience in urban and regional planning, building, environmental management, or a related discipline appropriate to their duties. Other members are selected from a range of backgrounds or experience.

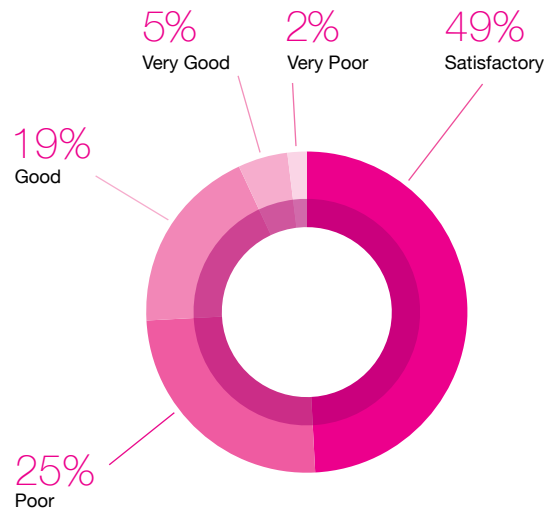
Survey responses //

Over 1,000 responses were received to the Property Council of Australia's planning system survey. Of a large number who are active in the state, 93 respondents primarily conduct their business in South Australia and have provided the following feedback.

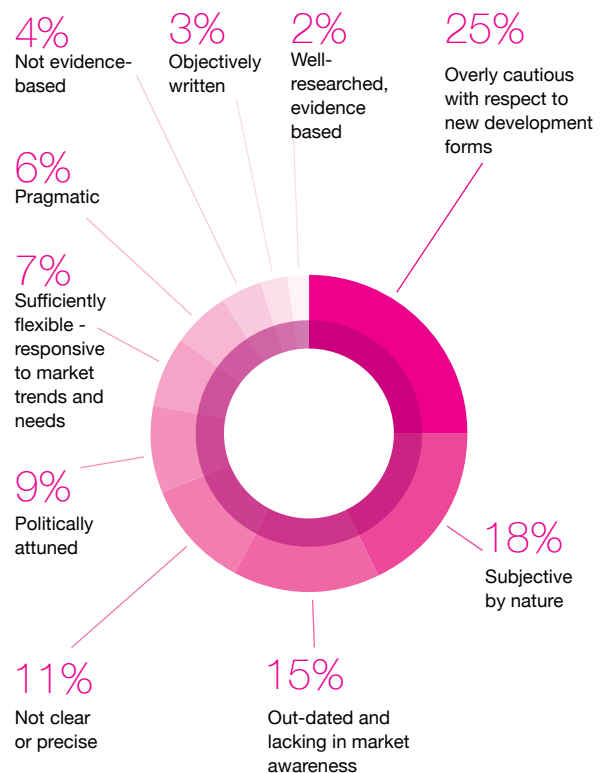
Respondent type //



How do you rate your state or territory planning system structure or framework?

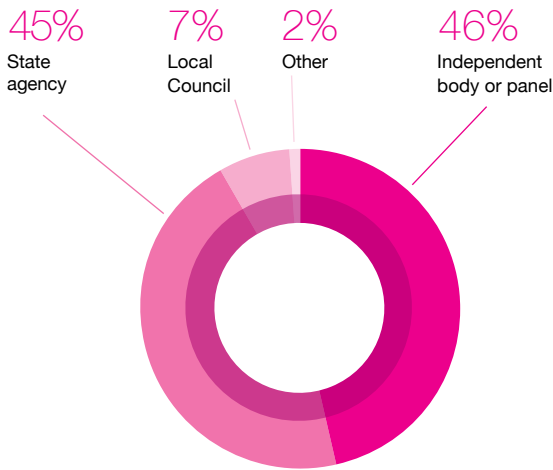


How would you describe your state or territory planning system structure or framework?



- 47% of respondents reported a 'positive' experience in their dealings with an independent assessment panel. 48% of respondents had no experience with panels.
- Responses for electronic lodgements and accessing application information were pretty evenly split – some could, some couldn't, whilst others weren't sure.
- Almost 70% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 83% of respondents rated the state's new planning reforms as satisfactory or better. Only 17% thought they were poor.
- 63% of respondents thought that the South Australian planning system was less than satisfactory in responding to emerging trends.

For complex matters, who would you prefer to deal with?



Reform opportunities //

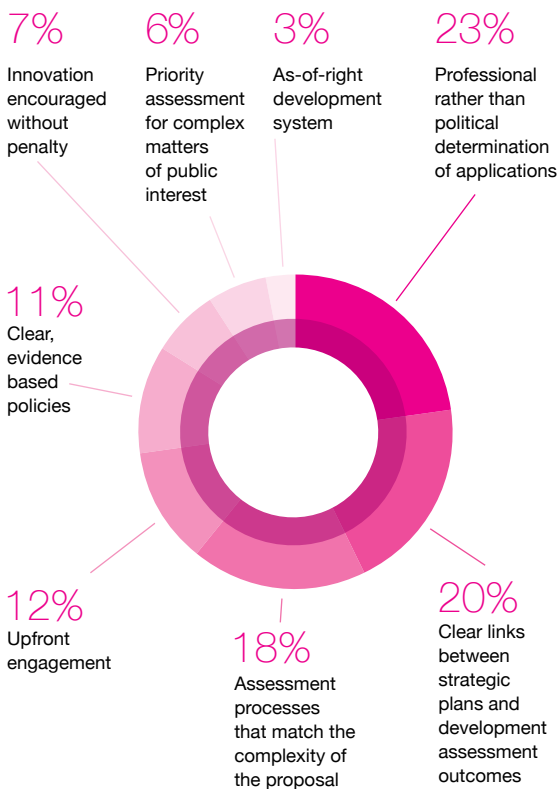
The immediate focus of recent reforms has been to introduce mechanisms that allow applicants to “step outside” the normal operation of the South Australian planning system. These measures have been necessary to avoid local government intransigence and the ineptitude of system processes.

Further and much deeper reform of the planning system is necessary to bring South Australia in line with advances demonstrated in other jurisdictions.

Much of South Australia’s future potential therefore hinges on the government’s response to the wholesale reforms that have been recommended by the Expert Panel on Planning Reform.

Ongoing planning policy reform will assist in ensuring a consistent Development Plan approach, but a much more profound reform of local government practice and attitude will be required to ensure an effective and efficient planning system.

Which planning system criteria are most important?



Areas of reform identified by system users are listed below.

- 1 **Expand the use of ‘complying’ assessment** and lessen the number of DAs determined under the ‘merit’ pathway from 90 per cent to less than 10 per cent.
- 2 Improve the effectiveness of **independent panels** and allow for accredited professionals to determine low-risk applications.
- 3 Continue to address the **culture of development assessment** at the local level – regional initiatives will assist in elevating the level of understanding of a council’s role in a metropolitan and broader regional context.
- 4 Review and expansion of the **Residential Code**.
- 5 Expansion of **e-planning capacities**, particularly for local governments.

QUEENSLAND



4,740,900

State Population



1.6% p.a.

Population Growth Rate



2,240,000

Brisbane // Capital City Population



Labor

Government Type



3yr

Election Cycle



Mar 2016

Next Local Government Elections //
4yr cycle



40,246

Housing Approvals (trend) //
year ending March 2015

Summary //

6.8

2015 Score

5.8

Previous Score

5.5/8

Ranking

Since 2012 Queensland has implemented a structured reform approach to address the well-noted inefficiencies of its planning system. Reforms to date have introduced a consolidation of state planning policies and a single point of contact for development referrals.

The planned introduction of new legislation as a framework for simplified planning schemes and development assessment was widely welcomed. The Planning and Development Bill was lodged in Parliament in November 2014, however due to the State election in January, the Bill was withdrawn from the House.

Queensland was awarded the 'most improved' status for 2015. Its progress has been achieved on the back of significant stakeholder engagement.

Ongoing engagement is expected to inform future stages of the reform program.

2012 Report Card results //

Queensland didn't fare too well last time around. It ranked second lowest in the country, with a score of 5.8 (the same score it achieved in 2010), with respect to its adoption of established development assessment principles. Its system processes were identified as being overly bureaucratic and prescriptive. The 'culture' of development assessment was also singled out as a major hurdle.

With the promise of substantial reform, however, the state was identified as a possible winner. Queensland achieved a potential score of 7.6 if promised reforms were to eventuate. These reforms centred on more focussed regional planning and a streamlined policy and assessment framework.

Current state of play //

After being elected in 2012 Queensland's former LNP Government wasted no time in identifying the opportunity for "a once-in-a-generation reform" of the state's planning system.

The government's planning reform agenda was led by the former Deputy Premier and Minister for State Development, Infrastructure and Planning, the Hon. Mr Jeff Seeney, and was seen as critical to reinvigorating the Queensland economy.

A number of initiatives were implemented during the LNP's term in Government, however the draft legislation intended to replace the underperforming *Sustainable Planning Act 2009* lapsed when the State election was called in January, 2015.

With a newly elected ALP Government taking office in February 2015, it is not yet clear if all elements of the former government's proposed planning reform agenda will continue. It is positive to see the Labor Government's commitment to continuing with the development of new legislation, as well as its early acknowledgement of the importance of the property industry through retaining the planning department within the portfolio of the Deputy Premier.

Importantly Queensland currently exhibits a positive culture of "wanting to improve". This is demonstrated at a political and departmental level, but also permeates locally, e.g. through the Council of Mayors (South East Queensland). In this context, better planning practice is clearly identified as a means to better planning outcomes.



Reform highlights since 2012 //

Aside from mooted changes to legislation, recent planning reforms that have been introduced include:

- A single State Planning Policy (SPP) was established in July 2013 to simplify and clarify matters of state interest in land use planning and development.

The SPP was designed to provide a single source for local government planning departments outlining and clarifying matters of state interest in land use planning and development.

Prior to the introduction of the SPP, Queensland had numerous 'single issue' planning policies covering a range of state interests. Through allocating planning to the Deputy Premier and preventing the introduction of standalone planning policies, Queensland has been able to shift towards a less complicated planning system that provides greater certainty for stakeholders.

- Creation of standard templates for schemes and provisions (updated October 2013);
- On 1 July 2013, SARA was launched to streamline development applications (where a state interest exists). Applicants now lodge one application and are provided a consolidated response, to ensure no conflicting or 'unreasonable' requirements are imposed;
- Along with SARA, the State Development Assessment Provisions were introduced in July 2013 to provide transparency on matters the State considers during the development assessment process, and provides guidance to proponents on complying with State requirements;
- Introduction of an e-Plan portal allowing digital lodgement of planning scheme documents for the State Interest Review process (July 2013); and,
- An Infrastructure Planning and Charging Framework has been produced to guide the reasonable and practical funding of development-induced infrastructure.

The former State Government also established Economic Development Queensland (EDQ) as a streamlined business unit for urban development. It replaces the earlier Urban Land Development Authority (ULDA) and Property Services Group (PSG) but continues the development activities of those

bodies. EDQ plays a key role in streamlining and fast-tracking development throughout the state and undertakes a strategic planning function for priority development areas (PDAs). It works closely with local governments to undertake planning within PDAs and, where appropriate, provisional priority development areas (PPDAs).

Government reform priorities //

The Queensland Government's priorities for reform are in a state of flux, given the change of leadership resulting from the recent election.

Previously nominated streams of reform include:

- Stream One- Legislation: this was a clear focus of the LNP Government, with the Planning and Development Bill introduced into Parliament in November 2014. The Labor Government has made an early commitment to reintroducing the draft legislation, once it has had an opportunity to review the proposed changes.
- Stream Two – Plan Making: involving the transition of current planning schemes to new form (less prescriptive) schemes incorporating a reduced number of mandatory provisions and optional changes.
- Stream Three – Development Assessment: this would recalibrate the rules for processing and assessing applications, taking into consideration new streams (tracks) of assessment.
- Stream Four – ICT: involving changes to the state's IT systems to support MyDAS and other initiatives.

Positive attributes of the Queensland system //

- There is a positive energy that has been generated by the open and frank discussions regarding the new legislative framework, with substantial industry engagement.
- Queensland has a well-established planning policy framework.
- Regional plans apply across major growth regions, although the South East Queensland Regional Plan is due for review, and further coordination with infrastructure strategies is required.

- SARA is an example of pro-active intervention and has been welcomed by industry, but it is not seen as a panacea to systemic resistance. Efficient operational procedures ought to be embedded into everyday practice.
- The legacy left by the former ULDA has positively influenced opinion and practice, particularly with respect to infill development and different housing forms and sizes. EDQ is following suit. Government now needs to take heed from what these agencies are able to achieve to cement these outcomes as common practice.
- The Infrastructure Planning and Charging Framework has clarified policy around development contributions, ensuring a more consistent practice. Cross-crediting and refunds are now mandatory practice. A 'priority development investment fund' has also been established to assist in providing catalytic infrastructure, although the new government's intention regarding this fund is unknown.
- The initiative demonstrated by the introduction of an e-Plan portal for state interest matters is welcomed but ought to be expanded to facilitate a greater take-up across local councils.

Council of Mayors SEQ //

The Council of Mayors SEQ is a regional body of 12 united mayors that advocate for a better resourced region to support economic development.

SEQ Mayors adopts a pro-active approach to influence other levels of government to support the region's growth.

The SEQ Mayors has established a Planning Reform Taskforce to:

- Identify leading practice;
- Collaborate on and implement business improvement opportunities;
- Drive cultural change in individual councils; and,
- Monitor performance and share data.

The SEQ Mayors has also:

- Developed a leading practice for development assessment framework – an important initiative that considers the 'internal mechanics' of a DA, including its linkages to strategic policy;
- Delivered successful pilot operational works and large subdivision projects to demonstrate assessment timeframe savings; and,
- Launched an affordability calculator to inform housing choice.

SARA //

The introduction of the State Assessment and Referral Agency (SARA) on 1 July 2013 saw a key element of the state government's planning reform agenda implemented.

SARA makes the Department of Infrastructure, Local Government and Planning (DILGP) the single lodgement and assessment point for all DAs where the state has a jurisdiction under planning legislation.

The SARA fast track framework is a streamlined referral and assessment process that allows for eligible triggers and aspects of development to be assessed and quickly decided by SARA.

The SARA fast track framework helps applicants to:

- Reduce application and project costs, timeframes and red tape; and,
- Increase certainty for applications.

SARA KPIs have been developed to drive the necessary cultural change to deliver a successful and efficient development assessment system.

Prior to the introduction of SARA, development proponents had to navigate the maze of state government agencies themselves, and often received conflicting advice from different departments. This one action has made development assessment a less risky and confusing proposition in Queensland.

The State Development Assessment Provisions (SDAP) provides increased transparency on what the state assesses and clarity on how development can comply with matters where the state has a jurisdiction. SDAP documents a standard and consistent approach to assessing state matters and aligns with the priorities in the State Planning Policy.

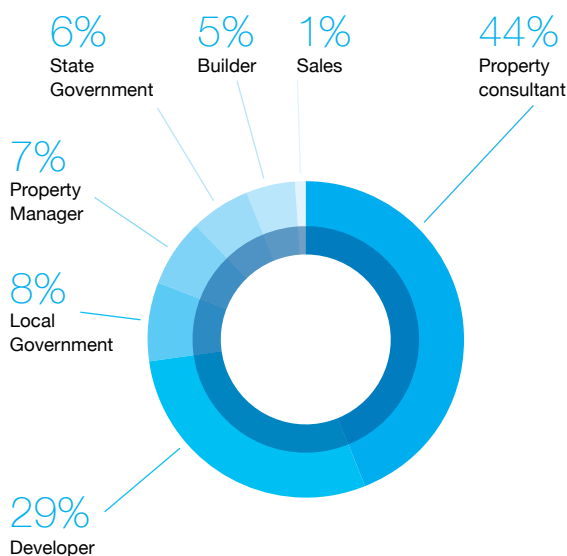
Negative attributes of the Queensland system //

- Existing and newly introduced planning schemes are largely process driven and prescriptive in their approach.
- RiskSmart projects still require council approval. There is little opportunity for private certification of routine or other applications, despite existing legislative provisions to do so.
- Across the board, self-assessable code criteria are difficult to achieve, which bumps development into code or impact assessment tracks. This is unproductive.
- Many planning schemes have lengthy and impractical assessment codes.
- Queensland lags other jurisdictions with respect to the use of independent panels to determine applications.

Survey responses //

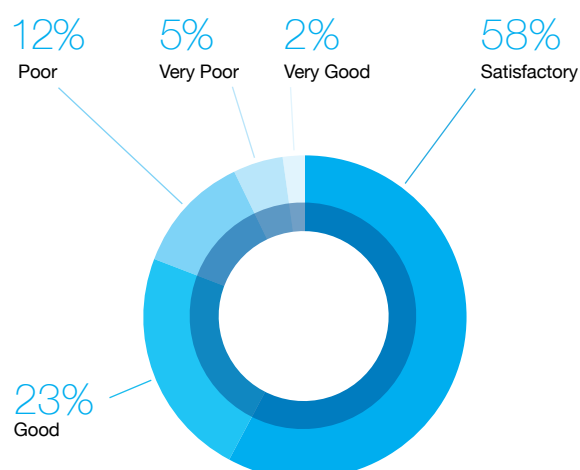
Over 1,000 responses were received to the Property Council of Australia's planning system survey. Of a large number who operate in the state, 166 respondents primarily conduct their business in Queensland and have provided the following feedback.

Respondent type //

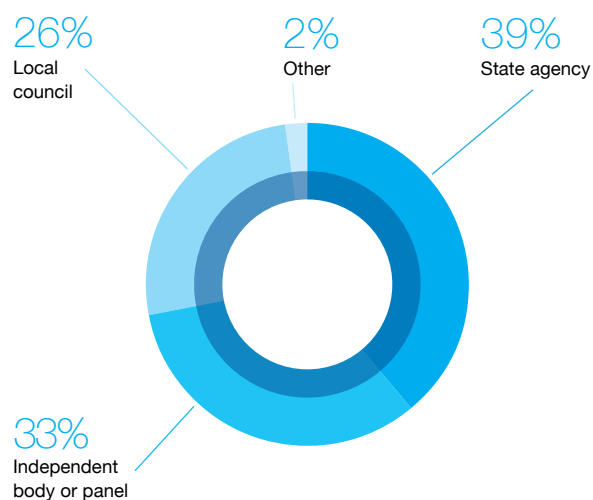


- A clear majority of respondents (71%) had no experience in dealing with independent panels.
- 65% of respondents stated that they were able to lodge their applications electronically. 18% were able to do so partially.
- Almost 70% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 84% of respondents rated the state's new planning reforms as satisfactory or better. A similar percentage thought the same of announced reforms.
- 68% of respondents thought that the Queensland planning system was less than satisfactory in responding to emerging trends.

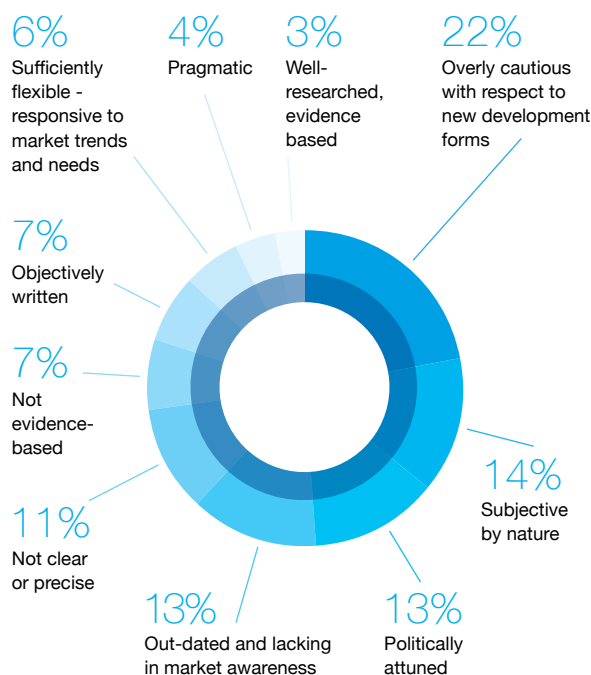
How do you rate your state or territory planning system structure or framework?



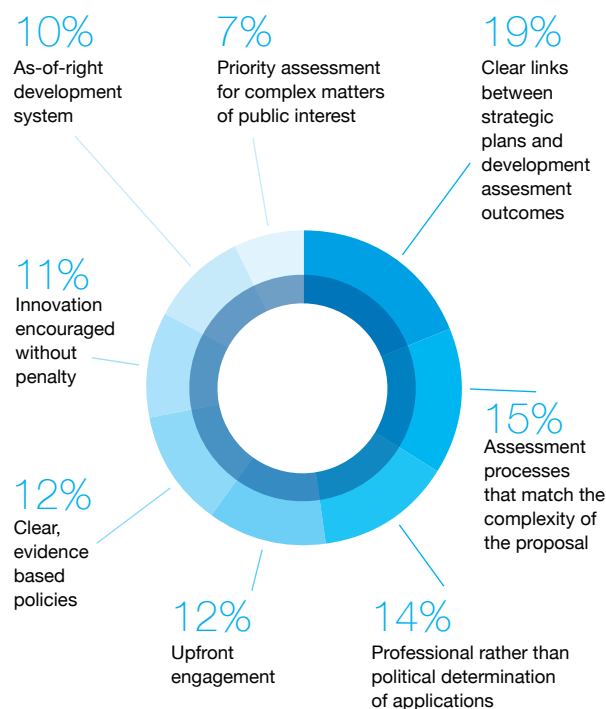
For complex matters, who would you prefer to deal with?



How would you describe your state or territory planning system structure or framework?



Which planning system criteria are the most important?



“The Palaszczuk Government is committed to pursuing an ambitious planning reform agenda that leads to move liveable, sustainable and prosperous communities.”

The Hon Jackie Trad MP, Deputy Premier, 2015



Reform opportunities //

Much of Queensland's future potential will be determined by the continuation of the draft legislation and how this manifests at the local council level.

Also, retaining Queensland's integrated reform approach (the four streams) will provide industry with confidence that reform is both focused and ongoing.

Strong leadership will be required to convert old to new without impacting on the timely assessment of new projects.

There are enough examples of leading planning practice across the state but this is currently disjointed and disparate. With a sniff of better things to come, many observers are excited by the new reforms and for the potential to lock in these examples of better practice.

Areas of further reform identified by system users are listed below.

- 1 **Retention** of the State Planning Policy (SPP) hierarchical framework to guide the preparation of regional and local planning schemes.
- 2 **Continuation** of the State Assessment and Referral Agency (SARA).
- 3 Financial and technical support for councils to assist in the **transitioning of existing or draft planning schemes into the proposed new formats**. When the new legislation proceeds, it will be important for the recalibration of schemes to take advantage of the legislation, by increasing opportunities to streamline levels of assessment. It is imperative that assessment resources across local government are not diminished during this process.
- 4 **Improved planning scheme formats** – regardless of the progress of the new legislation, there must be a focus on streamlined and transparent schemes, as opposed to the lengthy and complex schemes that have so far been produced under SPA.
- 5 **Better coordination** between infrastructure strategies and regional plans.
- 6 **A more open public communication** regarding the benefits of urban consolidation as a key response to population growth and a corresponding expansion of code-assessable categories.
- 7 New resourcing to assist with the continued roll-out of a **compatible e-DA** facility across all council LGAs.



AUSTRALIAN CAPITAL TERRITORY



387,100

Territory Population



1.4% p.a.

Population Growth Rate



386,000

Canberra // Capital City Population



Labor

Government Type



4yr fixed

Election Cycle



3,334

Housing Approvals (trend) //
year ending March 2015

Summary //

6.8

2015 Score

6.5

Previous Score

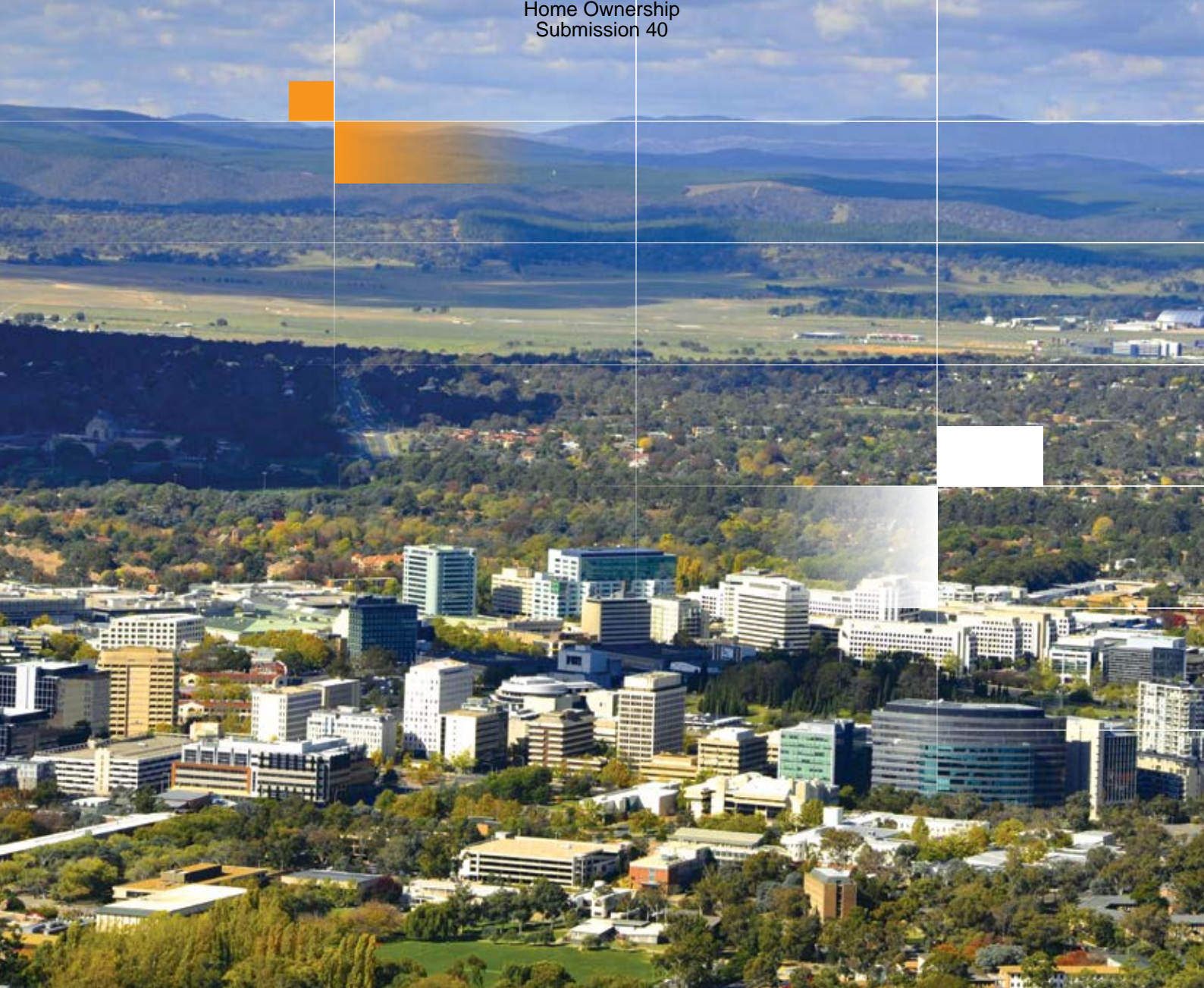
5.5/8

Ranking

Since 2012 the ACT has chipped away at updating its development assessment framework, primarily through a review of some of its higher level strategies and regular amendments to the *Territory Plan*. Most reforms have had a positive impact, whilst others have added complexity (Variation 306).

Tellingly, the need for such regular tinkering belies a system that is overly bureaucratic and in need of strong strategic direction, both to demonstrate to the public how the ACT's future will look, and how to steer its planning system to get there.

While reform efforts have generally been productive, much has focussed on administrative adjustments. Planning in the ACT must now move to a higher level – setting a clear vision for the nation's capital and achieving it. Planning system reform should then follow.



2012 Report Card results //

In 2012, the ACT was identified as having one of the better development assessment system structures. In practice however, the day-to-day planning process was seen as overly conservative and lacking in policy detail and substance.

The ACT planning system received a score of 6.5 for its adoption of development assessment principles. Having regard for planning reform that was proposed at the time – including the finalisation of the then draft ACT Planning Strategy and the continued roll out of various residential and commercial codes – the ACT recorded a potential score of 7.1.

Current state of play //

Despite recent success in introducing high level strategies for planning and transport, a raft of master plans and site rezonings, the promised review of the ACT's primary planning legislation, the *Territory Plan*, has stalled. The result is not necessarily a policy or process vacuum, but a system that could be better served by a more strategic linkage between assessment processes and development purpose and outcomes.

The ACT assessment system is multi-layered and often difficult to navigate. Overall, the practice of development assessment is viewed by users as lagging, with a need to further streamline processes and better integrate with long term goals for the Territory.

Reform highlights since 2012 //

The Government's principal planning strategy (the *ACT Planning Strategy*) was revised and adopted in June 2012. It sets a broad policy agenda designed to achieve a more compact and efficient city. The strategy serves as a guiding document only – it has no statutory effect.

Transport for Canberra is the Government's policy framework for the development and delivery of sustainable transport models and infrastructure over the next 20 years. It was released in March, 2012, replacing the previous 2004 Sustainable Transport Plan. *Transport for Canberra* sits alongside the updated *ACT Planning Strategy*, establishing important relationships between land use and transport.

A range of other 'on the ground' plan-making initiatives have been introduced since 2012.

Importantly, Variation 306 (July 2013) introduced a new Residential Zones Development Code and replaced the previous Residential Subdivision Development Code with a new Estate Development Code. It also introduced a new Single Dwelling Housing Development Code, a new Multi-unit Housing Development Code and a Lease Variation General Code.

Variation 306 implements a review of policies applying to residential development and subdivision in the ACT, incorporating solar access provisions, rules to protect suburban character in RZ2 zones, and simpler requirements for secondary residences.

Other *Territory Plan* variations introduced since 2012 and generally intended to accommodate new development, have included:

- Variation 307 (May 2012) – Griffith, rezoning to allow medium density development and changes to the Griffith precinct code;
- Variation 308 (April 2014) – Cooyong Street Urban Renewal Precinct;
- Variation 312 (December 2012) – allowing for a change of zoning at Hume to IZ2 mixed use industrial zone;
- Variation 313 (December 2012) – to rezone land at Bruce to CFZ community facility zone;
- Variation 323 (August 2014) – Mental Health Facility, Symonston; and,
- Variation 324 (April 2014) – Industrial Land Supply, Pialligo.

Further initiatives have included:

- The completion of a series of master plans (and related Plan Variations) for a range of group and town centres including Dickson, Kingston, Erindale, Kambah, Tuggeranong and Pialligo;
- The progression of the Oaks Estate draft master plan to community engagement; and,
- Lodgement of the Moncrieff West Estate Development Plan (EDP), providing for over 2,000 dwelling sites.

Since 2012, several planning, building and environment legislation 'omnibus' amendments have also been made (a process that enables minor matters to be dealt with expediently by consolidating amendments in one place). From May 2012 to May 2014 these amendments have, inter alia:

- Clarified estate development plans and allowed for the consolidation of rural leases;
- Introduced an environmental impact statement exemption process for certain development;
- Delivered an amendment of the environment protection authority (epa) delegation process; and,
- Delivered changes to reporting obligations for building certifiers; modified the list of developments in the merit track which require minor public notification only; and clarified when a survey certificate is required for a development application.

“Ultimately good planning helps create jobs, viable businesses, thriving communities, and an economy which can help us realise our potential as a city, as the heart of our region and as the nation's capital.”

The Hon Mick Gentleman MLA,
Minister for Planning, 2015

Government reform priorities //

In March 2014 the ACT Government announced a 'stimulus package' for the Canberra property and construction sector, including several initiatives to improve development certainty and reduce costs. These included:

- Planned fast-tracking of major projects;
- Remissions on lease variation charges for a specified period;
- A reduction of commence and complete fees and the abolition of commencement dates for new leases;
- Expanded powers to allow a transfer of land subject to unfulfilled development covenants; and,
- The abolition of duty on long-term commercial leases.

Whilst aspects of the stimulus package have been delivered, the accompanying *Planning and Development (Project Facilitation) Amendment Bill* was withdrawn by the Government. Hence, proposed reforms dealing with special precinct variations and projects of major significance have not advanced.

Other regular ongoing planning reform initiatives include:

- A Draft Variation to the *Territory Plan* (DV327 Capital Metro) which proposes changes to enable development of a light rail system from Gungahlin to Civic;
- A further Draft Variation (DV304 Commercial Zones) which proposes to revise floor area provisions for shops in town centres and group centres, introduce floor area provisions for shops in local centres and mixed use zones and to revise local centres zone objectives;
- A separate 'Omnibus' Draft Territory Plan Variation which proposes zoning changes for 7 sites across Canberra to allow for their redevelopment. The variation supports a range of employment opportunities and is an important part of the ACT Government's initiatives to stimulate the economy;
- A seventh omnibus planning, building and environment legislation amendment, currently before Parliament, will allow the Minister to amend a development approval that was originally decided by the Minister under call-in powers in ss158-161. It also proposes minor amendments to the process of applicant notification when seeking an Environmental Significance Opinion and changes to the level of documentation required by certifiers when determining whether a certifiable development is exempt from the need to obtain development approval;
- Draft master plans for the Oaks Estate and the Weston Group Centre, and a series of proposed master plans for Woden-Mawson, the Belconnen town centre, Tharwa and the Calwell group centre;
- Progression of the East Lake urban renewal project; and,
- The Statement of Planning Intent released in 2015 is intended to outline key planning directions to guide Canberra's growth into a major and sustainable city.



Positive attributes of the ACT System //

- ACT starts off with an advantage in that they have only a single level of planning control and do not face the difficulties of the states in reforming the DA system.
- The recently introduced DA Finder app is described by users as 'fantastic'.
- Fairly generous 'exempt' provisions for routine (mainly residential) development that is compliant.
- Mandatory pre-DA meetings if requested by an applicant, notwithstanding that the concept and its practice can be improved upon.
- The restriction of third party appeal rights for development in certain parts of the city (industrial zones, city centre etc.) works well and could be further extended.
- The 'omnibus' approach allows matters that address a specific policy objective, e.g. housing renewal or land development, to be dealt with expeditiously in one amendment.

58

ACT – DA Finder app //

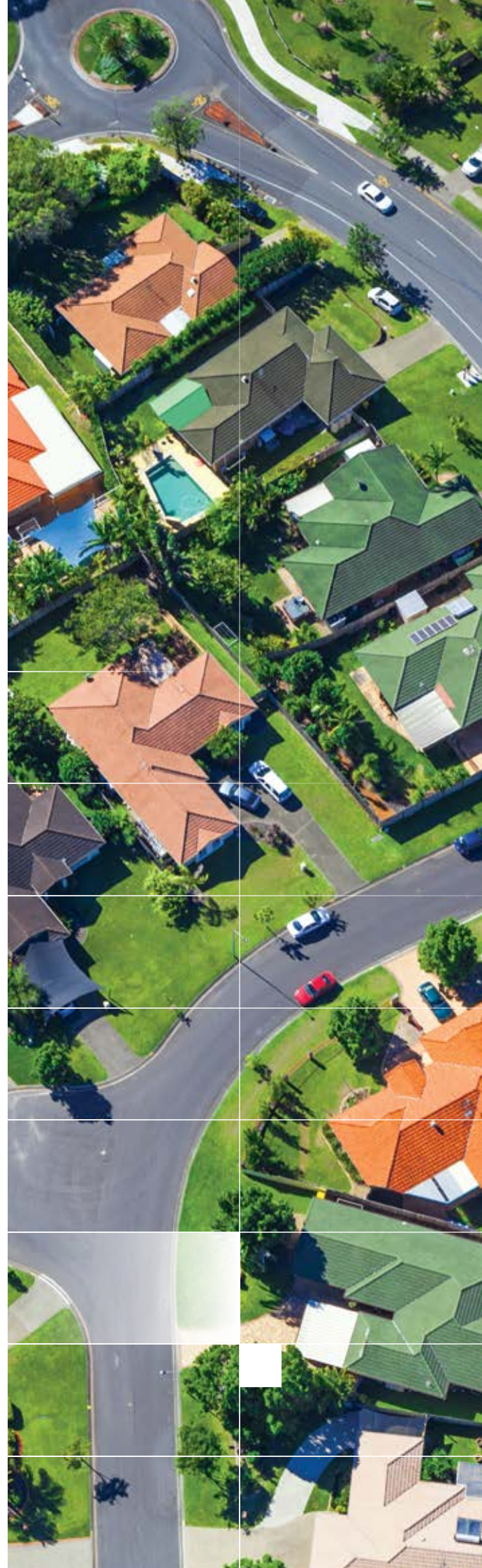
The ACT Government's DA Finder app for smartphones and tablets was launched by ACT Minister for Planning on 1 August 2014.

The app uses a phone's location to supply information on nearby properties and work that is subject to a current development application.

Whether you're a builder, property developer, local business person, real-estate agent, community council representative or just have a keen interest in what's going on around you, the DA Finder app will help you stay informed.

The new app sends information directly to smartphones and tablets. Users can search DAs by the locator pins or by typing the suburb or street. The tracker function can also be used to register one or more areas of interest across the ACT and the app will let you know when a DA has been notified.

The app is free of charge and is available on iOS and the Google Play Store.





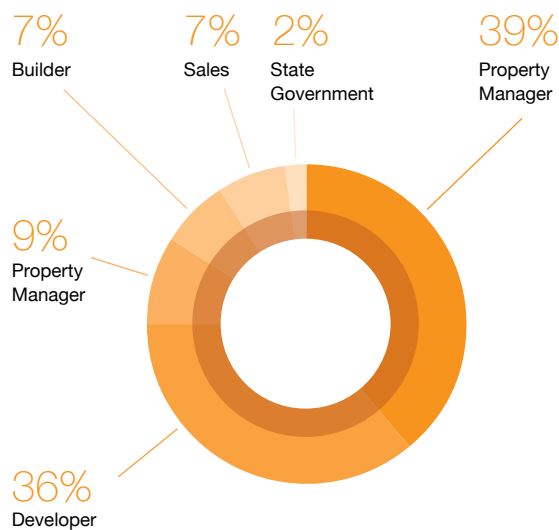
Negative attributes of the ACT system //

- Whilst the framework of development assessment follows prescribed 'tracks', the layers of codes and supplementary controls is confounding.
- Variation 306 has been poorly received by the industry. Many regard it as unworkable.
- A generous notification and third party appeal system that can frustrate the prompt determination of applications.
- DA 'completeness checks' were introduced to assist in the preparation of DAs but have become an obstacle in themselves.
- The referral process is slow and not always managed up-front at pre-DA discussions.
- Development Codes are limited in their application. Subdivision works are not included and primarily only detached housing is codified.
- Densification remains a day-to-day issue despite it being a fundamental principle of the ACT Planning Strategy. The implementation of compact city policy has not been well thought-through, either from a community perspective or from a collaborative government agency viewpoint.
- There is a randomness applied to the exclusion of development from third party appeals in parts of the city or in specific zones. The exclusion could and should apply more broadly, particularly to areas where development is strategically encouraged.
- The NCA is under-resourced. Assessment and consent processes are often delayed.
- The Lease Variation Charge (LVC) is seen as a financial risk for projects. The LVC is effectively a tax on urban renewal projects which works directly against Government policy that seeks to promote urban renewal. It is inconsistent with practice in all other jurisdictions and should be abandoned in its current form.
- ACAT is seen as a 'loose cannon' and the appeals process one to be avoided if possible.

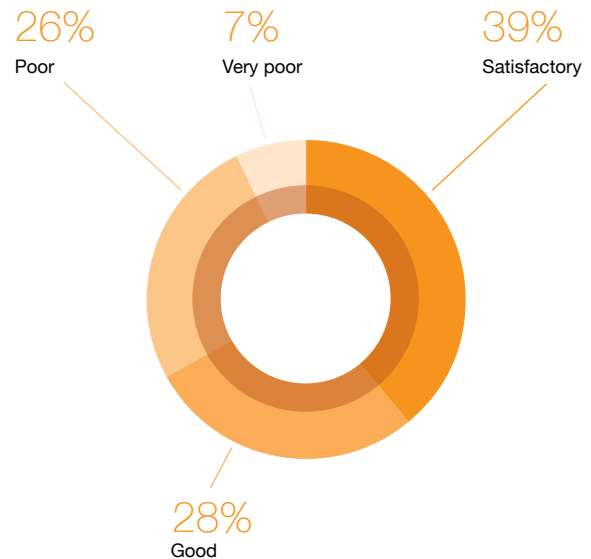
Survey responses //

Over 1,000 responses were received to the Property Council's planning system survey. Of a large number who conduct business in the ACT, 59 respondents primarily conduct their business in the ACT and have provided the following feedback.

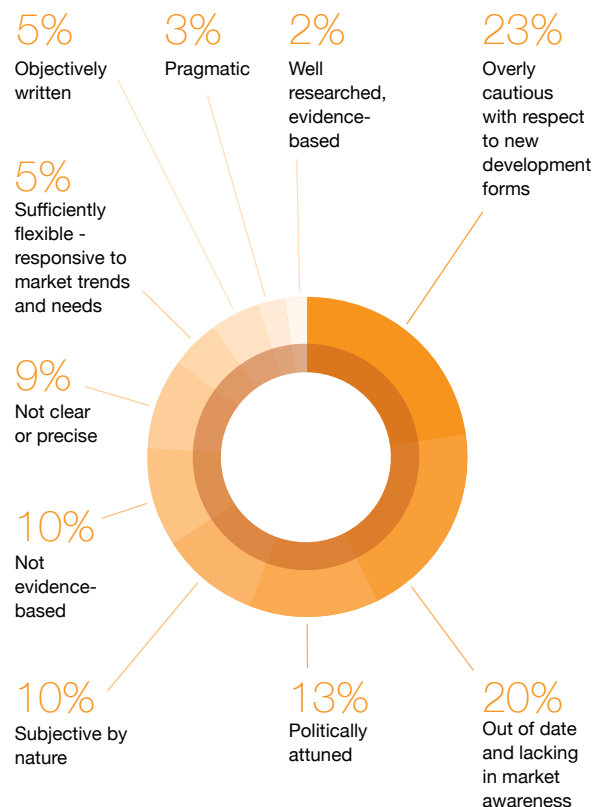
Respondent type //



How do you rate your state or territory planning system structure or framework?

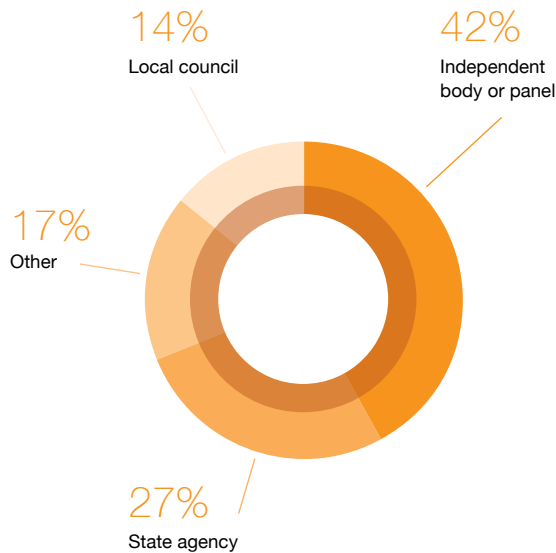


How would you describe your state or territory planning system or framework?



- A clear majority of respondents (67%), had no experience in dealing with independent panels.
- 70% of respondents stated that they were able to lodge their applications electronically. A further 12% were able to do so partially.
- About 63% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 64% of respondents rated the ACT's new planning reforms as satisfactory or better. 59% thought the same of announced reforms.
- 43% of respondents thought that the ACT planning system was less than satisfactory in responding to emerging trends.

For complex matters, who would you prefer to deal with?

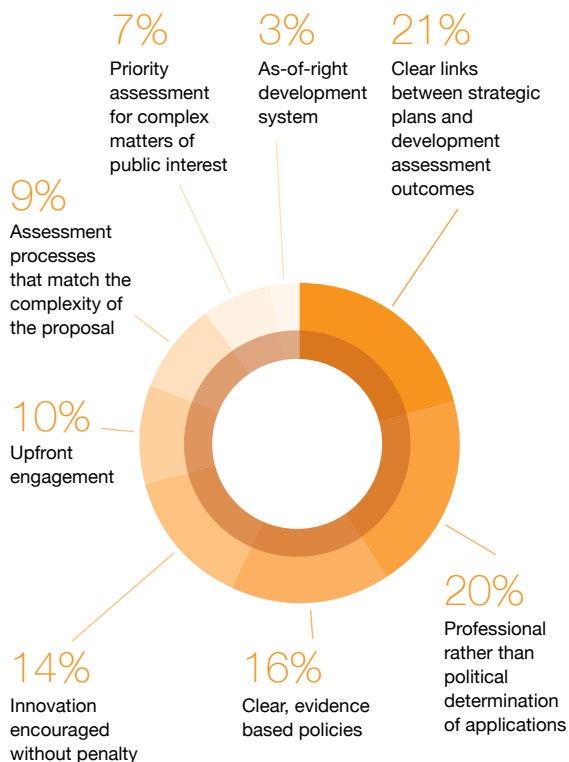


Reform opportunities //

Whilst the structure of the ACT planning system remains solid, the practice of development assessment and the projects to which it is applied are often subject to a level of public scrutiny that would not occur in other jurisdictions. The Canberra population on the whole are highly educated, and knowledgeable in matters of governance and public administration. Individuals and community groups are consequently well able to effectively intervene and frustrate the planning process. An appropriate response to this should be to ensure that the community is able to provide input into planning policy and plan making processes where such input is, and should be, valued, and to limit the opportunity for third party appeals and other mechanisms to obstruct the delivery of projects, i.e. at the DA stage.

Further open dialogue with respect to built form outcomes and the changing shape of urban centres ought to be encouraged by planning systems, but need not occur at the DA assessment stage. The ACT's planning system could be better served by strategic-level communication about future directions and expected development outcomes.

Which planning system criteria are the most important?



Areas needing further reform identified by system users are:

- 1 A **comprehensive review** of the *Territory Plan's* strategic direction to be undertaken as part of the update of legislation.
- 2 An **expansion of code assessable development** categories to medium and higher density projects.
- 3 **Reform of the 'completeness check'** and pre-DA process.
- 4 A **uniform expansion of third party exclusion zones** to all areas where development is strategically encouraged.
- 5 **Better coordination between referral agencies** and the requirements of the adopted ACT Planning Strategy.

NEW SOUTH WALES



7,544,500

State Population



1.6% p.a.

Population Growth Rate



4,760,000

Sydney // Capital City Population



Coalition

Government Type



4yr fixed

Election Cycle



Sep 2016

Next Local Government
Elections // 4yr cycle



54,533

Housing Approvals (trend) //
year ending March 2015

Summary //

5.9

2015 Score

5.9

Previous Score

7/8

Ranking

New South Wales is the only state to flat-line in its performance score, due largely to the abandonment of wholesale reform promised by the long-awaited overhaul of the planning system. All other jurisdictions advanced to some degree, and only Tasmania sits below NSW on the pecking order.

With the Baird Government being re-elected in March 2015 and an upper house that is balanced to potentially support the planning overhaul, reforms to the DA system are now in a good position to get under way.

There has been some progress has been made with respect to the integration of transport, freight and broader infrastructure strategies. Also, new land and infill development opportunities have been identified and the state's on-line planning toolkit has been enhanced.

At the coalface, however, development assessment remains hard work. Strategic direction is not enough to address a wayward system and a much more focussed attention to development assessment inputs and outputs is required.



The proposed Greater Sydney Commission is expected to set the tone for future planning endeavours in the state, but little has been said about its actual role.

2012 Report Card results //

The 2012 Report Card showed that much had been done to restore NSW's planning system reputation and that much more was proposed to continue the reform process.

Overall, system users recognised that aspects of the system had 'improved' over the 2010-2012 period, driven by consistent reform agendas that included a generous extension of the complying code to commercial and industrial developments and an extension of the Housing Code's scope for dwellings on small allotments.

Equally, there were a number of negative outcomes. The abandonment of Part 3A, for example, had dented industry confidence significantly, with regular planning system users expressing dissatisfaction that NSW's planning system struggled to make ground at the 'street level'.

Hopes for a more streamlined assessment system through wholesale reform of the legislation were anticipated as an opportunity to fix obvious flaws.

NSW scored 5.9 for its incorporation of the accepted development assessment principles and recorded a potential score of 7.3 for future reform, primarily on the back of its promised planning system overhaul.

63

Current state of play //

Despite the extensive consultation undertaken for the planning reform Green Paper and subsequent White Paper, parliamentary debate on the Planning Bill was deferred by the NSW Lower House in November 2013.

Certain reforms to development assessment systems have continued, including further changes to the NSW Codes SEPP and other strategic initiatives but broad structural planning reform and policy recalibration are on the back burner.

A new metropolitan strategy for Sydney was also released in late 2014. It is a broad-based document that integrates transport and infrastructure planning, but much remains to be completed at the sub-regional level that will impact on the setting and achievement of housing and employment targets.

Uncertainty still prevails in local decision-making, spurred by local community activism and thinking that is inconsistent with broader strategic directions.

The NSW planning system continues to benefit from recent improvements to its online resources including mapping, tracking and housing code tools.

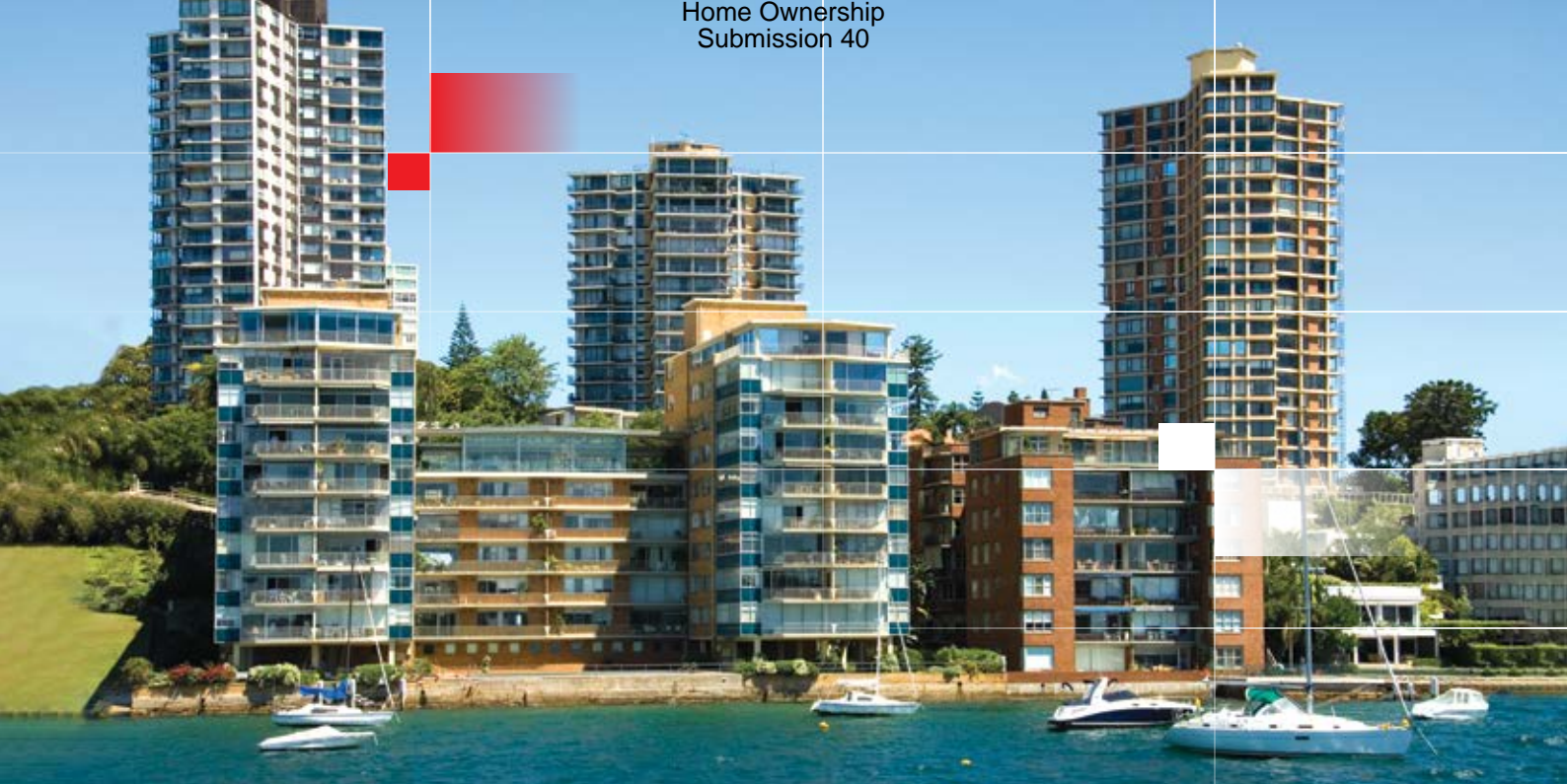
Nonetheless, fundamental structural change to the legal framework and cultural practice of planning remain critically overdue.

Users expressed the view that the intransigence of the planning system had been “rescued by the market”, i.e. despite ineffective reform, heightened market activity has delivered housing and employment results.

Reform highlights since 2012 //

Planning strategies and reform initiatives introduced since the 2012 Report Card have included:

- Release of the *Long Term Transport Master Plan* (December 2012), a framework to guide subsequent and more detailed transport plans, policy decisions, reforms and funding decisions;
- The *Long Term Transport Master Plan* was followed by:
 - A draft Metropolitan Plan for Sydney to 2031 (March, 2013) which has since been finalised as A Plan for Growing Sydney, released in December 2014;
 - The broader Western Sydney Employment Area (WSEA) draft structure plan in June 2013, which, in turn was followed by the Commonwealth government’s confirmation that Sydney’s second airport would be build at Badgery’s Creek;
 - The NSW Freight and Port Strategy (November, 2013);
 - The Sydney Bus Future Strategy (December, 2013); and,
 - The State Infrastructure Strategy (updated November, 2014).
- Ongoing review/amendment of the NSW Housing Code – Exempt and Complying Development SEPP, including new provisions for secondary dwellings and group homes;
- The introduction of Coal Seam Gas (CSG) Exclusion Zones and a new SEPP (Mining, petroleum production and extractive industry) to manage the assessment of these types of projects;
- The introduction of an Urban Activation Precinct Program linking land use and transport planning through rezoning by SEPP amendment under Section 37 of the Act. Precincts that have progressed through to rezoning include:
 - Epping Town Centre (March, 2014);
 - Wentworth Point (June, 2014);
- The expansion of the urban activation precinct program to include three new precincts located along the future North West Rail Link (August, 2014);
- Continued refinement of the Urban Feasibility Model and its use to test local planning controls to ensure that they are conversant with market demand and expectations and therefore likely to deliver housing where it is needed. The Model calculates the housing potential of each LGA, based on its ‘planned potential’ and the economic feasibility of delivering housing. The concept has been tested by industry and is now being progressively introduced to councils, as well as in regional strategy development;
- The continued release of greenfield land under the NSW Growth Centres. New precincts delivered over 2012-2014 include:
 - Box Hill and Box Hill Industrial (April, 2013);
 - Marsden Park (October, 2013);
 - Schofields (May, 2012);
 - Austral and Leppington North (March, 2013);
 - Part Catherine Fields (March, 2013); and,
 - East Leppington (March, 2013 – August, 2014).
- The ongoing roll-out of Standard Instrument LEP’s across NSW (with only a few now remaining to be updated: Campbelltown, Sutherland, Bankstown, Woollahra, Blue Mountains and Lithgow). Penrith, Blacktown and Ku-ring-gai have non LGA-wide LEPs;
- Online planning, mapping and other e-planning tools (released July 2014);
- A Biodiversity Offsets Policy for Major Projects that introduces state-wide guidance on how to deal with the biodiversity impacts of major projects, allowing proponents to make payments towards their offset, instead of finding offset sites themselves;
- Ongoing reform of the coastal policy with a new planning circular to guide council notification processes about present and future coastal hazards (November, 2014);
- An update of the Newcastle Urban Renewal Strategy to coincide with the approval of new planning controls to shape Newcastle CBD’s future (July 2014); and,
- The introduction of the opportunity for applicants and councils to request a review of decisions made at key stages during the process of assessing and deciding on a proposal to rezone land (November 2012).



Government reform priorities //

Ongoing reforms that have been announced by the Government include:

- The introduction of a Greater Sydney Commission, described in the new metropolitan strategy as “a dedicated new body, tasked with the implementation of the Plan”. This advance represents a “step change in the way the Government’s urban infrastructure and planning priorities are delivered”. The Commission will work with local councils and agencies to achieve the plan’s growth objectives;
- A review of SEPP 65 relating to the design of residential apartments buildings;
- Continued precinct planning of development opportunities proximate to existing and proposed transport infrastructure, e.g. along Parramatta Road, at the Bays Precinct and at the Central to Eveleigh corridor;
- Improvements to the coordination of assessments for state significant projects; and,
- At the regional level, a number of housing and employment strategies are currently being drafted across the state to review land use needs.

Local government reform has also progressed since 2012. In September 2014 the Government released its response to an independent panel review of local government practice and efficiency. As a result of the review an integrated Fiscal Responsibility Program

that supports all councils to become financially sustainable has been established. The program includes guidance, targeted capacity building and direct intervention in high-risk councils. Under the program, councils’ financial sustainability will be assessed to determine if they are ‘fit for the future’. Fit for the future councils will have priority access to state funding and grants. A revised *Local Government Act* is also promised.

“A complex and layered planning system increases costs associated with development. This score (second last) is an urgent reminder that we need systemic reform of the entire planning system and processes in NSW.”

**Nigel Edgar, Chairman, Property Council NSW
Division Residential Committee, 2015**

Positive attributes of the NSW system //

- The broad application of certifiable complying development through the NSW Codes SEPP.
- The entrenched role of independent planning panels – the Joint Regional Planning Panel (JRPP) and the Planning Assessment Commission (PAC).
- The JRPP review/appeal process for rezoning applications.
- Many councils now voluntarily use panels for the assessment of certain development classifications.
- The 2014 adoption of planning maps online.
- The issuance of the Local Development Performance Monitoring Report (last released February 2015) – comparing approval numbers and times across Council areas.
- A nearly complete roll out of the Standard Instrument local planning schemes (LEPs).



ePlanning for NSW //

EPlanning is the use of technology in the delivery of planning and development services, such as the online lodgement and tracking of applications, viewing planning information on a web based interactive map and providing new ways for stakeholders to engage with the planning process.

In 2009, the NSW Government announced a five year strategy for the prioritised implementation of integrated electronic planning systems in state and local government to transform paper-based and face-to-face transactions to an online environment.

The benefit of online systems is the availability of clear and consistent information that help proponents to decide whether development can be fast tracked as complying development or if it requires development consent. Exhibition material is published to enable the community to access all relevant documents, and submissions can be handled in real time.

The standardisation of zones and mapping data is almost complete across all 152 local councils in NSW. Standardisation of this data has enabled the introduction of state-wide online planning tools. Following years of spatial data collation that applies a consistent set of land use zones and development standards, ePlanning for NSW was launched as a test portal (BETA) on the NSW Planning website in 2014.

ePlanning is being rolled out to all councils and the full suite of products is expected to be available through the NSW ePlanning portal by the end of 2015. The NSW Government has approved \$30 million over two years (2013-15) for the finalisation of the program.

Many planning authorities are still entrenched in paper based referral systems and non-electronic fee transactions. Applicants are still required to submit multiple hard copies of DAs and supporting information for referral purposes and cheques are often the only means of paying applicant fees - regardless of the lodgment method.

Web based 'one stop' referrals and electronic payment services are increasingly pertinent to the success of ePlanning.

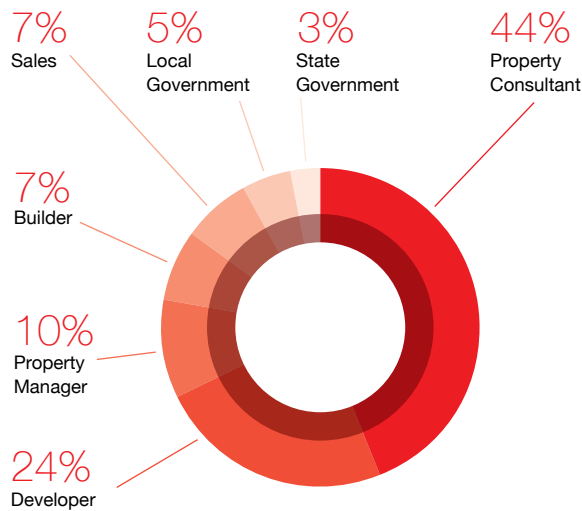
Negative attributes of the NSW system //

- State agency engagement is poor, albeit improving, particularly in an on-line capacity.
- A lack of clear, well enunciated planning policy, particularly at a state level, and a lack of effective policy development – causing excessive friction in DA assessment and new planning proposals.
- The system is stalled ‘up-front’ – burdened by a poor articulation of broader strategic outcomes and a lack of rigour applied to the implementation of strategy. Broader strategy is not law and is generally not believed.
- The detailed assessment processes and information requirements to support even basic DAs are out of kilter.
- Very long approval times in certain council areas.
- The system is primarily adversarial.
- There is a lack of economic accountability inherent in the system.
- Development outcomes are achieved through stealth rather than through transparent policy articulation. Operating the system is seen as “professionally demoralising”.
- Urban Activation Precincts have been welcomed for encouraging higher density development along major transport corridors, but the planning and delivery of several sites has stalled. The UAP program remains an acknowledgement that councils and agencies have not sufficiently planned for growth.
- Confusion and complexity around non State Significant Development (SSD) category projects relying on transitional Part 3A Concept Plan Approvals.
- New major property projects that are not classified as state significant are not recognised in a priority sense.

Survey responses //

Over 1,000 responses were received to the Property Council's planning system survey. Of a large number who operate in NSW, 316 respondents primarily conduct their business in New South Wales and have provided the following feedback.

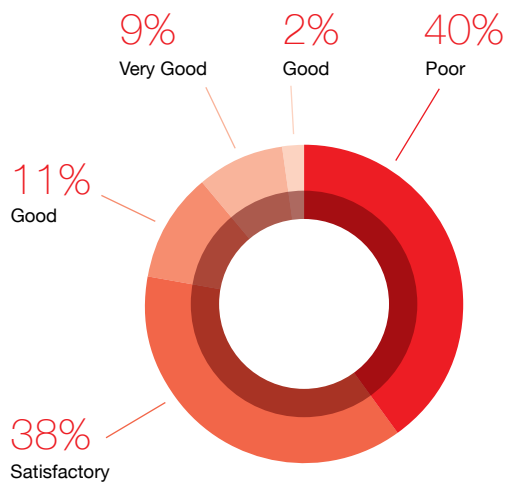
Respondent type //



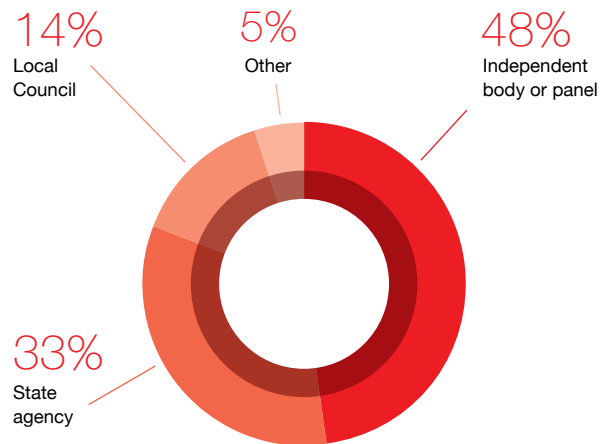
- 62% of respondents had experience in dealing with independent panels. 53% of respondents regarded this experience as satisfactory or better.
- 24% of respondents stated that they were able to lodge their applications electronically. 35% were able to do so partially.
- Almost 61% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 60% of respondents rated the state's new planning reforms as satisfactory or better. A slightly higher percentage (66%) thought the same of announced reforms.
- 59% of respondents thought that the NSW planning system was less than satisfactory in responding to emerging trends.



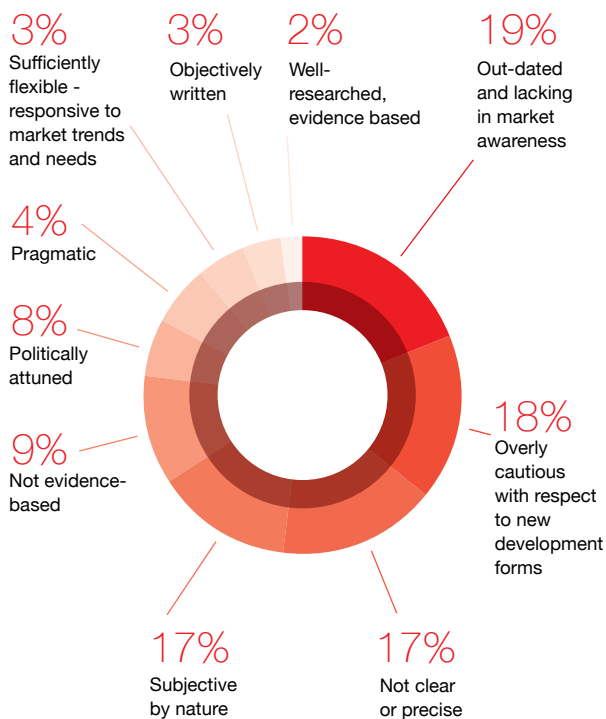
How do you rate your state or territory planning system structure or framework?



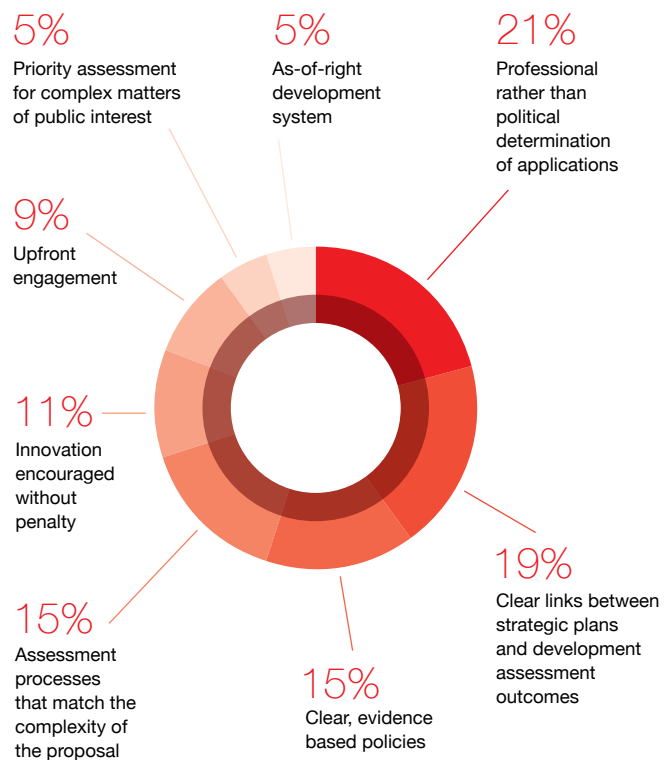
For complex matters, who would you prefer to deal with?



How would you describe your state or territory planning system or framework?



Which planning system criteria are the most important?





“Change is inevitable...
The exciting thing
about planning is we
get to manage and
shape that change,
and that’s where
we want people to
participate.”

**The Hon Rob Stokes MP,
Minister for Planning, 2015**

Reform opportunities //

Whilst ongoing reform continues to address non-functioning aspects of the system, there is a fundamental lack of belief in the ability of such piecemeal reform to break through the inertia of current processes.

Recent efforts have not been aided by the fact that there has been so much to ‘catch-up’. Despite efforts to release new greenfield precincts for instance, the contribution of housing from the growth centres has lagged expectations. Similarly, several of the Urban Activation Precincts have stalled, the standard LEP roll-out has failed to embed a flexible zoning structure, and the burden of proof that is assigned to merit applications drags on system efficiencies. The balance of power in the day-to-day operation of planning remains heavily in favour of local residents.

Not surprisingly, users pin their hopes on larger reform items to address system malaise. Even though the potential role of the Greater Sydney Commission is not well understood it is seen as a necessary intervention. Local government reform is also long awaited.



Areas of reform identified by system users are listed below.

- 1 A **complete overhaul of the state's planning laws**, modelled on the original recommendations arising from the White Paper.
- 2 The continued **roll-out and use of the government's Urban Feasibility Model** to ensure that local planning zones and controls match market realities.
- 3 Further and ongoing work with the Office of Local Government to secure **meaningful local government reform**.
- 4 Introduce an **independent Planning Commission** to oversee the focus and implementation of planning endeavours.

- 5 **An overhaul of state planning policies** to maximise the productive capacity of NSW's cities and regions.
- 6 **Recognition of major property projects as projects of significance** that ought to be available for higher level (state agency) assessment.
- 7 A continued effort to address the economic needs of regional NSW through **integrated infrastructure delivery and strategic planning**.
- 8 A **review of the standard LEP template** to introduce greater zone flexibility.
- 9 An **expansion of e-planning capacities** of local government.

TASMANIA



515,000

State Population



0.3% p.a.

Population Growth Rate



211,700

Hobart // Capital City Population



Liberal

Government Type



4yr fixed

Election Cycle



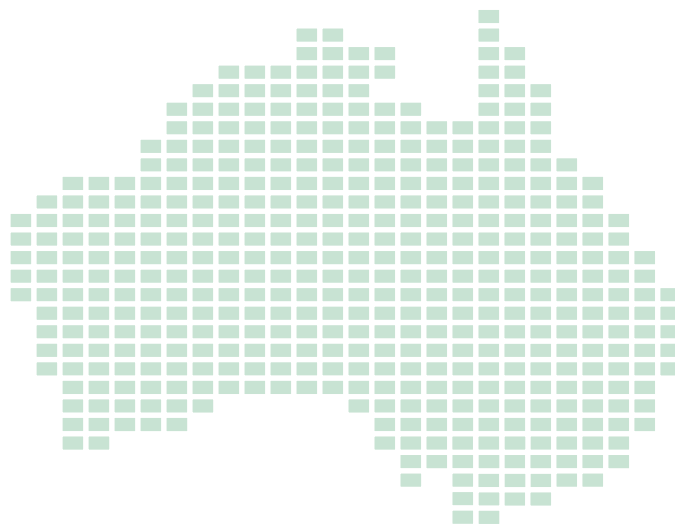
Oct 2018

Next Local Government
Elections // 4yr cycle



2,612

Housing Approvals (trend) //
year ending March 2015



Summary //

5.6

2015 Score

5.4

Previous Score

8/8

Ranking

Planning reform has been elevated in political terms by the new state government, with the formation of the state's first Planning Reform Taskforce. The Taskforce will aim to introduce a single state-wide planning scheme and complementary procedures.

Tasmania's proposed reforms are broadscale, and despite eight years of protracted regional land use and Interim Planning Scheme processes, local government may finally be supportive of moving towards a single Statewide Planning Scheme with a state government that appears determined to get on with the job.

Practitioners are looking forward to a streamlined, consistent and less litigious system that delivers certainty for compliant development projects.

2012 Report Card results //

Tasmania showed the least headway of all jurisdictions in planning reform at the time of our last examination and was rated accordingly.

Slow progress in the adoption of new planning schemes, the flawed introduction of a single housing code, a lack of strategic policy direction and a generally litigious planning system combined to earn Tasmania the lowest score of all jurisdictions with respect to the adoption of leading practice development assessment principles.

The fact that no significant reform was proposed to deal with these issues meant that Tasmania's score for future reform was also the lowest recorded for all states and territories.

Current state of play //

Regional planning featured as the major plank of Tasmania's planning initiatives at the time of the last Report Card. Regional strategies for the North West, North and South areas were declared in late 2011.

Since then, each council has been required to prepare a new planning scheme that is consistent with its relevant regional strategy.

Progress on the adoption of new planning schemes, however, has been slow. More than two years after the regional strategies were adopted, 16 of the 17 councils in the Northern and Cradle Coast regions have Interim Planning Schemes in operation, whilst all 12 southern councils still have draft schemes that are awaiting declaration.

With the election of the Hodgman Liberal Government in March 2014, planning has been hoisted to the top of the state's reform agenda. Current reforms reflect an awareness of the role of planning in nurturing the state's economic progress and a shift in focus from statutory process to the articulation of a clear strategic direction to achieve state aims.

A Planning Reform Taskforce was quickly created, with responsibility to establish a single state-wide planning scheme and a single set of procedures that are "fairer, faster, cheaper, and simpler" to operate.

The work that has progressed to date with respect to the creation of regionally consistent schemes will be taken into consideration by the Taskforce in its endeavours to introduce a single state-wide system.

The task is not easy and, naturally, there are some reservations about the ability of the Taskforce to deliver its entire reform agenda. However, the commitment and leadership shown by the government to ensure that this task is completed, cannot be underestimated.



Reform highlights since 2012 //

Planning reform initiatives introduced and/or implemented since the last Report Card include:

- A revised Regional Land Use Strategy for the North area was declared in October 2013;
- The ongoing declaration of regionally consistent planning schemes for a range of councils;
- A modified Planning Directive No. 4 (Standards for Single Dwellings in Current Planning Schemes) came into effect in October, 2013. It incorporates consistent development standards for both single and multiple dwellings, including villa units and town houses;
- An updated Planning Scheme template came into effect in June 2014. The template provides a framework for all planning schemes, and a common set of operational mechanisms; and,
- The *Land Use Planning and Approvals (Private Certification) Bill 2013* allows for accredited private practitioners to assess 'low-risk' and compliant residential use and development. The Bill has been passed by Parliament but is awaiting the drafting of accompanying regulations before being proclaimed.

Notably, a draft Hobart Capital City Plan, prepared by the Office of the State Architect, was released for public consultation during January – February 2012 but is yet to be adopted

Stimulatory initiatives introduced over the period since our last Report Card include:

- A 2-year moratorium on water headwork charges; and,
- An increase in the government ownership cap under its HomeShare program from 25 to 30%.

Other initiatives that relate to the new State Government's current reform program are discussed below.

Government reform priorities //

The planning reform agenda of the new State Government is proposed to be delivered in two phases.

The first phase, tabled in Parliament in late 2014, involves the introduction of legislation (the *Land Use Planning and Approvals Amendment Bill 2014*) that seeks to enable a more efficient process for declaring and finalising the state's 29 Interim Planning Schemes and which provides a consistent platform for transition to a single state-wide planning scheme.

The legislative amendments also propose to implement:

- Shorter assessment timeframes for 'permitted' development (e.g. houses under the single dwelling residential code); and,
- Higher appeal fees for some third parties on discretionary permits.

Phase 2 reforms are proposed as a second legislative package in mid-2015 and will provide an enhanced framework for a single state-wide planning scheme, supported by new state policies and state-wide planning scheme provisions.

The revision of state policies is intended to embody the following objectives:

- That planning is geared toward facilitating economic growth and investment;
- That planning takes into account the future needs of communities; and,
- That sustainable and sensible development is encouraged.

Remaining election commitments such as those relating to higher appeal fees for some third parties on discretionary appeals are subject to the provision of further advice and further legislative amendments.

Positive attributes of the Tasmanian system //

- An independent Planning Commission has statutory responsibility for overseeing the state's planning system, the assessment of major projects and the provision of advice to the Minister and local government in matters related to land use planning. The Commission consists of a full-time Executive Commissioner and seven part-time Commissioners, nominated by the Minister on the basis of their relevant experience.
- The continued introduction of the Planning Schemes Online Project, in partnership between state and local government, has been well received.
- TASwater, a single state-wide water and sewerage corporation that is owned by the local councils, has streamlined its internal processes to improve its efficiency in handling DA referrals.
- The recent appointment of an executive to head, Infrastructure Tasmania will also facilitate the planning of infrastructure investment across the state.

The Tasmanian Planning Reform Agenda //

The Planning Reform Taskforce was created by the Liberal Government and commenced duties in May 2014. It is responsible for providing advice to government on developing a single state-wide planning scheme that is "fairer, faster, cheaper, and simpler" to operate. The Planning Reform Taskforce will also develop a single set of procedures and documents for all applications and permits.

The Taskforce is comprised of an Executive Chair, operating out of the Department of State Growth, and other individuals representing the profession, local government and business.

The Taskforce is a key element in a suite of State Government-led planning reforms, whose broad agenda includes:

- A review of state land use policies to facilitate economic growth and investment. The revised policies will be drafted into relevant laws and regulations;
- A review of planning appeal processes including an increase in the fee required to lodge an appeal with the Resource Management and Planning Appeal Tribunal (RMPAT) – from \$70 to \$600, to be more in line with fees for other Court disputes;
- Utilising existing 'call-in powers' for the Minister for Planning for projects that make a significant economic contribution, require significant capital investment, or if the project has been unreasonably delayed in the development assessment process;
- Faster planning approvals for single residential dwellings in residential zones (24 hours) and a reduction in the statutory time to determine other applications for permitted use or development (from 42 to 28 days);
- The introduction of private certification for simple, residential developments that fall within permitted residential zones; and,
- In-principle approval for major developments to provide a greater level of certainty for proponents and assistance from the Office of Coordinator General in guiding proponents on the planning approval process.



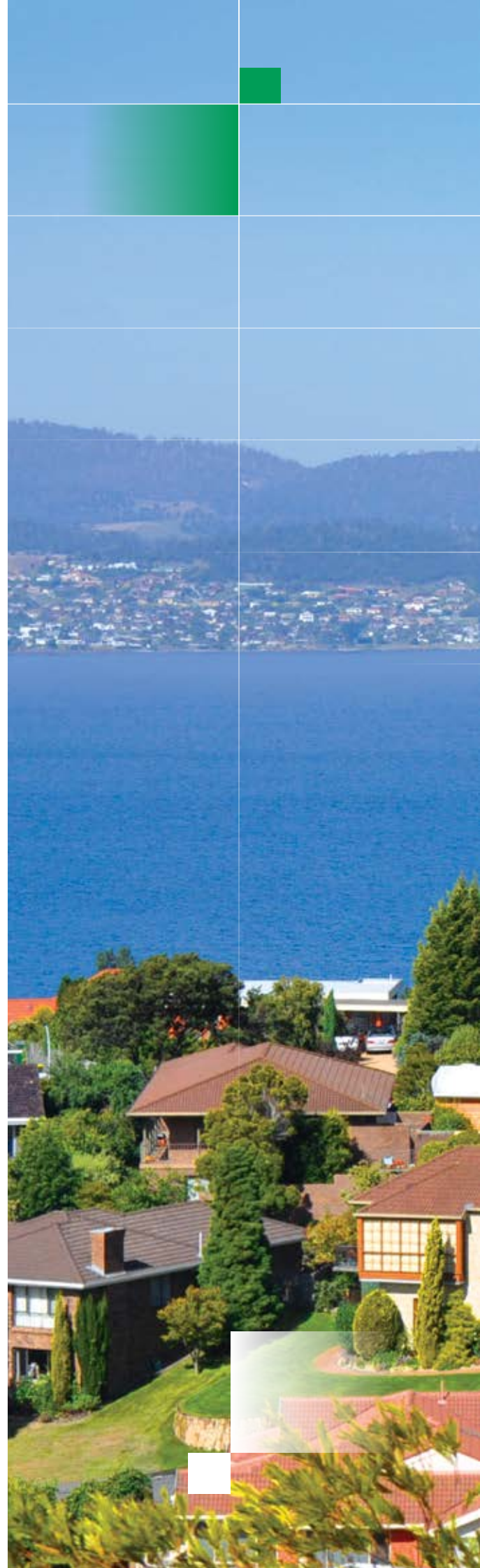
Negative attributes of the Tasmanian system //

- The state's ability to introduce state-based planning policies that adopt an economic focus, as opposed to a traditional single issue approach, has been found wanting in the past and will be tested under the new reform program.
- The application of the Single Dwelling Code has proven to be more challenging than it should. The scheme's application is difficult to determine for system users (due to numerous exclusions), it does not work well on sloping land and is subject to different local council interpretation. Its content requires ongoing review.
- The system is viewed as overly litigious and the Resource Management and Planning Appeal Tribunal (RMPAT) is regarded as 'difficult' and a process that ought to be avoided, if at all possible.
- The Planning Commission is under-resourced to complete its broad planning role.
- There is a lack of assessment codes for matters other than routine residential development, but the single statewide planning scheme has potential to provide certainty and clarity for all types of development.

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"I'm pleased to see this report as it records what will be planning history. Tasmanians will have a single planning scheme by the end of 2016."

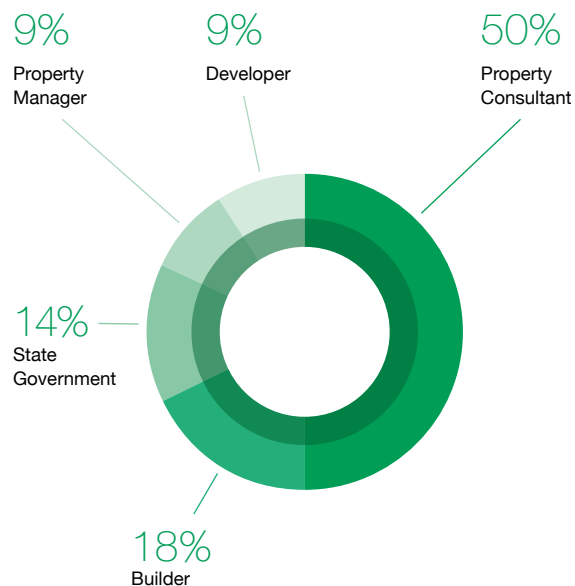
**The Hon Peter Gutwein MP,
Treasurer, 2015**



Survey responses //

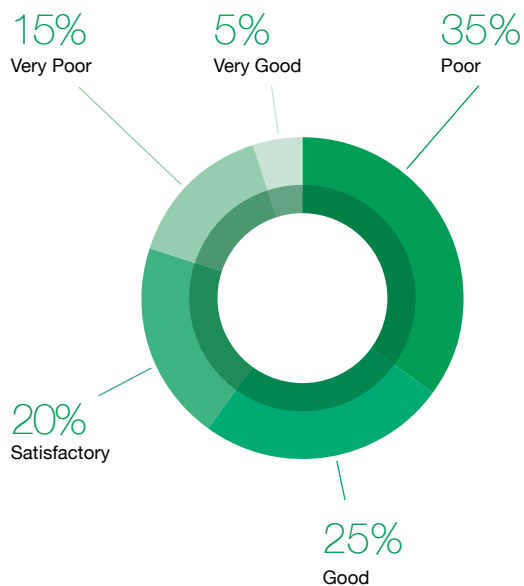
Over 1,000 responses were received to the Property Council of Australia's planning system survey. 25 of these respondents normally conduct their business in Tasmania and have provided the following feedback.

Respondent type //

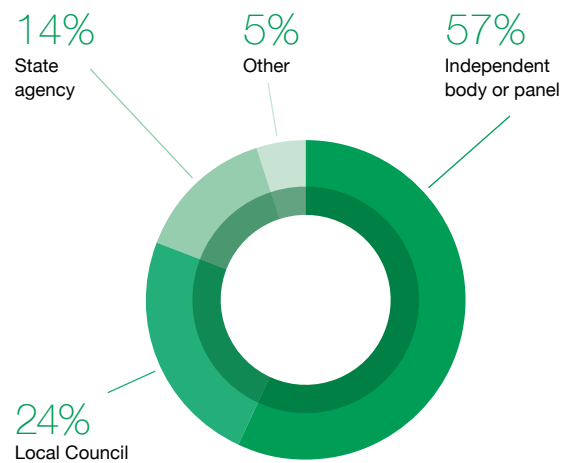


- A clear majority of respondents (68%) had no experience with an independent decision panel.
- 50% of respondents could access information to compile their DAs and lodge them electronically.
- 80% of respondents recorded a satisfactory or better experience with pre-lodgement meetings.
- 48% of respondents rated the state's new planning reforms as less than satisfactory.
- 50% of respondents thought that the Tasmanian planning system was less than satisfactory in responding to emerging trends.

How do you rate your state or territory planning system structure or framework?

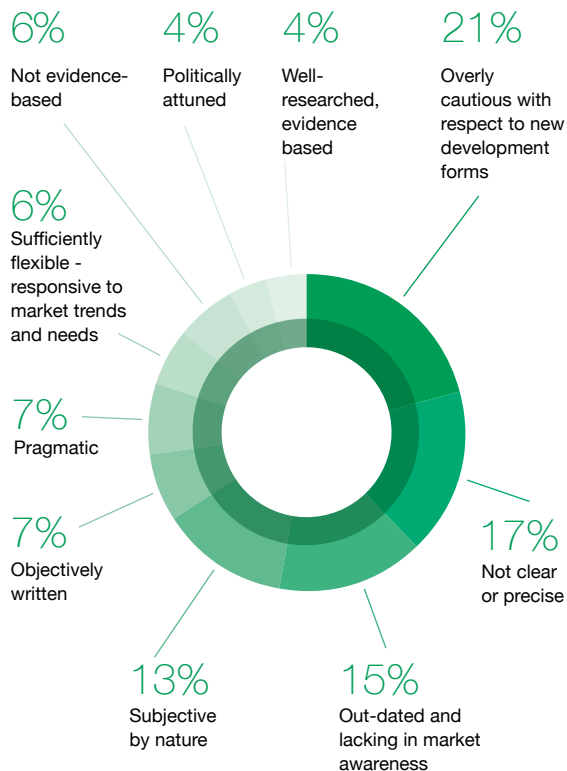


For complex matters, who would you prefer to deal with?

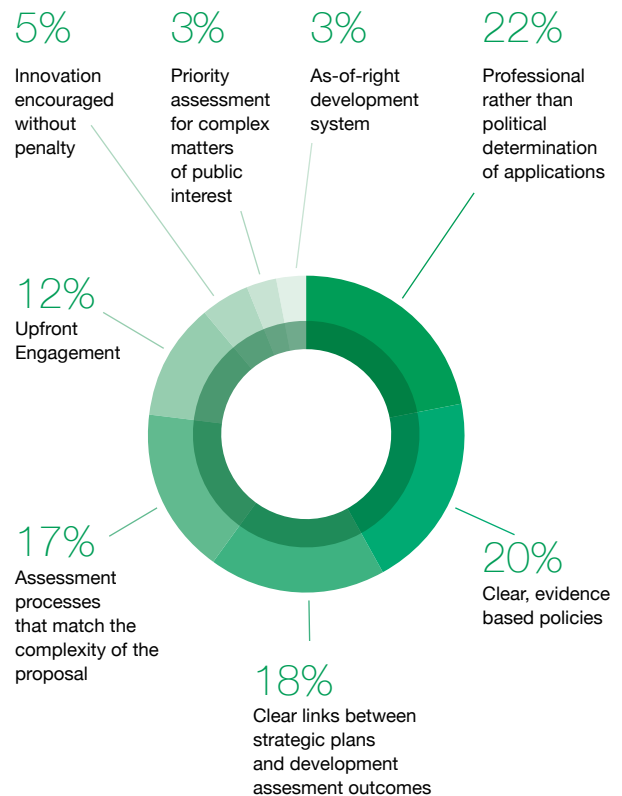


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How would you describe your state or territory planning system structure or framework?



Which planning system criteria are the most important?



Reform opportunities //

Much of Tasmania's future potential relies on the ability of the state government and the Planning Reform Taskforce to deliver proposed reforms.

Specific areas of reform that have been identified by system users are listed below:

- 1 Finalisation of the legislative processes required to introduce **private certification** of routine, small scale development.
- 2 An **expansion of land use types** categorised as 'permitted' development and subject to code assessment procedures.
- 3 The continued **progress and resourcing of announced reforms** such that these measures are introduced on schedule.



03

RETIREMENT

LIVING



81

In previous Report Cards specific elements of the planning system that do not relate directly to development assessment have been identified and discussed, highlighting variant approaches between the jurisdictions and identifying areas of best practice.

The 2012 Report Card discussed the different approaches to rezonings and the progress made, or not made, by each jurisdiction with respect to advancements in e-planning.

For the 2015 Report Card we consider the variety of approaches to the issue of retirement living. Our analysis draws on recent research undertaken by RPS that is soon to be published by the Property Council's Retirement Living Council. The approach taken by each state and territory to retirement living issues is outlined below.

Northern Territory //

The Northern Territory Planning Scheme applies to the whole of the Territory, other than for a small number of specific locations.

The Planning Scheme provides statutory planning controls for land use, built form, servicing and subdivision. The Scheme includes specific objectives for the larger urban areas, although there is no reference to retirement living or aged care.

There is no specific planning definition for retirement living or aged care housing.

Western Australia //

WA's model scheme text provisions provide standardised definitions and assessment frameworks but do not specifically address retirement living.

The state's R-Codes prescribe requisite built form design standards and categorise 'aged persons dwellings' with 'dependent persons dwellings'. The provisions directly impact allowable dwelling yield and building design standards.

Victoria //

The Victorian Planning Provisions refer to the State Planning Policy Framework for Housing which recognises the need for housing diversity and seeks to ensure an appropriate quantity, quality and type of housing, including the provision of aged care facilities.

The VPP presently includes specific provisions that exempt aged care from planning approval requirements on appropriately zoned land.

South Australia //

The SA Planning Policy Library (PPL) utilises a broad definition of 'Aged Persons Accommodation' and sets standard planning provisions for supported accommodation, housing for aged persons and people with disabilities.

The PPL addresses matters of location, built form, some internal design objectives and car parking requirements. These apply only to low-rise development; for higher formats, the medium and high rise development provisions apply.

Queensland //

There is a current and ongoing review of Queensland's planning legislation that could alter the state's planning policy framework.

The existing Queensland Planning Provisions recognise the need for housing diversity but generally seek to minimise the impacts of other land uses on sensitive land uses. Retirement facilities are grouped together with other residential uses under 'sensitive land uses'.

ACT //

The *Territory Plan* provides statutory planning controls for land use and built form. The Strategic Directions of the plan include provisions for affordable, adaptable and special-needs housing and the adaptation of existing housing stock to meet emerging social needs.

The *Territory Plan* includes retirement living specific provisions in the Residential Design Code and applies the general provisions of its Multi-Unit Housing requirements.

New South Wales //

A state environmental planning policy (the Seniors SEPP) applies state-wide and aims to encourage the provision of seniors housing.

The SEPP prevails over Local Environmental Plans with respect to certain development provisions (car parking standards, density of development and site suitability).

Tasmania //

There are a variety of definitions used across the state's local planning schemes in this area. The latest version of the 'Planning Directive No. 1 - The Format and Structure of Planning Schemes' establishes standard land uses definitions for 'Residential Aged Care Facility', and 'Retirement Village'.

Local planning schemes provide guidance on preferred zones and development design requirements.

Retirement Living // a point of difference

Despite almost universal acceptance of Australia's ageing population in various states, regional and metropolitan planning strategies and the emphasis on housing within those strategies, there is a surprising absence of policy direction or discussion with respect to the housing choices of senior Australians.

In a number of the states and territories standardised planning scheme modules provide a specific land use definition that captures retirement villages.

However, only Western Australia and New South Wales have introduced specific planning provisions that relate to such development by way of, for example, a code. This is despite industry recognition of the important difference that a precise and streamlined planning approach could make to the provision of necessary housing choices for our ageing population.

Notably, the comprehensive review undertaken by RPS of the different planning approaches to the issue has revealed a clear lack of policy engagement with respect to:

- Appropriate incentives to encourage greater provision of retirement living projects;
- The relevance of 'standard' notification and appeal procedures to such development types and their assessment; and,
- The need for flexibility in defining and assessing retirement development projects in order that new formats of accommodation can be absorbed by the market – e.g. vertical villages, mixed use and integrated care models, and the outsourcing of care services.



04

APPENDIX A
LEADING PRACTICE
PRINCIPLES

84

The former Development Assessment Forum² first published its 10 leading practice principles for development assessment in March 2005.

The principles set a framework for how development assessment systems should be developed and operate. They remain *“an important reference for individual jurisdictions in advancing reform of development assessment”*.³

The 10 Principles are:

1 // Effective policy
development

Elected representatives should be responsible for the development of planning policies. This should be achieved through effective consultation with the community, professional officers and relevant experts.

2 // Objective rules
and tests

The development assessment requirements and criteria against which applications are assessed in each jurisdiction should be written as objective rules and tests that are clearly linked to stated policy intentions or desired outcomes.

Where such rules and tests are not possible, specific policy objectives and decision guidelines should be provided.

3 // Built-in improvement
mechanisms

As each jurisdiction reviews and amends its strategic planning policies, it should also systematically review its objective rules and tests for development assessment to ensure that they remain relevant and consistent across the jurisdiction.

² DAF comprises representatives of the three tiers of government, the property development industry and professional groups. It seeks to improve the operation of the nation's planning and development assessment systems.

³ Ministerial Council (Local Government Ministers and Planning Ministers) Communiqué, 4 August, 2005.

4 // Track-based assessment

Development applications should be streamed into an assessment 'track' that corresponds with the level of assessment required to make an appropriately informed decision. The criteria and content for each track is standard.

Adoption of any track is optional in any jurisdiction, but it should remain consistent with the model if used.

These tracks cover the following development types:

- Exempt
- Prohibited
- Self-assess
- Code assess
- Merit assess
- Impact assess

The processes used within each assessment track will be predetermined.

5 // A single point of assessment

Only one body should assess an application, using consistent policy and objective rules and tests.

Referrals should be limited only to those agencies with a statutory role relevant to the application. Referral should be for advice only.

A referral authority should only be able to give direction where this avoids the need for a separate approval process. Referral agencies should specify their requirements in advance and comply with clear response times.

6 // Notification

If an application complies with the objective rules and tests for development assessment it should proceed directly to determination, without opportunity for notification.

Where assessment involves evaluating a proposal against competing policy objectives, or where a proposal varies from the objective rules and tests, opportunity for third-party notification may be provided.

7 // Private sector involvement

Private sector experts should have a role in development assessment, particularly in:

- Undertaking pre-lodgement certification of applications to improve the quality of applications
- Providing expert advice to applicants and decision makers, including through independent expert panels
- Certifying compliance where the objective rules and tests are clear and essentially technical
- Making decisions under delegation, for example through independent panel processes

8 // Professional determination for most applications

Most development applications should be assessed and determined by professional staff or private sector experts, rather than elected representatives. For those that are not, either:

- Option A – local government may delegate development assessment determination power while retaining the ability to call-in any application for determination by council
- Option B – an expert panel determines the application

Ministers may have call-in powers for applications of state or territory significance provided criteria are documented and known in advance.

9 // Applicant appeals

An applicant should be able to seek a review of a discretionary decision.

A review of a decision should only be against the same policies and objective rules and tests as the first assessment.

10 // Third-party appeals

Opportunities for third-party appeals should not be provided where applications are wholly assessed against objective rules and tests.

Opportunities for third-party appeals may be provided in limited other cases.

Where third-party appeal opportunities are provided, a review of a decision should only be against the same policies and objective rules and tests as the first assessment.

05

APPENDIX B
E-PLANNING

86

E-Planning comparison matrix //
Initiatives and lodgement availability

NT	WA	VIC	SA
<ul style="list-style-type: none"> ■ The Development One Stop Shop is a lodgement and tracking service for developers and the general public. ■ Meetings can also be booked on line and pre-DA sessions arranged. ■ 100% of applications are lodged on line. ■ NT's ePlanning service links with the Integrated Land Information System (ILIS) which allows for the on line assessment of DAs. 	<ul style="list-style-type: none"> ■ WALGA and State Government is looking to expand the take-up of e-DA (currently around 15 councils on board). ■ The State Government's Department of Planning is responsible for subdivisions, and councils are a referral agency but the process is largely paper-based. 	<ul style="list-style-type: none"> ■ Property reports, planning schemes, histories, amendments, planning maps and overlays are available on line. ■ The Planning Property Report app provides mobile access to information. ■ E-lodgement is available through the SPEAR system. SPEAR is linked to Planning Schemes and Planning Maps Online. ■ SPEAR allows applicants to lodge and manage their DAs and enables councils to receive, manage, refer and approve DAs. Referral authorities also use SPEAR. 	<ul style="list-style-type: none"> ■ EDALA provides online lodgement and access for land division DAs which are managed by the State Government. ■ ePlanning services at the local government level are limited. ■ There is no common service available for lodgement, tracking and assessment.



QLD	ACT	NSW	TAS
<ul style="list-style-type: none"> ■ The 'ePlan' portal provides a digital platform for the lodgement of planning scheme documents. ■ Similarly, 'myDAS' allows for the online preparation and lodgement of DAs. ■ SARA allows an applicant to prepare and lodge or refer applications to DSDIP, as the single state assessment and referral agency. ■ Smart eDA allows for the preparing, lodging and tracking of DAs. Not all councils utilise this system. 	<ul style="list-style-type: none"> ■ Since January 3, 2012, DAs are lodged online using eDevelopment. ■ 'DA Finder' app introduced in 2014. ■ Mobile mapping and planning information (from starting the DA assessment through to the issuing of a certificate of occupancy) is available. ■ ACTMAPi interactive mapping – enables search by block/section or address. ■ Can create own electronic maps and predefined reports. 	<ul style="list-style-type: none"> ■ Online planning mapping and other e-planning tools introduced (July 2014). ■ Will act as a platform for all levels of assessment and lodgements. ■ The state government's Local Plan Making Tracking System tracks the process of creating or amending an LEP, which in most cases is undertaken by a local council. ■ Some councils allow e-lodgements but hard copies are still generally required. 	<ul style="list-style-type: none"> ■ There are limited ePlanning services provided by the State Government or local councils in Tasmania. ■ The Tasmanian Planning Commission does not provide a lodgement service, nor assist councils with the referral authority management process. ■ Some services provided through the Department's website, including current assessments of planning schemes, planning directives and State policies. Information on projects of state or regional significance is also provided.

06



APPENDIX C

STATE-BY-STATE COMPARISON MATRIX

88

Development assessment principles //

NT	WA	VIC	SA
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1 // Effective policy development

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| <ul style="list-style-type: none"> ■ A single NT Planning Scheme applies. ■ The NT Planning Commission recently created as an independent body to oversee effective strategic planning and to advise on major DAs. ■ Draft Darwin Land Use Plan has been considered and forwarded to the Minister. ■ A NT Strategic Plan is being prepared. | <ul style="list-style-type: none"> ■ The Western Australian Planning Commission (WAPC) is responsible for strategic and statutory planning of the state. ■ The Commission includes heads of major government departments and private professional members. ■ In June 2014, the Minister for Planning released the <i>State Planning Strategy 2050</i> (SPS). | <ul style="list-style-type: none"> ■ Plan Melbourne and 8 Regional Growth Plans. ■ State Planning Policy Framework (SPPF) sets overarching planning principles. ■ Planning Scheme must have a policy focus - included in the Municipal Strategic Statement (MSS). | <ul style="list-style-type: none"> ■ The <i>30 Year Plan for Greater Adelaide</i> is due for its 5-year review in 2015. ■ All councils must align their Development Plans with the Strategy. ■ The 2010 Strategy sets broad targets for a more compact city. It does not set regional or local employment targets. |
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QLD

ACT

NSW

TAS

- *Sustainable Planning Act 2009 (SPA)*, 2009 enables: State Planning Regulatory Provisions (SPRPs), Regional Plans, State Planning Policy (SPP) and standard scheme provisions, known as the Queensland Planning Provisions (QPP).
- Further wholesale reform of the state's planning system is now proposed.
- A dual planning system operates - the *National Capital Plan* is administered by the Commonwealth Government's National Capital Authority whilst the *Territory Plan* is administered by the ACT Government.
- The ACT Planning Strategy was adopted in June 2012 - it replaces the previous Canberra Spatial Plan.
- The *Territory Plan* is being reviewed.
- *Environment Planning and Assessment Act 1979 (EP&A)* Act 1979 applies – broad-scale review currently on hold.
- Metropolitan, Regional and Sub-regional Strategies provide a planning framework - with housing and employment targets included.
- Current metropolitan strategy in draft form.
- The Tasmanian Planning Commission is the state's peak planning body.
- There are currently 34 planning schemes covering land within the 29 council areas, down from 38 in 2012.
- Several interim planning schemes have been recently declared.

State-by-state comparison matrix // Development assessment principles continued

NT	WA	VIC	SA
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2 // Objective rules and tests

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| <ul style="list-style-type: none"> ■ DA decisions must advance or be consistent with the 'planning principles' of the NT Planning Scheme. ■ Assessment criteria are included in the Scheme. | <ul style="list-style-type: none"> ■ A Model Scheme Text applies for planning schemes. ■ Model conditions for subdivision (2012). ■ A state-wide 'Residential Design Code' (R-Codes) applies. Rules and criteria are incorporated. ■ 'Liveable Neighbourhoods' sets design standards and guidelines for new residential subdivisions. | <ul style="list-style-type: none"> ■ The Victoria Planning Provisions (VPP) template – sets particular and general provisions and definitions. ■ Planning 'overlays' may apply to as well as a zone. ■ New standardised rural, residential, commercial and industrial zones introduced. | <ul style="list-style-type: none"> ■ A Residential Code applies for single dwellings in identified areas. ■ The State Planning Policies in conjunction with council Development Plans provide the policy basis for development assessment. |
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3 // Built-in improvement mechanisms

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| <ul style="list-style-type: none"> ■ The Planning Commission reports directly to Parliament. ■ Delegations with respect to the determination of DAs and other statutory matters are regularly reviewed. ■ New One Stop Shop facilities introduced for booking of meetings and lodgements. | <ul style="list-style-type: none"> ■ Planning schemes to be reviewed every 5 years. ■ Urban Developers Program and Developer Intentions Survey provide up-to-date monitoring of residential activity. ■ Minister can intervene in the making of a Planning Scheme. | <ul style="list-style-type: none"> ■ Municipal planning schemes reviewed every 4 years. ■ Minister may authorise update or new scheme. ■ PPARS reporting of permit activity. ■ Standing Advisory Committees - advise on introduction of new zones into planning schemes. | <ul style="list-style-type: none"> ■ All regulations expire 10 years after they are made. ■ Minister reports annually to Parliament on the Greater Adelaide Strategy. ■ Planning Strategy volumes must be updated at least every 5 years. ■ A Development Policy Advisory Committee (DPAC) provides independent advice to the Minister. |
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4 // Track-based assessment

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| <ul style="list-style-type: none"> ■ Development is classified as either permitted (without consent), discretionary (requiring consent) or prohibited. ■ Exceptional development (otherwise prohibited) may be considered on merit. ■ Concurrent rezoning and DA assessment is possible. | <ul style="list-style-type: none"> ■ Tracks include: <ul style="list-style-type: none"> ■ Exempt ■ Complying ■ Merit Assessable ■ Role of Metropolitan Redevelopment Authority. | <ul style="list-style-type: none"> ■ De-facto 'code assess' track is available for dwellings, multi-units and subdivisions - these are assessed under Clauses 54, 55 and 56 of VPP. ■ Most planning applications are merit based. ■ VicSmart now applies for small scale matters. ■ Small Lot Housing Code. | <ul style="list-style-type: none"> ■ Tracks include: <ul style="list-style-type: none"> ■ Exempt ■ Complying ■ Non-complying ■ Merit ■ The Minister may declare or call in major applications. ■ DAC is authority for major CBD DAs. ■ Non-complying development can be considered with DAC's concurrence. |
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QLD

ACT

NSW

TAS

<ul style="list-style-type: none"> ■ The QPP ensures a consistent planning scheme framework and a uniform expression of policy. ■ The QPP includes both mandatory and non-mandatory provisions. ■ A range of compliance assessments apply. As well, assessable development can be assessed on merit. ■ A 'material change of use' application is also possible. 	<ul style="list-style-type: none"> ■ Most applications are assessed against the various codes of the <i>Territory Plan</i>. ■ Precinct Codes, Development Codes and General Codes apply. ■ Proponents can choose to comply with either set rules or nominated criteria, unless a rule is mandatory. 	<ul style="list-style-type: none"> ■ Template LEP applies to most planning schemes (some still being updated). Includes standard zones, definitions and clauses. ■ Standard Clause 4.6 allows variation from LEP standards where justified. 	<ul style="list-style-type: none"> ■ Planning Directives may set the approval framework for specified development types, e.g. single dwellings. ■ Planning Schemes provide additional assessment criteria.
<ul style="list-style-type: none"> ■ SPPs expire 10 years after they are made. ■ Planning schemes must also be reviewed every 10 years. ■ The state government's DAMP Program monitors processing times for development assessment. 	<ul style="list-style-type: none"> ■ The Planning Strategy is required to be reviewed every 5 years. ■ <i>Territory Plan</i> variations and assessment guideline reviews are ongoing. ■ On-line DA statistics are available re: DAs lodged and determined against set timeframes. 	<ul style="list-style-type: none"> ■ Annual DA performance reports are published by state government for all councils. ■ SEPPs include requirement for a review every 5 years. ■ LEPs are intended to be updated every 5 years. 	<ul style="list-style-type: none"> ■ The Tasmanian Planning Reform Taskforce was introduced in May 2014 to provide advice on the development and implementation of a single state-wide planning scheme. ■ Regional land use strategies must be kept under regular and periodic review by the Minister.
<p>Tracks include:</p> <ul style="list-style-type: none"> ■ Exempt ■ Self-assessable ■ Complying ■ Assessable (impact or code assessable) <p>Separate tracks also operate for:</p> <ul style="list-style-type: none"> ■ Coordinated projects ■ Development within a State Development Area ■ Priority Development Areas 	<ul style="list-style-type: none"> ■ DAs are either code assessable (with strict compliance required); merit assessable (where one can choose to comply with rules or meet set criteria); or impact assessable (where justification for non-compliance is required). ■ Single housing codes apply, with some flexibility for minor departures. 	<p>Tracks include:</p> <ul style="list-style-type: none"> ■ State Significant Development ■ 'Designated Development' – e.g. potentially offensive or hazardous development ■ Local Development ■ Complying Development which is certifiable ■ Exempt Development ■ There is no 'self-assess' category 	<p>■ Tracks include:</p> <ul style="list-style-type: none"> ■ Exempt ■ Permitted ■ Discretionary ■ Prohibited <p>■ A person may apply for a dispensation from a local scheme provision or a combined dispensation and permit application.</p>

State-by-state comparison matrix // Development assessment principles continued

NT	WA	VIC	SA
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5 // Single Point of Assessment

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| <ul style="list-style-type: none"> ■ DAs are lodged directly with the DLPE rather than with the local councils. ■ The 7 DCAs that serve the Territory are the sole consent authority for most DAs. ■ Minister may 'call in' a significant application. | <ul style="list-style-type: none"> ■ Local councils determine most applications, under delegated authority or via the Development Assessment Panels (DAPs). ■ Subdivisions are determined by DoP under delegation from WAPC. | <ul style="list-style-type: none"> ■ Councils assess most DAs. ■ Minister is Responsible Authority for large scale projects and specific areas. ■ Minister can 'call in' significant applications. ■ Planning advisory panels/committees may assist if requested. | <ul style="list-style-type: none"> ■ Councils must delegate development assessment decisions to Council staff or to a Development Assessment Panel (DAP). ■ The Development Assessment Commission (DAC) plays an increasingly major role in determining applications. |
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6 // Notification

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| <ul style="list-style-type: none"> ■ Notification is prescribed. ■ Generally DAs are notified for 14 days with a site sign provided. | <ul style="list-style-type: none"> ■ Most local policies and applications are open for submissions for not less than 14 days. ■ R-Codes allow applicant to notify. | <ul style="list-style-type: none"> ■ P&E Act sets notification requirements at Section 52. | <ul style="list-style-type: none"> ■ 3 types of notification processes are prescribed - no notification required; notification of adjacent owners/occupiers; and full notification for Category 3 applications. |
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7 // Private sector involvement

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| <ul style="list-style-type: none"> ■ NT allows for the private certification of building works. ■ Some councils out-source the provision of their comments and feedback on DAs. | <ul style="list-style-type: none"> ■ Building matters only. ■ No private planning certification. | <ul style="list-style-type: none"> ■ Some councils offer a pre-lodgement certification process - involves employing a Council agreed certifier to ensure that a permit application is 'compliant'. | <ul style="list-style-type: none"> ■ Building consents can be obtained from either a private certifier or the local council. |
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8 // Professional determination of most applications

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| <ul style="list-style-type: none"> ■ The Development Consent Authority is a panel of five members appointed by the Minister. ■ DCAs are the sole consent authority for most DAs. | <ul style="list-style-type: none"> ■ Development Assessment Panels (DAPs) were introduced on 1 July 2011 for all councils. ■ DAPs determine DAs of \$15m or more in the City of Perth, and \$7m or more across the rest of the state. ■ Applicants may elect a panel determination for lesser value DAs. | <ul style="list-style-type: none"> ■ Independent Planning Panels may be appointed - panels are advisory only. ■ Service is administered by Planning Panels Victoria. ■ Minister is responsible for large scale projects and may 'call-in' an application. ■ Planning Application Committee established to work with councils to deliver better planning decisions. | <ul style="list-style-type: none"> ■ Councils must delegate powers to determine DAs to staff, a council DAP or a Regional RDAP. ■ Most DAs are determined under delegated authority by council staff. |
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QLD	ACT	NSW	TAS
<ul style="list-style-type: none"> Most DAs are assessed and determined by local councils. SARA provides for the coordination of state agency referrals and responses. Ministers may 'call in' specific DAs if they are of regional or state significance. There are no independent assessment or decision-making panels. 	<ul style="list-style-type: none"> EPD is the consent authority for most applications. Delegated authority applies within EPD. There are no independent assessment panels in the ACT. NCA has recently appointed a panel of design experts to review major projects. Ministerial 'call-in' powers apply. 	<p>Councils determine most DAs, except:</p> <ul style="list-style-type: none"> Complying development which can be privately certified Regionally significant DAs (over \$20m) which are determined by a Planning Panel State significant matters which are assessed by the Department and determined by a Planning Assessment Commission 	<ul style="list-style-type: none"> Most DAs are determined by local councils. The Planning Commission has authority for projects deemed to be of regional or State significance.
<ul style="list-style-type: none"> Public notification is required only for a proposal requiring impact assessment or a 'preliminary approval'. Notification is undertaken by the applicant. 	<ul style="list-style-type: none"> Notification of a merit track DA is stipulated in P&D Act. Impact DAs require major notification. 	<ul style="list-style-type: none"> Notification policies vary across councils. Statutory provisions apply to 'designated' and 'advertised' development. 	<ul style="list-style-type: none"> Notification for S.57 discretionary assessments is prescribed. Generally this requires a 14-day notification involving a newspaper advertisement, site notices and direct neighbour notification.
<ul style="list-style-type: none"> Private sector involvement in compliance or DA assessment is non-existent. 	<ul style="list-style-type: none"> Building certification mainly; role now includes determining whether a house is 'exempt'; issuing building approvals for exempt houses; and issuing approvals for site works. 	<ul style="list-style-type: none"> Applies mainly to building matters and 'complying development' which combines both a planning and building approval in the one process. 	<ul style="list-style-type: none"> A current Draft Bill aims to allow for accredited private practitioners to assess 'low-risk' and compliant residential use and developments.
<ul style="list-style-type: none"> DAs are determined by assessment managers which is generally at the local government level, unless 'called in' or within a SDA. There are no independent assessment or decision-making panels in Queensland. 	<ul style="list-style-type: none"> EPD is the consent authority for most DAs. Ministerial 'call-in' powers apply for significant DAs. There are no independent assessment or decision-making panels. 	<ul style="list-style-type: none"> Most DAs are determined under delegated authority by council officers. The Joint Regional Planning Panels determine regionally significant matters. The Planning Assessment Commission determines state significant matters. 	<ul style="list-style-type: none"> Delegation generally applies to council-determined DAs if no objections are received. Called in applications are assessed by a Panel to advise the Commission's determination. Major projects, as declared under Part 3 of the <i>State Policies and Projects Act 1993</i>, are assessed by the Commission for the Government's determination, requiring parliamentary consent.

State-by-state comparison matrix // Development assessment principles continued

NT	WA	VIC	SA
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9 // Applicant appeals

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| <ul style="list-style-type: none"> ■ Applicants may appeal a refusal or conditions, or if the consent authority has not determined a DA within 12 weeks. ■ Appeals are lodged with the Lands, Planning and Mining Tribunal. | <ul style="list-style-type: none"> ■ Applicants can seek internal reconsideration of WAPC decision within 28 days. ■ Applicants can appeal DA decision to SAT. | <ul style="list-style-type: none"> ■ Applicants can appeal a refusal (within 60 days). ■ Applicants can also appeal if a planning application is not determined within 60 calendar days. | <ul style="list-style-type: none"> ■ Applicant appeals to the court are available against a refusal to grant a consent or to the conditions attached to the consent. |
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10 // Third-party appeals

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| <ul style="list-style-type: none"> ■ Third party appeal rights apply only to residential zones unless the land is adjacent to or opposite a residential zone. ■ Also apply only to those persons who made submissions on a DA. | <ul style="list-style-type: none"> ■ No third party appeal rights apply. | <ul style="list-style-type: none"> ■ Objectors or affected persons have 21 days after a decision is made to seek a review through VCAT. | <ul style="list-style-type: none"> ■ Third party appeals are limited to those persons who lodged a valid representation with respect to a Category 3 application. |
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Recent and ongoing or proposed reforms

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| <ul style="list-style-type: none"> ■ NT Planning Commission commenced operations in 2014. ■ New Draft Darwin Land Use Plan has recently been exhibited and is expected to be released soon. ■ NT Strategic Plan is under consideration. ■ New One Stop Shop measures introduced for booking meetings and Pre-DA advice procedures. ■ Concurrent Application process introduced for joint consideration of rezonings (scheme amendments) and DAs. | <p>Broadscale local government reforms (i.e. amalgamations) are currently being discussed, having been publicly debated and reported.</p> <p>Proposed new planning reforms will include:</p> <ul style="list-style-type: none"> ■ Continued review of Model Scheme Text ■ Concurrent amendment of region schemes and local planning schemes ■ Allow sub-regional structure plans to amend regional plans ■ Streamline structure plan process ■ Standardise delegations of local government DAs ■ Refine the role of Development Assessment Panels | <ul style="list-style-type: none"> ■ New Standard Zones introduced in 2013. ■ VicSmart class of projects qualify for 10 day permit. ■ General Act amendments introduced in 2 stages (July and October 2013) – VCAT procedures; new Planning Application C'ttees; planning scheme content and process; strategic assessment guidelines. ■ Development Contributions review commenced. ■ Strategic Development Areas Standard Levy will apply in greenfield areas or other identified locations. ■ Proposed contaminated lands policy reform to improve risk management and redevelopment opportunity. ■ Role of Government Architect is currently being reviewed. ■ Metropolitan Planning Authority created to implement the initiatives of <i>Plan Melbourne</i>. ■ A range of reforms emanating from the Reformed Zones Standing Advisory Committee's review of the new residential zones will be progressed through an upcoming VC Amendment to the Victoria Planning Provisions and planning schemes. | <ul style="list-style-type: none"> ■ Renewal SA, established in February 2012, has powers over defined urban renewal project areas, including the Bowden development, Port Adelaide Waterfront Redevelopment and Woodville West. ■ The Development Policy Advisory Committee (DPAC) was introduced in 2013 to provide independent expert advice to the Minister for Planning on planning matters. ■ Proposed reforms include establishment of a State Planning Commission and Regional Boards. ■ Intended that the Commission will supervise the boards to ensure implementation of broader State and Adelaide strategies. ■ Also intended that the Commission will be able to intervene re non-performing councils. ■ A Citizen Charter is also proposed to provide clear rules about community engagement. ■ A new State Planning Code will link design with zoning – which should help to ensure quality infill development. |
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QLD	ACT	NSW	TAS
<ul style="list-style-type: none"> ■ Applicant appeals apply – merit appeals are heard by Planning and Environment Court. ■ There are no appeal rights against Minister's decision for a 'called in' application. 	<ul style="list-style-type: none"> ■ Applicants can appeal a Code track DA within 20 days. ■ Merit and Impact DAs - 30 days if no submissions or 45 days if submissions received. 	<ul style="list-style-type: none"> ■ Applicants can request that the council review its determination of a DA in lieu of a court appeal. ■ Appeals are to Land and Environment Court where mediation processes apply. 	<ul style="list-style-type: none"> ■ Applicants can appeal a council decision to a Tribunal within 14 days of notice.
<ul style="list-style-type: none"> ■ These are limited to impact assessable applications only – for those that made objections during the assessment period. 	<ul style="list-style-type: none"> ■ Limited to those merit or impact track DAs that went through the major notification process. ■ Schedule 3 of Regulation exempts certain matters from third party appeals, e.g. development on land in the city centre, a town centre or an industrial zone. 	<ul style="list-style-type: none"> ■ Apply to 'designated development' only. ■ Third parties may appeal under S.123 if due process is not followed. 	<ul style="list-style-type: none"> ■ These are limited to 'discretionary' applications only and to those who made a S.57 response.
<ul style="list-style-type: none"> ■ State Planning Policy (SPP), established December 2013, to simplify and clarify matters of state interest in land use planning and development. ■ In July 2013, SARA was launched to streamline agency responses for DAs. ■ SPA was amended by the <i>Sustainable Planning (Infrastructure Charges) and Other Legislation Amendment Act 2014</i> to streamline the operations and assessment of the state's long-term infrastructure framework. A new Infrastructure Planning and Charging Framework now guides a consistent approach to infrastructure charging. ■ The draft legislation is focussed on 'prosperity' as an object of planning endeavour; provide a single dictionary; remove process and detail into the Planning Regulations and revise the current SPPs. 	<ul style="list-style-type: none"> ■ The ACT Planning Strategy was adopted in June 2012. ■ Variation 306 to <i>Territory Plan</i> - residential, estate development and leasing codes commenced July 2013. ■ <i>Territory Plan</i> is currently being reviewed. 	<ul style="list-style-type: none"> ■ New Planning Bill deferred at Lower House on 28 Nov 2013. ■ Review of Exempt and Complying Development SEPP – now includes secondary dwellings, group home developments and broader range of developments. ■ Continued roll-out of Standard LEPs - most councils have new LEPs. ■ Coal Seam Gas Exclusion Zones + SEPP (Mining, petroleum production and extractive industry) introduced 2014. ■ Planning for and release of Urban Activation Precincts and continued releases of precincts within the NW and SW Growth Centres. ■ Local Development Performance Monitoring Report (released March 2014). ■ SEPP 65 review commenced (October 2014) – design guidelines for apartment buildings. 	<ul style="list-style-type: none"> ■ A Planning Reform Taskforce has been established to provide the government with advice on key planning issues. ■ An Amendment Bill will allow transition the State's 29 Interim Planning Schemes to a single state-wide scheme. ■ The Bill will provide for a simpler process for amending planning schemes, introduce shorter assessment timeframes for permitted uses and higher appeal fees for some third parties on discretionary permits. ■ A second legislative package for late 2015 will advance new state policies. ■ The draft Capital City Plan is currently being finalised by the Commission. ■ A new body, Infrastructure Tasmania, is proposed – to provide a coordinated approach to the planning and delivery of all major Tasmanian infrastructure.

06

APPENDIX D
SURVEY
SNAPSHOTS

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Who were the 1,000?

To supplement the workshops and individual interviews that have informed the 2015 Report Card, a questionnaire on the practice of development assessment was circulated amongst the membership of the Property Council of Australia, industry and local and state government.

Over 1,000 responses were received from property and planning professionals across the country, primarily from those engaged in a private industry capacity – developers or builders and property consultants.

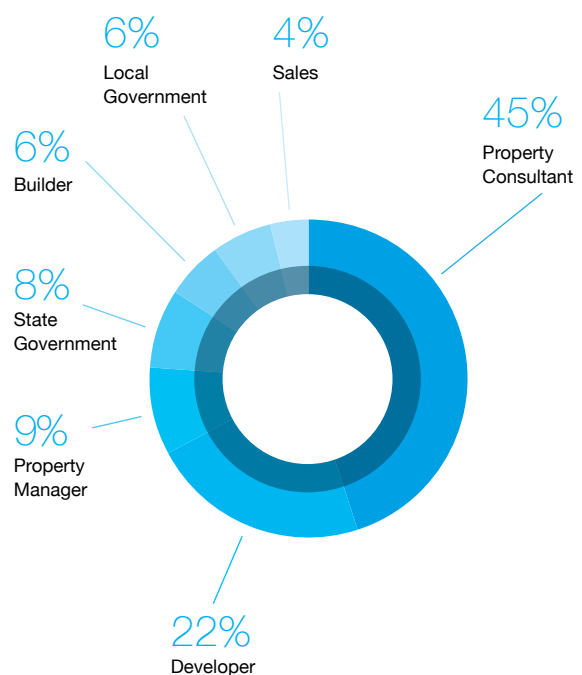
The responses received have shed new light on what those who regularly engage with planning and development assessment frameworks think about the systems within which that assessment is conducted.

The responses detail the positive and negative qualities, what the culture of planning practice is like, and what characteristics might make for an improved assessment framework in each jurisdiction.

The survey responses largely support the ‘ground-up’ feedback and research that has informed this year’s Report Card.

State and territory-specific responses to the national survey are documented in the respective chapters.

Survey respondents

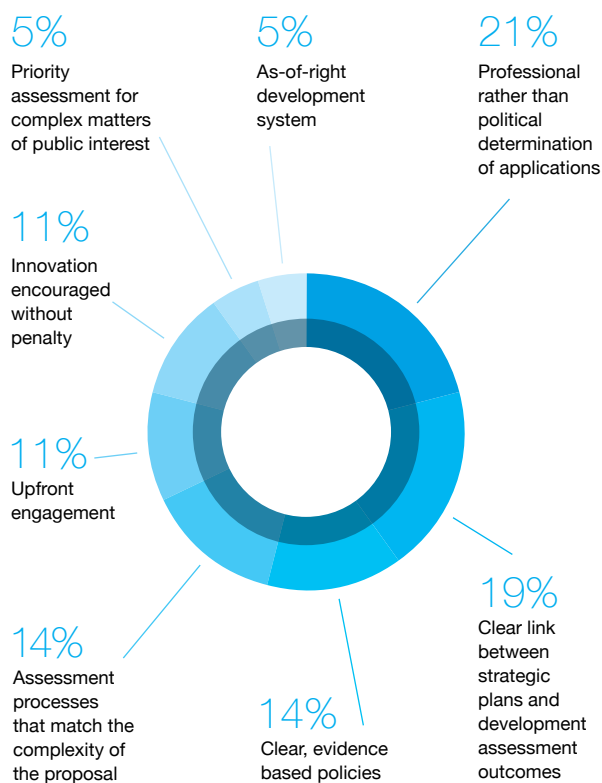


What makes an effective planning system?

The makings of an effective planning system, saw most respondents favour:

- Professional determination of applications
- Clear links between strategy and development assessment
- Clear, evidence-based policies
- An assessment process that was commensurate with the complexity of the project being assessed

Key attributes to effective planning systems

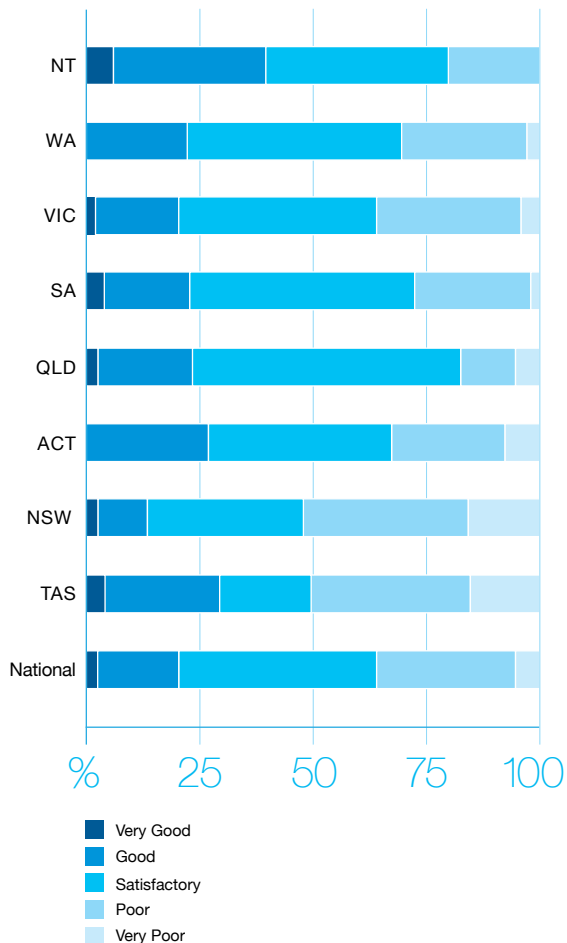


In particular, the survey sought respondents' views of the development assessment leading practice principles, planning system structure and policy frameworks.



Planning system structure ratings //

How do you rate your state or territory planning system structure or framework?



The New South Wales and Tasmanian planning systems were ranked 7th and 8th respectively overall in the 2015 Report Card. 50 per cent of respondents in these two states considered the planning system to be 'poor' or 'very poor', with both recording around 17 per cent 'very poor' ratings.

Northern Territory (1st ranking), Western Australia (2nd) and Queensland (equal 5th) received the least 'poor' or 'very poor' ratings.

Queensland and South Australia (equal 3rd) had greater than 50 per cent of their users indicate that the system was 'satisfactory' which is positive as it provides a platform for future reform.

Northern Territory received the highest 'very good' rating percentage from users followed by South Australia and Tasmania.

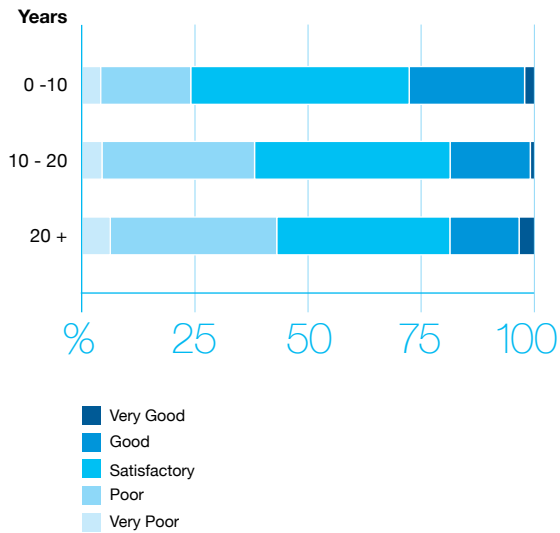
Tasmania, which saw 50 per cent of users rate the system as 'poor' or 'very poor', also had a proportion of users who seem to have overcome the barriers faced by most to enable them to use the planning system effectively and provide a 'very good' rating.

ACT system users are the most evenly balanced across all responses which reflects the mid-table ranking of its planning system overall (equal fifth).

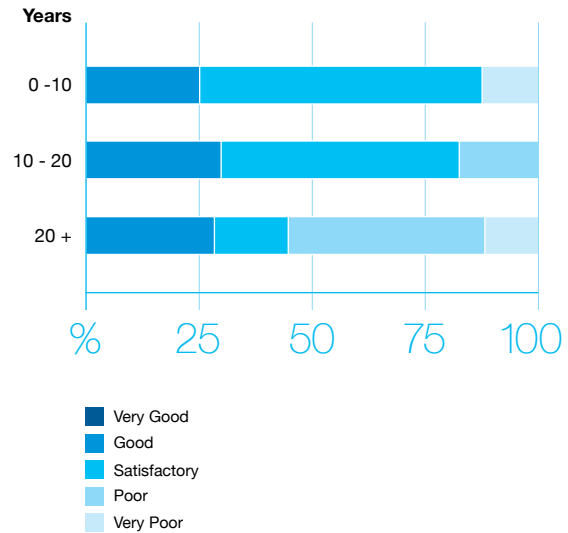
As a note of interest from the survey, across the country the longer users work with planning systems the less satisfied they are. This is somewhat counterintuitive as those who have more experience of the system would ordinarily be expected to be better able to navigate it. Specific differences were evident for different jurisdictions.



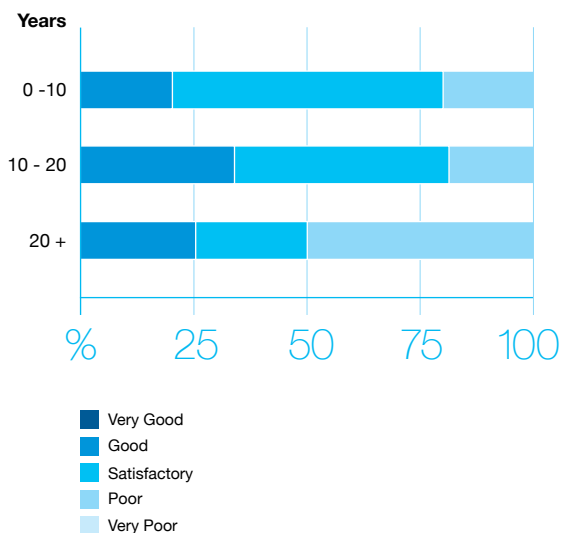
How do you rate your state or territory planning system, by years of practice?



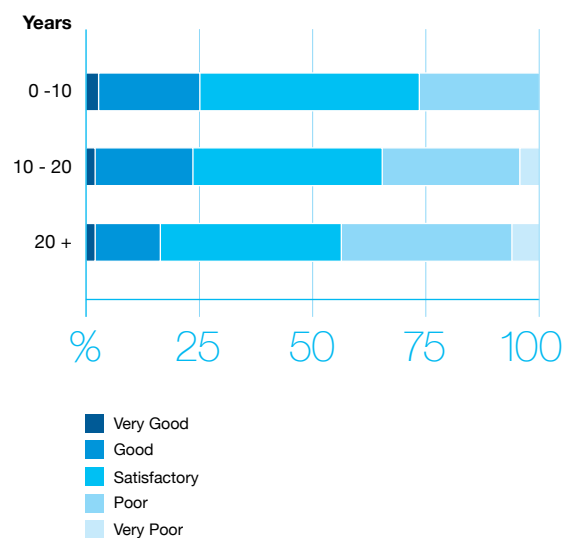
ACT // How do you rate your state or territory planning system structure or framework?

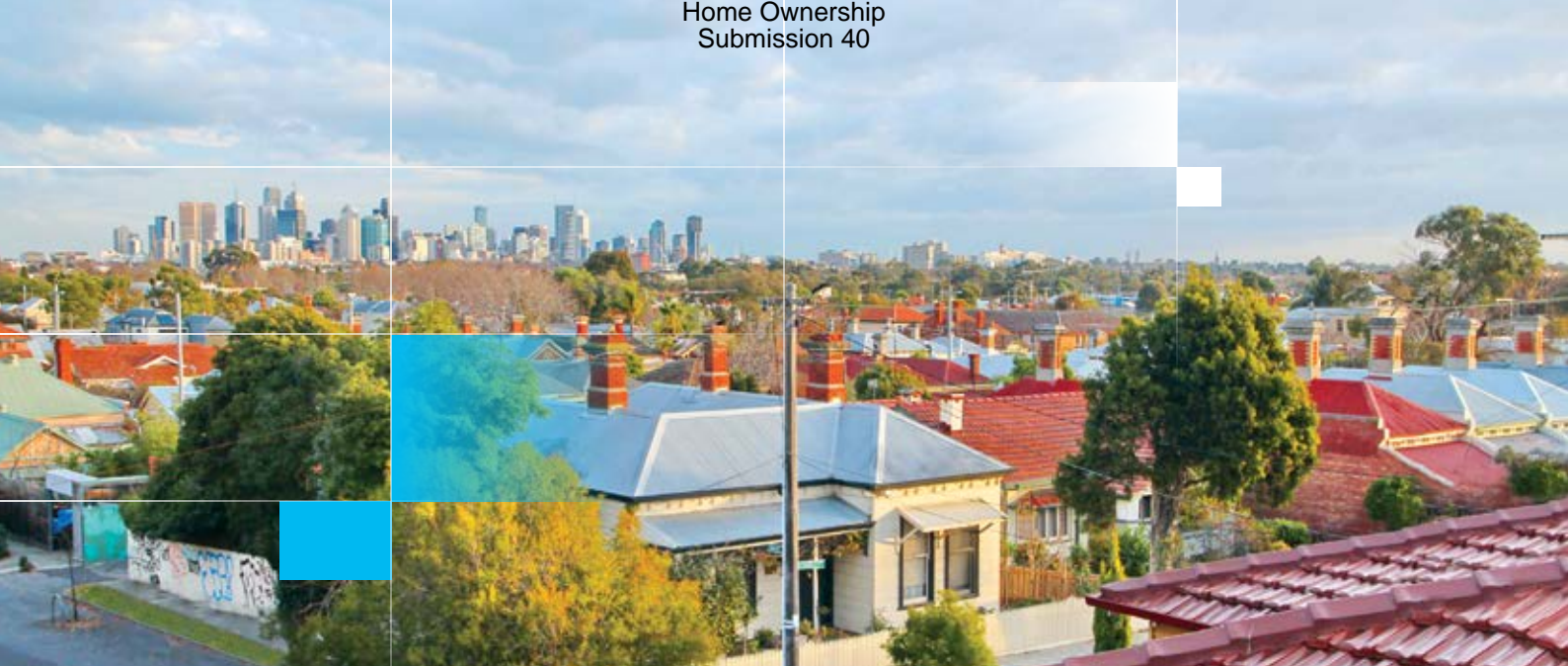


NSW // How do you rate your state or territory planning system structure or framework?



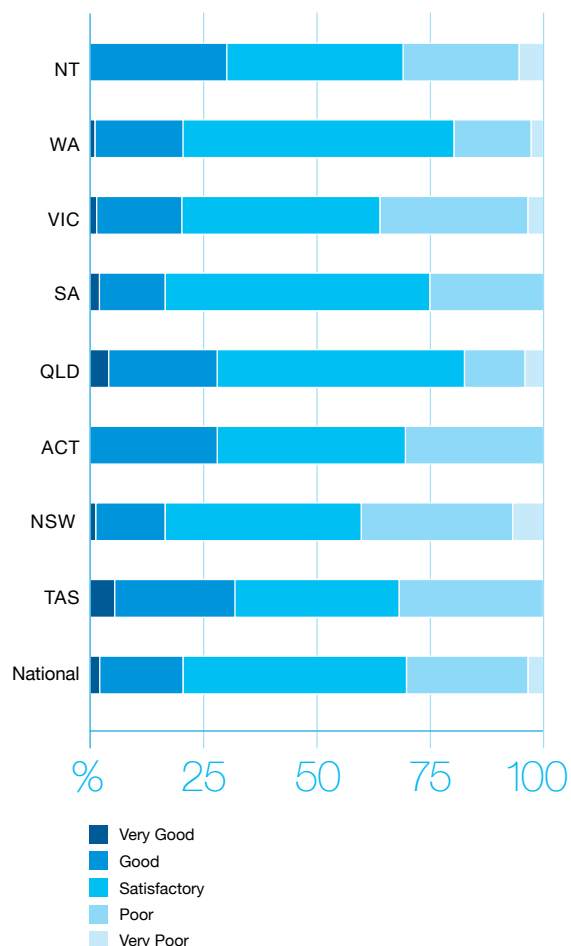
VIC // How do you rate your state or territory planning system structure or framework?





Policy framework ratings //

How good is the state or local planning policy framework at delivering fair and reasonable development assessment outcomes?



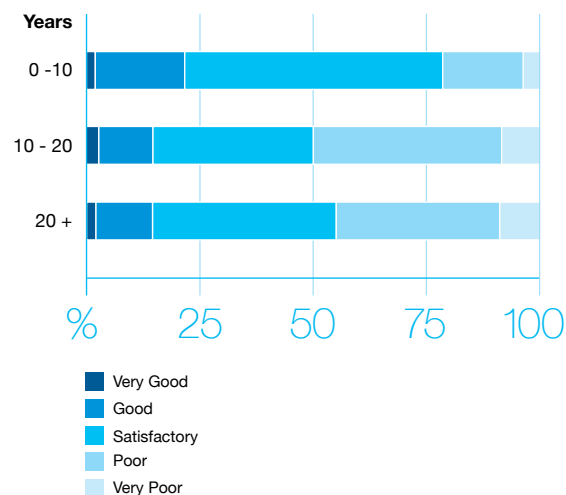
Planning policy frameworks were rated favourably for Queensland, Western Australia, ACT and Northern Territory respondents.

New South Wales, Victoria, Tasmania, and ACT users rated their planning policy framework as 'poor' or 'very poor'. For Victoria, it appears that the 'on the ground' users are yet to perceive significant benefits from planning policy framework improvements that are in the pipeline.

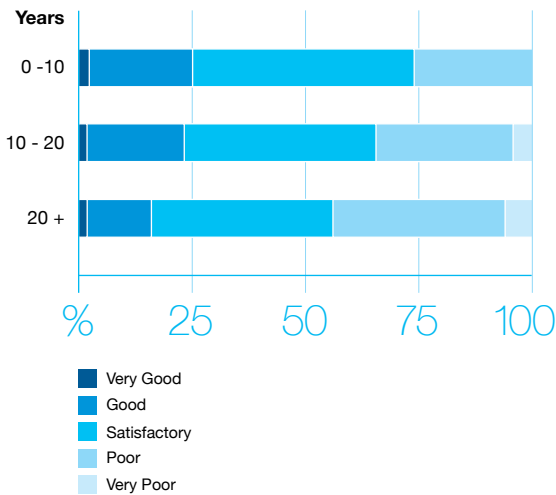
Frustration primarily stems from the perceived or actual politicisation of the development assessment process, largely through the involvement of elected council representatives.

Notably, the longer that people had worked in the industry the less enamored of the system they seem to become.

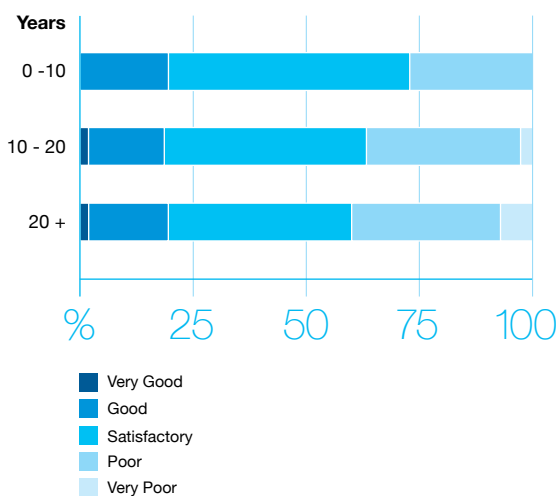
NSW // How good is the state or local planning policy framework at delivering fair and reasonable development assessment outcomes?



ACT // How good is the state or local planning policy framework at delivering fair and reasonable development assessment outcomes?

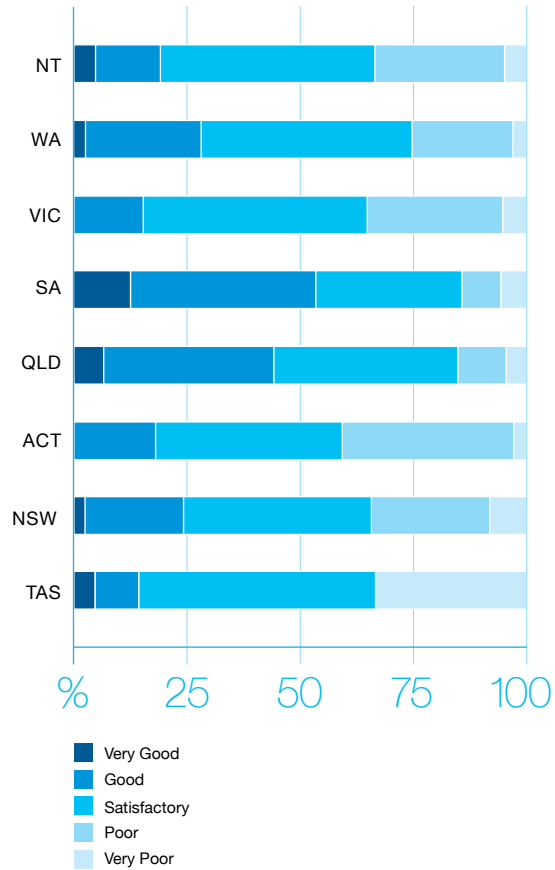


VIC // How good is the state or local planning policy framework at delivering fair and reasonable development assessment outcomes?



Planning Reforms Views //

How do you rate the announced reforms in your state or territory?



Interestingly, there were quite mixed results when users were asked about the announced reforms in their jurisdictions. South Australian respondents appeared to be the most optimistic, while Victorian and ACT respondents appeared less so.

South Australia and Queensland were rated the highest in terms of the reforms underway.

Australian Capital Territory reforms were seen by 38 per cent of users as 'poor'.

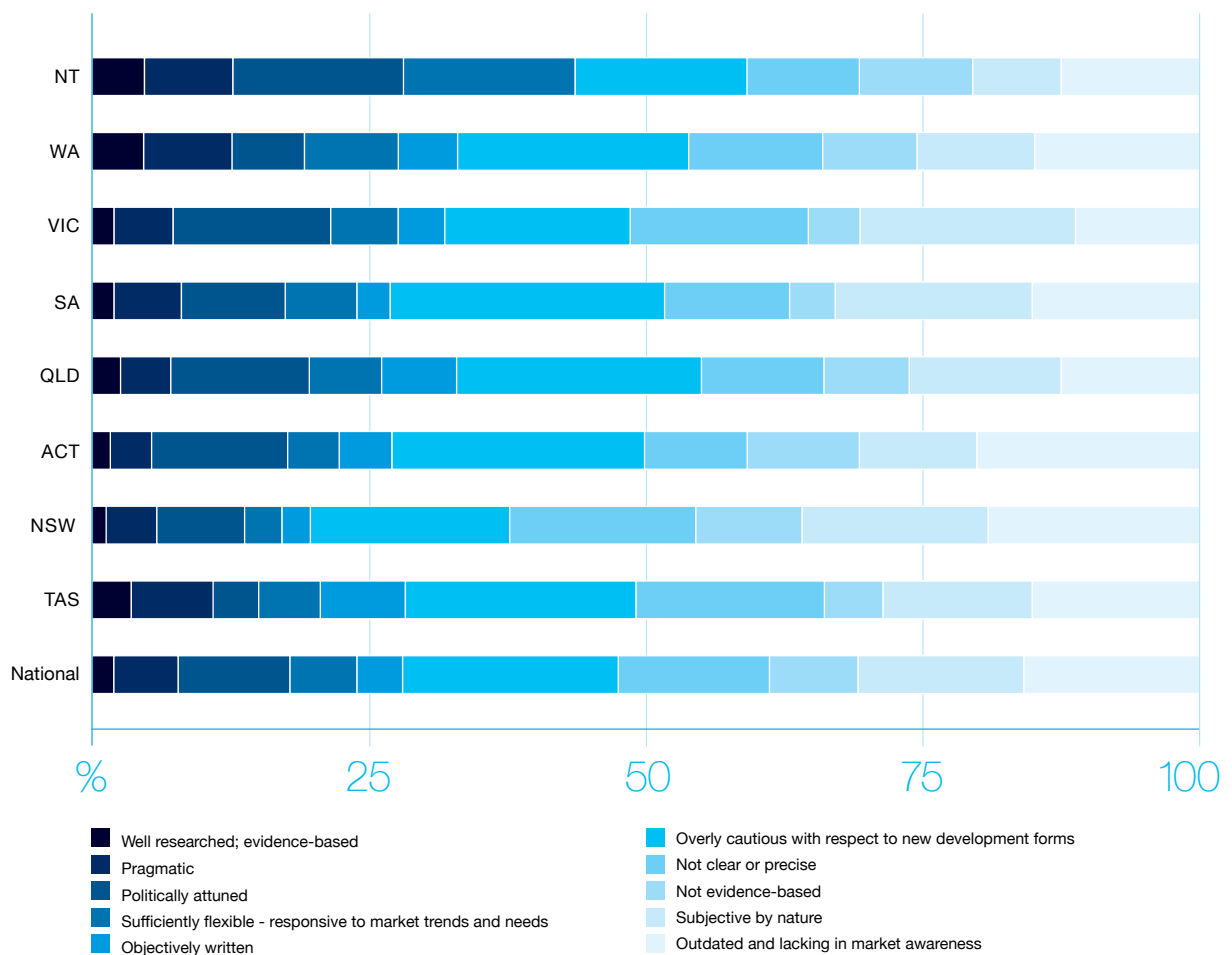
New South Wales reforms received the highest 'very poor' rating across all jurisdictions, which reflects frustration at the lack of progress on key issues such as much-needed legislative reform and local government consolidation.

Tasmania, which is a little over 12 months into its reform process, is seen as satisfactory to the largest degree however there is a general view that the 'rubber needs to hit the road' where planning is concerned.

GENERAL OBSERVATIONS

Characteristics of planning systems //

Which of the following statements best characterises
your state or territory's planning system?



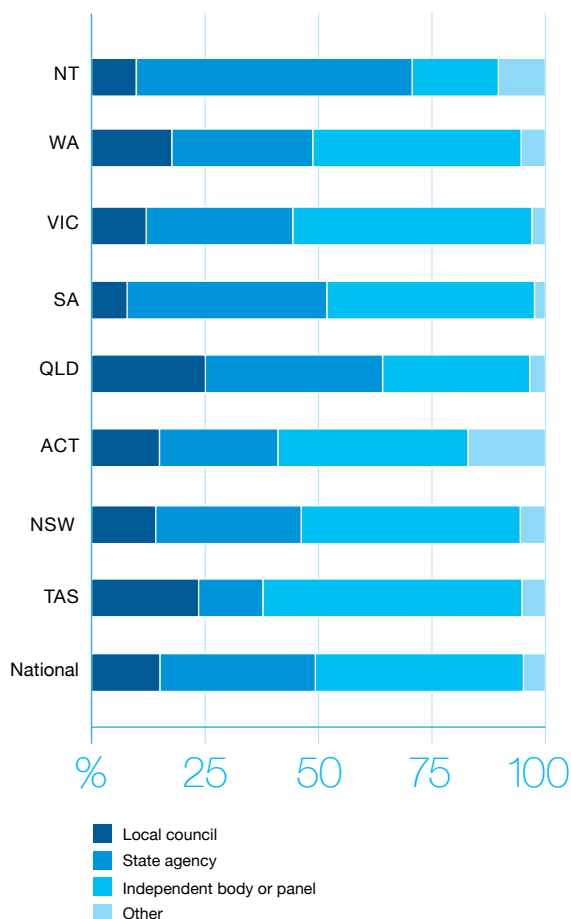
The largest characteristic observation made by users related to all planning systems being overly cautious in relation to new development forms.

Northern Territory, Western Australia and Victoria were seen as being reasonably flexible to market trends, politically attuned, pragmatic and well researched evidence based systems. To the contrary New South Wales was rated the lowest in these characteristics.

There was a general observation that planning systems are outdated and subjective by nature.

Interest in independent panels //

For complex matters, who would you prefer to deal with?

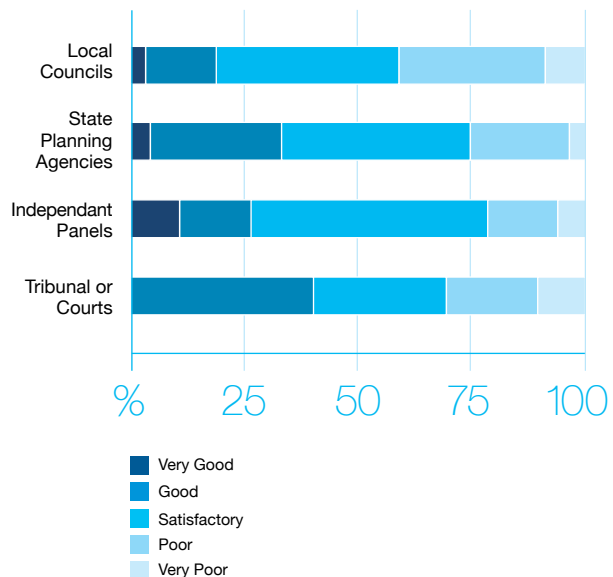


In relation to complex matters, the majority of respondents expressed a clear preference to deal directly with an independent panel or a state agency. With most user respondents being multi-jurisdictional or having dealt with independent panels, their experience with these bodies has been positive.

This supports the workshop feedback that the development assessment process should not be the place at which policy arguments are made, but rather should be a more depoliticized process with clear and objective decision making.

Interestingly, when asked about the culture of the planning organisation that they have dealt with, respondents scored state agencies and independent panels the highest. The culture of local councils and the court or tribunal bodies generated a more polarised response.

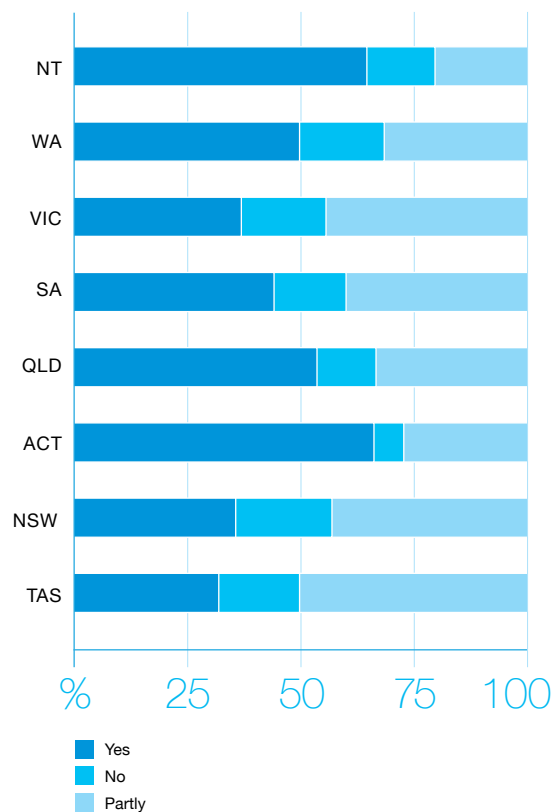
Which level of government do you interact with most for planning approvals? ...and how do you find the 'culture' of this approval authority with respect to your dealings?



IT innovation //

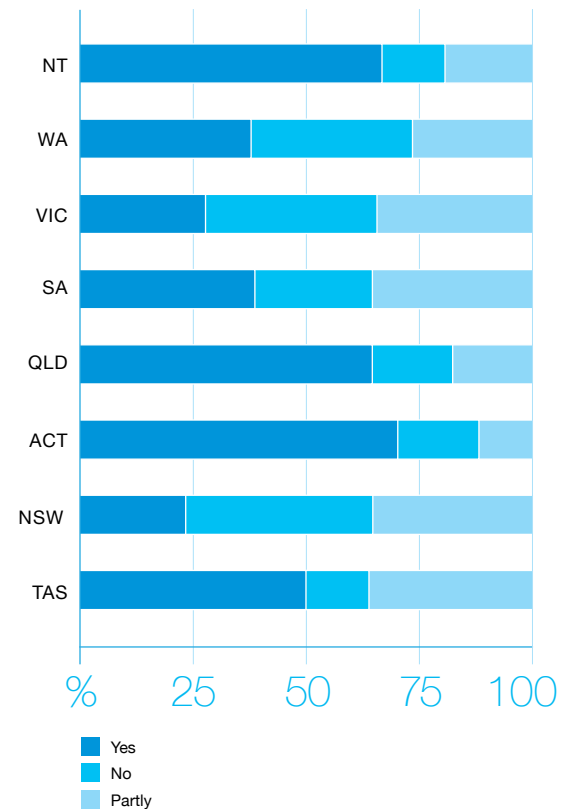
In relation to the availability of e-planning services and whether this enabled applications to be lodged on-line, the following responses were received.

Are you able to access the necessary information to compile your application or proposal on line?



Clearly, the Northern Territory and the ACT are leaders in terms of compilation and lodgement. Queensland's services also ranked highly. Despite the continuing trend toward online and electronic business globally, some jurisdictions have clearly not kept pace with respect to development assessment processes.

Are you able to lodge your proposal electronically?



Ongoing survey updates //

Although the DA Report Card review is undertaken every three years, there was an interest expressed from survey respondents as well as participants in the face to face round table consultations to carry out the survey on a more frequent basis.

Conducting the survey between reports will provide ongoing feedback to governments and to users themselves about the reform progress underway. It will also help to ensure that reform momentum is maintained.

Ultimately it will be industry users themselves who bring about more efficient planning systems in conjunction with all levels of government through the sharing of information and data.

As this DA Report Card recommends, more data is needed from local government to measure and improve the performance of planning systems. Improved reporting of DA reform progress is as important as those measures relating to the applications themselves.

Better reporting of local government efforts in meeting their land use planning objectives will also inform future updates of the DA Report Card, to build confidence and to make the systems better for users.





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