

15 March 2018

Development Control Policies 1.1, 1.2, 1.7, 2.5 and 5.1

DCP Review

Department of Planning; Lands; and Heritage

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Perth WA 6001

Via email: info@dplh.wa.gov.au

To whom it may concern

Development Control Policies 1.1, 1.2, 1.7, 2.5 and 5.1

Thank you for the opportunity to provide feedback in relation to the above draft Development Control Policies. The Urban Development Institute of Australia (UDIA) WA is the peak body representing the property development industry in Western Australia. UDIA is a membership organisation with members drawn from the residential, commercial and industrial property development sectors. UDIA members include both private and public sector organisations. Our industry represents approximately 12.3% of Western Australia's Gross State Product, contributing \$30.45 billion annually to the Western Australian economy and \$251.7 billion nationally. As well as helping to create sustainable and liveable communities, the industry employs a total of 228,500 Western Australians and over 2 million Australians across the country.

UDIA notes that the draft Development Control Policies (DCP) 1.1, 1.2 and 1.7 are generally consistent with the current versions of the policy and therefore the Institute offers limited comment in relation to these policies. These comments are included in the attached table. However, more substantial changes are proposed to DCP 2.5 and 5.1 and the Institute is concerned that these have been progressed without an appropriate stakeholder consultation process. These policies lack clarity and should be carefully reviewed to ensure consistency with the wider planning framework before they are adopted. Feedback regarding specific aspects of DCP 2.5 is also included in the attached table, however the Institute has substantial concerns regarding the content of DCP 5.1 and recommends that the draft policy be withdrawn and a working group established to guide its revision.

Development Control Policy 5.1

The Institute is deeply concerned by the content of the draft Development Control Policy 5.1. The draft policy represents a significant departure from the existing policy and it is our understanding that it has been developed without any industry consultation. The policy is inconsistent with a range of legislative and policy documents and is fundamentally flawed by the narrow focus of its objectives which focus entirely upon improving the flow of traffic with no regard given to other relevant planning considerations. As State Planning Policy 1 sets out the general principles for land use planning and development, which are derived from the State Planning Strategy 2050, with "*the primary aim of planning is to provide for the sustainable use and development of land.*" To achieve this six key

principles are identified which include considering factors affecting the community, economy, environment, infrastructure, regional development and governance. The draft policy does not consider all of these principles. The policy's narrow focus on road safety and movement efficiency means that broader community, economic and environmental imperatives are compromised. Furthermore, as SPP1 states "*provisions higher in the hierarchy generally prevail over provisions lower in the hierarchy*". Therefore, as a lower order planning document, it is imperative that the draft policy is consistent with the provisions of the wider planning framework.

To address the draft policy's flaws, the Institute recommends that the draft policy be withdrawn and a technical working group established to properly guide the policy review process with appropriate representation from all stakeholders including the development industry.

The Institute appreciates the Department's efforts in engaging with the development industry on this issue. Should the Department require any assistance or further information regarding this matter, the UDIA would be delighted to assist. Please do not hesitate to contact me at cgreen@udiawa.com.au or 9215 3400.

Yours sincerely



Chris Green
Acting Chief Executive Officer

DC Policy 1.1 Subdivision of Land – general principles	
Section	Comments / Recommendations
3.8.2	This section should also provide reference to the provision of the Residential Design Codes.
DC Policy 1.2 Development Control – general principles	
	The policy provides no reference to Development Assessment Panels and should offer clarity as to the role of these panels in the determination of development applications
DC Policy 1.7 General Road Planning	
3.8	The requirement to provide pedestrian access ways with a width of 8 metres is excessive, considerably wider than the draft Liveable Neighbourhoods laneway requirement of 6 meters. The Institute recommends that the minimum width requirement should be removed and access ways should be assessed against the other criteria listed alongside the accessibility of the footpath design.
DC Policy 2.5 Special Residential Zones	
3.1.2 f)	The statement that land adjacent to highways “should be avoided and planned for in structure plans” is contradictory. The policy intentions should be clarified.
3.2.3 a)	The Institute queries why the provision of a reticulated water supply is a requirement. Development proponents should be required to demonstrate that they are able to provide an appropriate water supply rather than a reticulated supply.
b)	Greater clarity is needed regarding when recreational open space is considered ‘desirable’. Regard should also be given to the density of population.
c)	A definition and/or greater clarity of ‘unobtrusive’ road networks should be provided.
e)	The policy should provide clarity on the definition of a ‘major road’ and guidance as to an ‘adequate distance’ from a road reserve.
f)	Given the policy’s claim that this type of development is ‘less efficient’ when compared with conventional subdivision, it is unlikely that special residential development will result in the need to widen ‘main roads’.
g)	Greater clarity regarding the definition of ‘main frontage’ is required.
h)	As per the previous comment, the availability of reticulated power supply should not be a consideration, rather proponents should be required to demonstrate a reliable and appropriate power supply, i.e. solar and battery storage.
4.1 b)	Setbacks should be from boundaries, not only ‘the road’.
c)	The statement “that permitted uses should be confined to those which are consistent with maintaining the amenity of the residential environment” is ambiguous and needs to be clarified.