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Dear Elyse

Draft Planning Engagement Toolkit

Thank you for the opportunity to provide feedback on the draft Planning Engagement Toolkit and for your recent presentation to UDIA WA's Planning Committee. The Urban Development Institute of Australia (UDIA) WA is the peak body representing the property development industry in Western Australia. UDIA is a membership-based 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 10.1% of Western Australia's Gross State Product, contributing \$27.8 billion annually to the Western Australian economy and \$270.5 billion nationally. As well as helping to create sustainable and liveable communities, the industry employs a total of 205,100 Western Australians and 2.023 million Australians across the country.

General Comments

UDIA WA welcomes the establishment of the Planning Engagement Toolkit to better guide and assist those undertaking community engagement as part of the planning process. UDIA supports the Toolkit's intent and in particular, the aim of facilitating a better understanding of community issues and how these can be addressed by planning. However, we have a number of concerns regarding the Toolkit, and without further modifications to resolve these concerns we cannot support the Toolkit. To help address these concerns and as part of the finalisation of the draft Toolkit, we encourage the Department/WAPC to establish a technical/ industry advisory group to ensure appropriate stakeholder engagement.

Despite its aim and the intent that the Toolkit will be used by the community *'to understand where proposals fit into the overall framework and how they can participate'*; the advice contained in the Toolkit is primarily aimed at planning practitioners with very little guidance detailing how *'proposals fit into the overall framework'* provided. Without this providing this clarity, UDIA is concerned that the community and local government may misunderstand and potentially incorrectly interpret the Toolkit, which in turn may undermine trust in planning outcomes. To help resolve this, it is important that the Toolkit is clear about its planning status as guidance only, and as such it remains optional with the provisions of local planning schemes prevailing over its content.

Typically, community members will only become involved in land use planning at the final, development assessment stage if they feel directly affected by a development proposal. Furthermore, the community often fail to understand what aspects of a particular development proposal are compliant with the provisions of a local planning scheme and what aspects of a proposal require discretion. Yet despite this, it is not clear whether the feedback analysis contained in Appendix C includes development applications (DA's) and without further context and any reference to the

provisions of local planning schemes, UDIA is concerned that the use of the terminology ‘*Likely Level of Consideration*’ may misguide community expectations of planning outcomes and development decisions. In turn local governments may also misinterpret the Toolkit and/or be influenced by this misguided community feedback. To overcome this UDIA recommends expanding the Toolkit to include examples of best practice community engagement at each planning/development stage and guidance setting out what constitutes a valid planning/development consideration at every stage in the statutory planning process, from strategic planning through to development assessment. Importantly, this guidance should be clear and recognise that planning aspects/details previously resolved following consultation should not be repeated at a subsequent planning stage. For example, where a local planning strategy has been advertised, at the DA stage the same aspects do not necessarily apply, or where a proposal consistent with previously consultation outcomes, the consultation should not repeat these.

Similarly, although *Step 5 - Learn and Outcome*, of the engagement strategy development process, notes that in considering feedback, it is important to consider “*whether the views of some stakeholders may not be particularly valid*”, UDIA suggests that a greater emphasis should be placed on ensuring the community are better informed of the aims and objectives of the consultation and what feedback constitutes a valid planning consideration at each development stage.

Section 4.2 details how the Toolkit should be used and states that the “*Toolkit can also be used to guide mandatory consultation requires... and in these circumstances, it may be suitable for only certain elements of the Toolkit to be utilised*”. However, it is not clear what this means in practice and under what circumstances, which elements of the toolkit may or may not apply.

Recommendations

- A technical/ industry advisory group is established as part of the finalisation of the draft Toolkit.
- The Toolkit is clear about its planning status as a guide only, and local planning schemes provisions prevail.
- The Toolkit includes examples of best practice community engagement at each planning/development stage and guidance setting out what constitutes a valid planning/development consideration at every stage in the statutory planning process.
- The Toolkit be clear that planning aspects/details previously resolved following consultation should not be repeated at a subsequent planning stage.
- Greater emphasis is placed on ensuring the community are better informed of the aims and objectives of public consultation.

Should the Department require any assistance or further information regarding these comments UDIA would be delighted to assist, please contact Chris Green, Director Policy and Research at cgreen@udiawa.com.au or 9215 3400.

Yours sincerely



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