

Serious Gaps in a failing Urban Planning system in Western Australia.-

(Executive Summary).-

i.) Local Planning Schemes are being approved by WAPC/DoP based on inappropriate criteria to facilitate and ensure that Creative 21st Century standard Urban Design/ Planning is accomplished in Western Australia and must be urgently changed with the overall System re-configured.

ii.) Appropriately skilled professional oversight for output of creative urban design and development quality assurance is misapplied or absent.

iii.) The WAPC prematurely publicises functional zones and sites before they have been assessed on location for actual relevance and practical feasibility. Extensive Land price inflation is indirectly facilitated by this procedure but not researched.

iv.) Public 'community engagement' for what is being planned as their future living context, is seriously neglected and the systems of communication for that purpose hopelessly outdated and irrelevant to current circumstances.

v.) Five examples of obvious Planning System failure over the past decade are listed.

vi.) The 'Green Growth Plan' perpetuates those failures and further advances the shrinkage of urban open space and needless destruction of mature landscapes with their proven microclimatic value.

vii.) In a Footnote a method of repositioning of DAPs is suggested, combined with an associated change to the role of some Local Authority Councils regarding authority for Local Planning approvals.

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A serious gap exists in the WA Planning System particularly concerning the interface between the WAPC and Local Authorities. Much of the current heated debate about DAPs is for instance 'unfocussed hot air' because the main sets of protagonists, the Local Authorities and WAPC/ Department of Planning (*and Commercial Developers*) miss the primary point.- Both the inputs and outcomes of an orderly and proper Urban Design and Planning system should be managed in the public interest as an integrated creative people-focussed professional activity, but that just isn't happening currently in WA.

While this superficial 'power-play' continues interminably, each set of protagonists lose sight of the fact that they do not have a monopoly of 'righteousness'. They are all 'public servants' in one form or another and do not at present engage the public effectively, or adequately manage their respective sectors of the system to achieve 21st century outcomes

but rely upon legislation that is simplistic, hopelessly inflexible and unresponsive to contemporary international urban design development standards.

(People and communities are being short-changed).-

The losers are the people and communities who, distracted as they are with ever more complex technologically dominated individual and family lives, have trusted these 'public servants' to manage creation of their future living spaces and surrounding environmental conditions both natural and man-made, because there is no other option.

(The current functional realities).-

For instance, Local Authorities are required to submit 'Local Planning Schemes' for approval to the WAPC, but most of those are really little more than outlined diagrammatic zones with copious text that is together not capable of being perceived in three-dimensions, or directly related to the real opportunities for creative interpretation of human needs in building form.

Many Local Authorities then seem to believe that so long as they have that WAPC approval covered by those 'Local Planning Schemes', they an adequate guide to themselves (Councillors) and commercial developers on Local Urban Planning decision-making. But they certainly are not.- In fact they are barely advanced conceptually at all at the local level, beyond 'high-level' infrastructure distribution in future 'Directions' suggested by the WAPC/DoP.

(No skilled professional oversight to ensure quality control of local urban design in planning).-

Furthermore, the WAPC/ DoP do not now use professional staff teams with the full range of analytical and creative vision to assess those 'Local Planning Schemes: They don't assess how they will relate to development on specific sites: They don't assess the social aspects of communities being planned-for; but only assess those LPS in terms of broad planning Legislation so far as it currently exists and managed by the WAPC. (That 'Planning' legislation is *primarily framed to fairly balance various competing interests, but is absolutely inadequate to even get close to securing and managing creative urban and suburban Planning outcomes that the community needs and is entitled to expect for the future.*)

('High- level' guidance misplaced).-

The WAPC/DoP continually insists in publications that they engage only in 'high level' planning and offer 'guidance'. But that usually has minimal or no regard for what then happens at the local level where all urban development actually occurs. Yet, for example, they unwisely publicise and pre-determine simplistic zones effectively giving premature locational guidance to commercial developers. They in turn use that signal to seek out and pre-purchase sites and land, but before real on-site conditions have been professionally

assessed or considered at a local level by anyone for any purpose. An important side issue of that, disadvantageous to the public, has been the huge local land price 'mark-up' facilitated by this inappropriate advance-notice, that is not being monitored. (*Ref. 1 below)

(Commercial interests, intentionally or not, are afforded undue priority over public interest by the way the system currently operates).-

Obviously commercial interests afforded that prior opportunity, gain a premature advantage and leave both State and Local Government 'public service' entities unable to control or even fairly arbitrate outcomes with initiative to do so now lost. Threat of appeal to the SAT (State Administrative Tribunal) by commercial developers, frequently based on only the supposedly authorised but simplistically determined crude zoning in Local Planning Schemes being complied-with, then leaves Local Authorities (ratepayers) exposed to expensive legal defence to sustain.

Future Creative Urban Planning cannot be sensibly managed by WAPC/ DoP approving Local Planning Schemes.- as at present.-

Furthermore, most small and mid-size Local Authorities apply the simplistically WAPC 'approved' Local Planning Schemes on the basis of in-house advice from Statutory-only trained Planning Officers, inevitably only from the perspective of existing Legislation where it exists. That legislation is of course as stated above, by no means adequate to guide the promotion and assessment of creatively conceived comprehensive urban development locally.

For instance development within complex community-serving multi-functional urban activity zones such as 'Village' or 'Town' Centres should surely not commence without a properly researched, professionally created overall comprehensive and visually coherent concept plan, as a basis upon which individual development proposals can be assessed (including by the community).

So unless local Authorities somehow employ full teams of professionals capable of guiding and assessing creative urban development on the sites within their localities; and most of them, particularly the smaller and suburban ones don't; approvals and outcomes are very rarely creative balanced comprehensive development - suited either to future community needs or to the particular features of individual site locations.

*(However, there are alternatives worthy of consideration by WAPC.- e.g. In the latter cases independent creative Urban Design Planning Team input could be provided by WAPC /DoP, (on application), accrediting urban design team consultancies, or some similar teams being directly employed by the Department of Planning.) (*Ref.2. below)*

(Public engagement is essential for Local Urban Planning).-

Regarding Community Engagement (obviously vital to Planning future living frameworks for real people), Local Authority Councils are currently allowed to set their own policies on this without any independent oversight as to the actual outcomes from them, thereby being a 'law unto themselves'. Indeed even ignoring the community input altogether if so minded !

While that may be marginally tolerable regarding the majority of basic Services that Local Authorities provide, that clearly has no place in securing orderly and proper process when applied to Urban Design Planning to create homes, living and community environments for People.

Genuine community engagement is essential for creating relevant future living environments that are intended for people and communities, since the form and function of urban planning will certainly be primary determinants of both their personal investments in homes and quality of their future individual and collective community living conditions .

Obviously, in future clear assurance of genuine interactive community engagement should be made subject to independent review by the State Government via the WAPC and be an essential component of any permission given to a Local Authority to approve Planning applications, other than perhaps minor alterations and additions to existing premises.

Therefore, logically and reasonably in the above context, Local Authorities that fail to ensure genuine community engagement as part of the urban planning process, should not be permitted to engage in Urban Design Planning Approvals at all, but be limited only to providing comment .

(Failure of Local Authorities to communicate appropriately in the present day real-world).-

At present many Local Authorities operate a minimal practice of placing notices of 'invitation for public comment' in local community newspapers, hopefully drawing attention to outline descriptions of proposed projects on their website, and maybe a notice placed somewhere on the proposed site. That is however, absolutely unacceptable as genuine 'public engagement' for development projects that will involve alterations or make any sort of contribution to living, working and community living conditions. (*Ref.3 below.)

Also, with that superficial procedure, the few comments received are not summarised independently (and often never read by Councillors) but usually by the internal staff who also previously drafted the summary content of their view and tested only against the (minimal qualitative assessment) approved by WAPC -that has previously applied only legislative criteria to evaluate 'Local Planning Schemes.' - Hence often no independent professional urban design planning input is made anywhere at all.

That leaves lay-person Councillors making planning approval decisions with no creative professional urban design planning basis upon which to make them. Also leaves commercial

developers to use their own Consultants and to pick and choose what aspects to emphasise in the briefing of them. Naturally since profitability is their essential business, overall long-term community benefit is not an issue for them as their involvement is very short-term. (* ref. 'Footnote' -DAPs)

(Some Examples that demonstrate current Planning System failure).-

The poor overall quality of development outcomes throughout the Perth and Peel Region, include *widespread wasteful Urban Sprawl; *large scale destruction of unique local biodiversity; *unreasonably escalated cost of land; * uncoordinated ad hoc urban building grouping with no definable safe public realm; and *suburbs that take years to acquire sufficient social infrastructure. All are symptoms of Planning System 'Gaps' in WA.

Future of a better managed relevant Urban Planning System?

The existing Planning System, where actual results are delivered locally, has therefore become vaguely managed, discontinuous, poorly coordinated and out-of-date compared with the future rapidly changing social and technological urban context it must serve.

Sadly the so called 'Green Growth' Plan, is based on and perpetuating this crude, outdated, partly dysfunctional Urban Planning system, and will multiply even more widely in the Perth and Peel Region, both the mistakes of uncoordinated Urban planning and advance the deliberate destruction of rare indigenous landscapes that have been the essence of 'Place' that was the primary attraction for Settlement of the Swan River Colony.-

It seems that in hot and drying local climatic conditions, the microclimatic cooling effect of established mature vegetation will continue to be ignored and replaced by building on whatever open space can be cleared.

Overall these dysfunctional functional problems lie within the Planning System itself and it is up to all involved, Including Governments of the day, to urgently recognise, locate, identify, confront and resolve these - if Urban Development in WA is to keep abreast of international standards.

Footnote - *(Suggested re-positioning of DAPs).-*

A further constructive initiative to narrow one of the current Planning System Gaps, and also the rising objection to DAPs from Local Authorities as they now operate; could be for DAPs to operate elsewhere in the System. Currently that is only at the end-point at present, i.e. after much time, cost and energy has been expended on producing urban development proposals, (and recently in respect of reduced project capital value).

That would be for similarly constituted professional Panels to assess the content of all Local Planning Schemes by Local Authorities - before being sanctioned by WAPC in terms of permission to Approve local urban development proposals.

That could require Local Authorities, for instance, before being given permission to determine such Local Urban Planning submissions, to demonstrate –

- a) Documented Analyses of - overall local statistical - demographic, environmental , commercial and community development relevance to all areas within their jurisdiction - that are, or are becoming, urban and subject to development.
- b) Engage the services of external professional consultants (Accredited for the purpose by the WAPC) who can provide, on a multi-disciplinary Creative Urban Development Team basis, a sites-based urban design planning service.

Local Authorities that unable to comply with the above, then to be limited to an obligation to be consulted to contribute reliable local context advice, principally on social need and relevance, through an acceptable community engagement process, but not have authority to Approve local Urban Development Planning proposals as they currently do.

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References marked * above -

*1. HIA Research quoted – West Australian Newspaper 29.7.2016 “block sizes shrinking as lot prices grow” - “prices have more than doubled in the last decade and are the second most expensive in the country” behind Sydney.

*2. ‘Planning for People WA’ website (pfpwa.com) - the Paper “Functional Review, Planning Futures WA” - reviews the WA Planning System in some detail, from an informed community perspective.

*3. ‘Planning for People WA’ website (pfpwa.com) - the Paper “Improving Community Planning by Local Authorities” – focuses on communication in a changed techno-advanced community ethos.

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