

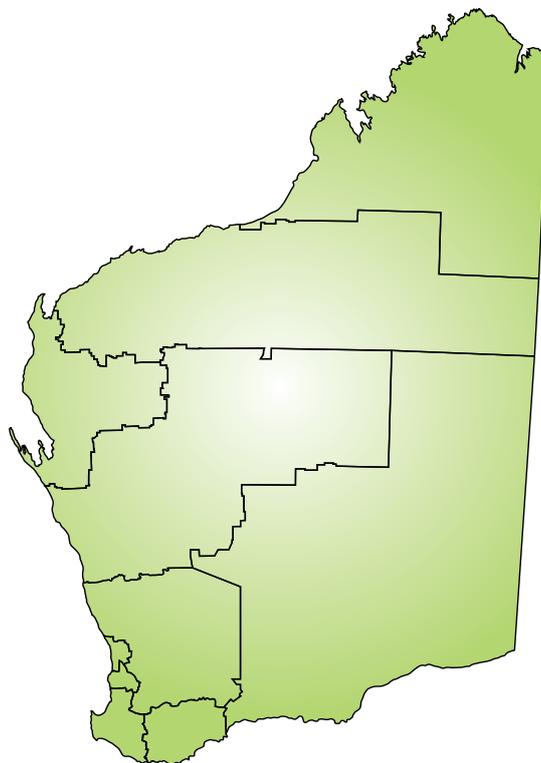


# Guide to the WA Planning System

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for the sport and recreation professional

Sport and recreation builds stronger, healthier, happier and safer communities.



Department of  
**Sport and Recreation**

GOVERNMENT OF  
WESTERN AUSTRALIA



***Guide to the WA Planning System***

***for the sport and recreation professional***

**FEBRUARY 2010**

**1st Edition**

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## The planning system

The Western Australian Planning system coordinates land use and development by balancing a number of potentially competing issues relating to the economy, social and environmental matters. The balancing of the 'triple bottom line' is guided by a series of planning policies, schemes and other statutory processes. The fundamental aim is to develop and sustain a high quality of life for people living within our communities. The two key elements to the planning system are:

### Strategic planning

Long term planning for WA by integrating economic, social, environmental and infrastructure requirements. This is the most critical area to inform from a sport and leisure perspective as it has the potential to secure land and resources to accommodate demands resulting from future growth.

### Statutory planning

The legal approval process which ensures land use, land supply and urban development is effectively managed. The ability to influence outcomes from a sport and recreation perspective at this stage is more limited as development is governed closely by a raft of legislation and regulations that would have evolved from the strategic planning process.

The principle town planning legislation is laid out in the Planning and Development Act 2005.

## Lead proponents within the WA planning system

### The Minister for Planning

The Minister has overall responsibility for planning, lands, transport and roads. The Minister is also responsible for the production of State Planning Policies that guide development and land use in association with local and regional planning strategies and schemes.

### The Western Australian Planning Commission (WAPC)

The statutory authority with state wide responsibilities for urban, rural and regional land use planning and land development matters. The WAPC responds to the strategic direction of government and is responsible for the strategic planning of the State.

### The Department of Planning (DoP)

Provides professional and technical expertise, administrative services and resources to advise the WAPC and implement its decisions. The WAPC has responsibility for decision-making and a significant level of funding while the department provides the human resources and professional advice. The DoP and WAPC have commenced a comprehensive and strategic reform to improve the land use planning processes and the approvals system in Western Australia. The WAPC delegates some responsibilities to the department including decision making on subdivisions and Development Applications (DAs) where they comply with WAPC policies and practices.

### Other State Government departments

The role of State Government departments is invariably one of a statutory or non-statutory consultee on all planning matters. They inform the planning process at all levels. They perform a role of advisor to the DoP and WAPC and their involvement will vary from specialist strategic advice (i.e. the long term impact on the environment through Department of Environment (DEC) and Department of Water (DoW)) to site specific infrastructure (i.e. the ability for existing and planned infrastructure to cope with an increase in population through departments such as Main Roads WA and The Water Corporation). The Department of Sport and Recreation (DSR) may be invited to respond to a planning proposal as a non-statutory consultee.

### State Administrative Tribunal (SAT)

The arbiter in appeals against decisions to refuse planning approval. The SAT is an independent body that is required to take account of State Planning Policies when determining appeals and reports to the Minister for Planning.

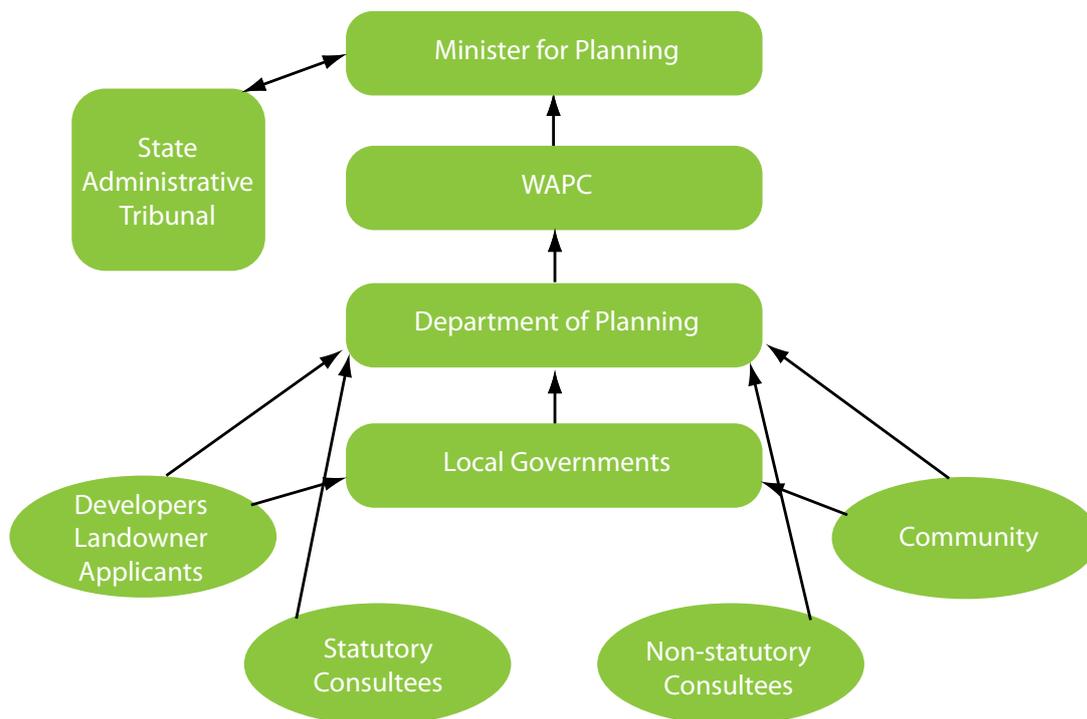
### Local government

Responsible for planning their local communities. They prepare and administer local planning schemes and strategies. Schemes must be reviewed every five years.

### Developers, land owners and applicants

Responsible for providing schemes for development on land owned by their clients or themselves in accordance with strategic planning guidance and State Planning Policies. Where development is proposed, the developer, landowner and applicant is responsible for ensuring that development is safe and suitable for use for the purpose for which it is intended, and provide evidence to that effect. The WAPC, DoP and local government in consultation with a wide range of agencies and individuals will ultimately determine whether land is suitable for a particular development.

## The planning process - lead proponents



## Principle planning documents

### State Planning Strategy

Published in December 1997, it provides a vision for the future of Western Australia up to 2029.

### State planning policies

State planning policies are prepared and adopted by the WAPC under statutory procedures set out in the Planning and Development Act 2005. The process of preparing a state planning policy also includes public consultation and consideration by the Minister for Planning and the Governor General.

### Planning bulletins

Planning bulletins canvass proposed policy changes or highlight information about the WAPC and DoP practices on a variety of planning matters.

### Region schemes

Region schemes are large town planning schemes for defined areas. They set out the planning rules for zones and reservations, which are shown on the maps in their respective colours and patterns. Local government town planning schemes are required to provide detailed plans for their respective parts of the region which must be consistent with the region scheme.

### Metropolitan Region Scheme

The Metropolitan Region Scheme (MRS) has been in operation since 1963. The scheme area stretches from Singleton in the south to Two Rocks in the north and east to The Lakes.

### Peel Region Scheme

The Peel Region Scheme (PRS) has been in operation since March 2003. The plan area includes the local government boundaries of the City of Mandurah and the shires of Murray and Waroona.

### Greater Bunbury Region Scheme

The Greater Bunbury Region Scheme (GBRS) has been in operation since November 2007. It stretches from Lake Preston in the north, Peppermint Grove Beach in the south, eastwards to the Darling Scarp, and covers the City of Bunbury and the shires of Capel, Dardanup and Harvey.

From time to time the scheme text and/or maps of schemes are amended to provide for the changing circumstances and needs of the region.

### Development control policies

The WAPC's operational policies sit within a structure established under the State Planning Strategy and Statement of Planning Policy No.1 State Planning Framework. The policies are reviewed regularly to ensure accuracy and consistency.

## Local planning schemes

The Planning and Development Act 2005 empowers any local authority within the State to prepare a local planning scheme with the general objective of securing suitable land use and development and for the purposes outlined in the Act. A local planning scheme consists of a scheme map(s) and scheme text supported by a local planning strategy. A scheme map zones land for particular purposes. The scheme text prescribes the uses which may or may not be permitted in the various zones through the means of a zoning table, and establishes standards and conditions controlling the use and development of land in different zones. The local planning scheme provides the statutory framework within which future amendments may be considered. The local planning strategy is at the core of, and explains, the local planning scheme proposals and sets out the way land is to be developed.

Local government may include primary schools, and local parks in a scheme reserve, which then must be reserved for that purpose. It may also include special controls that are important to the community. It is important for the sport and recreation professional to be involved during the scheme preparation process to ensure the needs of community infrastructure are adequately represented. The schemes are ultimately approved by the WAPC following representations made by the local government.

## Policy development

Developed and implemented by the WAPC and local government. They are more flexible than statutory provisions and assist in ensuring decisions are consistent. They may be made under the provisions of the local planning scheme and have significant weight in the appeal situation.

## Structure plans

They provide a framework for the coordinated provision of services, infrastructure, land use and development.

### Regional structure plans

Strategic plans which establish a broad framework within which the region or sub-region will develop. They are prepared by the DoP in conjunction with local governments for WAPC approval.

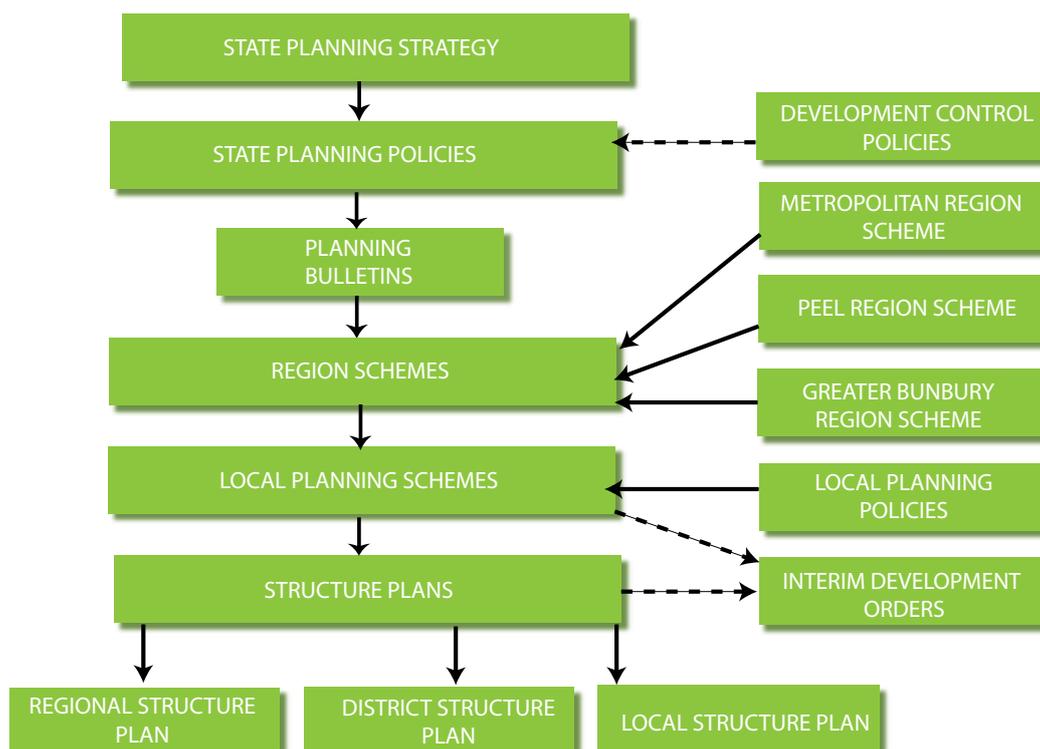
### District structure plans

Provide the detail of the general pattern of land use in a particular part of the region. They will identify the location of community facilities and open space. They are prepared by local governments in consultation with the DoP.

### Local structure plans

Provide more specific detail on the proposed pattern of land use for an area. They will provide specific detail on pedestrian and cycle networks, public open space and community purpose sites. They may be prepared by the landowner or local government and approved by the WAPC.

## Principle planning documents and their relationship



## Interim development orders

Put in place through agreement between the WAPC and local government to secure the protection of existing amenities and guide future development in the absence of a formally approved plan or scheme.

The WAPC and local governments must have 'due regard' to the provisions of State planning policies when preparing or amending local planning schemes and when making decisions on planning matters. The State Administrative Tribunal is also required to take account of State planning policies when determining appeals.

## Commonly used planning terminology

The following list represents the most commonly used terms within the planning system with direct relevance to the sport, recreation and leisure professional.

### Activity centres

The traditional focus for services, employment and social interaction in cities and towns. They are where people shop, work, meet, relax and often live. Activity Centres are usually well served by public transport, but range in size and intensity.

### Brownfield

Refers to land that has previously been developed but is abandoned or underused, usually considered as a potential site for redevelopment. It may or may not be environmentally contaminated but invariably will require remediation work to be undertaken to bring it back into use.

### Bush Forever

Initially introduced in 2000 and subsequently in 2004 supported by State Planning Policy 2.8 (Draft), Bush Forever is about 'Keeping the bush in the city'. Defined areas are representative of regional ecosystems and habitats, and play a central role in the conservation of Perth's biodiversity. 51,200 hectares of regionally significant bushland were identified for protection on the basis of criteria relating to its conservation value, covering 26 vegetation complexes.

### Connectivity

The degree to which networks such as streets, railways, walking and cycling routes, services and infrastructure, interconnect. A highly connected place will have many public spaces or routes linked to it.

## Developer contributions

Contributions made by a developer to help improve the infrastructure (roads, open space, waste-water treatment etc) to remedy the impact of development, either by paying money for work to be carried out or by directly providing facilities or works either on or off-site.

## Greenfield development

Development on land that has not been previously developed.

## Infrastructure

Refers to the basic physical systems required to facilitate the development of an area including roads, utilities, water, sewerage, open space, community buildings and sport facilities.

## Land use planning

The branch of public policy that encompasses various disciplines seeking to order and regulate the use of land in an efficient and ethical way.

## Mixed use development

The practice of developing a variety of uses in a building, buildings or urban centre. This provides several different, but compatible and interdependent, land uses located on the same or adjacent lots for mutual benefit.

## Social infrastructure

Refers to the community facilities, services and networks that help individuals, families, groups and communities to meet their social needs, maximise their potential for development and enhance community wellbeing.

## Spatial planning

Goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programs that influence the nature of places and how they function. The current move to a spatial planning system in Western Australia (through the joint WAPC and DoP publication Directions 2031) provides an exciting opportunity to develop a planning system with a creative and dynamic function. This will present opportunities to place community infrastructure at the forefront of the decision making process.

## Sport oriented development (SOD)

The creation of comprehensive sport and recreation infrastructure that attracts a variety of complementary mixed uses (retail, residential and industrial) requiring high quality public transport provision to adequately service the development.

## Sustainable development

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

## Sustainable community

Places where people want to live and work, now and in the future. Sustainable communities meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

## The built environment

The structures and places in which we live, work and play, including land uses, transportation systems and design features.

## Transit oriented development (TOD)

The creation of compact, walkable communities centred around high quality public transport.

## Zone/zoning

The division of metropolitan and non-metropolitan areas into a defined land use. In essence the system of categorising land uses as prohibited, requiring consent or not requiring consent within particular areas.

# Areas of influence for the leisure professional

This section details the planning system in WA and the areas of particular interest where the Leisure Professional could get engaged in the development of strategy, policy and decision making.

## The planning system

### Planning legislation

The legislative framework is laid out within the Planning and Development Act 2005 and is subject to modification and review periodically. State planning policies which support the Act are also subject to consultation and review. It is important for the leisure professional to be aware of these and where possible influence their evolution. This can be undertaken either through DSR representation and/or through a comprehensive local government response generally instigated by the relevant planning department. In addition, the Western Australian Local Government Association (WALGA) will respond and advocate on behalf of local government.

## Local planning

State planning policies are interpreted at the local level and it is here where the local government leisure professional can have the greatest influence. The most important aspect for consideration by the leisure professional is the potential impact such policies will have on the protection, provision, enhancement and rationalisation of sport and recreation facilities. The key questions that should be addressed in the development of strategic plans, local plans, structure planning and policy development at local planning level are:

- Has there been a robust assessment of the need for sport and recreation facilities providing a sound evidence base to gauge existing and future demand? Reference should be made to the Needs Assessment and Decision Making guides produced by DSR.
- Is there suitable cross-referencing to DSR advice such as Sports Dimensions Guide for playing areas, asset management and lifecycle guidance, which can assist in delivering and sustaining better quality facilities?
- Has there been a consideration of where developer contributions might be best employed to advance the interests of sport and recreation as part of measures to protect, enhance and develop new facility provision?
- Is there appropriate recognition of the role that sport and recreation contributes to the development of the community across a range of issues?
- Is there sufficient information provided to secure the development of appropriate community facility infrastructure?
- Where land is identified for sport and recreation development, is the land suitable for such purposes? For example, are there any environmental constraints which may have an adverse impact on its use?
- Does the plan, strategy or policy document provide sufficient clarity on the development of community infrastructure to facilitate early negotiation to ensure that final plans truly reflect community needs and aspirations?

It is useful to develop an ongoing checklist of infrastructure requirements as they emerge in the day-to-day business operations which should be underpinned over time with needs assessments and consultation with interested parties.

## State planning

It is critical to be engaged with policy development to promote the interests of sport and recreation at both state and local government level within the planning process. Sport, recreation and leisure can be used to help deliver a range of policy aspirations including health and education improvement, assist in reducing crime and create employment.

The gradual emergence of a spatial planning system offers an opportunity to enhance sport and active recreation, as the focus is on the development of sustainable communities for the future. With the strategic reform being undertaken by the DoP and WAPC there is now the prospect of delivering a more effective planned approach to the provision of facilities, and in doing so adding value to the work of others and helping to deliver aspirations for sustainable development.

### Involvement at State planning level

This is most appropriately undertaken through formal local government channels in contributing to a consolidated corporate response and via representation through DSR. It is important to raise similar questions to those referred to in 5.2 above through the State level planning process.

Currently there are a number of State planning policies of particular relevance to the leisure professional. These include:

- SPP 2.7 Public Drinking Water Source Policy
- SPP 2.8 Draft Bushland Policy for the Perth Metropolitan Region
- SPP 3.6 Developer Contributions

See page 17 for specific reference to SPP 3.6 and its relevance to the development of community infrastructure.

In addition there are a number of development control policies of particular relevance to the leisure professional. These include:

- DC1.2 Development Control General Principles
- DC 1.5 Bicycle Planning
- DC 2.3 Public Open Space in Residential areas
- DC 2.4 School Sites
- DC 5.3 Use of Land Reserved for Parks and Recreation
- DC 5.4 Advertising on Reserved Land
- DC 6.1 Country Coastal Planning Policy
- DC 6.3 Planning Considerations in the Metropolitan Region for Sources of Public Water Supply and Sensitive Water Resource Areas

## Subdivision and development

The WAPC determines subdivision. Where it forms part of a project of reasonable size, the preparation of a concept plan will also be required.

Opportunities will be provided to comment on the concept plan, but it is important to influence the development of the plan prior to referral during a formal public consultation process. The WAPC has the discretion to approve a subdivision at variance with a local planning scheme; therefore close scrutiny of potential changes is essential.

### Enforcement

The responsibility to enforce local planning schemes and conditional approvals rests with local government. Failure to adhere to a requirement of a planning scheme and conditional approval can be subject to legal action against the developer/landowner. It is important to provide community infrastructure and developer contributions (see page 17) as required under the planning scheme or approval to ensure that the sport and recreational needs of the community are adequately provided for as a population expands.

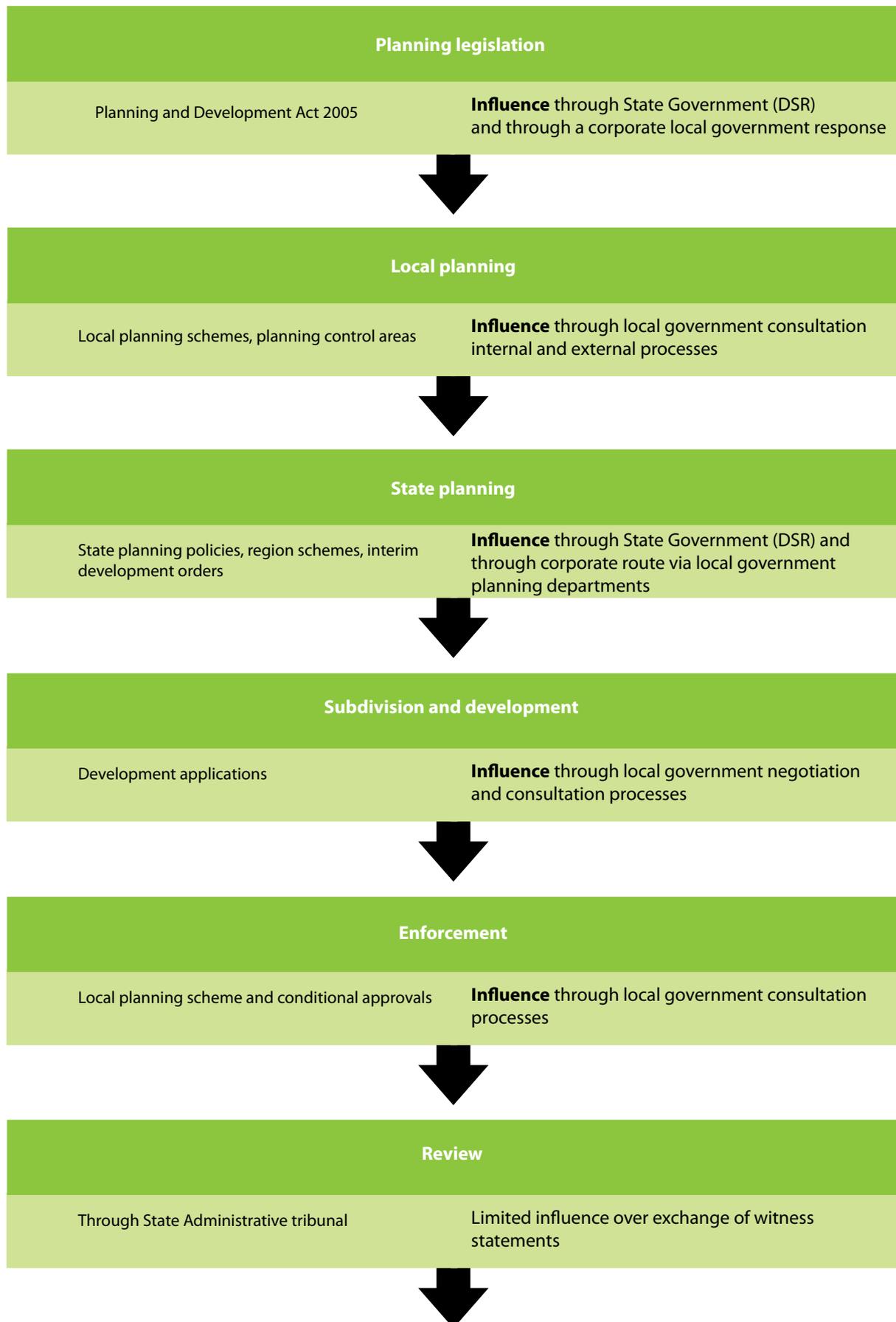
### Review

Where an applicant considers the responsible authorities' decision is not acceptable, they may apply to the SAT for a review within 28 days of the decision. At this stage the only potential involvement of the leisure professional would be in supporting the decision of the responsible authority by submitting statements in support of the decision. The review decision replaces the original decision of the responsible authority, therefore it is essential to ensure a robust case for development of and financial contribution for the desired sport and recreation infrastructure is made.

## Subdivision approval process and intervention stages



## The WA planning process and potential stages of influence for the leisure professional



## Region schemes

With the announcement on 5 May 2009 by the Minister for Planning in establishing new Regional Planning Committees and the publication of the Draft Spatial Framework for Perth and Peel in June 2009, the role of regional and sub-regional planning will become more important in establishing the long term vision for future growth. The evolving regional plans and schemes will be significant in ensuring that adequate land is made available for a variety of development requirements.

At regional and sub-regional scales, there is the opportunity to address strategic matters relating to sport and active recreation, particularly as part of the wider delivery of a range of aspirations that contribute to the quality of life of the area concerned. In particular, the following aspects will need to be incorporated within regional schemes:

- **The contribution of sport and active recreation.** Ensuring that the wide benefits of sport and active recreation and its contribution to environmental sustainability, community safety, local economic viability, quality of life, health and education standards is recognised within the long term spatial vision and strategy for the regions and sub-regions.
- **Protecting and enhancing sport and recreation resources.** Where a demonstrable need is identified, encouraging the designation and protection of future areas for sport which are of sub-regional, regional, national or international importance.
- **Promoting the protection and enhancement of existing sport and recreation infrastructure.** Particularly strategic open space and green infrastructure, including the protection of existing strategic recreation routes, networks or corridors where need has been satisfactorily demonstrated.
- **Encouraging the protection and enhancement of existing strategic sports facilities.** Those existing facilities that provide sporting opportunities of sub-regional, regional or national importance across all communities and meet a proven need.
- **Rationalising and investing.** Where existing facilities are no longer adequate or no longer required, to rationalise and secure appropriate funds for alternative recreation facilities that meet contemporary and future emerging needs.

The following table identifies the general objectives of a regional or sub-regional plan or scheme (left column) and the questions to be raised by the leisure professional (right column). If the questions raised are not suitably addressed within the draft regional plan or scheme, it is the responsibility of the leisure professional to ensure that these are addressed through formal local government channels and representation through DSR.

OBJECTIVES OF REGION OR SUB-REGIONAL PLAN OR SCHEME	DOES THE PLAN OR SCHEME ...
Provides a guiding vision that reflects regional identity	Set out a vision that includes the contribution of sport and active recreation to regional identity and/or quality of life?
Sets out objectives and policies	Provide an indication of how specific objectives and policies are based on a clear understanding of sport and active recreation needs and opportunities? It is important that these are founded on a clear evidence base.
Demonstrates connections with other strategies	Demonstrate a clear understanding and relationship with local strategies and plans?
To promote policy integration	Identify the contribution of sport in broader economic, environmental and social objectives such as health improvement or regeneration? Recognise the role of sport and active recreation in attracting visitors to the region?
Encourage regional and local distinctiveness	Identify how sport might contribute to the development of spatial distinctiveness (i.e. what unique offer does the region provide in relation to sport and recreation?)?
Promote sustainable development	Make reference to the contribution sport and recreation can make to the realisation of the aims of sustainable development, such as meeting needs locally?
Pay particular attention to the unique offer of the region	Make links between sport and tourism or sport and education e.g. water-based pursuits, natural features and any related sub-regional distinctiveness?
Address regional or sub-regional issues	Identify the role of sport and recreation in particular locations such as sub-regional growth areas? Identify where strategic sport and recreation infrastructure and open space are to be located and why? Identify sport and active recreation needs and opportunities on a plan?

## Town planning schemes, district and local structure plans

A town planning scheme is the primary statutory planning instrument against which development is guided and controlled in a given area. All land zoned for development under the town planning scheme is required to be supported by a (local) structure plan. The local planning schemes, consisting of plans and text and supported by a suite of policies, should reference sport and recreation facility provision. The purpose of the structure plan is to identify the pattern of development at either a district or local level. District structure plans will cover large areas in multiple ownership and are used as the basis for assessing more detailed local structure plans. It should be noted however that reference to sport and recreation provision is often limited and may not be of sufficient detail to provide clarity on the level of provision required to serve the needs of the existing and emerging community.

The following table sets out a series of prompts to determine whether sufficient reference is made to the development of sport and recreation infrastructure within a town planning scheme, district or local structure plan.

As with the development of regional and sub-regional plans, if the questions raised are not suitably addressed, it is the responsibility of the leisure professional to ensure that these are addressed by making representations to the planning department. It is particularly important to ensure that adequate provision is made for sport and active recreation within growth areas as once the plans have been approved, the ability to secure additional resources is limited.

TOWN PLANNING SCHEMES, DISTRICT AND LOCAL STRUCTURE PLANS	DOES THE DOCUMENT ...
Development priorities	Make reference to the contribution of sport and recreation to the development of sustainable communities and quality of life in the area?
Land use and spatial planning objective	<p>Include reference to sport and recreation in the land use and/or spatial planning objectives?</p> <p>Reference the need to co-locate infrastructure and advocate dual use of provision on school sites where appropriate?</p> <p>Set out the provisions in respect to sport and recreation that will be expected as part of new development?</p> <p>Promote mixed use schemes so that there is an appropriate presence of sport and recreation as part of a balanced community?</p>
Policies	<p>Include supporting policies clearly stating that the aspiration is to protect and enhance existing facilities and develop new ones where appropriate?</p> <p>Allocate land for community infrastructure, sport and recreation provision based on sound evidence?</p> <p>Recognise the role of sport in contributing to a wide range of spatial planning issues such as health promotion, education, crime reduction and quality of life?</p>
Evidence base	<p>Protect, and in appropriate circumstances rationalise, existing facilities and bring forward land to meet community needs in a timely and orderly fashion supported by appropriate financial allocations, including ongoing operational costs?</p> <p>Reference existing strategic planning processes undertaken for the development of community sport and recreation infrastructure?</p> <p>Develop local guidelines for community sport and recreation provision that are sufficient for future population growth?</p>
Developer contributions	<p>Set out the provisions in respect to sport and recreation that will be expected as part of new development, ideally supported by a Developer Contributions Plan?</p> <p>Ensure that any loss of sport and recreation facilities is adequately compensated for through replacement or alternative provision?</p>
Monitoring	Propose monitoring the effectiveness of policy implementation in respect to the protection, enhancement and provision of new sport and recreation facilities?
Design and management	Identify the role of good design and management (such as the co-location of facilities) in helping to deliver more sustainable communities?
Connections to other policy areas	Maximise the contribution to spatial planning objectives in using open space, cycleways, walkways and green space networks?

## Developer contributions - future provision and long term viability

The most critical area for the development, retention and ongoing financial commitment for community sport and recreation infrastructure is developer contribution provisions. Development contribution provisions for standard infrastructure items applied by the WAPC on the subdivision, strata subdivision or development of land is set out in State Planning Policy 3.6 (Gazetted November 2009). It provides a system for local governments to plan and charge for community infrastructure items that are not included in the standard provisions through development contribution plans, and introduces a framework for the requesting of contributions for community infrastructure.

Community infrastructure contributions may only be sought for items that have been identified in a development contribution plan that has been incorporated into a local planning scheme, or otherwise through voluntary agreement with the relevant developer/s. These include new infrastructure, land, upgrade/extension/replacement of existing infrastructure (such other services and facilities for which contributions may reasonably be requested and other costs reasonably associated with the preparation, implementation and administration of a development contribution plan).

Community infrastructure is defined as:

***“the structures and facilities that help communities and neighbourhoods to function effectively, including sporting and recreational facilities, community centres, child care and after school centres and libraries and cultural facilities”.***

Developer contribution plans are only valid where:

- There are clear linkages to the local government’s strategic and financial planning processes.
- Justification for the infrastructure is identified in the development contribution plan and identifies the authority responsible for providing the infrastructure.
- The costs of infrastructure are appropriate (including inflation).
- There is a commitment to providing the infrastructure in a reasonable period of time.
- The area to which the plan applies is appropriate and the proposed location/s identified.
- Cost sharing arrangements are transparent, fair and reasonable.
- There is adequate consultation with the landowners affected and with the wider community.

Development contribution plans for community infrastructure must be supported by:

- A local government community infrastructure plan, identifying services and facilities required over five to 10 years.
- Capital expenditure plan over at least five years (including capital costs, revenue sources and programs for provision).
- Projected growth.
- A methodology for the proportion of costs to be attributed to growth and to existing areas.

Development contributions will be calculated and applied as either standard conditions of subdivision, conditions of development or legal/voluntary agreements.

Developer contributions plans are one of the most important documents for the leisure professional to influence as they will set out the long term contribution required from a developer to facilitate the development of community infrastructure within a given area. It is however critical to develop an evidence base upon which the contribution plan can be based. The most effective of which will incorporate the following:

- Audits and needs assessments of open space and sport and recreation facilities.
- Incorporation of significant cross-boundary issues, particularly relating to facility provision.
- Incorporation of information from other adjacent local government strategic plans.
- A needs assessment that has been undertaken to identify facilities that should be protected and enhanced to serve a growing population.
- The allocation of specific sites for sport and recreation interests based on a needs assessment.
- Where existing facilities are identified for development, consideration is given to financial contributions for the replacement of, or in lieu of, direct replacement provision.
- The provision of sports facilities that have been considered as part of the wider development of community infrastructure, to ensure the use of available resources is maximised and infrastructure is sufficiently flexible to secure its long term viability.





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Department of  
**Sport and Recreation**

Building stronger, healthier, happier and safer communities