

**CONSULTATION OUTCOMES REPORT**

*draft* Structure Plan Guidelines  
**Consultation Outcomes Report**

June 2023

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**Acronyms/Abbreviations**

- Action Plan – Action Plan for Planning Reform
- Department – Department of Planning, Lands and Heritage
- Regulations – *Planning and Development (Local Planning Schemes) Regulations 2015*
- Draft Guidelines – draft Structure Plan Guidelines
- WAPC – Western Australian Planning Commission

**CONSULTATION OUTCOMES REPORT****1. Introduction**

As part of the implementation of the State Government's planning reform agenda, the Department of Planning, Lands and Heritage (Department) has reviewed the current framework for preparing structure plans and developed updated **Structure Plans Guidelines** (Guidelines). The Guidelines apply to the preparation, assessment, and use of structure plans (standard and precinct structure plans).

Schedule 2, cl.16 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) requires structure plans to:

- be prepared in a manner and form approved by the Western Australian Planning Commission (WAPC), and
- include maps, information and any other material required by the WAPC.

To respond to these requirements, draft Guidelines were prepared to:

- set out the Western Australian Planning Commission's (WAPC's) approved manner and form and information requirements for structure plans;
- outline the need and purpose of a structure plan as well as guiding principles, preparation steps and the WAPC's expectations for optimal subdivision and development outcomes; and
- provide templates and additional guidance on certain procedural steps.

The draft Guidelines are to be read and applied in conjunction with the relevant State Planning Policies, specifically State Planning Policy 7.2 – Precinct Design and Liveable Neighbourhoods (currently under review). Once endorsed, the guidance will replace the Structure Plan Framework (2015) and the Interim Precinct Plan Manner and Form (2021) currently in effect.

In developing the draft Guidelines, the Department engaged extensively with key stakeholders to identify priorities for the review and matters that require further practice guidance.

This report provides:

- i. a summary of the: a) preliminary engagement, and b) broad consultation process;
- ii. an overview of the consultation outcomes; and
- iii. recommendations for changes for improvements to the draft Guidelines

**CONSULTATION OUTCOMES REPORT****2. Background**

**Structure plans** are defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) as follows:

- a **standard structure plan** means a plan for the coordination of future subdivision and zoning of an area of land
- a **precinct structure plan** means a plan for the coordination of future subdivision, zoning and development of an area of land

The **Structure Plan Framework** was released in 2016, to provide practice guidance on the preparation of structure plans, while the **Interim Precinct Plan Manner and Form** was released in 2021 to specifically guide the preparation of precinct structure plans. Nonetheless, there is currently confusion around which tool should be used in different situations and a sense that the current processes are not always appropriate for achieving the desired subdivision and development outcome(s), particularly in relation to infill development. This often leads to preparing structure plans that are not fit for purpose or inappropriate use of structure plans, and a proliferation of local development plans.

The need to review the current structure plan framework was identified in the Action Plan for Planning Reform (Action Plan) that was released in August 2019. As a result, this planning reform project was initiated in 2021, to respond to the following goals and initiatives of the Action Plan:

Goal: Planning systems are consistent and efficient

**Initiative C6: Structure planning tools are fit for purpose**

Desired outcome: *The framework for structure plans is improved to ensure the tools are used appropriately and consistently to achieve good outcomes.*

Goal: Planning is easier to understand and navigate

**Initiative B5: Clear and concise guidance is readily available**

Desired outcome: *Clear and concise up-to-date guidance assists local governments and other users to understand the system.*

A stakeholder engagement strategy was prepared at an early stage, to identify key stakeholders and guide the engagement activities for the project at two stages:

- A series of workshops with key stakeholder groups was conducted early in the preparation process, to help inform the guidance and identify matters for which practice/procedural guidance is necessary.
- Following preparation of the draft Guidelines, broad consultation was undertaken for a period of six weeks. Consultation outcomes were analysed and used to refine and finalise the guidance document.

**CONSULTATION OUTCOMES REPORT****3. Engagement Process & Objectives**

Engagement/consultation with stakeholders was undertaken in three stages, as outlined in the Table below.

Stage	Detail
1. Preliminary Engagement with Key Stakeholder Groups  <b>Feb-May 2022</b>	<ul style="list-style-type: none"> <li>• Eight 2-hour workshops with DPLH/LUP teams</li> <li>• Three 2-hour workshops with Local Governments (representatives were nominated by WALGA)</li> <li>• Two 2-hour workshop with peak industry bodies (representatives were nominated by the industry body)</li> </ul>
2 Consultation on draft Guidance document  <b>Sep-Nov 2022</b>	<ul style="list-style-type: none"> <li>• Broad consultation on the draft Guidance for a period of six weeks</li> <li>• The Guidance together with supporting documents were made publicly available on the WA government website for the stakeholders to review and comment.</li> <li>• Targeted communications with key stakeholders including local governments, peak industry associations, State Government Departments/servicing agencies, and consultants.</li> </ul>
Post-Consultation Activities (on-going)	<ul style="list-style-type: none"> <li>• Ongoing discussions with key stakeholders to determine final changes and help inform further process improvements to support proposed changes.</li> </ul>

The purpose of **preliminary engagement** was to:

- raise awareness about the project and project objectives;
- help inform, shape, and refine the development of contemporary procedural guidance for the preparation, assessment, and use of structure plans;
- determine how detailed should the manner and form be and whether it is practicable to have a single manner and form applicable to both standard and precinct structure plans;
- discuss best practice engagement with the Department/Local Government to obtain pre-lodgement advice during preparation of a structure plan;
- clarify under which circumstances should structure plans be amended; and
- identify any regulatory changes that may be necessary as a result of the review.

The purpose of **broad consultation** was to identify any gaps, further improvements, and refinements in finalising the Guidance. Most importantly, feedback was sought as to whether the draft Guidelines:

- provide clear and concise guidance for preparing and assessing structure plans (and amendments);
- outline a structure plan manner and form that can adequately be applied to both standard and precinct structure plans, with necessary adjustments being made;

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- clearly outline the role of local government and the WAPC in the process of preparing and assessing a structure plan; and
- provide clear guidance as to how a structure plan should be used for a planning assessment, and how discretion (due regard) is practically applied.

It should be noted that any recommendations for regulatory changes were not the subject of consultation for this project. Such changes will be the subject of a separate consultation process on amendments to the Regulations that will take place in due course.

### 4. Engagement Activities

#### Preliminary engagement

Preliminary engagement was carried out in accordance with the project's engagement strategy, with representatives from:

- the Department's Land Use Planning division;
- local government; and
- peak industry bodies and planning consultants.

Preliminary engagement comprised **mixed delivery workshops** (face to face with some participants joining via Zoom or MS Teams) during which stakeholders engaged in structured discussion based on a list of identified themes. The themes and the power point presentation were circulated via email ahead of the workshop, so stakeholders could prepare and think of actual experiences and examples. To ensure that all perspectives of practice can be captured, the same questions were posed to all practitioners from the Department, the local government and peak industry bodies.

Below is an overview of the workshop dates and workshop participants.

1	Metro Central	21-Feb
2	Metro North	22-Feb
3	Regional South	23-Feb
4	Metro South	23-Feb
5	South West Coastal - G	24-Feb
7	Regional North	28-Feb
8	Appeals	23-Mar

1	UDIA	24-May
	Property Council WA	24-May
2	PIA	25-May
	AILA	25-May

1	Shire of Serpentine Jarrahdale	28-Mar
	City of Wanneroo	
	City of Swan	
2	City of Melville	29-Mar
	City of Bayswater	
	City of Vincent	
	City of Stirling	
3	City of Busselton	30-Mar
	Shire of Broom	
4	City of Rockingham	6-Apr

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During preliminary engagement, the majority of stakeholders requested that the Guidelines:

- ⇒ provide a single manner and form that can be applied to standard and precinct structure plans, by making the necessary adjustments;
- ⇒ provide guidance that is high-level, and include detail only where necessary;
- ⇒ set the minimum requirements in preparing a structure plan, based on a set of principles;
- ⇒ include a procedure for preliminary consultation and pre-lodgement advice coordinated by the Department; and
- ⇒ include templates for certain steps, for greater consistency in practice.

Broad consultation on the draft Guidance

Stakeholder input from the preliminary engagement process informed the preparation of the draft Guidance for structure plans. The draft Guidelines outline the:

- need and purpose of a structure plan;
- different types of structure plans and their respective information requirements;
- procedural steps in preparing a structure plan;
- process of lodging a structure plan and the process for the WAPC to consider the proposal;
- implementation and review; and
- process to amend a structure plan.

Broad consultation on the draft Guidelines was conducted in accordance with the project's engagement strategy, between 27 September and 7 November 2022 (six weeks).

Consultation was undertaken via the Department's **Consultation Hub** and targeted the following stakeholder groups – all local governments, peak industry bodies and associations, relevant state government agencies and consultants. The consultation period and information was communicated via email correspondence, and the Department's website. The following information was made available for the consultation:

- draft Structure Plan Guidance;
- a project overview and frequently asked questions; and
- two **feedback forms/surveys** to allow for either a brief or a detailed submission to be made (both available online and in hard copy versions).

These documents were distributed via email to the stakeholder group and made publicly available on the Department's website and Consultation Hub.

The Department also hosted **three online information sessions**, (two for external stakeholders and one for officers in the Department) at the start of the consultation period (on 4 October 2022 and 11 October 2022). The information sessions provided the opportunity for stakeholders to receive a presentation on the main components of the draft Guidelines and ask questions. The sessions had participants from a wide range of organisations including various consultancies, local governments across the State, and industry associations. The

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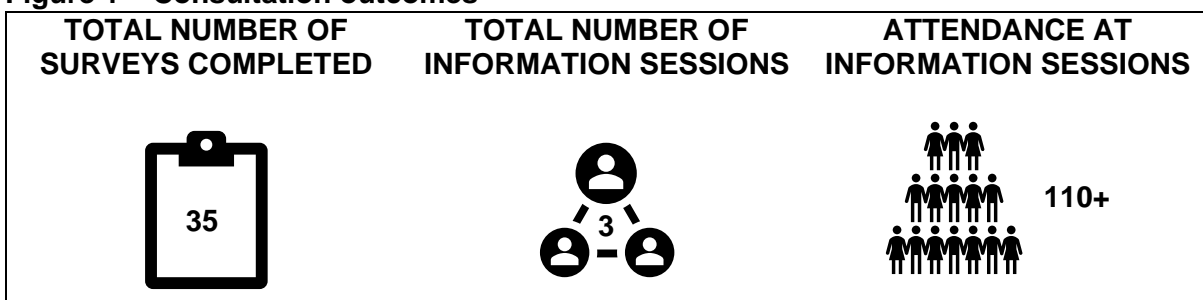
information sessions were recorded and made available to stakeholders, along with a copy of the PowerPoint presentation. Over the three information sessions over 110 stakeholders were in attendance.

**5. Consultation Outcomes**

**5.1 Consultation Overview**

At the conclusion of the consultation period a total of 35 external submissions were received from a range of stakeholder groups. These submissions were reviewed and analysed in detail to help identify refinements to be made to the draft Guidelines document.

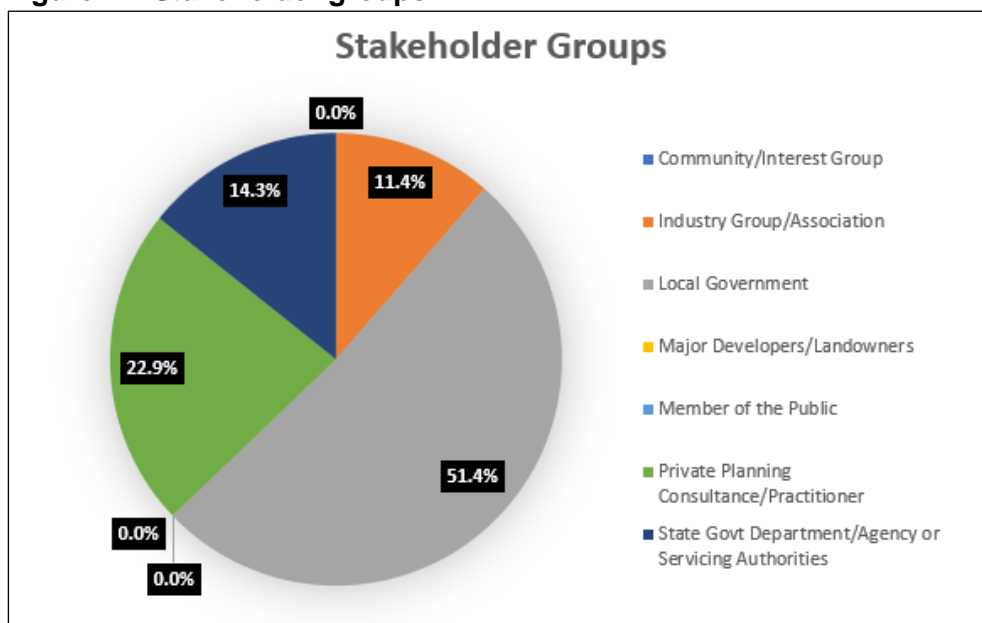
**Figure 1 – Consultation outcomes**



A breakdown of submitters by sector is provided in Figure 2. This demonstrates a range of feedback was received from a broad range of stakeholder groups that are either involved or affected by the proposed changes under the draft Guidelines:

- 51.4% local governments
- 22.9% private planning practitioners
- 14.3% state government agencies
- 11.4% peak industry groups

**Figure 2 – Stakeholder groups**





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### 5.2 Key Findings

The feedback forms/surveys for making a submission posed a number of questions to ensure the Guidance achieves the relevant Planning Reform objectives, as outlined in the below Table. The feedback received was in its majority in support of the draft Guidelines, or supportive subject to refinements or changes.

Most submissions consider that the draft Guidelines provide a clear and logical explanation of the process for preparing as well as for using a structure plan to undertake an assessment and make a determination. Most submissions also supported having a single Manner and Form for both standard and precinct structure plans.

Stakeholder comments mainly focused around the below key themes:

- ⇒ Clarity and ease of use of the guidance document per se;
- ⇒ Interpretation of 'due regard' in the context of structure plans;
- ⇒ Instances a structure plan can be prepared due to orderly and proper planning (head of power);
- ⇒ Further clarity on the differences between the two types of structure plans, that is standard and precinct;
- ⇒ Concern over the process for engaging with the Department and obtaining preliminary advice;
- ⇒ Clarity on the amendment types and procedures; and
- ⇒ Local government role in the process.

The key matters raised in submissions are outlined in the Table below. In some instances, stakeholder feedback is not consistent and there are differing views in terms of acceptable practice (e.g. information requirements for a structure plan).

Further, it should be noted that some of the matters raised by stakeholders are not in the scope of the draft Guidelines: e.g. guidance on district structure plans, WAPC delegations to officers, and internal processes of the Department.

Several other matters raised are outlined in the detailed Schedule of Submissions in Appendix 2. The comments have been grouped based on the Table of Contents of the Guidelines, to assist in undertaking modifications to the document, where necessary.

	Consultation Survey: Questions	Summary of key matters raised
1	Do the Guidelines provide clear and concise guidance for preparing and assessing structure plans?	<ul style="list-style-type: none"> <li>▪ The draft Guidelines are too long and therefore, not concise.</li> <li>▪ Language can be simplified.</li> <li>▪ The draft Guidelines should avoid duplication of processes mentioned in the Regulations and limit referencing other sections in the draft Guidelines.</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ The newly introduced pre-lodgement advice process is lengthy and complicated.</li> </ul>
2	Is it clear how a structure plan should be used during a planning assessment, and what 'due regard' means?	<ul style="list-style-type: none"> <li>▪ The draft Guidelines adequately reflect and explain 'due regard'.</li> <li>▪ Definition of 'due regard' should be backed by legal interpretation and case law, as in the current Framework.</li> <li>▪ 'Orderly and proper planning' should be better explained.</li> <li>▪ The 'due regard' status of a structure plan should not be used to vary the technical information that underpins the structure plan design. A variation to this information should necessitate an amendment to be undertaken.</li> </ul>
3	Is the role of the WAPC and the local government clear?	<ul style="list-style-type: none"> <li>▪ It is recommended that the role of the local government is reinforced throughout the document.</li> <li>▪ It is recommended that the local government be given delegation to deal with assessment of amendments to a structure plan.</li> <li>▪ It is recommended that the WAPC delegations to officers of the Department are clarified for the community to understand who is the decision maker.</li> </ul>
4	Is it clear when to use a precinct structure plan or a standard structure plan, and what information is required for each?	<ul style="list-style-type: none"> <li>▪ A table would be helpful in delineating differences between precincts and standard structure plans.</li> <li>▪ SPP 7.2 mentions that local development plans can be used for precinct planning - further clarity is required as to when this would be acceptable.</li> <li>▪ the term 'hybrid' used to describe a situation where a standard and precinct structure plans are prepared concurrently has caused confusion - albeit the process is in principle supported.</li> </ul>
5	Is the guidance applicable to the circumstances in which you are preparing precinct or standard structure plans?	<ul style="list-style-type: none"> <li>▪ The local planning scheme can also dictate that a structure plan should be prepared (head of power for the preparation).</li> <li>▪ Reference to 'the strategic planning framework identifying the need for preparing a structure plan' should be modified to address the situation a strategic framework does not exist.</li> <li>▪ The draft Guidelines should state that only one structure plan should be prepared for an identified structure plan area, as opposed to several smaller where landownership is fragmented.</li> <li>▪ The draft Guidelines should clarify that at lodgement, the local government can request missing information to enable assessment of the structure plan and cannot request that the submitted information be modified. A dispute resolution process should be outlined.</li> </ul>
6	Is it clear what the Western Australian Planning Commission (WAPC) will consider as an 'orderly and	<ul style="list-style-type: none"> <li>▪ It is recommended that criteria or further examples of 'orderly and proper planning' are provided - examples not considered 'orderly and proper planning' should be included.</li> <li>▪ Identify situations that the WAPC may consider that a structure plan is not required, despite the planning framework requiring it.</li> </ul>

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	proper planning' circumstance?	
7	<p>Is the guidance on pre-lodgement advice process provided in the draft Guidelines sufficient, with a clear definition of roles of stakeholders?</p> <p>Do you think the Guidance will improve pre-lodgement collaboration between stakeholders?</p>	<ul style="list-style-type: none"> <li>▪ Preliminary engagement should be mandatory - including for amendments to structure plans</li> <li>▪ It should be made clear that preliminary engagement is optional.</li> <li>▪ The preliminary engagement process will improve the outputs of the structure plan and enable consolidated advice to be provided - however, government agencies need to be on-board in order to provide timely input to the Department.</li> <li>▪ Coordination of the process by the Department is supported. Documentation of the engagement outcomes is also important.</li> <li>▪ The process is overly bureaucratic and will result in delays and increased cost.</li> <li>▪ The role of local government in the process should be clarified further.</li> <li>▪ Community engagement in many instances is not necessary (e.g. in greenfield sites).</li> <li>▪ Fees should be payable for the pre-lodgement process as the process can be resource intensive for local government.</li> <li>▪ The 21-day pre-lodgement timeframe is insufficient for local government to address pre-lodgement matters.</li> <li>▪ Formalising a pre-lodgement advice process may not reflect that some proposals require significant engagement and discussion, while others require little.</li> <li>▪ The draft Guidelines should also provide the option for engaging with the Department at the inception stage (not only after the site and context analysis).</li> </ul>
8	<p>Do you support the four-step approach for formulating a structure plan?</p> <p>Do you support the manner and form guidance for precinct structure plans and standard structure plans?</p> <p>Do you agree with the guiding principles for preparation?</p>	<ul style="list-style-type: none"> <li>▪ The approach for formulating a structure plan is a logical and easily understood process.</li> <li>▪ A single manner and form for both precinct and standard structure plans is supported.</li> <li>▪ The Guidelines require details to be included/shown in the structure plan which are considered to restrict flexibility in the implementation of the plan.</li> <li>▪ The WAPC needs to establish standards and information requirements for the Appendices - technical reports.</li> <li>▪ The draft Guidelines should provide clear guidance as to how each of the elements in SPP 7.2 is assessed and documented.</li> <li>▪ Climate change/green infrastructure should be elevated to a key consideration for structure plans.</li> <li>▪ The guiding principles for the preparation of a structure plan are clear.</li> </ul>
9	Comments about the structure plan amendment process	<ul style="list-style-type: none"> <li>▪ Further guidance should be provided on the three amendment options: no amendment (minor modifications through subdivision),</li> </ul>

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		<p>normal amendment (with advertising), and minor amendment (no advertising)</p> <ul style="list-style-type: none"> <li>▪ The amendment should not modify Part Two of the structure plan, only Part One. The amendment itself can have a Part Two explanatory report to justify the amendment.</li> <li>▪ The requirements for an amendment to an existing structure plan (predating Regulations 2015) should be less compared to an amendment to a new structure plan (post Regulations 2015).</li> </ul>
10	Is the guidance clear on when and how to undertake a parallel scheme amendment process?	<ul style="list-style-type: none"> <li>▪ The concurrent structure plan and scheme amendment process is supported.</li> <li>▪ The concurrent process should be considered in exceptional circumstances where the land is unconstrained, and the scheme amendment can be classified as basic.</li> <li>▪ The Regulations do not provide for the advertising of a scheme amendment and structure plan concurrently, as a scheme amendment has different processes and timeframes.</li> <li>▪ The concurrent process is not supported if the land is not appropriately zoned as a proponents should be able to progress structure planning and subdivision without the significant uncertainty that a parallel scheme amendment brings.</li> <li>▪ The status of structure plans is diminished by providing the option for development controls to be incorporated into planning schemes.</li> <li>▪ It should be clarified that a Development Contribution Plan should not be the default cost-sharing instrument, where other mechanisms may be appropriate.</li> </ul>
11	Are the templates provided helpful?	<ul style="list-style-type: none"> <li>▪ The templates are considered helpful.</li> <li>▪ Some tables in the documents can be converted to graphics.</li> </ul>
12	Is the two-year timeframe for reviewing the Guidelines, appropriate?	<ul style="list-style-type: none"> <li>▪ A two-year review period is supported - Additional reviews may be required due to legislative changes.</li> <li>▪ The Department will need to improve its response times on strategic planning proposals to ensure that the two-year review process can be undertaken quickly and effectively.</li> </ul>

**6. Recommendations**

This section outlines how the Department has addressed and responded to the key themes raised in the submissions, as noted in Section 5.2. It is recommended that several modifications are made to the draft Structure Plan Guidelines to:

- Improve the ease of use of the document and legibility throughout the document;
- Text changes to acknowledge the various instruments (including a local planning scheme) that identify the need and purpose of a structure plan;

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- Provide further explanation on the difference between a standard and precinct structure plan;
- Clarify and reinforce the local government's role in the process; and
- Clarify when a concurrent scheme amendment can be undertaken.

No changes will be made in response to the following matters:

- Clarify the meaning of 'due regard' – this will be provided as part of another project about the use and application of discretion.
- Expanding on the criteria in which the WAPC determines a structure plan is needed for 'orderly and proper planning' – this is considered to be already provided in the Guidelines via two broad criteria and several examples.
- Engagement with the Department to obtain preliminary advice – the recommendations to obtain early advice will be retained as this is a State Government priority. Informal processes will be established and practically tested. Refinements are however required to make this section more concise and easier to use and navigate.
- Various out of scope matters raised by submissions (local government fees, guidance on district structure plans, WAPC delegation to officers of the Department and internal departmental procedures, guidance on the preparation of technical reports, design guidance provided under Liveable neighbourhoods or SPP 7.2 and matters that will require changes to the Regulations to occur).

These recommendations are further expanded on below.

**Ease of use of the document**

Some of the submissions noted that the draft Guidelines are long and difficult to navigate. The Guidelines are 20 pages (excluding appendices) which is considered appropriate for a document of this kind that aims to provide comprehensive guidance on several aspects of practice. It is however recommended that further edits are undertaken to improve legibility and way finding, and make the document more concise:

- ⇒ break down larger sections and introduce subheadings
- ⇒ where possible, convert text to graphics or flowchart(s), particularly for:
  - process in relation to 'obtaining pre-lodgement advice from the Department'
  - stages for making a structure plan
- ⇒ provide manner and form in brief format (table of contents) and provide a template for structure plan maps
- ⇒ undertake textual changes where considered necessary to improve clarity, in responding to comments

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Some submissions have requested that references to the Regulations or to other sections in the Guidelines are removed. This is not recommended as cross-reference with sections of the Regulations or other complementary considerations in the Guidelines, is considered useful and necessary.

To improve accessibility and useability of the templates in the appendices, it is further recommended that these templates are made available on the WAPC website via separate direct links on the relevant webpage (once the Guidelines are approved and finalised).

Finally, it is recommended that during desktop publishing introduces further formatting edits are undertaken to reinforce ease of use of the document.

**Interpretation of due regard**

From the comment received, it is understood that the 'due regard' status of the structure plan still creates some confusion and uncertainty for practitioners. Some of the submission requested that a legal interpretation is provided based on case law, as is the case in the current Structure Plan Framework.

The Guidelines have purposefully sought to stir away from a legal interpretation and provide a practical and pragmatic view of the reasons as to why a structure plan is due regard and not statutory, and provide some insights as to how the plan is used for an assessment during its implementation.

Further, it is noted that the notion of due regard is not specific to structure plans, it is a concept used throughout the Regulations and applies to other instruments, like local planning policies and local development plans. It is important to consider that Planning Reform is progressing a separate project that aims to improve consistency and guidance on the '*use and exercise of discretion in decision making*'. One of the proposals put forward in the context of this project is to provide greater clarity of the meaning of due regard in the Regulations, as well as a definition that would align with the established case law position. It is therefore considered that a separate definition or legal interpretation is not necessary to be included in the Guidelines.

**Head of power - orderly and proper planning**

The Regulations give the head of power for preparing a structure plan, in the situation that the WAPC determines that a structure plan for an area is required for the purpose of orderly and proper planning. The notion of 'orderly and proper planning' is used throughout the Regulations to determine that the necessary planning processes have been undertaken in a proper order.

Some submissions have requested in this regard, that the Guidelines provide a set of criteria based on which the WAPC determines 'orderly and proper planning'. The Guidelines already provide two broad criteria to this effect and several examples as to the situations the WAPC

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may determine that a structure plan is necessary in different settings. Therefore, it is not recommended to expand further on this section. This does not limit the WAPC considering that a structure plan is necessary in other situations.

Several submissions noted that although in support of advocating for a strategically-led planning system, the need and purpose of a structure plan is more than often determined by a local planning scheme, not necessarily a local planning strategy, and this should be noted in the Guidelines. It is recommended that a textual change is undertaken to acknowledge this option.

**Differences between standard and precinct structure plans**

The Guidelines explain the purpose and the main difference(s) between standard and precinct structure plans, mainly being the built form. However, some submissions have requested differences to be highlighted even further. It is recommended that this be provided in the Guidelines in a graphic/table format.

**Role of WAPC and local government**

The submissions consider that the role of the WAPC is well established in the Guidelines, but some submissions noted that the local government role in certain processes is not clear or mentioned at all. The role of the local government as the proponent/ applicant of a structure plan, or the local government role in providing technical expertise and advice to the WAPC, is recommended to be reinforced in the Guidelines even further.

**Engagement with the Department to obtain preliminary advice**

The Guidelines establish a novel process for a proponent to request preliminary advice during preparation of a structure plan. The intent is to reinforce collaboration between public and local government authorities, to identify and resolve any issues early, and provide a way forward for streamlining the assessment process. The Department on behalf of the WAPC is to coordinate and document this process. The recommended process aligns with the State government initiative for the creation of a State Referral Coordination Unit for development applications, and aims to reinforce the role of the State in proactively driving good planning outcomes.

This initiative has been generally well received by stakeholders but there is some concern as to whether the proposed timeframes are realistic and whether this may result in further delays during preparation. As this process aligns with State government priorities, it is recommended that it be retained and be practically tested by officers in the Department. Although it may require allocation of additional Departmental resources at the original stages of the structure plan preparation, it is ultimately expected to reduce resources required once a structure plan is formally lodged with the Department for assessment.

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It is, however, considered that legibility and useability of this section, can be improved by converting the relevant process to a flowchart, and the application requirements to a Table format.

**Scheme amendment processes**

The Guidelines provide the option for undertaking a concurrent scheme amendment with the structure plan, which has caused some confusion and concern with stakeholders. This is because a scheme amendment can be undertaken in two situations:

- i. rezoning of an area to give the head of power for the preparation of a structure plan; and
- ii. introducing certain structure plan controls into the scheme.

It is recommended that the Guidelines clarify that: a) the concurrent scheme amendment is an option under the second scenario; and b) for the first scenario a scheme amendment to rezone the land should be progressed before submitting a structure plan, as this represents orderly and proper planning.

**Changes not in the scope of the Guidelines**

It is noted that some comments raised by submitters are not in the scope of the Guidelines, for example:

- local government fees;
- guidance on district structure plans;
- WAPC delegation to officers of the Department and internal departmental procedures;
- guidance on the preparation of technical reports;
- design guidance provided under Liveable neighbourhoods or SPP 7.2; and
- matters that will require changes to the Regulations to occur.

Notwithstanding, it should be noted that necessary changes to the Regulations have been identified and discussed as part of the preliminary engagement with the stakeholders. Although not in the scope of the Guidelines, some of these changes will be recommended to proceed in due course. It is recommended that the Guidelines be updated once this occurs.



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**Appendix 1 - Consultation survey template**



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# Planning Reform

Proposed Amendments - Planning & Development (Development Assessment Panel) Regulations 2011

## Draft Structure Plan Guidelines (2022) Consultation

### DETAILED SUBMISSION

As part of the [Action Plan for Planning Reform \(2019\)](#), the Government has reviewed and updated the [Structure Plan Framework \(August 2015\)](#). The draft Structure Plan Guidelines (referred to as **draft Guidelines**) are open for comment until **midnight, Monday 7 November 2022**. Two forms are provided – a brief and detailed submission. Only one should be completed. The following form is provided to guide a detailed submission on the proposed changes. If you wish to provide more detailed advice, please use the 'Brief Submission' form.

#### Submitter's Details:

<b>Submitter's name</b>	Insert Name.
<b>Email address</b>	Insert Email.
<b>Organisation name (if applicable)</b>	
Insert Org Name.	
<b>Submitter/ Organisation type</b>	
Choose an item.	
<b>Submissions may be published as part of the consultation process. Do you give permission for your name and your company's name (if applicable) to be published?</b>	Choose an item.

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# Planning Reform

Proposed Amendments - Planning &amp; Development (Development Assessment Panel) Regulations 2011

## Comments:

### 1. CLEAR AND CONCISE GUIDANCE / CONTEMPORARY AND FIT-FOR-PURPOSE STRUCTURE PLANS

The [Action Plan for Planning Reform](#) is the overarching document guiding the review of the Guidelines. The Action Plan includes a number of initiatives that are key to this project, including:

- Clear and concise guidance is readily available (Initiative B5).
- Structure and precinct planning tools are fit-for-purpose (Initiative C6).

**Do the draft Guidelines provide clear and concise guidance for preparing and assessing structure plans (and amendments)?**

Choose an item.

**Is there anything missing from the guidance to support the development of fit-for-purpose structure plans that can aid decision-making of subdivisions and development applications?**

Choose an item.

**Do you require any definitions to the terms used?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here



## 2. NEED AND PURPOSE OF A STRUCTURE PLAN *(clause 2 of the draft Guidelines)*

The draft Guidelines clarify the need and purpose of a structure plan. It explains that structure plans are instruments for the coordination of future zoning, subdivision and development of an area of land, that may be in an undeveloped locality (greenfield or brownfield), or an established locality that is identified for intensification (infill). It also explains that structure plans are 'due regard' documents to be given proper consideration as part of the assessment of subdivision and development applications.

**Is it clear how a Structure Plan should be used during a planning assessment, and what 'due regard' means?**

Choose an item.

**Is the role of the Western Australian Planning Commission (WAPC) and the relevant local government clear?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here



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### 3. TYPES OF STRUCTURE PLANS *(clause 3 of the draft Guidelines)*

The draft Guidelines explain that there are two (2) types of structure plans – a standard structure plan and a precinct structure plan, with the key difference being the inclusion of built-form and public realm guidance.

**Is it clear when to use a precinct structure plan or a standard structure plan, and what information is required for each?**

Choose an item.

**Is the guidance applicable to the circumstances in which you are preparing precinct or standard structure plans?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here





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## 4. WHEN TO PREPARE A STRUCTURE PLAN *(clause 4 of the draft Guidelines)*

The draft Guidelines explain when and how to prepare a structure plan. It explains that a structure plan should be prepared where a Local Planning Scheme and/or State Planning Policy requires it, or where the WAPC considers that a structure plan is required for the purposes of orderly and proper planning under Schedule 2, Clause 15c of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Is it clear what the Western Australian Planning Commission (WAPC) will consider as an ‘orderly and proper planning’ circumstance?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here

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## 5. HOW TO PREPARE A STRUCTURE PLAN *(clause 4, Appendix 1 and Appendix 2 of the draft Guidelines)*

The draft Guidelines provide the following information to help with preparation:

- Guiding principles for preparation
- Manner and form and required information
- Four (4) key steps for formulating a structure plan and templates

<b>Do you agree with the guiding principles for preparation?</b>	Choose an item.
<b>Do you support the manner and form guidance for precinct structure plans and standard structure plans (Appendix 1) provided?</b>	Choose an item.
<b>Do you support the four-step approach for formulating a structure plan?</b>	Choose an item.
<b>Are the templates provided in Appendix 2 helpful?</b>	Choose an item.
<b>Is the guidance clear on when and how to undertake a parallel scheme amendment process?</b>	Choose an item.
<b>Please outline any suggested improvements or comments below:</b>	
Insert improvements or comments here	





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**6. PRE-LODGE MENT STAKEHOLDER AND COMMUNITY ENGAGEMENT** *(clause 4 of the draft Guidelines)*

Clause 4 of the draft Guidelines provides information and a seven (7) step process for undertaking preliminary engagement with stakeholders and the community, and other considerations.

**Is the guidance on pre-lodgement advice process provided in the draft Guidelines sufficient, with a clear definition of roles of stakeholders?**

Choose an item.

**Do you think the guidance will improve pre-lodgement collaboration between stakeholders?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here





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**7. CONSIDERATION OF A STRUCTURE PLAN** *(clause 5, Appendix 3 and Appendix 4 of the draft Guidelines)*

The draft Guidelines provide information on the process of assessing and determining a structure plan. This includes guidance on the role of the local government and the Department, and expectations for public advertising, including schedule of submissions and schedule of modifications.

**Is the guidance provided in this section clear?**

Choose an item.

**Are the templates provided in Appendix 3 and 4 helpful?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here



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## 8. AMENDMENT TO A STRUCTURE PLAN *(clause 7 of the draft Guidelines)*

The draft Guidelines provide guidance on the following amendment pathways:

- Proper amendment process (as per the *Planning and Development (Local Planning Scheme) Regulations 2015*).
- Minor amendment (with advertising or without advertising).
- Changes that can occur through a subdivision or development process.

**Is it clear when each approach could be used?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here

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## 9. COMMENCEMENT & REVIEW

It is anticipated that the draft Structure Plan Guidelines will be finalised and published on the Department's website in the first quarter of 2023. This document will replace the *Structure Plan Framework* (2015) and the *Interim Manner and Form for Precinct Structure Plans*, and it is intended to be used by stakeholders immediately (with no transitional arrangements proposed).

The draft Guidelines indicate a review of the guidance should be conducted every 2 years to ensure the guidance stays contemporary and fit-for-purpose.

**Do you believe guidance should be provided for local government or proponents already in the process of preparing structure plans under the current *Structure Plan Framework* and the *Interim Manner and Form for Precinct structure plans*?**

Choose an item.

**Do you think a 2-year timeframe is appropriate for review?**

Choose an item.

**Please outline any suggested improvements or comments below:**

Insert improvements or comments here





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## 10. GENERAL FEEDBACK

This section is provided to allow for general feedback that wasn't able to be captured by the above questions.

**Do you have any other feedback on the draft Guidelines? Please outline any suggested improvements or comments below:**

Insert improvements or comments here

### THANK YOU.

Should you have any questions, please contact [planningreform@dplh.wa.gov.au](mailto:planningreform@dplh.wa.gov.au). Please email your completed form to this email address.



**CONSULTATION OUTCOMES REPORT**

**Appendix 2 - Responses to submissions**

CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
1. Purpose of the Guidelines	District structure plans	4	Guidance on district structure plans should be included.	<b>No change.</b> District structure plans are not within the scope of this project and will be addressed under a separate Planning Reform project.
2. The Need for and Purpose of a Structure Plan	Due regard	5	The 'due regard' status should not provide for changes to the technical information of the structure plan. Where this occurs, this should be dealt with as an amendment to the structure plan.	<b>Draft modified.</b> The Guidelines have been updated to clarify that a decision maker should not set aside key structure plan provisions. Additional modifications have been made to section 6 of the Guidelines to provide further guidance on the changes which can occur when giving due regard to a structure plan.
		1	It is considered that the Guidelines adequately reflect and explain due regard.	<b>No change.</b> Noted.
		1	The information on when a structure plan has achieved its purpose does not seem relevant to this section and disjoints the points on the 'due regard' status.	<b>Draft modified.</b> The Guidelines have been updated (textual changes) for clarity.
	Head of power	4	The need and purpose for a structure plan is often established in a scheme and should be added to the list of frameworks that may require a structure plan.	<b>Draft modified.</b> The Guidelines have been updated to include local planning schemes in the list of frameworks.
		3	The Guidelines should contain a clear statement that the advancement of a structure plan is not contingent on the strategic planning framework, particularly where the framework does not exist.	<b>Draft modified.</b> The Guidelines have been updated to address the situation where a strategic planning framework has not been established.
	Role of local government	3	The Guidelines clearly address the role of the WAPC. It is recommended the that role of local government is also addressed, with respect to preparing, assessing, providing a recommendation, and implementing structure plans.	<b>Draft modified.</b> The Guidelines have been updated to reinforce the importance of the role of local government.
	Decision making	2	It is supported that a decision maker should not set aside structure plan provisions unless warranted and justified.	<b>No change.</b> Noted.
	Additional guidance	1	Develop guidance for when a precinct structure plan is complete, or it has achieved its purpose. Incorporate this within Part One to define the success criteria and metrics for the plan.	<b>No change.</b> The Guidelines outline when a precinct structure plan is considered to have achieved its purpose.
		1	The process of normalising a structure plan area into a scheme should be explained in this section.	<b>No change.</b> This process is outlined within section 4.7.3 of the Guidelines.
	Clarity of document	1	The wording of this section should be simplified.	<b>Draft modified.</b> The Guidelines have been updated to improve clarity and simplify the information.
3. Types of Structure Plans	Clarity of document	5	Clarification is required for when a precinct structure plan or a standard structure plan is required and provide examples.	<b>Draft modified.</b> The Guidelines have been updated to include a table outlining the differences between precinct and standard structure plans.
	Concurrent/hybrid approach	4	Support the hybrid approach of standard and precinct structure plans.	<b>No change.</b> Noted.
		2	Support the concurrent structure plan and scheme amendment process.	<b>No change.</b> Noted.
		1	The hybrid approach of standard and precinct structure plans being prepared concurrently is confusing and conflicts with the two definitions.	<b>Draft modified.</b> The Guidelines have been updated for clarity - the term 'hybrid' has been removed.
	Additional guidance	3	Guidance is needed in relation to the assessment of precinct structure plans using the SPP 7.2. This should outline how the assessment of each Design Element is expected to be documented and reported.	<b>No change.</b> This is addressed in Appendix 1 - Manner and Form. The information required under SPP 7.2 together with the manner and form is to guide the assessment of a precinct structure plan.
		1	Include guidance on when a residential development area would be suitable for a standard structure plan versus a precinct structure plan.	<b>No change.</b> This is outlined in Liveable Neighbourhoods and SPP7.2.
	LDPs	1	Outline the situations for when to use an LDP for infill precincts, where no subdivision is proposed as the lots are already in fragmented ownership.	<b>No change.</b> This is outlined within section 4.7.2 of the Guidelines.
	Size and boundaries	1	The details in relation to the size and boundaries of a structure plan area should be moved to a new heading under Clause 4 'Preparation of a Structure Plan'.	<b>Draft modified.</b> Guidance on the size and setting boundaries for a structure plan has been included in section 2 for clarity.

CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)	
		Number Received	Summary		
		1	Include guidance on how to progress a structure plan where it covers a smaller area than identified in the strategic planning framework.	<b>No change.</b> The Guidelines indicate that structure plans for smaller areas are not supported under the planning framework.	
	Clarity of document	1	The Guidelines clearly outline that a standard structure plan is not responsible for addressing land use and development guidance for the built form and public realm.	<b>No change.</b> Noted.	
		1	The definition of standard and precinct structure plans is not required as they are already defined within the Regulations.	<b>No change.</b> The definitions are included for increased usability.	
	Liveable Neighbourhoods	1	Support the emphasis on walking and cycling as this will assist with the creation of liveable neighbourhoods.	<b>No change.</b> Noted.	
			1	Mention that precinct structure plans need to address infrastructure and access arrangements.	<b>Draft modified.</b> The Guidelines have been updated to include reference to infrastructure and access arrangements for precinct structure plans.
			1	Include reference to the need for primary controls to consider feasibility/commercial considerations.	<b>Draft modified.</b> Section 4.4 of the Guidelines has been updated to include feasibility as a consideration.
4.1 When to Prepare a Structure Plan	Additional guidance	6	A list of criteria should be developed which outlines when the WAPC may require a structure plan for the purposes of orderly and proper planning, including the decision-making process this would go through.	<b>No change.</b> The Guidelines provide broad criteria and examples in relation to the WAPC's consideration for orderly and proper planning. Each case is to be assessed on its merits and the context.	
	Decision making	3	Provide guidance on when a structure plan is necessary to guide decision making for subdivision and development in the identified locality.	<b>Draft modified.</b> The Guidelines have been updated for clarity.	
		1	Consideration should be given to noting that there may be exceptional circumstances where compliance with a structure plan is considered unnecessary.	<b>No change.</b> The Guidelines do not address exceptional circumstances.	
	Consent to prepare	3	Clarify if consent to prepare a structure plan requires consideration by the WAPC or is this delegated to an officer.	<b>No change.</b> The Guidelines do not address WAPC delegations to officers of the Department.	
	Head of power		1	The Guidelines should clearly state that a local government can request the WAPC's consent for a structure plan for the purposes of orderly and proper planning, where there is no other mechanism to require a structure plan.	<b>No change.</b> The Guidelines outline that a proponent should liaise and obtain the WAPC's consent to prepare a structure plan when there is no head of power in the planning framework.
			1	It is suggested that point (a) be split into two sub-points.	<b>Draft modified.</b> The Guidelines have been updated to split point (a).
			1	Expand point (a) to acknowledge that a scheme may also identify the need for a structure plan over land designated as a 'Special Control Area'.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
			1	Expand point (a) to include that a district structure plan may identify the need for a structure plan.	<b>No change.</b> The Guidelines reflect the wording under the Regulations. This, however, is covered under point (b).
			1	The zones referenced in (a) should be expanded to include the 'Development' zone.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
			1	The following text should be added to the first paragraph under (c)(ii): environmental, water quality risks to public drinking water sources, bushfire risk, landownership, road access, etc.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
Clarity of document	1	Consideration should be given to merging this section with Clause 2.	<b>No change.</b> Sections 2 and 4.1 need to remain separate for clarity on the process.		
4.2 Guiding Principles for the Preparation	Legibility	1	The guiding principles should be expanded to introduce the principle of 'legibility'. The purpose of a structure plan is to effectively communicate the intended development outcome to all stakeholders and the community. This will ensure that the content is able to be understood by all stakeholders and the community.	<b>Draft modified.</b> Legibility is addressed by the principle relating to ease of use. The Guidelines have been updated for further clarity.	
	Clarity of document	1	The guiding principles for the preparation of a structure plan are clear.	<b>No change.</b> Noted.	

CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
		1	The transparency principle could be misinterpreted to mean that a full consultation process is undertaken by local government at the initial stage for all proposed structure plans.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	The collaboration principle could be misinterpreted as the community having to agree on the purpose and outcomes of a structure plan, which would be unlikely to happen.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Vision and objectives	1	The vision and objectives should be required irrespective of stakeholder and community participation.	<b>No change.</b> Agree that the vision and objectives are necessary. This provides the opportunity for the community to be involved in the formulation of the vision and objectives.
	Transport	1	An additional guiding principle should be developed around importance of providing for all modes of transport.	<b>No change.</b> Transport considerations relate to the design of the structure plan, which is addressed under section 4.3 of the Guidelines.
4.3 Manner and Form – Information Requirements	Additional guidance	1	Further guidance should be provided on the preparation of the technical appendices. Including but not limited to the Environmental Assessment Reports, Ethnographic and Aboriginal Heritage Report, Local Biodiversity Strategy and Local Infrastructure and Servicing Strategy.	<b>No change.</b> This is not within the scope of this project. The technical reports are prepared by subject matter experts familiar with the requirements applicable in each situation.
		1	The guidelines should explain in which scenarios the technical appendices may be appropriate.	<b>Draft modified.</b> The Guidelines provide examples where it is relevant, and section 4.3 has been updated to outline that any technical appendices are to be site specific.
	Activity centres	1	Clarification should be provided on whether a Needs Assessment and an Economic Development Strategy are required to support a structure plan for activity centres and specialised centres.	<b>No change.</b> SPP 4.2 outlines when a needs assessment is required for an activity centre.
	Clarity of document	1	Remove the reference to day-to-day decision making.	<b>Draft modified.</b> The Guidelines have been updated to remove reference to day-to-day decision making.
	Concurrent/hybrid approach	1	Remove the distinction between standard, precinct, and hybrid structure plans to focus on guiding the content which is to be included.	<b>Draft modified.</b> The Guidelines have been updated to remove reference to a hybrid approach and clarify that a standard and precinct structure plan can be progressed concurrently.
	Transport	1	Include broad consideration of all transport modes and their operations and include consideration for details in relation to Movement and Place Classification.	<b>No change.</b> This is not within the scope of this project.
	Details required	2	Reference to street blocks and road layout should be removed to enable structure plans to be implemented as flexible documents that provide the necessary detail to coordinate subdivision and development, without being unnecessarily prescriptive.	<b>No change.</b> This information is necessary to coordinate and guide future subdivision in the area.
	Information requirements	3	Update to indicate that 'Coordination of transport infrastructure' is required or may be required for standard – rural living structure plans. This is due to rural living structure plans typically being accompanied by a transport impact assessment identifying the effect of the structure plan on the surrounding transport network.	<b>Draft modified.</b> The Guidelines have been updated to indicate that the coordination of transport infrastructure is required for rural living standard structure plan.
		2	Provision for street trees (as per Liveable Neighbourhoods) and/or green infrastructure should be listed as a required consideration/output.	<b>No change.</b> Street trees is a design consideration that should form part of the structure plan's design response (refer to Appendix 1 - Manner and Form)
		2	It is recommended that the 'Street blocks/road networks' and 'Coordination of transport infrastructure' considerations are merged into the one consideration 'Movement networks (cars, public transport, cycling, freight)'.	<b>No change.</b> The two considerations are separate as they address different matters.
		2	Update to indicate that 'Development controls and design' may be required for standard – residential/mixed use and standard – industrial structure plans.	<b>No change.</b> Coordination of development is not typically within the scope of standard structure plans, only within the scope of precinct structure plans.
		1	Support the preparation of a structure plan for rural living areas.	<b>No change.</b> Noted.
		1	Clarify how 'Zoning/land uses' for precinct – residential/mixed use structure plans are applied in urban infill situations where the scheme already includes a zone (e.g. Centre) and a land use table.	<b>Draft modified.</b> The Guidelines have been updated to provide clarity on how to apply land use considerations.



CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
		1	Update to indicate that 'Staging' is required for standard – rural living structure plans. This is due to staging being used to manage land use conflict, buffers, and land use transition.	<b>Draft modified.</b> The Guidelines have been updated to indicate that staging is required for rural living standard structure plans.
		1	Include an additional column relating to 'Street lot layout'. This is critical to coordinate areas in fragmented ownership and for planning industrial areas.	<b>No change.</b> A column relating to 'lot layout' is already included in the Table.
		1	Amend text for Note *** as follows: To address buffer from environmental features and/or bushfire risk.	<b>Draft modified.</b> The Guidelines have been updated to include the amended text.
		1	Include an additional column relating to 'Topography'. This is often resolved at the subdivision or development application stage, resulting in unnecessary vegetation loss, and the inability to retain trees.	<b>No change.</b> Topography is a design consideration that should form part of the structure plan's design response (refer to Appendix 1 - Manner and Form)
4.4 Steps in Preparing a Structure Plan	Clarity of document	1	The four-step approach could more clearly link the information required with the information which is to be captured in Part Two of a structure plan.	<b>Draft modified.</b> The four-step approach has been changed into an infographic for clarity.
	Objectives	1	Project specific objectives are required and should be stated concisely in the introduction of a structure plan.	<b>Draft modified.</b> The Guidelines have been updated to include objectives in the first stage of preparing a structure plan.
	Clarity of document (Table 3)	2	Steps 2 and 3 should clarify that community engagement at these points is not mandatory.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity. Further guidance on this is provided under section 4.5 of the Guidelines.
		2	Step 1 should clarify that the information required is preliminary and note that it will be refined following an assessment and engagement.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity. Further guidance on this is provided under section 4.5 of the Guidelines.
		2	Reduce the level of detail contained in Table 3 and/or make it clear that the 'Consult' and 'Info' sections are provided for guidance only and are not intended as mandatory requirements.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	Step 1 should require preliminary engagement with the Department and the local government to obtain an agreement on the purpose, content, technical studies required, etc. to allow for a common understanding and pathway to be established in the first instance.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	Step 2 should be modified to allow engagement to be undertaken while the site and context analysis occurs, as the results of the engagement may influence the outcomes of the analysis.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	Step 2 should include reference to 3D aspects of a site analysis.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	Step 3 should be modified to allow engagement to be undertaken while the design response is prepared, as the results of the engagement may influence the design.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	Step 3 should acknowledge the need for a local design review panel to have an input.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	Include the wording and other relevant referral agencies as required into Step 3.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	The information contained within Step 4 is confusing as it relates to guidance on the scheme amendment process. This can lead to poor outcomes and cause delays by linking the structure plan process with the scheme amendment process.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
		1	The information in Table 3 could benefit from being provided in graphic, showing the relationship between community engagement and the process.	<b>Draft modified.</b> The four-step process has been changed into an infographic for clarity.
4.5 Preliminary Engagement with Stakeholders and Advice	Preliminary engagement	11	The pre-lodgement process adds bureaucratic steps to the process and will result in delays. Local government typically undertakes an informal pre-lodgement process.	<b>No change.</b> The pre-lodgement advice process is intended to facilitate early dialogue between parties, streamline the preparation process, increase transparency and avoid delays during assessment.
		6	Preliminary consultation is not always required, and the guidelines should clarify that this process is optional.	<b>No change.</b> Preliminary engagement is optional and promoted as a best practice process.

CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
		5	Preliminary engagement should be mandatory. Details should be explicit about the obligation on proponents/local governments to engage with the Department at an early stage in the preparation of all structure plans, including any amendments to structure plans.	<b>No change.</b> Preliminary engagement is optional and promoted as a best practice process. Regulatory changes to make this process mandatory are not contemplated at this stage.
		2	The guidelines should recommend and outline the benefits of early and on-going engagement, which details how this can reduce risks to the project and achieve a better outcome for the community and future developers.	<b>No change.</b> This is addressed under sections 4.4 and 4.5 of the Guidelines.
		1	The Guidelines and the Regulations should be expanded to require structure plans to include the outcomes of the pre-lodgement engagement.	<b>No change.</b> Section 4.5 and the Manner and Form (Appendix 1) indicate that pre-lodgement engagement outcomes should be documented in Part Two of the structure plan.
		1	This section is not relevant and should be removed.	<b>No change.</b> Section 4.5 is consistent with the goals and initiatives outlined under the Action Plan for Planning Reform.
		1	Local government has no control over the applicant's preliminary engagement process and should not be endorsing or approving the engagement strategy.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Additional guidance	4	Further guidance is needed in relation to when and how an engagement strategy should be prepared and what constitutes a complex structure plan.	<b>Draft modified.</b> The Guide to Best Practice Planning Engagement in Western Australia outlines how and when to prepare an engagement strategy. The Guidelines have been updated to indicate that 'complex' relates to precinct structure plans.
	Process	2	It is considered beneficial for the Department to be responsible for referring structure plan concepts to other government agencies.	<b>No change.</b> Noted.
		1	This section should acknowledge that the applicant is required to seek agreement that a structure plan is required.	<b>No change.</b> This is addressed under section 4.1 of the Guidelines.
	Role of local government	1	The language used diminishes the importance of local government in the whole process.	<b>Draft modified.</b> The Guidelines have been updated to reinforce the role of local government in the process.
	Information requirements	1	It would be beneficial to link the confirmation of information requirements and/or the level of detail expected of a plan to the validation process when the structure plan is formally submitted to local government.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Preliminary engagement - community	4	The statement referring to the future community in greenfield areas should be removed.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		3	What happens if the applicant does not undertake preliminary engagement, or the community is not supportive of the proposal.	<b>No change.</b> Preliminary engagement is optional and promoted as best practice, it is not a requirement of the Regulations. Although an important consideration, community feedback is one of the several inputs in the formulation of a proposal, which will be assessed on its merits.
		2	Developments in the greenfield areas should not be considered low impact as they can receive significant interest from the nearby resident community.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Clarify if the local government is involved in the community engagement process or is this run by the applicant.	<b>No change.</b> The preliminary engagement process is to be led by the proponent.
		1	Restructure the information to provide clarity on each process for a standard structure plan and a precinct structure plan.	<b>No change.</b> The preliminary engagement process is applicable to both standard and precinct structure plans.
		1	More time should be given for community feedback.	<b>No change.</b> Preliminary consultation is optional and promoted as best practice - it does not involve set timeframes.
	Preliminary engagement - government	5	It is beneficial for structure plan concepts to be referred to other government agencies for preliminary comments. However, the other government agencies will need to be on board as it has been difficult to obtain feedback on draft structure plans/concepts in the past.	<b>Further consideration.</b> Complementary actions will be investigated to support timely responses with other State Government agencies.
		3	The proposed preliminary engagement with stakeholders allows stakeholders to influence change through their expertise and local knowledge, which can better the objectives and outputs of structure plans.	<b>No change.</b> Noted.

CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
		2	Engagement with First Nation Peoples should be included as a direct reference and elevated within the document.	<b>No change.</b> The Guide to Best Practice Planning Engagement in Western Australia provides resources for engaging with special interest groups.
		1	Points i. to vii. would benefit from a coordinated and agreed response, rather than receiving the responses separately.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Clarity of preliminary engagement flowchart	6	Fees should be payable for the pre-lodgement process and preliminary engagement to facilitate local government resources being able to provide the service, which may be a portion of the overall fee for the structure plan application.	<b>No change.</b> Noted. Local Government fees are determined by the Planning and Development Regulations 2009, and are not within the scope of the Guidelines.
		6	The 21-day pre-lodgement timeframe is insufficient for local government to address pre-lodgement matters and will result in additional matters being raised later in the process.	<b>No change.</b> The timeframe is considered adequate to provide high-level advice. The purpose of pre-lodgement process is not to undertake an assessment, it is to identify any fatal flaws.
		6	Pre-lodgement advice should only relate to planning matters as engagement is undertaken with other government agencies separately. This may assist with reducing the potential delays experienced through the proposed process.	<b>No change.</b> Noted. The pre-lodgement advice process is intended to facilitate early dialogue between parties, streamline the preparation process, increase transparency and avoid delays during assessment
		5	Concerns that applicants will bypass Step 1 and/or not participate in the process unless it is mandated.	<b>No change.</b> Preliminary engagement is optional and promoted as a best practice process.
		4	Clarify when applicants should engage with the local government, the Department and service authorities outside the formal pre-lodgement advice process.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		4	The formalised centralised pre-lodgement process is not supported. A formal pre-lodgement process may not reflect that some proposals require significant pre-lodgement discussion and others require very little.	<b>No change.</b> Preliminary engagement is optional and promoted as a best practice process, and may be tailored to suit the needs of a specific proposal.
		3	The guidelines should reinforce that local government is a key stakeholder with respect to the preliminary engagement.	<b>Draft modified.</b> The Guidelines have been updated to reflect this.
		3	Clarify the elements which the local/State government should provide advice on.	<b>No change.</b> The Guidelines have been updated for clarity.
		1	Clarification should be given in relation to the process and timeframes for the two separate occasions where pre-lodgement advice should be sought.	<b>Draft modified.</b> The process has been converted into an infographic for clarity
		3	The success of the pre-lodgement process will be dependent upon the cooperation of applicants.	<b>No change.</b> Noted. Preliminary engagement is optional and promoted as a best practice process, which is proponent driven.
		1	Step 6 adds an overly bureaucratic step in the process.	<b>No change.</b> This increases transparency and ensures that the outcomes of the pre-lodgement process are accurately documented.
		1	It would be beneficial to link the confirmation of information requirements and/or the level of detail expected of a plan to the validation process when the structure plan is formally submitted to local government.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	The process could be centralised through local government, and when a final position on pre-lodgement advice has been prepared the local government could forward this to the Department for review and comment.	<b>No change.</b> The Department coordinates the advice on behalf of the WAPC who is the decision making authority.
		1	Concerns that the local government is facilitating a process and then undertaking an independent assessment.	<b>No change.</b> The preliminary engagement process is led by the proponent.
		1	Step 3 should require that any additional information is requested within 28-days from when the pre-lodgement advice request is submitted to the Department.	<b>No change.</b> The Guidelines outline a total timeframe of 42 days. Any additional timeframes for earlier steps will result in a greater overall timeframe and delay the process.
		4.6 Later Approval of Detail	Discretion	1

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Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
	Role of local government	1	Deferral of complex matters should not occur as it can have a significant impact on structure plans.	<b>No change.</b> This is already addressed under section 4.6 of the Guidelines.
		1	Clarify if it is only the Department that has discretion to determine what additional details are required.	<b>No change.</b> This is already addressed under section 4.6 of the Guidelines.
4.7.1 Designation of R-Codes	R-Codes plan	5	There is no need to prepare an R-Code plan over the entire structure plan area where subdivision is not proposed.	<b>Draft modified.</b> The Guidelines have been updated for clarity
		2	The purpose of the table should be explained as it is currently confusing.	<b>No change.</b> This is addressed under section 4.7.1 of the Guidelines.
		1	The use of R-Code plans may resolve some of the issues currently being experienced due to dwelling numbers being maximised, rather than the ranges being averaged.	<b>No change.</b> Noted.
		1	Include a table number for ease of reference.	<b>Draft modified.</b> The Guidelines have been updated to include a heading for clarity.
	R-Codes ranges	3	Concern that the suggested density ranges have become mandatory and are now much more limited. A density range of R25 – R40 should be allowed, to provide greater flexibility at the subdivision stage.	<b>No change.</b> The proposed density ranges align with the densities under Medium Density Housing Codes that will become effective in September 2023.
		3	Precluding the use of R-Codes ranges in standard structure plans other than where the land is in a single ownership is too restrictive. It is recommended that R-code ranges can be used for standard structure plans with up to 5 landowners.	<b>Draft modified.</b> The Guidelines have been updated to address this.
		2	Structure plans are documents which are given due regard, but with limited density ranges, the R-Codes are effectively prescribed and form a statutory requirement.	<b>No change.</b> The proposed density ranges align with the densities under the Medium Density Housing Codes that will become effective in September 2023.
		1	R25 is not a low-density code in new structure plan areas.	<b>No change.</b> The R25 R-Code aligns with the low-density range under the Medium Density Housing Codes which will become effective in September 2023.
		1	R-Codes ranges should be allowed in precinct structure plans to provide greater flexibility in terms of product range and timing. The higher density requirements are the most difficult to achieve given the smaller lots/housing typologies.	<b>No change.</b> Within a precinct structure plan, the built form is a key consideration and therefore R-Codes are required to be designated.
		1	R-Codes ranges should not be used for sites with challenging ground conditions necessitating accurate technical reporting or landscape design considerations.	<b>Draft modified</b> The appropriateness of R-Codes ranges should be considered on a case by case basis.
	Determining R-Codes	2	Reference to locational attributes such as access to public transport, town centres, services and amenities should be included when considering the R-Code density allocation.	<b>No change.</b> This is a design consideration that should form part of the structure plan's design response (refer to Appendix 1 - Manner and Form).
		1	Further guidance on the appropriate locational criteria for R-Code ranges would be beneficial as they have caused confusion for applicants at the subdivision stage.	<b>No change.</b> This is a design consideration that should form part of the structure plan's design response (refer to Appendix 1 - Manner and Form)
		1	Some outer growth areas use blanket R-Code density. Rather than stating that they are not favourable, this should be amended to state that a blanket R-Code across a structure plan area, if applied, should be supported by a strong design rationale, and built form purpose.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	There is no supportive reasoning provided for why a consistent R-Code should apply per street block. Higher density coding on the ends of street blocks is a common means of delivering terrace housing with rear laneway access. A presumption that whole street blocks should be the same density code will either limit housing diversity or apply density codes that are not suited to their context.	<b>No change.</b> The Guidelines provide for a consistent R-Code per street block or along a street as a general rule, to avoid ad-hoc allocation of R-Codes on a lot-by-lot basis. Based on this, a different R-Code can apply at the end of a street block where lots face on a different street.
	Implementation	1	The guidelines should contain a separate section to provide guidance on the preparation and implementation of R-Code plans.	<b>No change.</b> High level guidance on R-Codes plans is provided under section 4.7.1 of the Guidelines.
	Publishing	1	Clarify whether the R-Code plans are to be published by the WAPC or the local government.	<b>Draft modified</b>

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		Number Received	Summary		
				The Guidelines have been modified for clarity.	
4.7.2 Local Development Plans	Development controls	2	Development and design controls should be able to be contained within structure plans. Table 2.1 'Primary Controls Table' of SPP 7.3 R-Codes Volume 2, implies that a LDP can be used to provide built form controls for areas with a R-AC0 density code. This should be clarified in the guidelines, specifically in relation to situations where a LDP could be used instead of a precinct structure plan.	<b>Draft modified.</b> The Guidelines have been updated to clarify that an LDP can be used for local and neighbourhood centres, where they are located within a standard structure plan area. A precinct structure plan should not defer development requirements to an LDP.	
	Appropriateness of LDP	2	The requirement that all LDPs must be listed and justified in Part One is not responsive to issues and challenges that may emerge during subdivision/implementation.	<b>No change.</b> For a structure plan to provide the head of power for the preparation of an LDP, this should be indicated in Part One together with justification on why it is necessary.	
		1	The limited circumstances when LDPs may be appropriate should be coordinated with the LDP guidelines which are currently being revised.	<b>Further consideration.</b> Noted. This will be addressed by the Guidelines for LDPs.	
		1	It is not supported that an LDP is not suitable for larger precincts or higher order activity centres. Often land release or developer led proposals lead to the preparation of detailed primary controls and access arrangements at the time preceding development. The use of LDPs is an important framework for larger centres where staging of development is highly likely.	<b>No change.</b> SPP 4.2 requires a precinct structure plan for higher order centres, whereby an LDP is not an appropriate instrument to guide the staging of development.	
	Implementation	1	Indicate that a LDP will also guide development at the building permit stage.	<b>Draft modified.</b> The Guidelines have been updated to clarify that the requirements are applicable to the building permit stage too.	
4.7.3 Incorporation of Key Implementation Measures in Local Planning Scheme	Scheme amendment	6	The Regulations do not provide for the advertising of a scheme amendment and structure plan concurrently, as a structure plan and scheme amendment have different processes (e.g. basic/standard/complex amendment, EPA referral, development contribution plans, etc.) and timeframes.	<b>Draft modified.</b> The Guidelines have been updated to clarify this process does not apply to the rezoning of the land.	
		3	Support for the concurrent structure plan and scheme amendment process.	<b>No change.</b> Noted.	
		3	The concurrent process is not supported if land not appropriately zoned as a proponent should be able to have confidence that the land has been assessed as being appropriate for development and be free to progress structure planning and subdivision without the significant uncertainty that a parallel scheme amendment brings.	<b>Draft modified.</b> The Guidelines have been updated to clarify this process does not apply to the rezoning of the land.	
		2	Provide further guidance on what provisions may be considered appropriate to be included in a scheme.	<b>Draft modified.</b> The Guidelines have been updated for clarity.	
		1	This section should be removed from the Guidelines.	<b>No change.</b> This section is required for clarity.	
	Development controls	4	The status and role of structure plans is diminished by referencing that development controls requiring statutory weight are incorporated into planning schemes. Structure plans are due regard documents, whereby Part One contains development standards to guide development and subdivision.	<b>Draft modified.</b> The Guidelines have been updated to clarify that this is in relation to precinct structure plans, and where more certainty is desirable.	
	DCPs	3	The connection between DCP and structure plans is not clear. What aspects are to be included in Part One.	<b>Draft modified.</b> The Guidelines have been updated for clarity.	
		3	Reference to DCPs should be softened so they are not used as the default cost-sharing instrument, where other mechanisms may be appropriate.	<b>Draft modified.</b> The Guidelines have been updated to clarify that this is in relation to provisions which should be incorporated into a scheme. SPP 3.6 is the key document providing guidance on DCPs.	
			2	Further guidance would assist in balancing out the differing benefits of: (a) capturing the provisions of an approved standard structure plan as soon as possible as an amendment to the relevant scheme, or alternatively (b) maintaining the currency of the standard structure plan without a scheme amendment to accommodate greater flexibility in implementation.	<b>Draft modified.</b> The Guidelines have been updated for clarity.

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Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
	Due regard	1	The concurrent structure plan and scheme amendment process provides statutory weight to structure plan provisions by introducing them into a scheme. Therefore, due regard is not required.	<b>No change.</b> Noted. The due regard status continues to apply to structure plan provisions not incorporated into the scheme
	Concurrent advertising	3	The Regulations do not provide for the advertising of a scheme amendment and structure plan concurrently, as a structure plan and scheme amendment have different processes (e.g. basic/standard/complex amendment, EPA referral, development contribution plans, etc.) and timeframes.	<b>No change.</b> The concurrent structure plan/scheme amendment process relates to introducing the site and development requirements into a scheme, and not to the rezoning of the land. This is covered under section 4.7.3 of the Guidelines.
	Clarity of document	1	There is a need to review the wording of Regulation 73 and Clause 69 in Schedule 2 of the Regulations to best represent decision-making realities.	<b>Future Consideration.</b> This is in relation to the effect of a Development Contribution Plan, which is not within the scope of this project.
		1	Clarify if this applies to both precinct and standard structure plans.	<b>Draft modified.</b> The Guidelines have been updated to clarify that this is in relation to precinct structure plans.
5.1 Application for a Structure Plan	Additional information	5	Clarify that requests for additional information, and by effect deferral of formal acceptance of the structure plan, may only be made where insufficient information has been submitted to enable assessment of the structure plan. It should make clear that lodgement agencies can only request missing information, not request that the submitted information be modified. A dispute resolution process should be outlined where this process is not followed.	<b>Draft modified</b> The Guidelines have been updated for clarity.
		2	Concerns that if applicants don't have the required information for the technical appendices available at lodgement, they may interpret it as though the requirement is waived.	<b>No change.</b> The Guidelines indicate that necessary information for a structure plan needs to be provided at lodgement for an application to be accepted. This should include technical appendices.
	Clarity of document	2	This section should be removed as this information is currently outlined in the Regulations.	<b>No change.</b> This information is needed for clarity.
	Processing	1	There is limited ability for local government to resolve issues or fatal flaws identified prior to public advertising.	<b>No change.</b> This should be dealt with through the pre-lodgement process outlined under section 4.5 of the Guidelines.
		1	Introduce a requirement for an applicant to demonstrate it has given due regard to a local planning framework and local planning strategy.	<b>No change.</b> This occurs as part of the site and context analysis undertaken when preparing a structure plan.
		1	Clarification is required in relation to when a local government should advertise a structure plan. The 28-day timeframe is not practical when the structure plan has significant issues, and time is required for the applicant to amend the proposal prior to advertising.	<b>No change.</b> This timeframe is for assessing completeness of the proposal before advertising. Issues identified are not required to be resolved prior to consultation.
5.2 Public Advertising	Clarity of document	3	This section should be removed as this information is currently outlined in the Regulations.	<b>No change.</b> This information is needed for clarity.
		1	This section references the applicant's community engagement strategy and confuses the preliminary engagement with the role of local government undertaking consultation in accordance with the Regulations.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Update the consultation information to state that owners and occupiers are to be provided notice.	<b>Draft modified.</b> The Guidelines have been updated to reference owners and occupiers.
		1	This section should be titled Public Consultation, as advertising is a method of consultation.	<b>No change.</b> This is consistent with the terminology in the Regulations.
		1	Provide guidance on how to advertise a structure plan and scheme amendment concurrently. Will there be changes made to the Regulations to allow for this to occur.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Submission form	2	The use of a submission form restricts what comments can be sought from the public and should be deleted.	<b>No change.</b> The use of a submission form assists in focusing comments on the relevant components of the proposal.
5.3 Local Government Report to Commission	Timeframes	3	Consideration should be given to extending the local government statutory timeframe to 90-120 days.	<b>Future consideration.</b> Noted. This will be considered in the context of future changes to the Regulations.
		1	Include the ability for the local government to request additional time, as applicants often need to address matters raised in a submission and/or provide technical information. This will prevent	<b>No change.</b> The Regulations provide local government with the ability to request an extension.

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Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
			reports being sent to the WAPC with a recommendation that it be deferred until the technical information is received.	
		1	Clarify the maximum time which can be granted for an extension being requested.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	A maximum extension of time of 30 days should be provided to local government.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Clarity of document	3	This section should be removed as this information is currently outlined in the Regulations.	<b>No change.</b> This information is needed for clarity.
		1	Clarify that a local government can also recommend refusal and that they must outline the reasons why.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Local government modifications	1	Clarify whether local government is meant to initially complete Appendix 4, or whether the requirement to provide a Schedule of Modifications under the Regulations is covered by the final column in Appendix 3.	<b>Draft modified.</b> The local government is to use Appendix 3 when making a recommendation to the WAPC.
	Additional guidance	1	Further guidance should be provided in relation to how local government should undertake detailed and complex assessments.	<b>No change.</b> This is not within the scope of this project.
	Engagement	1	The Guidelines should promote collaboration and discussions between the Departments officers, the local government and the proponent during the advertising and assessment stages.	<b>No change.</b> This is outlined under sections 4.5 and 5.4 of the Guidelines.
5.4 WAPC Decision	Timeframes	4	A time limit should be placed on any request for additional information.	<b>Future consideration.</b> This is not within the scope of this project as it would require changed to the Regulations.
	Publishing	3	Support the publishing of documents including the technical appendices on the WA government website.	<b>No change.</b> Noted.
	Processes	2	This should address the WAPCs referral process to other government agencies.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Include that the WAPC needs to consider the submissions received during consultation.	<b>No change.</b> The submissions are required to be considered under the Regulations and a copy is provided to the WAPC using Appendix 3 of the Guidelines.
		1	Delegating responsibility to the local government to secure additional information from the proponent causes delays and inefficiencies, due to the double handling which occurs when attempting to clarify and agree on what is being requested. The Department should contact the proponent directly and simply inform the local government as a courtesy.	<b>No change.</b> The department is to coordinate any further information request during the assessment process.
		1	Will the Department provide the approved fully modified structure plan to the local government when the instruction is given to advertise.	<b>No change.</b> The approved plan will be provided to the local government.
	Clarity of document	1	This section should be removed as this information is currently outlined in the Regulations.	<b>No change.</b> This information is needed for clarity.
6.1 Decision Making in Structure Plan Area	Additional guidance	2	More guidance should be provided in relation to what can be considered through the subdivision process.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	It would be useful to include other aspects that would require an amendment such as an increase in the number of dwellings, changes in expected population and new infrastructure requirements.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Would a change to the size and/or location of public open space in Part One require an amendment.	<b>Draft modified.</b> This would require an amendment. The Guidelines have been updated for clarity.
	Amendments	1	Any amendments which depart from the technical reports should be accompanied by updated technical reports outlining how the amendment will impact the outcomes.	<b>No change.</b> This is covered under section 7.1 of the Guidelines.
		1	Supporting minor modifications can have a wider implication on matters such as inconsistencies with zoning. Zoning can't be approved through subdivision; therefore, it is addressed through the structure plan.	<b>Draft modified.</b> The Guidelines have been updated section 7.1.1 for clarity.

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Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
	Due regard	1	There is a conflict between must apply Part One structure plan provisions and giving due regard to the documentation.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
6.2 Subdivision or Development without a Structure Plan	Seriously entertained	3	It is stated that once a structure plan is advertised, it is considered a seriously entertained planning proposal that should be given an appropriate level of consideration by decision makers when determining an application. This implies that subdivision and development can be supported in advance of a final, approved structure plan. Structure plans should only be considered seriously entertained once any required modifications from the WAPC have been provided and subsequent approval is imminent.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Decision making	1	Subdivision or development proposals should be able to be supported in certain circumstances where substantial justification is provided.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
6.3 Monitoring and Review	Extension	4	Local government or the applicant should be able to apply for the extension of an approval period for a structure plan. Often the applicant is no longer involved, especially in areas with fragmented land.	<b>Draft modified.</b> The Guidelines have been updated to include a local government or the applicant.
		1	Clarify that the application for an extension to the period of approval is to be submitted to the local government and not the WAPC.	<b>No change.</b> In accordance with the Regulations, the application is made to the WAPC.
	Structure plans due to expire	3	Include a requirement for local government to review and advise the WAPC of its intended actions in relation to structure plans that are due for expiration within a set period.	<b>Future consideration.</b> This is not in the scope of the Guidelines. It will be raised as a matter that requires practice guidance, with the WAPC.
	Additional guidance	2	Further details need to be provided in relation to the format and scope that a staging plan should comprise.	<b>No change.</b> This has been provided in the manner and form under Appendix 1.
	Lifespan	1	Structure plans should not have a 10-year lifespan rather it should be a review period. Consider including the scope and methodology for reviewing structure plans.	<b>No change.</b> In accordance with the Regulations, structure plans expire after a period of 10 years.
	Targets	1	The considerations should expand to include the meeting of population targets, dwelling numbers, density outcomes, and the impact of current development on population.	<b>No change.</b> This is covered under section 4.3 of the Guidelines.
		1	What occurs if a structure plan does not meet the targets it has set.	<b>No change.</b> A structure plan should respond to the strategic planning framework and set targets. If not, necessary adjustments may be made by means of an amendment.
Resources	1	Significant resources will be needed to capture data.	<b>No change.</b> Noted	
7. Amendment to a Structure Plan	Clarity of document	1	The guidelines should provide clearer advice in the document on the process, including examples, to determine when modifications to a structure plan would warrant a structure plan amendment. The guidelines could outline the following three paths: (a) no structure plan amendment (development application and/or subdivision approval) (b) minor amendment (without advertising): (c) normal amendment (advertising)	<b>Draft modified.</b> Section 6.1 of the Guidelines has been updated for clarity.
7.1 Amendment Procedure	Manner and form	4	Structure plan amendments should only require the Part One provisions to be updated, with there being no need to update Part Two. A supporting amendment report can outline any relevant changes which need to be documented.	<b>Draft modified.</b> The Guidelines have been updated to provide for exceptional circumstances.
		3	Structure plan amendments should comprise an amended Part One report and a fresh Part Two Explanatory report and/or technical reports to explain and justify the purpose of the structure plan amendment. Clarification of what is required to be submitted should be provided.	<b>No change.</b> This is outlined under section 7.1 of the Guidelines.
	Additional guidance	3	Further guidance is required in relation to structure plan amendments.	<b>No change.</b> The Guidelines include high level advice as to the process and expectations. Proponents should engage with the Department to obtain individualised pre-lodgement advice on proposed amendments.
	Word version	2	Structure plan applications should be submitted with a word version. This would allow for a track changes version for proposed amendments to be submitted to the WAPC and local government.	<b>No change.</b> This is covered under the Guidelines.



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		Number Received	Summary	
	Amendments	1	Can the local government require the applicant to submit an amendment.	<b>No change.</b> Local government can advise of a need for an amendment, and may initiate the process if required.
		1	Any modifications required by the WAPC, through the amendment process, will need to be made to all the relevant documents and resubmitted to prior to the structure plan being published on the WA government website and considered operational.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
	Clarity of document	1	Present information in a flow chart.	<b>No change.</b> This section does not involve a process that can be presented in a flowchart.
	Amendments and timeframes	1	The extension to the period of approval timeframe and amendment process should be combined into one process.	<b>No change.</b> Based on the Regulations, these are two separate processes.
		1	Consider a different process and associated timeframes for amendments to existing structure plans, compared to new structure plans.	<b>No changes.</b> The same considerations apply to existing and new structure plans.
7.2 Minor Amendment	Clarity of document	6	Additional clarity should be provided on what constitutes a minor amendment to a structure plan.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		2	Clarify that the local government may decide not to advertise an amendment if both the local government and the WAPC determine that the proposal is of a minor nature.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Guidance should be provided on how to determine that proposed changes do not materially alter the purpose, the objectives or the overall design response.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
7.3 Amendment (or Revocation) as a Result of Scheme Amendment	Clarity of document	3	Provide a flow chart for the normalisation process and indicate who is responsible for the process.	<b>Draft modified.</b> The Guidelines have been updated to include a flowchart.
	Amendments	3	Reference should be made to whether a basic or standard scheme amendment process applies.	<b>No change.</b> Applicants and local governments are encouraged to engage with the Department to determine the type of the scheme amendment.
		2	Clarify what additional changes could be considered or included.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	It is implied that applicants can initiate a scheme amendment. This should be updated to reflect that an applicant can request a local government to initiate a scheme amendment.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	It is implied that there is no expectation for an amendment to a scheme to occur until a basic structure plan has achieved its purpose. This should be approached on a case-by-case basis.	<b>No change.</b> A standard structure plan should only be incorporated into a scheme once it has achieved its purpose.
	Revocation	1	It would be beneficial if standard wording was provided which could be used for the revocation of a structure plan as part of the scheme amendment process.	<b>Draft modified.</b> The Guidelines have been updated to provide further clarity on this process.
Appendix 1	Manner and form	5	Include Mosquito Management Plans, Coastal Hazard Risk Management and Adaptation Planning, a site and soil evaluation, Transport and Access Strategy and Soil Management under the list of technical appendices.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		4	Include a clear statement to clarify this is a guide and it may not be applicable to every structure plan scenario.	<b>No change.</b> The manner and form states that information is to be included 'where relevant'.
		3	Clarify if the 'Zones/Precincts' under section 4.1 is: (a) referring to the identification of 'sub-precincts' within a precinct plan, or (b) referring to precincts being identified within a standard structure plan for future development of a precinct structure plan.	<b>No change.</b> Both scenarios are applicable.
		3	The Manner and Form is unnecessarily detailed and should be simplified.	<b>No change.</b> The manner and form is a template that applies to all types of structure plans. A simplified Table of Contents is to be provided.
		2	Remove reference to the Structure Plan Framework (2015) and replace with Appendix 7 of the guidelines.	<b>Draft modified.</b> The Guidelines have been updated to address this.

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		Number Received	Summary	
		2	Clarification is needed on the purpose and content of an overall masterplan or precinct design plan under the section 5 of Part Two.	<b>No change.</b> This is outlined under SPP 7.2.
		1	Include Urban Tree Canopy as a consideration under 'Other Considerations'. Structure plans are a key mechanism for the retention and enhancement of the urban tree canopy.	<b>No change.</b> The urban tree canopy is a design consideration that should form part of the structure plan's design response (refer to Appendix 1 - Manner and Form)
		1	Include a response table for the structure plan to address the key vision/objectives of Liveable Neighbourhoods.	<b>No change.</b> This is not within the scope of the Guidelines. It will be addressed under Neighbourhood Design.
		1	Provide further details on bushfire requirements and clarify when a bushfire hazard assessment/management plan is required or not required. This would assist with areas which are identified as being bushfire prone, but they are not currently mapped by the Office of Bushfire Risk Management and vice versa.	<b>No change.</b> This is not within the scope of the Guidelines.
		1	The prelude to Part One states if objectives, however objectives are always required.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Concept plans should be included in Part Two, not Part One.	<b>No change.</b> Where necessary to inform the implementation and assessment of proposals, concept plans are to be included in Part One.
		1	Include the following under the Part Two heading: Part Two should not contain any provisions or recommendations that are not required in Part One of the structure plan.	<b>No change.</b> Part Two comprises the background information/explanatory section to Part One.
		1	Footnote 5 should apply to all structure plans and be determined at the pre-lodgement consultation stage.	<b>Draft modified.</b> The Guidelines have been updated to clarify this applies to all structure plans.
		1	Footnote 6 is unnecessarily restrictive and should be removed.	<b>Draft modified.</b> Footnote 6 has been updated on the advice of the Department of Biodiversity, Conservation and Attractions, to address 'relocation of wildlife'.
		1	Footnote 6 is not supported as the ability to request the preparation of a fauna management plan which is implemented at the subdivision stage is a key factor in protecting the species and avoiding impacts to individuals during development.	<b>Draft modified.</b> Footnote 6 has been updated on the advice of the Department of Biodiversity, Conservation and Attractions, to address 'relocation of wildlife'.
		1	Section 4.1 of Part One is inconsistent with the intent of Part One as it states: provide supporting information and guidance in support or in addition to what is shown on the structure plan map.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Clarify if DRP feedback is to be incorporated into Part Two.	<b>Draft modified.</b> The Guidelines have been updated to require design review outcomes to be documented.
		1	Part Two needs to be clarified and simplified. For precinct structure plans, Part Two should be structured around each Design Element of SPP 7.2.	<b>No change.</b> This is addressed within the Guidelines.
		1	The preferred/contemplated land use approach should only be used in exceptional circumstances where there is a need to transition an area over a significant period.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Reference to a flora management plan should be amended to environmental management plan to encompass the range of management plans which may be required to manage environmental factors and support a structure plan.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Structure plan maps should indicate transport routes through the area.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Consider increasing references to waterways, wetlands, public drinking water.	<b>No change.</b> Water management is covered under the Guidelines.
		1	Considerations under context should include: (a) Existing hydrological features to be retained (b) Existing topographic form to inform urban structure (c) Key existing views & landscape character to be considered (d) Microclimate assessment including aspect and climate effects (winds & solar)	<b>No change.</b> This is covered under the site and context analysis in Appendix 2 of the Guidelines.

CONSULTATION OUTCOMES REPORT - SCHEDULE OF SUBMISSIONS

Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
		1	Further guidance should be included on the format of a precinct structure plan.	<b>No change.</b> The manner and form is a high level document applicable to both standard and precinct structure plans.
		1	The following should be removed from the content list for a structure plan map: (a) Proposed urban structure comprising blocks and streets (b) Hierarchy of streets (including transit corridors and pedestrian paths - PAWs) This information is appropriate for a development concept in Part Two, but the detail in the Part One map should be limited to Neighbourhood Connector roads and above, not access roads.	<b>No change.</b> This information is necessary to coordinate and guide future subdivision in the area and therefore should be shown on the structure plan map.
		1	Consider the need for a Manner and Form template for hybrid structure plans.	<b>No change.</b> The same manner and form applies to a standard and a precinct structure plan that are being progressed concurrently. Part One can be split into two parts as indicated under section 4.3.
		1	It is considered that a word template of the Manner and Form would be beneficial.	<b>Future consideration.</b> A link to a word template will be provided on the WA Government website, once the Guidelines are endorsed.
Appendix 2	Site and context analysis	2	Clarify that the templates taken from SPP 7.2 specifically relate to precinct structure plans, whereby a structure plan site and context analysis may differ from this template.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		2	This should be removed as it is a replication of Appendix 1 from SPP 7.2.	<b>No change</b> This is required for the site and context analysis.
		2	There are no transport policies considered under the Governance Context.	<b>Draft modified.</b> The Guidelines have been updated to address transport.
		1	SPP 7.2 should be included as a document to consider in relation to the planning topic.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Amend reference to transport networks to movement networks.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		1	Include reference to protection of naturally vegetated areas in urban and peri-urban areas.	<b>No change.</b> This is covered under the physical context under environment.
Appendix 3	Schedule of submissions	1	Requiring submissions to be individually summarised is cumbersome and is not necessary. There is more benefit in summarising submissions by key themes.	<b>Draft modified.</b> An alternate table will be provided. Depending on the number of submissions received the local government can choose to summarise the submissions based off key themes.
		1	There does not seem to be any reason why the Department requires submitters names and addresses to be given as the local government is responsible for notifying submitters of the outcome.	<b>No change.</b> This information may be necessary in understanding the concerns raised during the consultation period.
		1	Update the Recommended Modification column to Local Government Recommended Modification.	<b>Draft modified.</b> The Guidelines have been updated to state local government recommendation.
		1	Include a column for the applicant's response.	<b>No change.</b> This information can be summarised in the local government report or in the response outlined in the table.
Appendix 7	Digital Data and Mapping Standards for Structure Plans	1	Structure plans are too similar to planning scheme maps and changes to the digital data/plan approach should be considered.	<b>Future consideration.</b> Noted.
		1	It is requested that the Department make CAD and GIS templates available on its website to ensure consistency in the application of correct hatches and lines. Currently, templates can only be accessed through contacting the Department's mapping section directly.	<b>Future consideration.</b> A link to a template is recommended to be provided on the WA Government website.
Definitions – Abbreviations	Definitions	5	Due regard should be included in the glossary of definitions and abbreviations, as this has caused confusion in the past.	<b>No change.</b> This is a guidance document and not the appropriate instrument to define the meaning of due regard. This will be addressed under a separate reform project.
		1	There are several terms that could be added to the definitions and abbreviations section at the end of the guidelines, including: (a) Western Australian Planning Commission (WAPC)	<b>Draft modified.</b> The 'definitions and abbreviations' section is deleted to avoid duplication with definitions already contained within WAPC policies or the Regulations.

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Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
			(b) Regional Strategies (c) Local Planning Strategy (d) Local Planning Scheme (e) District Structure Plan (DSP) (f) Development Contribution Plan (DCP) (g) Residential Design Codes (R-Codes) (h) Tenure (i) Public Open Space (POS) (j) Pedestrian Access Ways (PAW)	
		1	Include a definition for key structure plan provisions.	<b>No change.</b> The definitions and abbreviations section is being removed as it doubles up on information contained within WAPC policies or the Regulations. This is covered under section 4.7.3 of the Guidelines.
Definitions – Abbreviations General Comments	Definitions Implementation	1	It is recommended that the term 'proponent' is replaced with 'applicant' throughout the guidelines, as the latter is a term defined and specified by the Regulations.	<b>Draft modified.</b> The Guidelines have been updated to indicate the difference between the proponent and the applicant.
		1	Having steps in the pre-lodgement process and structure plan process will make it difficult to reference. Consider renaming one to milestones.	<b>Draft modified.</b> The Guidelines have been updated for clarity.
		3	Clarification is required to outline whether the Guidelines will be applied retrospectively.	<b>No change.</b> Guidance will be provided on the WA Government website.
General Comments	Clarity of document	10	The draft Guidelines are too long and fail to meet the objective of producing a concise document.	<b>Draft modified.</b> The Guidelines have been updated for clarity based on the feedback received and to improve its useability.
		6	Remove any repetition of the Regulations within the guidelines for increased usability.	<b>No change.</b> The references to the Regulations are necessary for clarity.
		2	Using more direct language could be beneficial and help in the preparation and assessment of structure plans. Removing suggestive language will assist in creating better outcomes and reduce the potential for debates regarding the interpretation with practitioners and the decision maker.	<b>Draft modified.</b> The Guidelines have been updated for clarity. May has been used where alternative approaches exist.
	Due regard Consolidated information Fees Incentives	3	The current structure plan framework is appropriate, whereby the Guidelines comprise a rigid set of rules which remove the flexibility, scalability, and risk responsive nature of the current framework. Structure planning is a diverse field, and the guidelines should be adaptable.	<b>No change.</b> The Guidelines are a high-level guidance document.
		3	The 'Due Regard' section under the current Structure Plan Framework should be included the Guidelines.	<b>No change.</b> This is a guidance document and not the appropriate instrument to define the meaning of due regard. This will be addressed under a separate reform project.
		2	The Guidelines appear to be an amalgamation of other available documentation.	<b>No change.</b> Information has been consolidated from a range of documents to provide practice guidance on preparing a structure plan.
		2	Consideration to be given to review the hourly rate fee which local governments can charge proponents for structure plans as per the Planning and Development Regulations 2009.	<b>No change.</b> This is not within the scope of this project.
		2	There is a need for planning processes that will facilitate cost effective, innovative solutions to better enable development. The process should encourage climate action, sustainability and incentivise better planning and design outcomes.	<b>No change.</b> This is not within the scope of this project.
	Delegation Building envelopes	1	Delegation should be given to local government to determine structure plans and/or amendments to structure plans.	<b>No change.</b> This is not within the scope of this project.
		1	The draft Guidelines should review the use of building envelopes with local governments, who are ultimately left to administer them.	<b>Draft modified.</b> The Guidelines have been updated to remove reference to 'building envelope' and it has been replaced with 'building exclusion areas'.

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Relevant Section of the Guidelines	Theme	Submissions		DPLH Response (Draft Modified   No Change   Monitor Implementation   Future Consideration)
		Number Received	Summary	
	Decision making	1	The WAPC's ability to override a local government's judgement on what's acceptable within a structure plan is not supported.	<b>No change.</b> In accordance with the Regulations, the WAPC is the decision maker in relation to structure plans.
	Aboriginal Heritage	1	Consider the implications of the Aboriginal Cultural Heritage Act 2021 and associated processes.	<b>No change.</b> This is addressed under Appendix 1 - Manner and Form (the technical reports appendices) of the Guidelines which are to be included as outlined under the manner and form.
	Presentation of structure plans	1	It is recommended that all structure plan texts are consistent in their look and design.	<b>No change.</b> This is addressed under Appendix 1 - Manner and Form (technical appendices) of the Guidelines.
	Additional guidance	1	Guidance should be prepared for all technical documents which may be required to inform a structure plan. The lack of guidance for these documents has the potential to create confusion for applicants and local government. A local government may not accept a structure plan for advertising if it is of the opinion that the technical documents do not outline all the information necessary to assess the proposal.	<b>No change.</b> This is not within the scope of the Guidelines.
General Comments	Guidance Under Existing Framework	14	Support guidance being provided for the transition period.	<b>No change.</b> Guidance will be provided on the WA Government website.
	Decision making	2	It is not considered necessary for the Department to prepare guidance for structure plans that are already in the process of being prepared.	<b>No change.</b> Noted.
	Decision making 2-year review	1	Some level of guidance could be provided for the transition period. This does not need to be too detailed.	<b>No change.</b> Noted.
		13	A two-year review period is supported.	<b>No change.</b> Noted.
	Presentation of structure plans	3	A two-year review period is generally considered to be appropriate. However, additional reviews may need to occur where it is necessary due to legislative changes.	<b>No change.</b> The Guidelines will be updated to reflect future regulatory changes.
	Additional guidance	2	The Department will need to improve its response times on strategic planning proposals to ensure that the two-year review process can be undertaken quickly and effectively.	<b>No change.</b> Noted.