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Draft Model Text Provisions for Structure Plans

The purpose of this Bulletin is to seek comment on draft model text provisions for structure plans. The draft provisions are included in Schedule 1 attached to this Bulletin. Following consideration of comments and finalisation, it is intended to introduce the draft provisions as regulations.

1. Background

Several local governments are currently introducing provisions into schemes which relate to the designation of Development Zones or Areas; to requirements for the preparation of structure plans (otherwise known as outline development plans or comprehensive development plans); and prescribing cost-sharing arrangements between landowners for the provision of common infrastructure. The provisions, however, vary between schemes, resulting in costs and delays to local governments in introducing such provisions; difficulties for the Commission in assessing and providing advice on the provisions; and difficulties for subdividers and developers who must interpret the provisions.

Following submissions received from the Urban Development Institute of Australia and the Australian Association of Planning Consultants, a Working Group was established to develop model provisions to deal with structure plans and cost-sharing

arrangements. The Working Group comprises representatives from the Western Australian Municipal Association, the Urban Development Institute of Australia, the Australian Association of Planning Consultants, the Western Australian Planning Commission and the Ministry for Planning.

The Working Group has so far completed draft model text provisions for structure plans. These are contained in Schedule 1 and are now released for comment. Draft provisions dealing with development contributions, guided development schemes and resumptive development schemes are currently being prepared, and it is intended to release these in separate Bulletins when they are ready for public comment.

2. Features of Draft Model Text Provisions for Structure Plans

The draft model text provisions for structure plans provide a single, streamlined process for the approval and adoption of structure plans. They are based on the special control area provisions contained in the *Model Scheme Text* (Part 6) and accordingly, adopt that clause numbering. References to other clauses are references to clauses of the *Model Scheme Text*. For example, clause 6.2.5.5 refers to 'clause 9.4 of the Scheme.' This is a reference to clause 9.4 of the *Model Scheme Text*.

Under the draft provisions, a Structure Plan may relate to a Development Area or part of a Development Area. The Development Area is to be

identified on the Scheme Map. Development Areas may correspond with Development Zones or other zones. Development Areas, however, need not necessarily follow zone and reserve boundaries and it is possible for them to overlap different zones and reserves. The provisions of the special control area apply in addition to the provisions applying to any underlying zone or reserve, and the general provisions of the Scheme.

The scope and content of Structure Plans is flexible and depends upon the planning requirements of the Development Area to which the Proposed Structure Plan relates. A Proposed Structure Plan is to include such detail as, in the opinion of the local government, is necessary to satisfy the planning requirements of the Development Area. A list of details that may be included in a Structure Plan is contained in clause 6.2.4.4.

Subdivision and development in a Development Area is to generally be in accordance with the Structure Plan that applies to that Development Area.

A Proposed Structure Plan may be prepared and submitted by a landowner, landowners or prepared by the local government. A Proposed Structure Plan must be advertised, adopted by the local government and approved by the Western Australian Planning Commission.

In an effort to simplify the process for making a Structure Plan, the Commission is not required to endorse the local government's determination that a Proposed