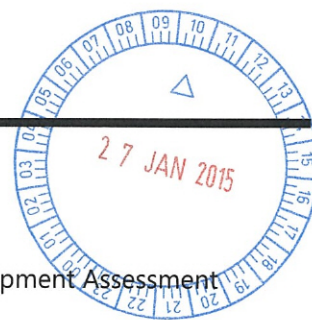


Legislation, Uniform

From: Ike
Sent: Tuesday, 27 January 2015 9:41 AM
To: Legislation, Uniform
Subject: Parliamentary Inquiry: Planning and Development (Development Assessment Panels) Regulations 2011
Attachments: Letter RE Petition No 35 - Metro Central Joint Development Assessment Panel.pdf



The Chairperson

Hon. Catherine (Kate) Esther Doust MLC

Uniform Legislation and Statutes Review Committee

Legislative Council,

Parliament House

WEST PERTH WA 6005

RE: Parliamentary Inquiry: Planning and Development (Development Assessment Panels) Regulations 2011

Dear Ms Doust

With reference to the above Inquiry I have had the privilege of reading the draft of the *Striker Balance!* Community Action Group six page submission and will therefore not engage in repetitiveness as I wholeheartedly agree with its contents.

Instead I will add to it by providing you with a copy of my letter to the Hon. Simon O'Brien MLC on October 20th, 2014 related to the hearing of Petition No 35 - Metro Central Joint Development Assessment Panel, on the same issues as is now before you.

Personally I am alarmed to see how good governance in many areas has deteriorated in recent times and how often we see one regulatory Band-Aid after the other being applied trying to correct the flaws that are so obvious to so many long before they arise.

As a retired registered builder with some 40 years' experience in the industry in Perth I am at a loss to comprehend that nowhere along the line in the process of say 94 Kitchener Road has it been considered if the development as presented would comply with the Building Code of Australia (BCA), Regulations and Standards just to name a few. I see a few concerning irregularities that I fear may be resolved by means of 'discretionary powers' rather than ensuring a proposed development is in compliance from the outset.

Yours sincerely

October 20th, 2014

The Chairman
Hon. Simon O'Brien MLC
Environment and Public Affairs Committee
Legislative Council, Western Australia

Dear Mr Chairman and Honourable Members.

RE: Petition No 35 - Metro Central Joint Development Assessment Panel

As a resident of the City of Melville for the past 26 years (living in the vicinity of the proposed development at 94 Kitchener Road) I attended the October 15 Hearing as an observer from the public gallery. It was a very informative and enlightening experience, one that has motivated me to respectfully speak up regarding my own concerns on this topic.

The City of Melville CEO Mr Silcox informed you and your colleagues that there was a massive problem with

- Planning professionals and the community and their understanding of the process (a problem he said also applied to Councillors).
- The position of untrained Councillors' membership of JDAP.

On the issue of community disconnect and suggested lack of understanding I consider it is a clear case of a deficiency in community consultation and transparency on the part of both the City of Melville and the Government. We are all well aware that the Government's proposed council amalgamations and its enthusiasm for 'modifying' current planning laws go hand in hand. Also that Mr Silcox is very much part of that process, assisting the government in achieving its goal of 'streamlining' the planning process.

With respect to the problematic position of Councillors it is my opinion that many relevant factors have been overlooked from the outset.

- Very few Councillors have any formal qualifications in areas such as the Environment, Planning, Building Design and Construction as well as infrastructure services (Water, Sewerage, Gas, Electricity, Roads, and Transport) to fully appreciate if the matters being put before them are sound and in the best interest of the community they serve.
- The Minister appoints the Councillors to JDAP from a list of recommendations put forward by individual Councils. The Minister and the Councils would be aware of deficiencies in formal qualifications needed for these positions.
- The Councillors' apparent 'conflict of interest' by serving the community on one hand and the Government on the other with their opposing views is often causing rifts within not only a Council but also between Councils and their communities.

Considering the current apparent impasse between government and the communities on these matters (amalgamation/planning/JDAP) it is my view that the government must concentrate their efforts on getting the parties (government/councils/communities) together and resolving planning issues in a more amicable and consensual manner than we see at present. As we all know constant conflict, inconsistencies and uncertainty are a recipe for an unhealthy society. The government must be the leader in this approach. There is still a small window of opportunity to return the ship on a course of harmony which can only be achieved through long term consistency and certainty.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'E. Nielsen', with a horizontal line drawn underneath it.

Eigil (Ike) Nielsen