

Hon Matthew Swinbourn MLC
Chair, Environment and Public Affairs Committee
Parliament House
2 Harvest Terrace
West Perth WA 6005



Dear Chair, *Matthew*

Re: Petition 109 – City of Nedlands Draft Local Planning Scheme 3

Thank you for the opportunity to provide a submission for Petition 109 regarding the City of Nedlands Draft Local Planning Scheme 3 (LPS 3).

I have recently written to you regarding the City of Subiaco Local Planning Scheme 5 and many of the issues I raised in that submission remain relevant in this submission.

The planning system has failed both of these communities.

The cities have many similarities that make them highly desirable as infill destinations. Both cities are well established with a strong sense of place that is tied to the built form; local heritage; the enormous amenity value of their relatively easy access to natural spaces and public open space; and many areas with excellent transport connections.

The majority of residents of the City of Nedlands acknowledge the need for Perth to have greater density and to open the economic, education and lifestyle opportunities of living close to the city to more people.

However, it is very clear that the City of Nedlands plan that engaged with the community in good faith to meet the documented density requirements of 4400 new dwellings by 2050 has essentially been disregarded by the Western Australian Planning Commission (WAPC).

The City of Nedlands takes great pride in its leafy, green reputation and in its public and private gardens. The proposal put forward by the WAPC has been deemed unacceptable by such a large proportion of the people who will be affected by it, that the Mayor of the City was unable to put his signature on the final LPS 3. The Deputy Mayor has signed it and included in his signature that it has been signed under protest and only to comply with the legal advice provided to Council.

This is a terrible outcome for our planning system to deliver.

The elected representatives of the City of Nedlands could not have made it any clearer that they and their residents have been trampled by the Planning Commission and that the final LPS 3 does not represent the aspirations of the people of Nedlands.

One of the concerns that we have seen in many communities and that is very present in the discussion around Nedlands is the lack of certainty about what increased density will mean. What we know is that the Design WA guidelines for apartments drastically reduce the minimum requirement for landscaping and tree canopy from the current standard in the greater part of Nedlands.

We also know that a lot of the developments that are big enough to need to consider the Design WA guidelines will go through the Joint Development Assessment Panel process, further reducing the ability of the elected Councillors to accurately represent the needs and wishes of the residents of the City.

Beyond this, the relevant decision-making bodies still have absolute discretion about which elements of the planning scheme and the design guidelines can be waived. In effect, the community does not know and cannot know exactly what will be built.

However, given the way that the views of the residents have been ignored throughout this process, residents are justified in believing that their concerns will be equally ignored when development begins.

The blunt instrument of changes to the R-codes provides no vision of what will happen in the area. The piecemeal approach of considering design, amenity and environmental concerns on a project by project basis gives residents very little faith that R-code changes can provide a net benefit to the community. What they do know is that much of what they currently value about their community is likely to be disregarded at best and destroyed at worst, with nothing of value offered in its place.

We have seen again and again that the developer-led, piecemeal approach to infill leads to unhappy communities fighting every step along the way.

I once again encourage the Committee to look further into the planning system and to consider the progress of the Government in responding to the Evan Jones green paper.

I anticipate that we will see similar protests and concerns about increasing density in all inner-city suburbs until such time as there are clear and understandable rules and requirements about increasing density enhancing - rather than compromising - existing neighbourhoods.

Yours sincerely,



Hon Alison Xamon MLC
Member for North Metropolitan

28 March 2019