



GOVERNMENT OF
WESTERN AUSTRALIA

Planning Reform



5. Small Business

The State Government is reforming the *Planning and Development Act 2005*, *Planning and Development (Local Planning Scheme) Regulations 2015* and State planning policies to create a more flexible, responsive and contemporary planning system that can support Western Australia's economic recovery. This is the culmination of more than three years of consultation across all sectors and the community to deliver high quality and sustainable development, create new employment and business opportunities, and let people have their say early about future development in their communities.

Small and medium businesses are the backbone of our economy and a major employer for Western Australians, helping to deliver vital infrastructure from homes, roads, water services and parks.

Proposed planning reforms will reduce red tape, streamline approvals and remove barriers so business owners can focus on the job, not unnecessary paperwork and approvals for simple works.

Key Reforms

- Three streams of planning reform – legislative, regulatory and policy – are being progressed.
- Changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* propose a range of measures to streamline and reduce red tape for development approval processes, including:
 - A wider range of small residential projects will become exempt from planning approval - including minor extensions, patios, carports, shade sails and pergolas. This will make home improvements easier for home owners and tradespeople.
For example, if you wish to erect a patio, and it meets a set of defined criteria, you will be able to apply directly for a building permit from your local council without requiring planning approval.
 - Deemed to comply provisions will be expanded and simplified under revised R-Codes¹ to be released later this year, enabling more single residential homes to not planning approval.
 - Change of use applications will be abolished for a number of different uses to support small businesses wishing to establish or change their operations.
This would include uses which are well suited and anticipated in town centres, commercial areas, activity corridors and mixed-use areas including cafes, restaurants, consulting rooms, retail shops and small offices.
For example, this reform would support a proposal to change use from a consulting room to a café without requiring planning approval. While this is currently allowable in some local government areas, the reforms will ensure it is consistent across the State and cut unnecessary and burdensome red tape.
 - An updated cash-in-lieu framework will allow for clear and consistent calculations and waive shortfalls up to 10 car bays, making the provision of car parking in planning applications more flexible and consistent across the State and reducing a significant financial impost on small businesses.
 - A streamlined coordinated approval process for simple development applications.

¹ R-Codes are a set of density and design standards that apply to all residential development in Western Australia. R-Codes use a numbering system to give a general idea of what can be built, and where, and how many dwellings can be developed per hectare to ensure development is consistent in an area.



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Implementation

- These legislative, regulatory and policy reforms will be progressively implemented, with some interdependencies between each of the instruments.
- The first of two Bills comprising amendments to the *Planning and Development Act 2005* will be considered by State Parliament in May 2020.
- Some parts of the legislation will come into effect upon Royal Assent, as approved by the Governor, or on a specified date. Other changes require supporting regulations, to be approved by the Minister for Planning and gazetted, in order to effect the intended outcomes.
- Any required amendments to the *Environmental Protection Act 1986* to support these reforms will be considered as part of this process.
- Supporting changes to the *Planning and Development (Local Planning Schemes Regulations) 2015* are currently being progressed as a matter of priority.
- The Department of Planning, Lands and Heritage will finalise and review planning policies for residential design codes and activity centres later this year. Draft policies for medium density and liveable neighbourhoods will also be released for public consultation, and work is ongoing to review policies relating to hazards such as bushfire management and coastal erosion.

Desired Outcomes

- Reduced red tape for small business owners, less paperwork and waiting time so businesses can get on with the job faster.
- Support reinvigoration of local precincts by removing planning barriers for cafés, small bars and shops.
- Support development as part of the State's economic recovery following COVID-19.
- Reactivate our town centres and create local employment and business opportunities by progressing important community works.
- Spend more time on what matters most to small business – new work – to keep Western Australians employed.
- More job opportunities across Western Australia's small to medium business sector.
- For small business owners of cafés and restaurants, the reforms will create a planning system that reduces the number of approvals they require to commence and adjust their operations.