



Department of **Planning,
Lands and Heritage**



WAPC Review Summary of Recommendations 2023



The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of land and waterways across Western Australia. The Department is committed to reconciliation to improve outcomes for Aboriginal and Torres Strait Islander peoples and to work together to provide a culturally-safe and inclusive environment.

Disclaimer

This document has been produced by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the Government, its employees and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© State of Western Australia

Published by the
Department of Planning, Lands and Heritage
Gordon Stephenson House
140 William Street
Perth WA 6000

Locked Bag 2506
Perth WA 6001

Published May 2023

website: www.wa.gov.au/dplh
email: info@dplh.wa.gov.au

tel: 08 6551 8002
fax: 08 6551 9001
National Relay Service: 13 36 77

This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.



Ref	Recommendation	Rationale	Priority	Legislative Reference	Sequence
1	Update Section 14 of the Planning and Development Act 2005 to clearly define the purpose of the WAPC and to rationalise the list of functions.	Clearer planning framework, strategic focus	M	S14	Legislative Tranche
2	Transfer unnecessary detail relating to the operation of the Commission into regulation to provide greater capacity for update, reflective of contemporary practice and other frameworks.	Efficiency, agility	M	Schedule 1	Legislative Tranche
3	Transfer detail relating to the establishment and operation of committees (updated to reflect current arrangements) into regulation to provide greater capacity for update.	Efficiency, agility	M	Schedule 2	Legislative Tranche
4	Review and update terms of reference for committees to increase consistency of approach and explanation of role.	Consistency	L	N/A	Coordinate with 3
5	Explore possible exemptions from the Premier's Circular on State Government Boards and Committees to assist the Commission advance its work effectively and efficiently.	Efficiency and agility	L	N/A	Nil
6	Clarify the parameters for Ministerial instruction or direction of the Commission.	Transparency, legibility	M	s17	Legislative Tranche
7	<i>Skills, Knowledge & Expertise</i>				
7.1	Document and publish the WAPC board member selection criteria.	Transparency, efficiency, efficacy	M	N/A	Coordinate with 7.2-7.5
7.2	Document and publish the WAPC board member selection process and include open calls for nomination, use of independent panel member/s to establish the shortlist submitted to the Minister and the option for interviews.	Transparency, efficacy	M	N/A	Coordinate with 7.1 and 7.3-7.5
7.3	Amend the technical expertise sought on the Commission board to broaden the description to promote skilled members from fields relevant to integrated land use planning including: <ul style="list-style-type: none"> ▪ urban and regional planning. ▪ land and housing supply and development. ▪ transport or infrastructure systems planning or management. ▪ economics, social or environmental policy or science. ▪ public sector governance and administration or law 	Efficiency, efficacy	M	S10	Legislative Tranche
7.4	Specify that the Chairperson and at least one other member be required to have extensive experience, expertise and a PIA-recognised qualification in urban and regional planning.	Efficiency, effectiveness, independence	H	S10	Legislative Tranche Relates to 7.2

Ref	Recommendation	Rationale	Priority	Legislative Reference	Sequence
7.5	Specify that the board must include members with significant Local Government and Regional experience.	Efficiency, efficacy	H	S10	Legislative Tranche Relates to 7.2
7.6	In the selection criteria, supplement the technical expertise listed in the Act with the skills, qualities and experience outlined in Governance Guide, updated to reflect the recommendations of the <i>'Governance Manual for WA Government Boards and Committees'</i> , to promote inclusion of diversity and to differentiate between skills, qualities and experience required of all members versus those required within the board as a whole.	Effectiveness, transparency	M	N/A	71
7.7	Undertake a regular collective skills assessment to identify gaps and inform selection of new members, collective training needs and potential consultancy support required.	Efficiency, efficacy	M	N/A	Relates to 7.5 and 7.7
7.8	Maintain a robust induction process (and regular refreshers), with individual training needs to support Commissioners in their roles to be discussed and reviewed annually.	Efficiency, efficacy	M	N/A	Relates to 7.5 and 7.6
7.9	Publish profiles of Commissioners and their affiliations to increase transparency.	Transparency	L	N/A	Nil
8	<i>Structure and Composition</i>				
8.1	Amend the role of agency CEOs (Directors General) listed as members of the Commission to non-voting participants, and include the CEO of Infrastructure WA in this category.	Efficiency, transparency	H	S10	Legislative Tranche
8.2	Make provision for agency CEOs to nominate a senior officer to attend Commission meetings and participate in their stead.	Efficiency	H	S10	Legislative Tranche Relates to 8.1
8.3	Reduce the Commission membership to 1 Chairperson and 6-8 ordinary members.	Efficiency, agility, strategic focus	H	S10	
8.4	Recognise the additional expertise and input into decision-making the Commission board receives through the support it receives from the public service, referrals and consultation processes, collaborative projects, sub-committees and consultants and specialist advisors.	Efficiency, legibility	L	N/A	Legislative Tranche
8.5	Make provision for the option of an alternate participant for ordinary members in the event of absence, particularly if this restricts necessary expertise to make a given decision.	Efficiency	L	Schedule 1	Legislative Tranche Relates to 2
8.6	Amend the provisions enabling appointment of a deputy chairperson to allow the option of more than one, and specify that the deputy/ies be drawn from ordinary members.	Efficiency	M	Schedule 1	Legislative Tranche Relates to 2

Ref	Recommendation	Rationale	Priority	Legislative Reference	Sequence
9	<i>Committees</i>				
9.1	Maintain the operation of the Executive Finance and Property Committee and Statutory Planning (and Swan Valley) Planning Committees as core standing committees of the Commission which assist it in the delivery on ongoing functions and decisions.	Efficiency, strategic focus	H	Schedule 2	Legislative Tranche Relates to 3
9.2	Increase the representation of Commissioners on standing committees to include the Chairperson (or delegate) and at least two other commission members.	Efficiency, efficacy, consistency	H	Schedule 2	Legislative Tranche Relates to 3
9.3	Require that committees with delegation from the Commission comprise of a greater number of Commissioners than external members.	Efficiency, efficacy, consistency	H	Schedule 2	Legislative Tranche Relates to 3
9.4	Retain flexible provision for the establishment of additional committees to support the Commission in the delivery of its functions, including provision of specialist advice on a specific issue, project or area and discuss options for a approval appointment procedure with the Minister.	Efficiency, agility, strategic focus	H	Schedule 2	Legislative Tranche Relates to 3 and 5
9.5	Introduce a procedure requiring referral of minutes of meetings of WAPC Committees to the WAPC for noting (and, where necessary, endorsement of recommendations).	Governance, efficiency	M	N/A	Could be introduced in conjunction with 4
9.6	Remove provisions restricting the delegation of MRS functions and amendments to the Statutory Planning Committee.	Efficiency, strategic focus	M	sub-clause 5 of clause Schedule 2	In conjunction with 3
9.7	Undertake regular reviews (aim biennially) of delegations to confirm ongoing suitability, opportunities to expand, and adequacy of oversight.	Efficiency, strategic focus	H	N/A	
9.8	Remove the requirement for delegation notices to be published in the Gazette be removed to increase efficiency and allow a more user-friendly and accessible format to be resolved and published.	Efficiency, legibility	H	S 16 (1 b)	Legislative Tranche

Ref	Recommendation	Rationale	Priority	Legislative Reference	Sequence
10	<i>Agency Input:</i>				
10.1	Recognise and communicate the importance of multidisciplinary input to planning, and the planning process's role in balancing such inputs to optimise social, economic and environmental outcomes.	Effectiveness, legibility	L	N/A	
10.2	Promote a collaborative approach to planning, including: <ul style="list-style-type: none"> inter-agency contributions to the Commission's strategic planning processes and outlook to enable shared identification of issues and priorities, and joint resourcing of responses greater use of committees and working groups (including agency representatives) to undertake strategic planning exercises greater use of informal briefing sessions for strategic planning exercises, complex matters and major proposals. 	Efficiency, effectiveness	H	N/A	In conjunction with 13.4
10.3	The Chairperson continue to engage directly with the Chairs of related bodies (notably the EPA, IWA and Main Roads Commissioner) to discuss common issues and coordinated activity.	Efficiency, effectiveness	M	N/A	
11	<i>Infrastructure Coordination Role</i>				
11.1	Confirm that the WAPC will continue to take an active role in coordinating the development and community infrastructure necessary to service zoned land and support realisation of economic, social and environmental outcomes and define its focus as to: <ul style="list-style-type: none"> Assess the infrastructure needs and implications of different land use options in preparing and assessing land use plans and proposals, drawing on the advice and expertise of service agencies and Infrastructure WA (IWA). Accommodate the preferred infrastructure option in approved land use plans, with consideration of how it is expected to be funded and delivered. Where relevant, indications of staging reflecting the efficient roll out of infrastructure will be included, along with guidance as to in which circumstances variation to staging may be considered. Support IWA and service agencies develop their long-term plans and promote collaboration to align capacity and timing to support delivery of serviced land and maximise public benefit. Provide advice to the Government, IWA and service agencies on forecast population growth, locations and rates of development and other planning assumptions. 	Effectiveness, legibility	H	N/A	Option to reflect in refined wording of Function via 1

Ref	Recommendation	Rationale	Priority	Legislative Reference	Sequence
11.1 (cont)	<ul style="list-style-type: none"> Provide advice to the Government, IWA and service agencies on servicing priorities from a land use planning and land supply perspective. Investigate key infrastructure issues relating to land use planning objectives (such as inhibition to urban infill in key locations, the development of priority precincts and others flagged in the State Infrastructure Strategy) - based on defined criteria to identify priorities -and develop strategies to resolve these (subject to resource availability). Provide the Government agencies support in developing funding programs and policies which reflect the objectives and interests of the state, optimise the return on public investment and integrate with planning processes. Provide the Government agencies support in developing the criteria informing the prioritisation of infrastructure and advocate for and provide advice to ensure it appropriately considers land use planning and land supply considerations particularly focussing on areas experiencing market failure the development of which aligns with government objectives and priorities. Develop and administer planning policies relating to the planning for, provision and funding of infrastructure (including assessing Development Contribution Plans). Promote the sharing of information and establishment of a single digital 'source of truth' in relation to spatial, servicing and planning data. 				
11.2	Propose reactivation of the Senior Infrastructure Officers Group (including a representative from IWA) to facilitate the coordination of infrastructure and land use planning activities.	Efficiency, efficacy	M	N/A	
11.3	Refer priority initiatives identified in the State Infrastructure Strategy requiring additional funding and resourcing for considerations in the next strategic planning and budgeting cycle.	Efficacy, strategic focus	M	N/A	In conjunction with 13.4
12	<i>Other Operational Recommendations Requiring Legislative Change</i>				
12.1	Amend the provisions related to the granting of leave of absence for members to authorise the Chairperson of the WAPC to approve this rather than the Minister.	Efficiency	L	Clause 5 of Schedule 1	Legislative Tranche
12.2	Amend the operational provisions to allow for an out of meeting resolution to be signed / assented to by members via electronic means, and for resolution to be passed if enough to support a quorum respond within 48 hours and all responding members support the motion.	Efficiency	M	Clause 9 of Schedule 1	Legislative Tranche

Ref	Recommendation	Rationale	Priority	Legislative Reference	Sequence
13	<i>Other Operational Recommendations Not Requiring Legislative Change</i>				
13.1	Stagger appointment periods for ordinary members (where feasible), to allow a degree of continuity.	Efficiency	L	N/A	Nil
13.2	Appoint a deputy chairperson/s from the ordinary members.	Efficiency, risk mitigation	L	N/A	Nil
13.3	Redesign the (corporate) strategic planning, budgeting and reporting program into a staged cycle and reintroduce as soon as possible.	Efficacy, strategic focus, governance	H	N/A	Nil
13.4	Maintain a regular and prioritised policy and key instruments review program to monitor currency of key instruments.	Efficiency, strategic focus, governance	M	N/A	Nil
13.5	Investigate amendments to reporting format to separate report Attachments (critical to understanding of a report or recommendation and so mandatory reporting) from Additional Information (from which report conclusions are drawn but which only need to be referred to for further detail if desired, and made available in the interest of transparency).	Efficiency	L	N/A	Nil
13.7	Review the delegation practices of the Commission to the Department of Planning Lands and Heritage to determine whether allocation to individual officers and positions would be better determined by the Director General rather than specified in the Commission's notice of delegation.	Efficiency	L	s16	In conjunction with 9.7, potentially following 9.8
13.8	Undertake a further review of transparency to determine whether additional confidential reports should be made publicly available (potentially, for matters in which the Minister is the determining authority, once the decision is made) or other improvements made to increase public confidence in the planning system.	Transparency	L	N/A	
13.9	Review conflict of interest declaration processes and procedures to allow for inclusion of standing declaration of conflict of interest on agendas.	Efficiency, Transparency	M	N/A	
13.10	Request that the Department formalise a consistent approach to initiation of significant strategic projects and policy reviews including joint definition of scope and approach, and agreement on collaboration mechanisms to ensure appropriate agency input and option for involvement of a relevant Commission or Committee member on the project Working Group.	Efficiency, efficacy	H	N/A	