



# Planning Consultation Local Planning Policy

## Responsible Directorate: Planning and Community Development

**Objective:** To state the City of Joondalup's commitment to effective, transparent and accessible community consultation on planning proposals to inform decision-making.

### 1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme Area.

### 2. Application:

This policy applies to all community consultation activities in the City of Joondalup related to planning proposals.

### 3. Definitions:

**'A' use** means that the land use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**"community consultation"** means any activity which seeks feedback from community members to inform decision-making.

**'D' use** means that the land use is not permitted unless the local government has exercised its discretion by granting development approval.

**'P' use** means that the land use is permitted if it complies with all relevant development standards or requirements of the City of Joondalup *Local Planning Scheme No. 3*.

**"planning proposal"** means an application for consideration against the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* or *Local Planning Scheme No 3*.

"R-Codes" means [State Planning Policy 7.3 Residential Design Codes Volumes 1 and 2](#).

#### **4. Statement:**

The City of Joondalup is responsible for processing planning proposals within legislative timeframes and must balance this responsibility with the community's desire to have input into the assessment outcome. Community consultation forms part of the City's assessment against the planning framework, and informs, but does not replace, the decision-making role of the relevant legislative body (e.g. City, Council, Development Assessment Panel, State Administrative Tribunal, and/or State Government authority).

The City will consult with the community whenever it is required to do so under legislation and in accordance with Tables 1–3.

#### **5. Details:**

##### **5.1. Principles of Community Consultation:**

To ensure the City's community consultation practices for planning proposals are effective, transparent and accessible, the following principles will apply, unless bound otherwise by statutory and legislative requirements (see Tables 1–3).

###### **5.1.1.Stakeholders:**

- a. The City will identify stakeholders for consultation activities based on the following:
  - The consultation requirements of the R-Codes.
  - Scale and scope of the planning proposal.
  - Location and proximity to the property in question.
  - Potential impact of the planning proposal on local amenity, such as vehicle movements, streetscapes and landscaping.
- b. Stakeholders will include landowners and occupiers of residential properties.

###### **5.1.2.Methodology:**

- a. The City will ensure consultation activities are communicated to stakeholders in accordance with the communication methods listed in Tables 1–3.
- b. Unless stated otherwise, the City will only accept feedback on planning proposals in writing, either electronically or in hard-copy.

###### **5.1.3.Timing and Duration:**

- a. While the City will endeavour to avoid consultation over extended holiday periods, the timing of consultation activities may be prescribed under legislation depending on the type of planning proposal. Where the timing is set to occur over the Easter or Christmas public holidays, the City will extend the duration of the consultation by seven days, where legislative timeframes can still be met.

- b. The City will ensure that the duration of consultation activities is planned in accordance with those listed in Tables 1–3.

#### **5.1.4. Supporting and Technical Material:**

In addition to any development plans required as part of a planning proposal, the City will ensure appropriate supporting and technical material is made available to consultation participants for the duration of the consultation period to support understanding of the planning proposal. These materials may include transport studies, environmental and acoustic reports, the applicant's planning justification, and similar.

#### **5.1.5. Consultation Outcomes:**

- a. The City will make a summary of the consultation outcomes available to the applicant of a planning proposal on request.
- b. The City will ensure consultation participants can register their details and 'opt-in' to receive information about the progress of a planning proposal. Information may be provided on the following, as relevant:
  - Dates of Council Meetings and meetings of the Joint Development Assessment Panel.
  - Initiation of State Administrative Tribunal applications.
  - Any additional community consultation required.
  - Final outcome/decision.

#### **5.2. Costs associated with consultation:**

In accordance with the *Planning and Development Regulations 2009*, the costs and expenses related to advertising and consultation procedures required in relation to an application are payable by the applicant in addition to the fee for the provision of the service. These costs are included in the City's *Schedule of Fees and Charges*.

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<b>Creation Date:</b>	March 2020
<b>Amendments:</b>	Nil
<b>Related Documentation:</b>	<ul style="list-style-type: none"><li>• <i>Child Care Premises Local Planning Policy</i></li><li>• <i>Community Consultation Policy</i></li><li>• <i>Consulting Rooms Local Planning Policy</i></li><li>• <i>Elections Caretaker Policy</i></li><li>• <i>Home-Based Business Local Planning Policy</i></li><li>• <i>Non-residential Development in the Residential Zone Local Planning Policy</i></li><li>• <i>Satellite Dishes, Aerials, and Radio Equipment Policy</i></li></ul>

- *Short-Term Accommodation Local Planning Policy*
- *Telecommunications Infrastructure Local Planning Policy*
- *Land Administration Act 1997*
- *Local Government Act 1995*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development Regulations 2009*
- *Local Planning Scheme No. 3*
- *State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2*

**Table 1. Consultation Requirements — Residential Development Applications**

Residential Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<p><b>New single house or additions to an existing/approved single house where an R-Codes Design Principle assessment, or equivalent under a structure plan or local development plan is required, for following R-Codes provisions:<sup>1</sup></b></p> <ul style="list-style-type: none"> <li>• 5.1.6 — Building height</li> <li>• 5.4.1 — Visual privacy (overlooking)</li> <li>• 5.4.2 — Solar access for adjoining sites (overshadowing)</li> </ul> <p><b>Proposals that require a Design Principle assessment in accordance with the R-Codes (or equivalent under a structure plan or local development plan) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</b></p>	14 days	Yes	Yes	No	No	No
<b>New grouped dwellings (less than five) (including major additions<sup>3</sup>)</b>	14 days	Yes	Yes	No	No	No
<b>New grouped dwellings (five or more) (including major additions<sup>3</sup>)</b>	21 days	Yes	Yes	No	Yes	No

Residential Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<b>Additions to an existing/approved grouped dwelling where an R-Codes Design Principle assessment, or equivalent under a structure plan or local development plan is required, for the following R-Codes provisions:</b> <ul style="list-style-type: none"> <li>• 5.1.6 — Building height</li> <li>• 5.4.1 — Visual privacy (overlooking)</li> <li>• 5.4.2 — Solar access for adjoining sites (overshadowing)</li> </ul> <b>Proposals that require a Design Principle assessment in accordance with the R-Codes (or equivalent under a structure plan or local development plan) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</b>	14 days	Yes	Yes	No	No	No
<b>Multiple dwellings (new and major additions<sup>2,3</sup>):</b> <ul style="list-style-type: none"> <li>• Initial consultation</li> <li>• Subsequent consultation</li> </ul>	21 days	Yes	Yes	No	Yes	No
	14 days					

**Notes referenced in Table 1:**

1. Single house proposals (including additions to an existing house) that comply with the deemed-to-comply provisions of the R-Codes and any other applicable local planning policy, do not require planning approval (and therefore do not require consultation).
2. “Major additions” include proposals such as additional storeys and significant increases to the overall building footprint and similar.
3. Minor additions or modifications to existing/approved multiple dwellings, where an Element Objective assessment or equivalent is required in accordance with the R-Codes, may be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.

**General notes:**

1. Minor additions include outbuildings, patios, carports, small building extensions and similar.

**Table 2. Consultation Requirements — Other Development Applications**

Other Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
Home occupation and home business <sup>1</sup>	14 days	Yes	Yes	No	No	No
Child care centre — new or expansion in capacity	14 days	Yes	Yes	No	Yes	No
Consulting rooms — new or expansion in capacity (applies to the 'Residential' zone and 'Urban Development' zone where the structure plan applies the 'Residential' zone)	14 days	Yes	Yes	No	Yes	No
Short-term accommodation — new or intensified use (applies to the 'Residential' zone)	14 days	Yes	Yes	No	No	No
Non-residential development in the 'Residential' zone — new or intensified use	14 days	Yes	Yes	No	Yes	No
Telecommunications infrastructure	21 days	Yes — landowners/occupiers within 400 m of site	Yes	No	Yes	No
Satellite dishes, aerials and radio equipment	14 days	Yes	Yes	No	No	No
Change of land use to 'P' use where all development standards are met	Not required					
Change of land use to 'D' uses where all development standards met <sup>2</sup>	14 days	Yes	No	No	No	No
Change of land use to 'A' uses	14 days	Yes	Yes	No	Yes	No

Other Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
Commercial and mixed-use development (new and major additions <sup>3</sup> ) where discretion is required against applicable development standards <sup>4</sup>	14 days	Yes	Yes	No	No	No

**Notes within Table 2:**

1. For home occupation and home business renewals, if any changes are proposed to the operation of the business, or complaints have been received within the previous 12 months, consultation may be required.
2. 'D' land uses will only be advertised where there is the potential for the use to impact on the amenity of adjoining properties, as determined by the City.
3. Major additions include proposals such as additional storeys and significant increases to overall building footprint and similar.
4. Minor additions or modifications to existing/approved commercial and mixed-use development, where discretion is required against applicable development standards, may be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity on the street or adjoining properties, as determined by the City.

**General notes:**

1. Minor additions include outbuildings, patios, carports, small building extensions and similar.

**Table 3. Consultation Requirements — Strategic Planning Proposals**

Strategic Planning Proposal Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<b>Basic scheme amendment</b>	Not required unless directed by the Minister for Planning					
<b>Standard scheme amendment</b>	42 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes	Yes — if relating to a specific site	Yes
<b>Complex scheme amendment</b>	60 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes	Yes — if relating to a specific site	Yes
<b>Structure Plan and Activity Centre Plan<sup>1</sup></b>	28 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	No	Yes – if relating to a specific site	Yes
<b>Local Development Plan<sup>2</sup></b>	21 days	Yes	Yes	No	No	No
<b>New local planning policy<sup>3</sup></b>	21 days	No — unless it affects a specific property or sector/ group	Yes	Yes	No	Yes

**Notes within Table 3:**

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*:

1. The City/Council may decide not to advertise an amendment to a structure plan or activity centre plan if, in the opinion of the City and the Western Australian Planning Commission, the amendment is of a minor nature.
2. The City/Council may decide not to advertise an amendment to a local development plan if, in the opinion of the City, the amendment is of a minor nature.
3. The City/Council may decide not to advertise an amendment to a local planning policy if, in the opinion of the City, the amendment is of a minor nature.

**General notes:**

1. Notification will include registered resident and ratepayer groups where appropriate.
2. Notification will include the Community Engagement Network where appropriate.
3. For the purpose of Table 3, a minor amendment includes the correction of typographical or formatting errors, updates to legislation references and similar but does not include an amendment to development provisions or standards.

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### 1. Authority:

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### 2. Application:

This policy applies to all community consultation activities in the City of Joondalup related to planning proposals.

### 3. Definitions:

**'A' use** means that the land use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**"community consultation"** means any activity which seeks feedback from community members to inform decision-making.

**"complex application" means**

(a) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table of *Local Planning Scheme No. 3* in respect of the zone in which the development is located; or

(b) an application of a kind identified elsewhere in *Local Planning Scheme No. 3*, or in a local planning policy, as a complex application for development approval.

**'D' use** means that the land use is not permitted unless the local government has exercised its discretion by granting development approval.

**'P' use** means that the land use is permitted if it complies with all relevant development standards or requirements of the City of Joondalup *Local Planning Scheme No. 3*.

**"planning proposal"** means an application for consideration against the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* or *Local Planning Scheme No 3*.

**"R-Codes"** means [State Planning Policy 7.3 Residential Design Codes Volumes 1 and 2](#).

#### 4. Statement:

The City of Joondalup is responsible for processing planning proposals within legislative timeframes and must balance this responsibility with the community's desire to have input into the assessment outcome. Community consultation forms part of the City's assessment against the planning framework, and informs, but does not replace, the decision-making role of the relevant legislative body (e.g. City, Council, Development Assessment Panel, State Administrative Tribunal, and/or State Government authority).

The City will consult with the community whenever it is required to do so under legislation and in accordance with Tables 1–[34](#).

#### 5. Details:

##### 5.1. Principles of Community Consultation:

To ensure the City's community consultation practices for planning proposals are effective, transparent and accessible, the following principles will apply, unless bound otherwise by statutory and legislative requirements (see Tables 1–[34](#)).

##### 5.1.1. Stakeholders:

- a. The City will identify stakeholders for consultation activities based on the following:
  - The consultation requirements of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#) and the R-Codes.
  - Scale and scope of the planning proposal.
  - Location and proximity to the property in question.
  - Potential impact of the planning proposal on local amenity, such as vehicle movements, streetscapes and landscaping.
- b. Stakeholders will include landowners and occupiers of [residential](#) properties.

##### 5.1.2. Methodology:

- a. The City will ensure consultation activities are communicated to stakeholders in accordance with the communication methods listed in Tables 1–[34](#).

- b. Unless stated otherwise, the City will only accept feedback on planning proposals in writing, either electronically or in hard-copy.

#### 5.1.3. Timing and Duration:

- a. While the City will endeavour to avoid consultation over extended holiday periods, the timing of consultation activities may be prescribed under legislation depending on the type of planning proposal. Where ~~the timing consultation is set to occur over the Easter or Christmas public holidays, being a period of seven days commencing on Good Friday and a period from 25 December to 1 January (inclusive), these days will be excluded from the total duration of consultation (e.g. consultation over Easter will be for an additional seven days). a period of the City will extend the duration of the consultation by seven days, where legislative timeframes can still be met.~~
- b. The City will ensure that the duration of consultation activities is planned in accordance with those listed in Tables 1–~~34~~.

#### 5.1.4. Supporting and Technical Material:

In addition to any development plans required as part of a planning proposal, the City will ensure appropriate supporting and technical material is made available to consultation participants for the duration of the consultation period to support understanding of the planning proposal. These materials may include transport studies, environmental and acoustic reports, the applicant's planning justification, and similar.

#### 5.1.5. Consultation Outcomes:

- a. The City will make a summary of the consultation outcomes available to the applicant of a planning proposal on request.
- b. The City will ensure consultation participants can register their details and 'opt-in' to receive information about the progress of a planning proposal. Information may be provided on the following, as relevant:
  - Dates of Council Meetings and meetings of the ~~Joint~~ Development Assessment Panel.
  - Initiation of State Administrative Tribunal applications.
  - Any additional community consultation required. In these instances, information will also be provided to all stakeholders contacted as part of the initial consultation.
  - Final outcome/decision.

#### 5.2. Costs associated with consultation:

In accordance with the *Planning and Development Regulations 2009* and *[Planning and Development \(Local Planning Schemes\) Regulations 2015](#)*, the costs and expenses related to advertising and consultation procedures required in relation to an application are payable by the applicant in addition to the fee for the provision of the service. These costs are included in the City's *Schedule of Fees and Charges*.

### **5.3. Development applications where the City is not the responsible authority or decision-maker**

Where the City/Council is not the responsible authority or decision-maker for a development application:

- a. The City will not undertake community consultation for the development application.
- b. In providing a recommendation to the responsible authority the City will provide advice on whether community consultation is appropriate, and if so, will outline the recommended consultation methods and relevant stakeholders having regard to the requirements of this policy.

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**Creation Date:** March 2020

**Amendments:** CJxx-05/22NH

**Related Documentation:**

- *Child Care Premises Local Planning Policy*
- *Community Consultation Policy*
- *Consulting Rooms Local Planning Policy*
- *Elections Caretaker Policy*
- ~~*Home-Based Business Local Planning Policy*~~
- *Minor Development Local Planning Policy*
- *Non-residential Development in the Residential Zone Local Planning Policy*
- ~~*Satellite Dishes, Aerials, and Radio Equipment Policy*~~
- *Short-Term Accommodation Local Planning Policy*
- *Telecommunications Infrastructure Local Planning Policy*
- *Land Administration Act 1997*
- *Local Government Act 1995*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development Regulations 2009*
- *Local Planning Scheme No. 3*
- *State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2*

Table 1. Consultation Requirements — Residential Development Applications

Residential Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<p><b>New single house or additions to an existing/approved single house where an R-Codes Design Principle assessment, or equivalent under a structure plan or local development plan is required, for following R-Codes provisions:<sup>1</sup></b></p> <ul style="list-style-type: none"> <li>• 5.1.6 — Building height</li> <li>• 5.4.1 — Visual privacy (overlooking)</li> <li>• 5.4.2 — Solar access for adjoining sites (overshadowing)</li> </ul> <p>Proposals that require a Design Principle assessment in accordance with the R-Codes (or equivalent under a structure plan <del>or</del> local development plan <u>or local planning policy</u>) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</p>	14 days	Yes	Yes	<del>No</del>	No	No
<p><b>New grouped dwellings (less than five) (including major <del>additions<sup>3</sup></del> <u>additions<sup>2</sup></u>)</b></p>	14 days	Yes	Yes	<del>No</del>	No	No
<p><del>New grouped dwellings (five or more) (including major additions<sup>3</sup>)</del></p>	21 days	<del>Yes</del>	<del>Yes</del>	<del>No</del>	<del>Yes</del>	<del>No</del>

Residential Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<p>Additions to an existing/approved grouped dwelling where an R-Codes Design Principle assessment, or equivalent under a structure plan or local development plan is required, for the following R-Codes provisions:</p> <ul style="list-style-type: none"> <li>5.1.6 — Building height</li> <li>5.4.1 — Visual privacy (overlooking)</li> <li>5.4.2 — Solar access for adjoining sites (overshadowing)</li> </ul> <p>Proposals that require a Design Principle assessment in accordance with the R-Codes (or equivalent under a structure plan <del>or</del> local development plan <u>or local planning policy</u>) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</p>	14 days	Yes	Yes	No	No	No
<p>Multiple dwellings (new and major additions<sup>2,3</sup>) <u>(excluding complex applications in Table 3):</u></p> <ul style="list-style-type: none"> <li><del>Initial consultation</del></li> <li><del>Subsequent consultation</del></li> </ul>	<p><del>21 days</del></p> <p>14 days</p>	Yes	Yes	No	Yes	No

Residential Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<p><u>Minor additions or modifications<sup>3</sup> to an existing/approved multiple dwelling, where it does not meet an Acceptable Outcome, or equivalent development standard under a local planning policy, structure plan or local development plan, for the following R-Codes provisions:</u></p> <ul style="list-style-type: none"> <li>• <u>2.2 — Building height</u></li> <li>• <u>3.5 — Visual privacy (overlooking)</u></li> <li>• <u>3.2 A3.2.3 and A3.2.4 — Orientation (overshadowing)</u></li> </ul> <p><u>Proposals that require an assessment in accordance with the R-Codes (or equivalent under a structure plan, local development plan or local planning policy) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</u></p>	<u>14 days</u>	<u>Yes</u>	<u>Yes</u>		<u>No</u>	<u>No</u>

**Notes referenced in Table 1:**

1. Single house proposals (including additions to an existing house) that comply with the deemed-to-comply provisions of the R-Codes and any other applicable local planning policy, do not require planning approval (and therefore do not require consultation).
2. Major additions include proposals such as additional storeys and significant increases to the overall building footprint and similar.
3. Minor additions or modifications to existing/approved multiple dwellings, where an Element Objective assessment or equivalent is required in accordance with the R-Codes, may be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.

**General notes:**

1. Minor additions include outbuildings, patios, carports, small building extensions and similar.

Table 2. Consultation Requirements — Other Development Applications

Other Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
<del>Home occupation and home business</del> <sup>1</sup>	14 days	Yes	Yes	<del>No</del>	No	No
Child care <del>centre premises</del> — new or expansion in capacity <u>(excluding complex applications in Table 3)</u>	14 days	Yes	Yes	<del>No</del>	Yes	No
Consulting rooms — new or expansion in capacity (applies to the 'Residential' zone <del>and 'Urban Development' zone where the structure plan applies the 'Residential' zone</del> )	14 days	Yes	Yes	<del>No</del>	Yes	No
Short-term accommodation — new or intensified use (applies to the 'Residential' zone)	14 days	Yes	Yes	<del>No</del>	No	No
Non-residential development in the 'Residential' zone — new or intensified use <u>(excluding complex applications in Table 3)</u>	14 days	Yes	Yes	<del>No</del>	Yes	No
<del>Telecommunications infrastructure</del>	<del>21 days</del>	<del>Yes —</del> landowners/ occupiers within 400 m of site	<del>Yes</del>	<del>No</del>	<del>Yes</del>	<del>No</del>
Satellite dishes, aerials and radio equipment	14 days	Yes	Yes	<del>No</del>	No	No
Change of land use to 'P' use where all development standards are met	Not required					
Change of land use to 'D' uses where all development standards met <sup>2</sup>	14 days	Yes	No	<del>No</del>	No	No

Other Development Application Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
Change of land use to 'A' uses	14 days	Yes	Yes	No	Yes	No
Commercial and mixed-use development (new and major additions <sup>3</sup> ) where discretion is required against applicable development standards <sup>4</sup> <a href="#">(excluding complex applications in Table 3)</a>	14 days	Yes	Yes	No	No	No

**Notes within Table 2:**

1. For ~~home occupation and~~ home business renewals, if any changes are proposed to the operation of the business, or complaints have been received within the previous 12 months, consultation may be required.
2. 'D' land uses will only be advertised where there is the potential for the use to impact on the amenity of adjoining properties, as determined by the City.
3. Major additions include proposals such as additional storeys and significant increases to overall building footprint and similar.
4. Minor additions or modifications to existing/approved commercial and mixed-use development, where discretion is required against applicable development standards, may be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity on the street or adjoining properties, as determined by the City.

**General notes:**

1. Minor additions include outbuildings, patios, carports, small building extensions and similar.

**Table 3. Consultation Requirements – Complex Applications for Development Approval**

<u>Complex Application Type</u>	<u>Duration</u>	<u>Communication methods</u>			
		<u>Stakeholder Notification Letters</u>	<u>City Website</u>	<u>On-Site Signage</u>	<u>Local Newspaper Advert</u>
<u>Multiple dwellings (new and major additions<sup>1</sup>), excluding multiple dwellings in the Joondalup Activity Centre Plan and Whitfords Activity Centre Plan areas.</u>	<u>28 days</u>	<u>Yes – within 200m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>New grouped dwellings (five or more) (including major additions<sup>1</sup>), excluding grouped dwellings in the Joondalup Activity Centre and Whitfords Activity Centre areas.</u>	<u>28 days</u>	<u>Yes – within 200m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>Child care premises (new or expansion in capacity) in or adjoining the ‘Residential’ zone.</u>	<u>28 days</u>	<u>Yes – within 200m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>Development applications where the cost of development is \$10 million or greater, excluding development applications:</u> <ul style="list-style-type: none"> <li><u>• Subject to the Joondalup Activity Centre Plan or Whitfords Activity Centre Plan</u></li> <li><u>• For site works and/or infrastructure.</u></li> </ul>	<u>28 days</u>	<u>Yes – within 200m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>

<u>Complex Application Type</u>	<u>Duration</u>	<u>Communication methods</u>			
		<u>Stakeholder Notification Letters</u>	<u>City Website</u>	<u>On-Site Signage</u>	<u>Local Newspaper Advert</u>
<u>Commercial and mixed-use development (new and major additions<sup>1</sup>) where the cost of development is between \$2 million and \$10 million and where discretion is required against the applicable development standards, excluding development applications:</u> <ul style="list-style-type: none"> <li><u>Subject to the Joondalup Activity Centre Plan or Whitfords Activity Centre Plan</u></li> <li><u>For site works and/or infrastructure</u></li> </ul>	<u>28 days</u>	<u>Yes – within 200m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>Telecommunications infrastructure</u>	<u>28 days</u>	<u>Yes – within 400m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>A use not specifically referred to in the zoning tables of Local Planning Scheme No. 3 in respect of the zone in which the use is located (unlisted use)</u>	<u>28 days</u>	<u>Yes – within 200m of the site</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>

#### Notes within Table 3:

- Major additions include proposals such as additional storeys and significant increases to overall building footprint and similar.

#### General Notes:

- Following consultation, where the City invites further comments on a development application, this will be for a duration of 14 days and include:
  - notification letters to stakeholders contacted as part of consultation.
  - notification letters to submitters (where they have opted to receive additional communication on the development application).
  - notice on the City website.

Table 34. Consultation Requirements — Strategic Planning Proposals

Strategic Planning Proposal Type	Duration	Communication methods				
		Stakeholder Notification Letters	City Website	City/Libraries Noticeboard	On-Site Signage	Local Newspaper Advert
Basic scheme amendment	Not required unless directed by the Minister for Planning					
Standard scheme amendment	42 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes	Yes — if relating to a specific site	<del>Yes</del> Where appropriate
Complex scheme amendment	60 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes	Yes — if relating to a specific site	<del>Yes</del> Where appropriate
Structure Plan <del>and Activity Centre Plan</del> <sup>1</sup>	<del>28</del> — 42 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	No	Yes – if relating to a specific site	<del>Yes</del> Where appropriate
Local Development Plan <sup>2</sup>	21 days	Yes	Yes	No	No	No
New local planning policy <sup>3</sup>	21 days	No — unless it affects a specific property or sector/ group	Yes	Yes	No	<del>Yes</del> Where appropriate

#### **Notes within Table 34:**

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*:

1. The City/Council may decide not to advertise an amendment to a structure plan or activity centre plan if, in the opinion of the City and the Western Australian Planning Commission, the amendment is of a minor nature.
2. The City/Council may decide not to advertise an amendment to a local development plan if, in the opinion of the City, the amendment is of a minor nature.
3. The City/Council may decide not to advertise an amendment to a local planning policy if, in the opinion of the City, the amendment is of a minor nature.

#### **General notes:**

1. Notification will include registered resident and ratepayer groups where appropriate.
2. Notification will include the Community Engagement Network where appropriate.
3. For the purpose of Table 34, a minor amendment includes the correction of typographical or formatting errors, updates to legislation references and similar but does not include an amendment to development provisions or standards.



## Planning Consultation Local Planning Policy

### Responsible Directorate: Planning and Community Development

**Objective:** To state the City of Joondalup's commitment to effective, transparent and accessible community consultation on planning proposals to inform decision-making.

#### 1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme Area.

#### 2. Application:

This policy applies to all community consultation activities in the City of Joondalup related to planning proposals.

#### 3. Definitions:

**'A' use** means that the land use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**"community consultation"** means any activity which seeks feedback from community members to inform decision-making.

**"complex application"** means:

a. ~~(a)~~ an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table of *Local Planning Scheme No. 3* in respect of the zone in which the development is located; or

b. ~~(b)~~ an application of a kind identified elsewhere in *Local Planning Scheme No. 3*, or in a local planning policy, as a complex application for development approval.

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**'D' use** means that the land use is not permitted unless the local government has exercised its discretion by granting development approval.

**'P' use** means that the land use is permitted if it complies with all relevant development standards or requirements of the City of Joondalup *Local Planning Scheme No. 3*.

**"planning proposal"** means an application for consideration against the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* or *Local Planning Scheme No 3*.

**"R-Codes"** means [State Planning Policy 7.3 Residential Design Codes Volumes 1 and 2](#).

#### 4. Statement:

The City of Joondalup is responsible for processing planning proposals within legislative timeframes and must balance this responsibility with the community's desire to have input into the assessment outcome. Community consultation forms part of the City's assessment against the planning framework, and informs, but does not replace, the decision-making role of the relevant legislative body (e.g. City, Council, Development Assessment Panel, State Administrative Tribunal, and/or State Government authority).

The City will consult with the community whenever it is required to do so under legislation and in accordance with Tables 1–4.

#### 5. Details:

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##### 5.1. Principles of Community Consultation:

To ensure the City's community consultation practices for planning proposals are effective, transparent and accessible, the following principles will apply, unless bound otherwise by statutory and legislative requirements (see Tables 1–4).

##### 5.1.1. Stakeholders:

- a. The City will identify stakeholders for consultation activities based on the following:
  - i. The consultation requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the R-Codes.
  - ii. Scale and scope of the planning proposal.
  - iii. Location and proximity to the property in question.
  - iv. Potential impact of the planning proposal on local amenity, such as vehicle movements, streetscapes, noise and landscaping.
- b. Stakeholders will include landowners and occupiers of properties.

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##### 5.1.2. Methodology:

- a. The City will ensure consultation activities are communicated to stakeholders in accordance with the communication methods listed in Tables 1–4.

- b. Unless stated otherwise, the City will only accept feedback on planning proposals in writing, either electronically or in hard-copy.

#### 5.1.3. Timing and Duration:

- a. While the City will endeavour to avoid consultation over extended holiday periods, the timing of consultation activities may be prescribed under legislation depending on the type of planning proposal. Where consultation is to occur over Easter or Christmas, being a period of seven days commencing on Good Friday and a period from 25 December to 1 January (inclusive), these days will be excluded from the total duration of consultation (e.g. consultation over Easter will be for an additional seven days), in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- b. The City will ensure that the duration of consultation activities is planned in accordance with those listed in Tables 1–4.

#### 5.1.4. Supporting and Technical Material:

In addition to any development plans required as part of a planning proposal, the City will ensure appropriate supporting and technical material is made available to consultation participants for the duration of the consultation period to support understanding of the planning proposal. These materials may include transport studies, environmental and acoustic reports, the applicant's planning justification, and similar.

#### 5.1.5. Consultation Outcomes:

- a. The City will make a summary of the consultation outcomes available to the applicant of a planning proposal on request.
- b. The City will ensure consultation participants can register their details and 'opt-in' to receive information about the progress of a planning proposal. Information ~~may will~~ be provided on the following, as relevant:
  - ◆i. Dates of Council Meetings and meetings of the Development Assessment Panel.
  - ◆ii. Initiation of State Administrative Tribunal applications.
  - ◆iii. Any additional community consultation required. In these instances, information will also be provided to all stakeholders contacted as part of the initial consultation.
  - ◆iv. Final outcome/decision.

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#### 5.2. Costs associated with consultation:

In accordance with the *Planning and Development Regulations 2009* and *Planning and Development (Local Planning Schemes) Regulations 2015*, the costs and expenses related to advertising and consultation procedures required in relation to an application are payable by the applicant in addition to the fee for the provision of the service. These costs are included in the City's *Schedule of Fees and Charges*.

### 5.3. Development applications where the City is not the responsible authority or decision-maker

Where the City/Council is not the responsible authority or decision-maker for a development application:

- a. The City will not undertake community consultation for the development application.
- b. In providing a recommendation to the responsible authority the City will provide advice on whether community consultation is appropriate, and if so, will outline the recommended consultation methods and relevant stakeholders having regard to the requirements of this policy.

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**Creation Date:** March 2020 [\(CJ033-03/20\)](#)

**Amendments:** CJxx-05/22

**Related Documentation:**

- *Child Care Premises Local Planning Policy*
- *Community Consultation Policy*
- *Consulting Rooms Local Planning Policy*
- *Elections Caretaker Policy*
- *Home Business Local Planning Policy*
- *Minor Development Local Planning Policy*
- *Non-residential Development in the Residential Zone Local Planning Policy*
- *Short-Term Accommodation Local Planning Policy*
- *Telecommunications Infrastructure Local Planning Policy*
- *Land Administration Act 1997*
- *Local Government Act 1995*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development Regulations 2009*
- *Local Planning Scheme No. 3*
- *State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2*

**Table 1. Consultation Requirements — Residential Development Applications**

Residential Development Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
<p><b>New single house or additions to an existing/approved single house where an R-Codes Design Principle assessment, or equivalent under a structure plan or local development plan is required, for following R-Codes provisions:<sup>1</sup></b></p> <ul style="list-style-type: none"> <li>• 5.1.6 — Building height</li> <li>• 5.4.1 — Visual privacy (overlooking)</li> <li>• 5.4.2 — Solar access for adjoining sites (overshadowing).</li> </ul> <p><b>Proposals that require a Design Principle assessment in accordance with the R-Codes (or equivalent under a structure plan, local development plan or local planning policy) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</b></p>	14 days	Yes	Yes	No	No
<b>New grouped dwellings (less than five) (including major additions<sup>2</sup>).</b>	14 days	Yes	Yes	No	No

Residential Development Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
<b>Additions to an existing/approved grouped dwelling where an R-Codes Design Principle assessment, or equivalent under a structure plan or local development plan is required, for the following R-Codes provisions:</b> <ul style="list-style-type: none"> <li>• 5.1.6 — Building height</li> <li>• 5.4.1 — Visual privacy (overlooking)</li> <li>• 5.4.2 — Solar access for adjoining sites (overshadowing).</li> </ul> <b>Proposals that require a Design Principle assessment in accordance with the R-Codes (or equivalent under a structure plan, local development plan or local planning policy) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</b>	14 days	Yes	Yes	No	No
<b>Multiple dwellings (new and major additions<sup>2</sup>) (excluding complex applications in Table 3).</b>	14 days	Yes	Yes	Yes	No

Residential Development Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
<p>Minor additions or modifications<sup>3</sup> to an existing/approved multiple dwelling, where it does not meet an Acceptable Outcome, or equivalent development standard under a local planning policy, structure plan or local development plan, for the following R-Codes provisions:</p> <ul style="list-style-type: none"> <li>• 2.2 — Building height</li> <li>• 3.5 — Visual privacy (overlooking)</li> <li>• 3.2 A3.2.3 and A3.2.4 — Orientation (overshadowing).</li> </ul> <p>Proposals that require an assessment in accordance with the R-Codes (or equivalent under a structure plan, local development plan or local planning policy) for other provisions not outlined will be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</p>	14 days	Yes	Yes	No	No

**Notes referenced in Table 1:**

1. Single house proposals (including additions to an existing house) that comply with the deemed-to-comply provisions of the R-Codes and any other applicable local planning policy, do not require planning approval (and therefore do not require consultation).
2. Major additions include proposals such as additional storeys and significant increases to the overall building footprint and similar.
3. Minor additions or modifications to existing/approved multiple dwellings, where an Element Objective assessment or equivalent is required in accordance with the R-Codes, may be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity of the street or adjoining properties, as determined by the City.

**General notes:**

1. Minor additions include outbuildings, patios, carports, small building extensions and similar.

Table 2. Consultation Requirements — Other Development Applications

Other Development Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
Home business <sup>1</sup>	14 days	Yes	Yes	No	No
Child care premises — new or expansion in capacity (excluding complex applications in Table 3)	14 days	Yes	Yes	Yes	No
Consulting rooms — new or expansion in capacity (applies to the 'Residential' zone)	14 days	Yes	Yes	Yes	No
Short-term accommodation — new or intensified use (applies to the 'Residential' zone)	14 days	Yes	Yes	No	No
Non-residential development in the 'Residential' zone — new or intensified use (excluding complex applications in Table 3)	14 days	Yes	Yes	Yes	No
Satellite dishes, aerials and radio equipment	14 days	Yes	Yes	No	No
Change of land use to 'P' use where all development standards are met	Not required				
Change of land use to 'D' uses where all development standards met <sup>2</sup>	14 days	Yes	<del>No</del> Yes	No	No
Change of land use to 'A' uses	14 days	Yes	Yes	Yes	No
Commercial and mixed-use development (new and major additions <sup>3</sup> ) where discretion is required against applicable development standards <sup>4</sup> (excluding complex applications in Table 3)	14 days	Yes	Yes	No	No

**Notes within Table 2:**

1. For home business renewals, if any changes are proposed to the operation of the business, or complaints have been received within the previous 12 months, consultation may be required.
2. 'D' land uses will only be advertised where there is the potential for the use to impact on the amenity of adjoining properties, as determined by the City.
3. Major additions include proposals such as additional storeys and significant increases to overall building footprint and similar.
4. Minor additions or modifications to existing/approved commercial and mixed-use development, where discretion is required against applicable development standards, may be advertised to adjoining owners and occupiers if the proposal has a possible impact on the amenity on the street or adjoining properties, as determined by the City.

**General notes:**

1. Minor additions include outbuildings, patios, carports, small building extensions and similar.

**Table 3. Consultation Requirements – Complex Applications for Development Approval**

Complex Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
<b>Multiple dwellings (new and major additions<sup>1</sup>), excluding multiple dwellings in the Joondalup Activity Centre Plan and Whitfords Activity Centre Plan areas.</b>	28 days	Yes – within 200m of the site	Yes	Yes	No
<b>New grouped dwellings (five or more) (including major additions<sup>1</sup>), excluding grouped dwellings in the Joondalup Activity Centre and Whitfords Activity Centre areas.</b>	28 days	Yes – within 200m of the site	Yes	Yes	No
<b>Child care premises (new or expansion in capacity) in or adjoining the ‘Residential’ zone.</b>	28 days	Yes – within 200m of the site	Yes	Yes	No
<b>Development applications where the cost of development is \$10 million or greater, excluding development applications:</b> <ul style="list-style-type: none"> <li>• Subject to the Joondalup Activity Centre Plan or Whitfords Activity Centre Plan</li> <li>• For site works and/or infrastructure.</li> </ul>	28 days	Yes – within 200m of the site	Yes	Yes	No

Complex Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
Commercial and mixed-use development (new and major additions <sup>1</sup> ) where the cost of development is between \$2 million and \$10 million and where discretion is required against the applicable development standards, excluding development applications: <ul style="list-style-type: none"> <li>• Subject to the Joondalup Activity Centre Plan or Whitfords Activity Centre Plan</li> <li>• For site works and/or infrastructure.</li> </ul>	28 days	Yes – within 200m of the site	Yes	Yes	No
Telecommunications infrastructure.	28 days	Yes – within 400m of the site	Yes	Yes	No
A use not specifically referred to in the zoning tables of <i>Local Planning Scheme No. 3</i> in respect of the zone in which the use is located (unlisted use).	28 days	Yes – within 200m of the site	Yes	Yes	No

**Notes within Table 3:**

1. Major additions include proposals such as additional storeys and significant increases to overall building footprint and similar.

**General Notes:**

1. Following consultation, where the City invites further comments on a development application, this will be for a duration of 14 days and include:
  - a. notification letters to stakeholders contacted as part of consultation.
  - b. notification letters to submitters (where they have opted to receive additional communication on the development application).
  - c. notice on the City website.

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Table 4. Consultation Requirements — Strategic Planning Proposals

Strategic Planning Proposal Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	On-Site Signage	Local Newspaper Advert
Basic scheme amendment	Not required unless directed by the Minister for Planning				
Standard scheme amendment	42 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes — if relating to a specific site	<del>Where appropriate</del> Yes
Complex scheme amendment	60 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes — if relating to a specific site	<del>Where appropriate</del> Yes
Structure Plan <sup>1</sup>	42 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes – if relating to a specific site	<del>Where appropriate</del> Yes
Local Development Plan <sup>2</sup>	21 days	Yes	Yes	No	No
New local planning policy <sup>3</sup>	21 days	<del>Yes – where appropriate (e.g. No — unless it affects</del> relates to a specific property or sector/ group	Yes	<del>Yes – if relating to a specific site</del> No	<del>Where appropriate</del> Yes

#### Notes within Table 4:

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*:

1. ~~The City/Council may decide not to advertise a~~An amendment to a structure plan or activity centre plan may not be advertised if, in the opinion of the City and the Western Australian Planning Commission, the amendment is of a minor nature.
2. ~~The City/Council may decide not to advertise a~~An amendment to a local development plan may not be advertised if, in the opinion of the City, the amendment is of a minor nature.
3. ~~The City/Council may decide not to advertise a~~An amendment to a local planning policy may not be advertised if, in the opinion of the City, the amendment is of a minor nature.

#### General notes:

1. Notification will include registered resident and ratepayer groups where appropriate.
2. Notification will include the Community Engagement Network where appropriate.
3. For the purpose of Table 4, a minor amendment includes the correction of typographical or formatting errors, updates to legislation references and similar but does not include an amendment to development provisions or standards.

CONSULTATION LOCAL PLANNING POLICY – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Summary of submitters comment	City comment
Definitions	Clarification should be provided on whether City refers to Council, or the administration acting under delegated authority.	<p>It is not considered necessary to include definitions for Council and City. It is recommended that references to Council be changed to City (as the local government) to remove confusion.</p> <p>The decision on the extent of consultation that is to be undertaken is dependent on the type of planning proposal, however in all instances is guided by the <i>Planning Consultation Local Planning Policy</i>. For example, the extent of consultation for development applications determined under delegated authority is established by City officers. Consultation on strategic proposals, such as local planning policies and amendments to the City's planning scheme are outlined in reports to Council to consider.</p>
5.1 Principles of consultation	Noise levels should be included as an example of amenity as it is becoming a growing issue in the community.	The policy has been updated to include noise as an example of amenity.
5.1.3 Timing and duration of consultation	The wording for consultation over the Christmas and Easter period should be reworded to allow 7 days where consultation commences during the Christmas and Easter period.	<p>The approach recommended is inconsistent with LPS Regulations and therefore cannot be implemented.</p> <p>To provide clarification that the consultation methods over the Christmas and Easter period is a statutory requirement, the policy has been updated to reference the LPS Regulations in this section.</p>
5.1.5 Consultation outcomes	Section b should state that information will be provided, not may be.	The policy has been updated to state that information 'will be' provided, to provide certainty and confirm what actions the City will be taking.

CONSULTATION LOCAL PLANNING POLICY – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Summary of submitters comment	City comment
5.3 Development applications where the City is not the responsible authority or decision maker	<p>Do not support the City not undertaking consultation as it will decrease the opportunity for local communities to have a voice in the decision making process.</p> <p>At the very least the City keeps ratepayers informed on all development that is likely to impact residents, even if the City is not the primary decision-maker.</p> <p>The City should always advise that consultation be undertaken, irrespective of the development proposal.</p> <p>The City should seek to receive a copy of submissions resulting from consultation undertaken by other parties.</p>	It is not recommended that the policy be amended further. Refer to comments in the report.

CONSULTATION LOCAL PLANNING POLICY – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Summary of submitters comment	City comment
Table 1. Consultation Requirements — Residential Development Applications	<p>Consultation should be undertaken for any design principle/objective assessment.</p> <p>Consultation should be undertaken for all grouped dwellings and 'less than five' should be deleted as consultation should be undertaken for all grouped dwellings.</p> <p>There is no reference to street boundary fencing requiring consultation.</p> <p>21 days should be reinstated as 14 days does not provide sufficient time to provide an informed submission. This is also applicable to Table 2. Consultation Requirements — Other Development Applications.</p>	<p>This approach is not recommended. It is the case that in some instances, the exercise of discretion may not actually have a potential impact on any property. For example, a small portion of a front fence that exceeds the standard height of 1.8 metres above natural ground level, due to the slope of the land in that particular location, is unlikely to be discernible as a discretion and therefore would be unlikely to have an impact on any adjoining properties. Advertising of the proposal would be difficult to justify given the lack of potential impact.</p> <p>Consultation will be undertaken for all new grouped dwelling developments, as is the case currently. Reference to 'less than five' grouped dwellings is required in this section as grouped dwellings of five or more are now considered complex applications and subject to greater consultation methods outlined in Table 4.</p> <p>Street fences for residential development are assessed in accordance with the <i>Residential Design Codes</i> and relevant local planning policies. Proposals that require a design principle assessment under the R-Codes will be advertised if it has a possible impact on the amenity of the street or adjoining properties, as determined by the City.</p> <p>The changes to the LPS Regulations mean that unless a development application is designated a complex application it can only be advertised for a period of 14 days and overrides any policy requirement. To address this, the draft amendments to the policy includes Table 3, which defines complex development applications. This increases the consultation requirements for these applications, including the consultation period being 28 days (previously 21 days).</p>

CONSULTATION LOCAL PLANNING POLICY – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Summary of submitters comment	City comment
Table 2. Consultation Requirements — Other Development Applications	Consultation for change of land use to 'D' uses should include a notice on the City's website.	The policy has been updated to include the website as a consultation method for 'D' uses.
	On-site signage and local newspaper advert should always be required for all types listed in Table.	Other than moving some application types to complex applications (thereby increasing consultation requirements for those applications) and the proposed modification for 'D' uses, the consultation methods in this table have not been amended. It is not considered necessary to require a sign on the site for all development types in this table, as the smaller scale proposals (satellite dishes, short-term accommodation and discretionary 'D' uses) have a more localised potential impact and the owners and occupiers affected will be directly contacted by the City via a letter. Information is also made publicly available through the City's website. A notice in the local newspaper is also not a listed consultation method for development applications, meaning the City could not recoup costs from the applicant, estimated to be approximately \$130 per application.
	Consultation should still be undertaken for home occupations, and they should not be exempt from approval.	Home occupations are exempt from the need for development approval under the LPS Regulations and a development application cannot be required.

CONSULTATION LOCAL PLANNING POLICY – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Summary of submitters comment	City comment
Table 3. Consultation Requirements – Complex Applications for Development Approval	<p>Local newspaper advert should be included for all development application types.</p> <p>Note 3 should include onsite signage where further comments are invited on a development application.</p> <p>A note should be included stating at 'where appropriate' means it is normal practice for this consultation method to occur and only in exceptional circumstances that it is not.</p>	<p>Under the LPS Regulations newspaper advert is not listed as a potential consultation method for development applications, including complex applications. Costs associated with advertising in the newspaper would therefore be incurred by the City, being approximately \$130 per application. It is considered that the consultation methods as outlined in the policy are appropriate for each application type and newspaper advert for development applications is not required.</p> <p>Where further comments are invited on a development application it is not considered necessary for further signage on-site as those who have provided a submission as part of the original consultation process and all previous submitters will be notified.</p> <p>This is not required as 'where appropriate' is not referenced in Table 3.</p>
Table 4. Consultation Requirements – Strategic Planning Proposals	<p>Local planning policies – stakeholder notification letters should be reworded positively to say 'Yes where it affects a specific property or sector/group or locality e.g. HOA.</p> <p>Local planning policies – On-site signage should be included as a consultation method.</p> <p>The removal of local newspaper advert as a communication method is not supported and all consultations should include this.</p> <p>Support removing City/Library noticeboards as a consultation method.</p>	<p>The policy has been amended to include 'where appropriate e.g. if relating to a specific site or sector/group'.</p> <p>The policy has been amended to include 'where appropriate e.g. if relating to a specific site'. It is noted that local planning policies typically do not apply to a specific site.</p> <p>Under the LPS Regulations a local newspaper advert is no longer mandatory for strategic proposals. Given that these strategic proposals are more likely to have a broader impact across the City, the draft revised policy has been amended to retain a local newspaper advert for strategic proposals as per the current policy.</p> <p>Noted.</p>

General comments	<p>The policy should be updated to align with IAP2 core values and the acknowledgement of the need for meaningful engagement with stakeholders.</p> <p>Where there is a discretionary decision on whether consultation, not undertaking consultation should be the exception.</p> <p>Residents and their Associations should have the opportunity to be consulted whenever a proposal is subject to discretionary consideration.</p> <p>The consultation period does not account for delays by Australia Post reduced mail delivery frequency.</p> <p>The proposed amendments are not in accordance with the principles of an open and transparent local government.</p>	<p>The role of consultation in the planning applications covered by the policy is set out in LPS Regulations and State Planning Policies. In general the City seeks to ensure that appropriate steps are taken in planning consultations, including identification of stakeholders, availability of information and keeping submitters informed of the application and outcome. For larger scale planning projects not covered by the policy, such as the review of the Local Housing Strategy and development of the Local Planning Strategy, a more comprehensive community engagement strategy, is developed and implemented.</p> <p>It is sometimes misconstrued that if discretion is being sought, this equates to the proposal not complying with the 'rules' and that fact in and of itself constitutes the basis for objection. The fact that discretion is being contemplated should not be the issue or the basis of objection. Rather, it is the possible impact a proposal could have on an adjoining property or streetscape that should be the issue or the basis of any objection.</p> <p>If the City considers that a proposal is of a scale that could affect a large portion of residents in a neighbourhood or area, and/or if there would be benefit from dissemination of information to residents, then the City will write to the relevant resident and ratepayer group. However, it is not considered necessary to write to them about typical, smaller scale development applications that would only affect a handful of people the City would write directly to.</p> <p>The consultation period (e.g. 14 days for non-complex development applications) cannot be extended as it is the maximum time permitted under the LPS Regulations. Consultation letters are sent by Australia Post under priority post and sent prior to the consultation commencement day to accommodate delivery timeframes.</p> <p>The proposed amendments provide clarification on methods of consultation for certain planning proposals, expanding on the general requirements of the LPS Regulations. It is not practical to detail every scenario (e.g. every discretion sought to a development standard) and the consultation methods for these given the broad range of contextual factors that need to be considered in each instance.</p>
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CONSULTATION LOCAL PLANNING POLICY – COMMUNITY CONSULTATION SUBMISSIONS		
Policy element	Summary of submitters comment	City comment
	Support policy changes.	Noted.