

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. 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 1–4.

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 1–4).

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.

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 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.

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 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.

Creation Date: March 2020 (CJ033-03/20)

Formerly:

Amendments: CJ224-12/22

Last reviewed: December 2022 (CJ224-12/22)

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 Residential 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

File Reference: 109500

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>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:¹</p> <ul style="list-style-type: none"> • 5.1.6 — Building height • 5.4.1 — Visual privacy (overlooking) • 5.4.2 — Solar access for adjoining sites (overshadowing). <p>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.</p>	14 days	Yes	Yes	No	No
<p>New grouped dwellings (less than five) (including major additions²).</p>	14 days	Yes	Yes	No	No

Residential Development Application Type	Duration	Communication methods			
		Stakeholder Notification Letters	City Website	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"> • 5.1.6 — Building height • 5.4.1 — Visual privacy (overlooking) • 5.4.2 — Solar access for adjoining sites (overshadowing). <p>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.</p>	14 days	Yes	Yes	No	No
<p>Multiple dwellings (new and major additions²) (excluding complex applications in Table 3).</p>	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 modifications³ 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"> • 2.2 — Building height • 3.5 — Visual privacy (overlooking) • 3.2 A3.2.3 and A3.2.4 — Orientation (overshadowing). <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 ¹	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 ²	14 days	Yes	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 ³) where discretion is required against applicable development standards ⁴ (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
Multiple dwellings (new and major additions ¹), excluding multiple dwellings in the Joondalup Activity Centre Plan and Whitfords Activity Centre Plan areas.	28 days	Yes – within 200m of the site	Yes	Yes	No
New grouped dwellings (five or more) (including major additions ¹), excluding grouped dwellings in the Joondalup Activity Centre and Whitfords Activity Centre areas.	28 days	Yes – within 200m of the site	Yes	Yes	No
Child care premises (new or expansion in capacity) in or adjoining the ‘Residential’ zone.	28 days	Yes – within 200m of the site	Yes	Yes	No
Development applications where the cost of development is \$10 million or greater, excluding development applications: <ul style="list-style-type: none"> • Subject to the Joondalup Activity Centre Plan or Whitfords Activity Centre Plan • For site works and/or infrastructure. 	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 additions¹) 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"> • Subject to the Joondalup Activity Centre Plan or Whitfords Activity Centre Plan • For site works and/or infrastructure. 	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.

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	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	Yes
Structure Plan¹	42 days	Yes — where appropriate (e.g. if relating to a specific site)	Yes	Yes – if relating to a specific site	Yes
Local Development Plan²	21 days	Yes	Yes	No	No
New local planning policy³	21 days	Yes – where appropriate (e.g. it relates to a specific property or sector/ group)	Yes	Yes – if relating to a specific site	Yes

Notes within Table 4:

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

1. 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. 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. 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.