

FREQUENTLY ASKED QUESTIONS

How are development (planning) applications for commercial and high-density multiple dwellings (apartments) in the City of Joondalup assessed?

A development application (sometimes referred to as a planning application) is a request from an external party for approval to carry out building work and/or a land use in the City. This can range from construction of a house to undertaking a business and ensures that building work and/or a land use complies with the relevant planning legislation and statutory requirements.

When the City receives a development application for commercial it is generally assessed against the City's *Local Planning Scheme No.3*, and local planning policies relating to commercial development. The local planning policies set out design requirements, such as building height, setbacks, landscaping and car parking.

For multiple dwellings (apartments), *State Planning Policy 7.3: Residential Design Codes Volume 2 (Apartments)* provides "design elements", such as building height, setbacks, overshadowing, privacy/overlooking, etc. All these design elements have objectives that are used to determine whether the development is appropriate. A local planning policy may also apply, such as the *Development in Housing Opportunity Areas Local Planning Policy*.

In some areas of the City (e.g. Joondalup City Centre, Whitford Activity Centre) a structure plan or local development plan may also apply. These set out design requirements specific to these areas.

The consultation letter and the 'Community Consultation' section of the City's website will outline the key planning documents that are being used to assess an application.

How is community consultation conducted?

Consultation is undertaken in accordance with the City's *Planning Consultation Local Planning Policy* and varies depending on whether the proposal is designated a complex application under the policy.

Where consultation is required to be undertaken and the application is not designated as complex, the process normally includes letters to affected adjoining residents and information on the City's website. In some instances, there will also be on-site signage, as required under the *Planning Consultation Local Planning Policy*. In accordance with legislation, the consultation period can only be for 14 days, unless it is occurring over the Christmas or Easter period.

For applications designated as complex, the process normally includes letters to land owners and occupiers within a 200m radius (400m for telecommunication infrastructure), information on the City's website and on-site signage. In accordance with legislation, the consultation period can only be 28 days, unless it is occurring over the Christmas or Easter period.

When is community consultation conducted?

Community consultation is generally undertaken after the City has completed an assessment of an application.

Who can submit feedback on planning applications?

Landowners and/or occupiers of properties which may be affected by a planning proposal are notified by the City in writing that community consultation is taking place and are invited to submit feedback.

In addition, anyone interested in a planning application (even if not directly affected) can submit feedback. Responses are limited to one per person.

What aspects of the planning application can I submit feedback on?

Submissions are to relate to planning matters and link to specific elements of the development. In general planning matters include:

- The impact of the development on adjoining properties or the streetscape;
- The impact of the development on the amenity of the locality (amenity relates to those factors that contribute to the character and enjoyment of an area);
- The design, scale and relationship of the proposed development to other surrounding buildings and/or land uses.

You can also refer to the main planning documents that provide objectives that are to be considered in assessing an application. These are outlined in the consultation letter and on the 'Community Consultation' section of the City's website.

- Local planning policies, structure plans and local development plans are available on the City's website, joondalup.wa.gov.au
- *State Planning Policy 7.3: Residential Design Codes Volume 2 (Apartments)* are available on Department of Planning, Lands and Heritage website, wa.gov.au/organisation/departments-of-planning-lands-and-heritage

The City cannot consider feedback that relates to civil or non-planning matters. These include:

- impact on property values
- dividing fences
- potential residents or tenants
- impact of construction works
- matters dealt with through the building permit process (e.g. structural integrity)
- matters dealt with through other legislation.

Although the above concerns may be legitimate in certain circumstances, they are dealt with under separate legislation, or under the planning legislation they cannot inform the decision making on a planning application.

How do I make a submission?

A submission can be made in writing during the consultation period via the online submission form on the City's website (preferred), an email to info@joondalup.wa.gov.au or via post to **PO Box 21, Joondalup WA 6919**. All submissions must be made in writing and include your full name, address, and email address. Submissions must be received by the due date.

What happens next?

Consultation forms one part of City's planning assessment, and informs, but does not replace decision-making. Once the community consultation period has closed, submissions will be considered as part of the overall assessment process and must be balanced against the City's statutory obligations. In most cases the feedback received is summarised and provided to the applicant for their response.

If you object to the development or opt to be kept informed on the submission form, you will be advised of the outcome once a decision has been made.

Depending on the type of application, it will be determined by City officers under delegated authority, Council, or Joint Development Assessment Panel (JDAP). The JDAP is a panel administered by the State of Western Australia to determine certain development application types, being an independent decision-making body comprised of three technical experts and two elected members from the City of Joondalup. Further information on the JDAP is available

on the Department of Planning, Lands and Heritage website wa.gov.au/organisation/department-of-planning-lands-and-heritage.

For applications to be determined by Council or JDAP, you will be advised when the application is to be considered at a Council or JDAP meeting and how you can make a deputation, if you wish.

Will my submission or personal details be released to the public?

The City will not publish your name and address in any publicly available report on the outcomes of the community consultation. However, your full (de-identified) comments may be published.

Where can I get further information?

Details of current consultations, including development plans, can be accessed via the 'Community Consultation' section of the City's website joondalup.wa.gov.au or in person at the City of Joondalup Administration Building located at **90 Boas Avenue, Joondalup**.

City officers can assist by providing general guidance on planning requirements and understanding the application. Please contact the City's **Planning Services** team on 9400 4100 or via email to info@joondalup.wa.gov.au