

Community Consultation on Development (Planning) Applications for single houses and grouped dwellings

Frequently Asked Questions

How are development (planning) applications for residential development 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 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 residential development it is generally assessed against *State Planning Policy 7.3: Residential Design Codes (R-Codes)* and the City's local planning policies. Depending on the location of the development, the main local planning policy that will apply is either the *Residential Development Local Planning Policy* or *Development in Housing Opportunity Areas Local Planning Policy*.

In some areas of the City (e.g. Burns Beach and Iluka) a structure plan or local development plan may also apply.

The R-Codes, local planning policies, structure plans and local development plans have two approaches for assessing an application:

- Design principles/objectives: describe the outcome that is sought, rather than the way it can be achieved. For example, building setbacks need to provide light and ventilation between properties, reduce the impact of building bulk and minimise loss of privacy.
- Deemed-to-comply ("as a right"): provide one way a development can meet the design principles/objectives. For example, for single storey dwellings, a setback of between 1 and 1.5 metres to a property boundary is commonly 'deemed-to-comply' with the applicable local planning policy.

If a planning application meets the deemed-to-comply standards, the planning legislation requires it to be automatically approved. The City also cannot require a part of the design that meets the deemed-to-comply standard to be modified. For example, if a building is set back the required distance from the boundary, the City cannot require the building be set back further or refuse the application because of the setback.

Where there are aspects of the development that do not meet the deemed-to-comply requirements, a proponent can request the City assess whether it meets the design principle/objectives. For example, if a building is closer to the boundary, the City will need to assess if the setback still provides adequate light and ventilation between properties, reduces the impact of building bulk and minimises loss of privacy.

How is community consultation conducted?

Where a part of the development needs to be assessed against a design principle/objective and where the City has determined there may be an impact on surrounding properties, community consultation will be undertaken. Consultation may also be undertaken if required under the City's *Planning Consultation Local Planning Policy*.

The consultation process for new dwellings or additions to an existing dwelling will include letters to affected adjoining residents and information on the City's website. In accordance with legislation, the consultation period can only be for 14 days, unless it is occurring over the Christmas or Easter period.

Larger scale residential developments (more than five grouped dwellings) will have a longer consultation period and include a sign on site, in accordance with the *Planning Consultation Local Planning Policy*.

When is community consultation conducted?

Community consultation is generally undertaken after the City has completed an assessment of an application and identified areas of the design that require consideration against the objectives/design principles.

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?

For new dwellings or additions to an existing dwelling, the City will seek feedback on parts of the design that require assessment against the design principle or objectives. These will be outlined in the consultation letter and on the 'Community Consultation' section of the City's website joondalup.wa.gov.au.

Submissions are to relate to the parts of the design that require assessment against the design principle or objectives and how they impact on your property or the street in general.

You can access the design principles/objectives:

- The R-Codes are available on Department of Planning, Lands and Heritage website: [wa.gov.au/organisation/departments-of-planning-lands-and-heritage](http://wa.gov.au/organisation/departments/departments-of-planning-lands-and-heritage)
- Local planning policies and Structure Plan are available on the City's website, joondalup.wa.gov.au

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 either are dealt with under separate legislation and/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) joondalup.wa.gov.au. Alternatively, you can make a submission by 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 the 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.

Applications for more than five grouped dwellings require determination by Council and for these applications you will be advised of the Council meeting date in which the application is to be considered.

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 4000** or via email to info@joondalup.wa.gov.au