

Local Planning Policy No. 37

Adopted: 30 September 1998

Community Consultation on Planning Proposals

Amended: 17 August 2021

Introduction

Council recognises that development within the Town has the potential to impact the amenity of neighbouring properties or the wider community, depending on the scale and nature of the proposal.

Community consultation plays an important role in ensuring that those who may be affected by a *planning proposal* are given an opportunity to comment on the proposal, and allows for their comments to be considered as part of the decision-making process.

This policy provides guidance on the community consultation process for *planning proposals*, including when consultation will occur, the means and duration of consultation, and the manner in which Council will keep the community informed of the decision-making process.

Notwithstanding this policy, applicants are strongly encouraged to discuss proposals with nearby owners and occupiers prior to the submission of any *planning proposal* to the Town.

Objectives

- a) To recognise the balance between the desire for the community to be informed and have reasonable opportunity for input into *planning proposals* and the administrative requirement to process *planning proposals* in an efficient manner and within prescribed statutory timeframes;
- b) To outline the process the Council will use when undertaking community consultation and considering submissions;

Relationship to other Council policies

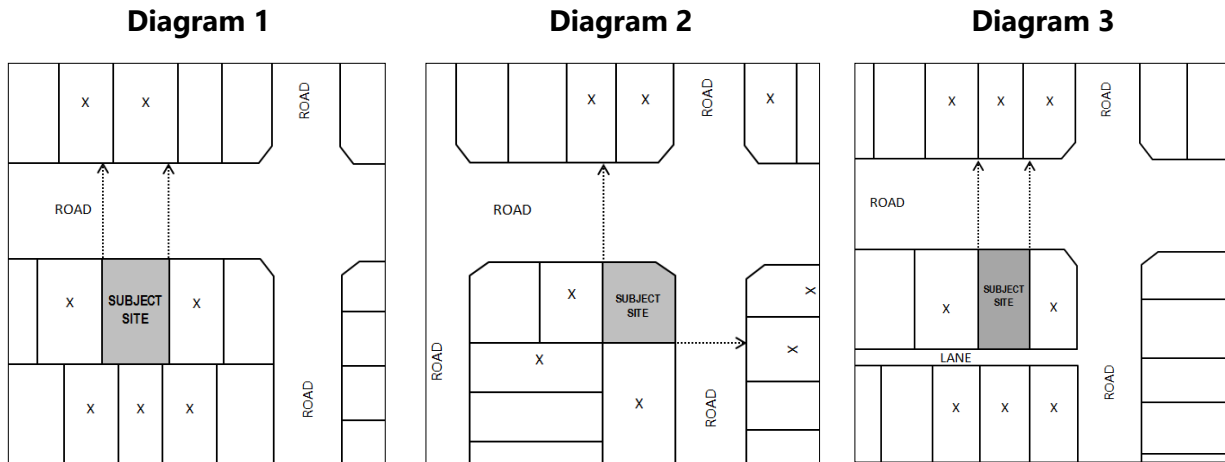
Council Policy GEN6 'Public Participation Policy' provides a framework for Council to engage with the community in relation to any Town proposal or initiative. This local planning policy complements Council Policy GEN6. In most instances, the level of public participation to be undertaken for *planning proposals* will be Level 2 'Consult'.

Policy Scope

This policy is applicable to the entire municipal area of the Town of Victoria Park and will be applied by the Town when undertaking community consultation for *planning proposals*. In circumstances where consultation is undertaken it will include both the owners and occupiers of properties that, in the opinion of the Town, may be impacted by the proposal and/or other stakeholders where these are identified. The Policy also applies to *planning proposals* for which the Council is not the final decision-making authority.

Definitions

Adjoining properties (AP) is to be determined by reference to Diagrams 1 to 3 below:



Complex application has the meaning given in Schedule 2, clause 1 of the Regulations, namely:

- an application for approval of development [i.e. a development application] that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located i.e. Unlisted Uses; or
- an application [i.e. a development application] of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application.
- in accordance with (b) above, a **significant application**, as defined below by this policy is deemed to be a **complex application**.

Directly adjoining property means only the property(ies) with a boundary directly adjacent to that part of the building for which a variation is proposed. For example, if a development proposes a reduced setback to the western lot boundary, then only the property to the west will be consulted.

LPP refers to an adopted Local Planning Policy of the Council.

Online where referred to as an applicable consultation method in Table 1 or Table 2 includes advertising/display of the proposal on the Town's website. Where considered necessary, this may additionally include advertising/engagement via the Town's social media platforms (e.g. Facebook, Twitter, LinkedIn etc.) and/or the Town's online consultation hub 'Your Thoughts', in particular for planning proposals listed within Table 1.

Local Planning Framework refers to any adopted and/or approved planning instrument in operation within the Town of Victoria Park, adopted under the provisions of the Planning and Development Act, the Regulation or Local Planning Scheme. Examples include (but are not limited to) the Local Planning Strategy, Local Planning Scheme, Local Planning Policy, Precinct Structure Plan, Standard Structure Plan, Heritage List, entry of a place on a Heritage List, and Local Development Plan.

Planning proposal in the context of this policy includes an application for development approval (including a complex application and significant application), as well as any proposal to prepare, advertise, adopt, amend, repeal or revoke a planning instrument of the Town's Local Planning Framework.

Significant application means an application for development approval that:

- (a) comprises:
 - i. A residential or mixed-use development that contains 1 or more new multiple dwellings; and/or
 - ii. A new building of more than 3 storeys in height; and/or
- (b) is considered by the Manager Development Services or Coordinator Urban Planning to:
 - i. involve a significant exercise of discretion in terms of one or more of the Local Planning Scheme, Residential Design Codes WA, Local Planning Policy(ies) or other planning instruments of the Town's Local Planning Framework; or
 - ii. proposes a scale of development that is considered to be significantly different from the predominant and expected pattern of land use or development within the locality; or
 - iii. proposes development with potentially significant amenity impacts on nearby residential areas or neighbours in terms of visual impact, streetscape, privacy, noise, intensity of use, traffic generation and adequacy of parking; and/or
- (c) requires determination by the:
 - i. State Development Assessment Unit (SDAU); or
 - ii. Metropolitan Inner South Joint Development Assessment Panel (DAP), but excluding:
 - applications for an extension of time or cancellation of a DAP approval; or
 - amendments to an existing development approval (including an approval for those forms of development outlined in (a)i. and (a)ii. above) where the Manager Development Services or Coordinator Urban Planning consider the amendments to be of a kind that do not warrant community consultation.

SDAU refers to the State Development Assessment Unit of the Department of Planning, Lands and Heritage (DPLH).

Surrounding properties (SP) means either:

- (a) the owners and occupiers of those properties which fall wholly or partly within a **200m radius** of the subject site, in the case of a planning proposal listed within **Table 1** and a *complex application* listed within **Table 2**; or
- (b) the owners and occupiers of those properties which fall wholly or partly within a **100m radius** of the subject site, in the case of a planning proposal listed within **Table 2** that is not a *complex application*.

WAPC refers to the Western Australian Planning Commission.

Policy Requirements

1. Instruments of the Town's Local Planning Framework

(a) Consultation Requirements (Table 1)

- i. Community consultation in relation to the strategic and statutory planning instruments of the Town's Local Planning Framework will be undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, relevant provisions of this Policy, and **Table 1** below. It should be noted that these are minimum requirements, and that for strategically significant Town-led planning proposals the Town may undertake additional community engagement and consultation.
- ii. Planning proposals may be subject to changes or modifications that require readvertising of the modified proposal to the public, following the completion of initial community consultation. In such circumstances the Town will generally undertake the readvertising in accordance with the same consultation requirements undertaken for the original proposal, except where stated otherwise within **Table 1** below, or where complying with the instructions of the WAPC or Minister for Planning. Any persons who made submissions in relation to the original proposal will also be contacted directly by the Town (via letter or email) notifying them of the readvertised proposal.
- iii. Within **Table 1**, the:
 - '✓' symbol denotes that a particular consultation method does apply; and
 - '✗' symbol denotes that a particular consultation method does not apply; and
 - 'D' indicates that a particular consultation method is at the discretion of the Town, to be determined by the Manager Development Services or Coordinator Urban Planning having regard to the nature of the proposal, its significance and its potential impact upon the area, including the number, frequency and/or geographic extent of the particular consultation method.

(b) Preliminary Consultation for Scheme Amendments

In the case of a proposed 'Standard' or 'Complex' Local Planning Scheme Amendment that is not consistent with a Council approved strategy or policy, an approved Structure Plan, or Council's strategic planning position, then Council will undertake community consultation prior to determining whether or not to initiate a Scheme Amendment. The consultation will include the relevant methods of consultation listed within **Table 1** below and where site-specific may include letters to owners and occupiers within a 200m radius of the site.

Table 1 – Community Consultation Requirements for Instruments of the Town’s Local Planning Framework

Planning Proposal/Instrument	Minimum Duration (Days)	Online advertising	Public inspection (Admin/Library)	Public Notice (Town website)	Public Notice (Admin / Library Noticeboards)	News-paper notice	Sign(s) on site	Letters (post or email)
1. Local Planning Strategy (new/amendment)	21	✓	✓	✓	✓	✓	D	D
2. Local Planning Scheme (LPS) (new or consolidation of existing LPS) - readvertising	90	✓	✓	✓	✓	✓	D	D
	60	✓	✓	✓	✓	✓	D	D
3. Preliminary Consultation – Standard/Complex LPS Amendment (prior to initiation decision by Council – refer to clause 1(b) above)	21	✓	✓	✓	D	D	X	D
4. Complex LPS Amendment Includes new/amendment of a Development Contribution Area or new/amendment of a Development Contribution Plan. - readvertising	60	✓	✓	✓	D	D	D	D
	42	✓	✓	✓	D	D	D	D
5. Standard LPS Amendment - readvertising	42	✓	✓	✓	D	D	D	D
	21	✓	✓	✓	D	D	D	D
6. Basic LPS Amendment Includes amendment arising from the Minister’s decision on the consolidation of an existing LPS.	0	X	X	D	D	X	X	X
7. Heritage List (new list/entries, modification or removal of entries)	21	✓	✓	✓	D	D	D	✓
8. Heritage Area (new/amendment/revocation)	21	✓	✓	✓	D	D	✓	✓
9. Precinct or Standard Structure Plan (new or amendment) - readvertising	42	✓	✓	✓	✓	✓	✓	D
	<i>Duration and methods at WAPC discretion</i>							
10. Local Planning Policy (LPP) ¹ (new or amendment)	21	✓	✓	✓	D	D	D	D
11. Payment in Lieu of Parking Plan (new or non-minor amendment)	21	✓	✓	✓	D	D	D	D
12. Local Development Plan (LDP) (new or amendment)	14	✓	✓	✓	D	D	✓	D
13. Repeal/revocation of 1, 2, 8, 9 and 10 ²	0	X	X	✓	D	X	X	X

Note 1: Amendments to a LPP to reflect LPS provisions or mandatory requirements of legislation or State Planning Policies may be reduced or removed with the approval of the WAPC, Minister for Planning or the Department Planning, Lands and Heritage acting on their behalf.

Note 2: Repeal /revocation of 1, 2 and 9 is subject to prior approval of the WAPC and/or adoption of a new planning instrument that expressly revokes or repeals the instrument.

Note 3: Notification of a planning proposal by way of a public notice on the Town’s website, Administration Noticeboard, newspaper notice or sign(s) on site are required to be published/displayed/installed (as relevant) by the day prior to commencement of the community consultation period for the particular planning proposal.

2. Applications for Development Approval

(a) Consultation Requirements for Development Applications (Table 2)

- i. The circumstances where an application for development approval will be the subject of community consultation and the methods and duration of consultation that will apply are contained in **Table 2**.
- ii. Within **Table 2**, the:
 - '✓' symbol denotes that a particular consultation method does apply;
 - '✗' symbol denotes that a particular method does not apply;
 - 'D' indicates that a particular consultation method is at the discretion of the Town, to be determined by the Manager Development Services or Coordinator Urban Planning having regard to the nature of the proposal, its significance and its potential impact upon the area, including the number, frequency and/or geographic extent of the particular consultation method.
 - 'AP' refers to Adjoining Properties as defined in the Definitions; and
 - 'SP' refers to Surrounding Properties as defined in the Definitions.
- iii. Where an application for development approval falls within more than one type or category of development listed within **Table 2**, then the greater of the relevant consultation requirements shall apply.

(b) Readvertising of amended applications for development approval

- i. Applications for development approval that have been amended by an applicant following community consultation for the original proposal, will be readvertised in accordance with **Table 2**, where the amended application:
 - a. increases the extent of a previously advertised variation; and/or
 - b. introduces a new variation or aspect of the proposed development listed within **Table 2** that requires community consultation.
- ii. Persons who have made submissions in relation to an original application for development approval which requires readvertising following its amendment, will be notified directly (via letter or email), where it:
 - a. involves i.a. above for which they were previously directly consulted; and/or
 - b. involves i.b. above, and in the specific circumstances requires direct notification of that person(s) in accordance with **Table 2**.

(c) Circumstances where Community Consultation will not be required

Community consultation is not required for an application for development approval where it is not a *complex application* and it:

- i. Complies with all applicable provisions of the Scheme, the Deemed-to-Comply requirements of Volume 1 of the Residential Design Codes WA (R-Codes), Local Planning Policies, or other relevant planning instruments; or
- ii. Proposes variations to the Scheme, the Deemed-to-Comply requirements of Volume 1 of the R-Codes, Council Policies or other relevant planning instruments that are not specifically identified in **Table 2** as requiring consultation; or
- iii. Seeks to renew a previous approval issued, provided that the previous approval did not expire more than 12 months ago and the design has not significantly changed or increased the extent of any non-compliances.

Table 2 – Community Consultation Requirements: Applications for Development Approval

Application Type / Category of Development	Minimum Duration (Days)	Online advertising	Public inspection (Admin)	Public Notice (Town website)	Public Notice (Admin Noticeboard)	Public Notice (Newspaper)	Sign(s) on site	Letters (post or email)
1. Complex Application Refer to Definitions above – includes Unlisted Uses and Significant Applications* - readvertising of amended proposal	28	✓	✓	✓	✓	✓	✓	✓ (SP)
	14	✓	✓	✓	✓	✓	✓	✓ (SP)
<i>*Refer to clause 15 of this policy in relation to applications subject to SDAU determination.</i> <u>Exemptions from consultation</u> (a) Minor building additions or alterations to an approved Unlisted Use.								
2. Telecommunications Facility	21	✓	✓	✓	D	✓	✓	✓ (SP)
3. Non-conforming Use (NCU) Includes extension of an existing NCU; and Change of NCU to another NCU <u>Exemptions from consultation</u> (a) Minor building additions or alterations to an existing NCU.	14	✓	✓	X	X	X	✓	✓ (SP)
	<u>Exemptions from consultation:</u> (a) Minor building additions or alterations to an approved 'AA' use. *A sign on site is not required for: i. a Residential Building classified as 'short term accommodation' under LPP 31 'Serviced Apartments and Residential Buildings including ShortTerm Accommodation'; ii. a Home Business or Home Store. iii. an 'AA' use within the 'Industrial (1)' or 'Industrial (2)' zones.							
4. 'AA' (Discretionary) Use (where not an exempt use under LPP 32 'Exemptions from Development Approval') <u>Exemptions from consultation:</u> (a) Minor building additions or alterations to an approved 'AA' use. *A sign on site is not required for: i. a Residential Building classified as 'short term accommodation' under LPP 31 'Serviced Apartments and Residential Buildings including ShortTerm Accommodation'; ii. a Home Business or Home Store. iii. an 'AA' use within the 'Industrial (1)' or 'Industrial (2)' zones.	14	✓	✓	X	X	D	✓*	✓ (AP)
	<u>Exemptions from consultation:</u> (a) Minor building additions or alterations to an approved 'AA' use. *A sign on site is not required for: i. a Residential Building classified as 'short term accommodation' under LPP 31 'Serviced Apartments and Residential Buildings including ShortTerm Accommodation'; ii. a Home Business or Home Store. iii. an 'AA' use within the 'Industrial (1)' or 'Industrial (2)' zones.							
5. Demolition of a Place that is: (a) entered in a Heritage List adopted by the Town (b) located within a designated Heritage Area under the Scheme; or (c) entered in the State Register of Heritage Places	14	✓	✓	✓ (a) and (c)	✓ (c) only	✓ (a) and (c)	✓	✓ (SP)
6. Demolition of an Original Shopfront (where it has its frontage to Albany Highway)	14	✓	✓	X	X	X	X	✓ (AP)

Development Application Type / Attribute		Minimum Duration (Days)	Online advertising	Public inspection (Admin)	Public Notice (Town website)	Public Notice (Admin Noticeboard)	Newspaper notice	Sign(s) on site	Letters (post or email)
7.	Vehicular access to a property via a right-of-way subject to possible future closure action	14	✓	✓	✗	✗	✗	✗	✓ (AP*)
8.	Variation to development standard contained within a: (a) Local Planning Scheme; (b) Precinct Plan; (c) Structure Plan; (d) Local Development Plan; (e) Local Planning Policy (excluding LPP 25 'Streetscape' and LPP 38 'Signs'). <u>Exemptions from consultation:</u> (a) Where the variation is deemed by the Manager Development Services or Coordinator Urban Planning to be of a minor nature or to be an internal design consideration that does not affect external properties, the streetscape or locality more generally. (b) A car parking shortfall, where there is no net increase in an existing parking shortfall.	14	✓	✓	✗	✗	✗	✗	✓ (AP* or SP*)
<p>*AP applies to variations whose impacts are determined by the Manager Urban Planning or Coordinator Urban Planning to potentially affect one or more <i>adjoining properties</i> only. Examples include:</p> <ol style="list-style-type: none"> variations to side setback, boundary walls, visual privacy and overshadowing requirements, which will generally be advertised to directly adjoining properties only; and variations to street setback and minor (10% or less) variations to car parking, plot ratio and building height requirements. <p>*SP applies to variations whose impacts are determined by the Manager Urban Planning or Coordinator Urban Planning to potentially affect surrounding properties and/or are likely to be of concern to the wider locality or community in which the proposal is located. Examples include significant variations (above 10%) to car parking, plot ratio and building height requirements.</p>									
9.	Variation to Acceptable Outcome of <u>Volume 2</u> of the Residential Design Codes WA in relation to: (a) Building height³ (e) Minimum rear setback¹ (i) Visual privacy¹ (Table 3.5 setbacks to side and rear boundaries)	14	✓	✓	✗	✗	✗	✗	✓ (AP ^{1,2} or SP ³)
(b) Boundary wall height¹ (f) Average side setback (where applicable)¹ (j) Car and bicycle parking³ (Table 3.9 Parking Ratio requirements)		(c) Minimum primary and secondary street setbacks² (g) Plot ratio³		(d) Minimum side setbacks¹ (h) Building separation (to adjoining property boundaries only)					
<ol style="list-style-type: none"> Directly adjoining properties only in relation to (b), (d), (e), (f), (h) and (i) AP applies to (c) SP applies to (a), (g), and (j) 									

Development Application Type / Attribute	Minimum Duration (Days)	Online advertising	Public inspection (Admin)	Public Notice (Town website)	Public Notice (Admin Noticeboard)	Newspaper notice	Sign(s) on site	Letters (post or email)
<p>10. Variation to Acceptable Development or Deemed-to-Comply requirement of: - LPP 25 'Streetscape'; or - Volume 1 of the Residential Design Codes WA; in relation to:</p> <p>(a) Street setback (Primary or Secondary Street, Right of Way)</p> <p>(e) Boundary walls¹</p> <p>(i) Overshadowing¹</p> <p>(b) Building height</p> <p>(f) Retaining walls¹</p> <p>(j) Outbuildings¹</p> <p>(c) Car parking</p> <p>(g) Site works¹</p> <p>(k) Ancillary dwellings (lot area, plot ratio area, parking, location)</p> <p>(d) Boundary setbacks¹</p> <p>(h) Visual Privacy¹</p> <p><i>1. Directly adjoining properties only for requirements (d) to (j)</i></p> <p><u>Exemptions from consultation:</u></p> <p>(a) <u>Street setback:</u></p> <ul style="list-style-type: none"> i. A carport in the Residential Character Study Area, a Weatherboard Precinct or Weatherboard Streetscape, with a minimum primary street setback of 1.5m; ii. A front setback average of 5.8m or greater; iii. Porches or an entry feature to a secondary street with a setback of 1.5m or greater; iv. Variations to the maximum dwelling setback from a right-of-way of 1.0m or less; and/or v. Variations to Communal Street setback requirements of LPP 25. <p>(b) <u>Boundary setbacks:</u></p> <ul style="list-style-type: none"> i. Ground floor side or rear setback variation, where the variation is no greater than 10% of the required minimum setback; ii. A side setback variation to an open sided carport including where the columns/posts are up to the boundary; and/or iii. A wall, without windows, with a side setback between 600mm and the setback requirement under Table 2a, provided that the wall height and length meets the deemed-to-comply requirements of the R-Codes for boundary walls. <p>(c) <u>Visual Privacy:</u> Overlooking from a major opening raised more than 0.5m above natural ground level where the overlooking within the cone-of-vision occurs:</p> <ul style="list-style-type: none"> i. Over an adjoining property driveway, car parking bay or car parking structure; and/or ii. Behind the street setback line of an adjoining property that is an open garden or landscaped area forward of the main building line of the dwelling on that property, which is visible from the street and does not function as the primary outdoor living area (as defined by the R-Codes) of the dwelling. <p>(d) <u>Outbuilding</u> with a wall height of no more than 3.0m.</p> <p>(e) <u>Site works</u> with excavation and/or retaining walls below natural ground level regardless of height and setback.</p>	14	✓	✓	✗	✗	✗	✗	✓ (AP ¹)

Development Application Type / Attribute		Minimum Duration (Days)	Online advertising	Public inspection (Admin)	Public Notice (Town website)	Public Notice (Admin Noticeboard)	Newspaper notice	Sign(s) on site	Letters (post or email)
11.	Development by local government on a reserve (e.g. parks and recreation; public purpose reserve; or civic use reserve)	Minor Works	14*	✓	✓	✗	✗	✗	✓* ✓ (AP*)
		Major Works	21	✓	✓	D	✗	✗	✓ ✓ (SP)
*Where considered by the Manager Development Services or Coordinator Urban Planning that a particular development could have an impact on the amenity of the surrounding area (particularly adjacent residential uses)									

- Note 1:** Where there is an inconsistency in the requirements under this policy, then the greater consultation requirements apply. Additionally, if an application is deemed to be a *complex application* then the consultation requirements for a *complex application* apply in addition to the consultation requirements that would otherwise apply.
- Note 2:** Formal notification of a planning proposal by way of a public notice on the Town's website, Administration Noticeboard, newspaper notice or sign(s) on site are required to be published/displayed/installed (as relevant) by the day prior to commencement of the community consultation period for the particular planning proposal.

3. Discretion to vary consultation requirements

- (a) Notwithstanding Table 1 and Table 2, the Town may require consultation to be undertaken, or require additional consultation (method and/or duration), where it is considered appropriate based upon the nature of a particular *planning proposal*.
- (b) In relation to *Complex Applications* the Town may provide details of, and/or invite comments on, the design merit of the particular proposal, having general or specific regard to the principles and provisions of any relevant planning instrument, including any local planning policy or State Planning Policy (e.g. Volume 2 of the Residential Design Codes WA).
- (c) The Council may also inform adjoining or surrounding properties of a *Complex Application* (by letter, email or other methods), advising them of the Council's decision (or that of another relevant decision maker) in relation to that application.

4. Excluded holiday period days

- (a) The consultation period for any *planning proposal* excludes
 - i. all Western Australian public holidays; and
 - ii. a period commencing on 25 December in a year and ending on the next 1 January; and
 - iii. a period of 7 days commencing on Good Friday in a year.

5. Evidence of non-objection

- (a) In the case of applications for development approval, consultation will not be required where the applicant provides a copy of the application plans(s) with certification from the owners and occupiers of the relevant property(ies) stating no objection to the proposal. Such certification must include a clearly printed and signed statement containing the following:
 - i. A list of the specific variation(s) or aspect(s) of the development for which consultation would otherwise be required;
 - ii. A statement that the plans have been viewed and there is no objection to the proposal;
 - iii. The full name of the owner/s or occupier/s of the relevant properties;
 - iv. Signatures of all persons shown as owners on the Town's IntraMaps system (which is linked to the rate records);
 - v. a current contact address and telephone number for all signatories.
- (b) Council Officers (at their discretion) may contact the owners and occupiers (by telephone where possible) to confirm that they have sighted and signed the plan(s), and will be checked against available Council records to ensure all relevant signatures have been provided.
- (c) With respect to Table 2, where the consultation period is yet to conclude but written responses have already been received from all relevant persons notified of the proposal, then Council Officers may proceed to determine the application without awaiting the conclusion of the advertising period.

6. Ownership Details

- (a) Council will rely on the ownership details displayed on the IntraMaps system (which is linked to the rate records) for the purpose of notifying owners and occupiers of properties.
- (b) It is the responsibility of the owners and occupiers of the properties within the Town to inform the Council in writing of any changes in their address details as and when these occur.

7. Requirement for consultation within a strata development

- (a) Where an application for development approval requires community consultation in accordance with this policy, and the proposal is located within a strata development, consultation with the owners and occupiers of all properties within the strata development will be undertaken except where the application for development approval form is signed by all strata owners who appear on the rate records held by the Council. The sending of a letter/email to a Strata Company only in lieu of directly notifying each individual property owner is not accepted.

8. Letters and Email Notices

- (a) Where consultation for a *planning proposal* includes the sending of letters or emails (where email addresses are known and available), then this shall be the responsibility of Council, and will be sent:
 - i. a minimum of three (3) business days prior to the commencement of the consultation period in the case of posted letters; and
 - ii. prior to or upon commencement of the consultation period in the case of email correspondence.
- (b) Letters or emails are to be sent to both the owners and occupiers of the adjoining or surrounding properties specified in Table 1 and Table 2.
- (c) Council's consultation letter/email notice shall contain the following:
 - i. the site and general nature of the proposal;
 - ii. the nature of the discretionary decision or concern involved;
 - iii. the availability of plans/information for viewing and how to access the plans and other relevant documents online from the Town's website, 'Your Thoughts' consultation hub (if applicable) or other platforms;
 - iv. the last date by which any comments are to be lodged with the Council;
 - v. an invitation to comment on that part of the proposal that is being consulted on; and
 - vi. a statement that it should not be construed that final approval will be granted for the proposal.

9. Sign(s) on Site

Where an application for development approval is to be advertised by way of one or more signs on-site:

- (a) It is the responsibility of the applicant to arrange for installation of the sign(s) and payment of associated costs;
- (b) The sign board(s) is to be professionally prepared, constructed of aluminium composite material (ACM), acrylic, corflute or similar weather-resistant material. Alternative materials may be considered at the discretion of the Manager Development Services or Coordinator Urban Planning, such as where the sign is to be displayed from a shopfront window in direct view of the street;
- (c) The number, size, format and content of the sign(s) and the sign notice shall be in accordance with the WAPC's 'Manner and Form documents' (as amended), that have been published to ensure satisfaction of the requirements of deemed clause 64(3)(c) and (4)(c) of the Regulations. These will be made available for download from the Town's website. Applicants shall comply with the relevant sign requirements applicable to their application, depending on whether or not it is deemed a *complex application* in accordance with this policy and the Regulations;
- (d) The image required to be provided on the sign(s) in the case of a *complex application* is to take the form of an artist's impression, perspective or render that provides a realistic indication of the finished form of the proposal, preferably in terms of its scale/extent as visible from the street/public realm, to the satisfaction of the Manager Development Services or Coordinator Urban Planning. Applicants are encouraged to seek confirmation of the acceptability of the sign imagery from the Town's assessing officer for the application prior to preparation and installation of the sign(s).
- (e) The sign(s) should be in place the day prior to consultation commences and is to remain on-site for the duration of the consultation/comment period; and
- (f) The applicant is to submit evidence, such as dated photographs, of all required signs on the site, no later than five (5) working days following installation.

10. Newspaper Notices

- (a) If an application for development approval is required to be advertised by way of a newspaper notice then it shall be in the format published on the Town's website and comply with the below:
 - i. be published on the day prior to commencement of the consultation period, in a newspaper circulating, at least weekly, in the area in which the land the subject of the application is located; and
 - ii. the size of such advertisement(s)/notice(s) being sufficient for people to read clearly; and
 - iii. be published within the 'Public Notices' section of the relevant newspaper.
- (b) It is the responsibility of the applicant to arrange for publication of the notice and payment of associated costs.
- (c) The applicant is to submit evidence of the newspaper notice being published, no later than five (5) working days following its publication.
- (d) The Town will arrange for publication of any required newspaper notices for a *planning proposal* listed in Table 1.

- (e) The applicant shall reimburse the Town for payment of associated costs for publication of any newspaper notices for a *planning proposal* listed in Table 1.

11. Display and Viewing of Plans

- (a) Community consultation for all *planning proposals* will include relevant plans and documents (or links to plans and documents) on the Town's website, 'Your Thoughts' consultation hub (if applicable) or other online platforms for the duration of the consultation period.
- (b) Copies of relevant plans and documents will be made available for viewing at Council's Administration Centre upon request, or in extenuating circumstances may be mailed upon request.
- (c) The submission of a *planning proposal* for assessment by the Town is taken to be agreement for plans and/or documents to be displayed, viewed or circulated in accordance with (a) to (b) above, for the duration of the consultation period.

12. Community Information Sessions

- (a) A community information session or drop-in session on strategically significant planning proposals listed within Table 1 may be held by Council Officers, where it is considered by the Town, that it will assist the community's understanding of the proposal and provide increased opportunity to view plans and any relevant additional information.
- (b) The community information session or drop-in session will be held at least one week prior to conclusion of the consultation period.

13. Submissions received by Council

- (a) Where a *planning proposal* is the subject of a report to a Council Meeting or other decision maker, the Officer's report will include a summary of the submissions received during the consultation period, along with an accompanying response from Council Officers considering the issues raised in the submissions.
- (b) Full copies of submissions will be made available to Elected Members but will not be made available to members of the public unless required by law.
- (c) All submissions received in relation to a planning proposal will be communicated by Council Officers to the applicant, with full copies (with personally identifying information removed) of submissions being provided to the applicant upon request.
- (d) The applicant will be provided with a minimum of seven (7) days to respond to any objection(s) received during the consultation period and/or amend a planning proposal in order to overcome the objection(s).

14. Notification of Submitters

Those persons who lodge a submission in a relation to a *planning proposal* will receive written notification by letter or email of:

- (a) The decision of Council Officers where the proposal is an application for development approval determined under delegated authority, along with a response to the matters raised in their submission;
- (b) The time, date and particulars of the Agenda Briefing Forum and Ordinary Council Meeting, where the *planning proposal* will be considered/determined by the Council, with

notification to include instructions on how to access the agenda prior to the scheduled meetings; and

- (c) The decision of the Council, where the *planning proposal* was considered at a Council Meeting, and any associated conditions of approval or reasons for refusal.

15. Planning proposals where Council is not the final decision maker

- (a) *Planning proposals* which are required to be determined by other planning authorities, for example the Metropolitan Inner South Joint Development Assessment Panel (DAP), or the Western Australian Planning Commission (WAPC), will be subject to the consultation procedures outlined in this Policy. With respect to applications determined by the SDAU, the consultation requirements will be at the SDAU’s discretion.
- (b) Those persons who lodge a submission in a relation to a *planning proposal* to be determined by the DAP, SDAU or WAPC will receive written notification of:
 - i. Council’s recommendation to the DAP, SDAU or WAPC;
 - ii. Instructions on how to access the agenda of the DAP, or WAPC meeting online, and the date, venue and information on how to make a request for deputation or presentation at the meeting (if possible); and
 - iii. The decision of the DAP, SDAU or WAPC once the proposal is determined.

16. Review of Applications by State Administrative Tribunal (SAT)

- (a) Application for development approval determinations subject to an application for review by the SAT will be subject to the community consultation requirements contained in Table 2 where the review:
 - i. Includes consideration of an amended proposal that introduces new, or increases the extent of, any previously proposed non-compliances; or
 - ii. Where deemed appropriate by the Manager Development Services or Coordinator Urban Planning.
- (b) Those persons who have lodged a submission in relation to an application for development approval, the determination of which is later reviewed by the SAT (either during the consultation for the original application, or consultation carried out in accordance with (a) above), will be notified as per clause 14 of this policy.

Version Control

Date Initially Adopted :	Former Administrative Policy GEN3 ‘Community Consultation’ – adopted 28 September 1999
Date(s) Amended :	1. Adopted as Local Planning Policy 37 at Ordinary Council Meeting 8 November 2016; 2. Amended by Council resolution at Ordinary Council Meeting 11 December 2018. 3. Amended by Council resolution at Ordinary Council Meeting 17 August 2021.