
Procedure Owner: Approval Services
Contact Person: Specialist Project Planner
Distribution: Approval Services; Strategic Land Use Planning and Environment
Date of Approval: 19 November 2021

1. Policy Supported

Applications and proposals that require consultation to be carried out under the Metropolitan Region Scheme and District Planning Scheme No. 2.

2. Related Documents and/or Forms

This Procedure shall be used whenever consultation is required and shall be carried out as set out in this Procedure but may include other measures where considered appropriate by the City.

Any proposal may be subject to consultation where the City considers that it is in the public interest to do so.

Where considered appropriate by the City to do so, the advertising period, format, means and/or extent may be varied at its discretion.

This Procedure should be read in conjunction with the relevant provisions of the City of Wanneroo District Planning Scheme No. 2 (DPS 2) and any policy or other procedure that requires consultation to be carried out. Consultation shall be undertaken in accordance with this Procedure, but this Procedure does not replace the need for any consultation required to be undertaken by any other legislation, including but not limited to the Planning and Development (Local Planning Schemes) Regulations 2015.

Where applicable regard should be given to the City's Community Engagement and Management Procedure.

Residential Design Codes

This Procedure does not vary the principles of consultation as prescribed in State Planning Policy 7.3 Residential Design Codes (R-Codes).

3. Purpose

The purpose of this Procedure is to:

- establish a clear process for undertaking consultation for applications and proposals requiring planning consideration;
- facilitate community input into the decision making process.

This Procedure provides guidance on the community consultation process for *planning proposals*, including when consultation will occur, the means and duration of consultation.

Notwithstanding this Procedure, applicants are strongly encouraged to discuss proposals with nearby owners and occupiers prior to the submission of any planning proposal to the City for consideration.

4. Definitions

Adjoining properties:- Means for the purposes of this Procedure, properties as illustrated in Table 2 diagrams a), b), and c) in Section 5.

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 for this Scheme in respect of the zone in which the development is located; or
- (b) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval;

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.

Planning proposal:- For the purposes of this Procedure, includes a Development Application, Scheme Amendment, Structure Plan, Structure Plan Amendment, Local Development Plan, Local Development Plan amendment, Local Planning Policy and Local Planning Strategy.

In accordance with clause 64 (1)(c) of Schedule 2 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations, the City may advertise any other application for development approval. For this purpose, the City has identified such applications as a **Significant Application** and are defined as follows:

Significant application:- is an application where the City considers that advertising is warranted because it is in the public interest to do so and/or it is an application that:

- Involves a significant exercise of discretion in terms of DPS 2, the R-Codes, a Local Planning Policy or other planning instrument;
- Proposes a scale of development that is significantly different from the prevailing and expected character and pattern of land use or development within the locality; or
- Proposes development with potentially significant amenity impacts on nearby residential areas in terms of visual impact, streetscape, privacy, noise, intensity of use, compatibility of uses, traffic generation and adequacy of parking.

Standard application:- A standard application for development approval is an application that is seeking a variation to the development standards and requirements of DPS 2 or other relevant planning instrument but is not defined as a *Significant Application*.

Subject site:- Means the site which is subject to a planning proposal.

Surrounding properties:- Means those properties which fall wholly or partly within the radius as specified in Table 2 below.

5. Procedure

The following provisions apply to community consultation on planning proposals.

Scheme Amendments, Structure Plans, Local Development Plans, Local Planning Policies, Local Planning Strategies and other Organisational Plans and Strategies

Consultation in relation to Scheme Amendments, Structure Plans, Local Development Plans, Local Planning Policies and Local Planning Strategies will be undertaken in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 as set out in Table 1 below and any relevant provisions of this Procedure.

Applications for Development Approval

Consultation in relation to development applications will be undertaken as set out in Table 2 below and in accordance with other relevant provisions of DPS 2.

Table 1

Scheme Amendments, Structure Plans, Local Development Plans and Local Planning Policies							
Proposal Type	Comment Period Minimum No. of days	Required Consultation Methods					
		Letters	Sign(s) on site	News- paper	Website and social media	Notice Board	Public inspection (Civic centre)
Basic Scheme Amendment	No consultation required (Unless directed to do so, in accordance with clause 61 of the Planning and Development (Local Planning Schemes) Regulations 2015)						
Standard Scheme Amendment	42	Yes*	Yes*	Yes*	Yes ⁻	Yes	Yes
Complex Scheme Amendment	60	Yes*	Yes*	Yes*	Yes ⁻	Yes	Yes
Structure Plan (includes Activity Centre Plans)	42	Yes*	Yes	Yes*	Yes ⁻	Yes	Yes
Local Development Plan	14	Yes*	Yes	Yes*	Yes ⁻	No	Yes
Local Planning Policy	21	Yes*	Yes*	Yes*	Yes ⁻	No	Yes
Local Planning Strategy	21	Yes*	Yes*	Yes	Yes ⁻	Yes	Yes
Organisational Plans and Strategies	28	Yes*	Yes*	Yes	Yes ⁻	Yes	Yes
Payment in lieu of parking plan	21	Yes*	Yes*	Yes*	Yes	Yes	Yes

* The method and extent of consultation will be determined by the Manager Approval Services, Manager Strategic Land Use Planning and Environment, Coordinator Planning Services, Coordinator Strategic Land Use Planning or Coordinator Strategic Environmental Planning having regard to the nature of the proposal, its significance and potential impact upon the area.

Refer to Appendix 1 for a list of potential individuals and groups who may be consulted.

Table 2

Development Applications							
Proposal Type	Comment Period Minimum No. of days ⁶	Required Consultation Methods					
		Letters	Sign(s) on site	News- paper	Website and social media	Advert- ising Radius ⁴ (metres)	Public inspection (Civic centre)
Standard application	14	Yes*	No*	No	Yes*	AP/200 ¹	Yes
Significant application	14	Yes*	Yes*	Yes*	Yes*	200	Yes
Complex application	28	Yes*	Yes*	Yes*	Yes	200	Yes
Non-conforming use ³	14	Yes*	Yes*	Yes*	Yes	200	Yes
Extractive industry	21	Yes*	Yes*	Yes*	Yes	1000	Yes
Licensed premises	14	Yes	Yes	Yes*	Yes	200	Yes
Telecommunications Infrastructure	21 ⁵	Yes	Yes	Yes	Yes	500/ 200 ²	Yes
Service station Motor vehicle repairs Road House	14	Yes*	Yes*	Yes*	Yes	200	Yes

* The method and extent of consultation will generally be consistent with the this table and will be determined by the Manager Approval Services or Coordinator Planning Services having regard to the nature of the proposal, its significance, site specific issues and potential impact upon the area.

1. AP – Adjoining Properties, for variations only affecting properties with a boundary directly adjacent to that part of a development for which a variation is proposed or where in the opinion of the City only those adjoining properties that are affected. An adjoining property is to be determined as demonstrated in the diagrams (a), (b) and (c) below. For other applications that require consultation regardless of any variations proposed, that is where consultation is mandatory or in the opinion of the Manager Approval Services or Coordinator Planning Services would be of public interest a radius of 200 metres applies.
2. Minimum radius of 500 metres in instances of lattice towers or 200 metres in all other instances.
3. Non-conforming uses where additions are minor and comply with applicable development standards and requirements are exempt from consultation.
4. For residential proposals the radius shall be measured from each corner of the Subject site. Refer to Figure 1. For non-residential proposals the radius shall be measured from the outer edge of the location of the proposal on the Subject site.
5. The advertising period is to be a maximum of 21 days as per Local Planning Policy No. 2.5: Telecommunications Infrastructure.
6. Advertising may be for a longer period where agreed in writing between the applicant and the City.

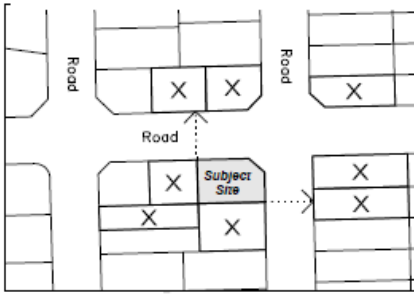
Refer to Appendix 1 for a list of potential individuals and groups who may be consulted.

In the case of any inconsistency, the provisions in DPS 2 prevail over any requirements of this Procedure.

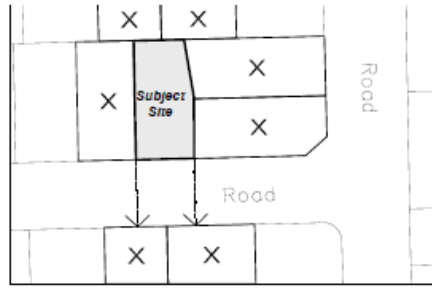
Consultation with Government agencies and public authorities shall be undertaken as required and where a need is identified by the City.

Table 2 Diagrams (a), (b) and (c) demonstrating Adjoining Properties (AP)

Example (a)



Example (b)



Example (c)

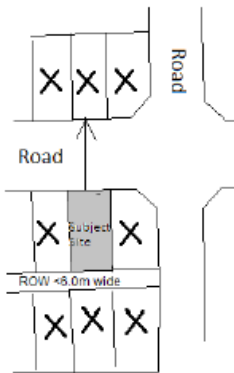
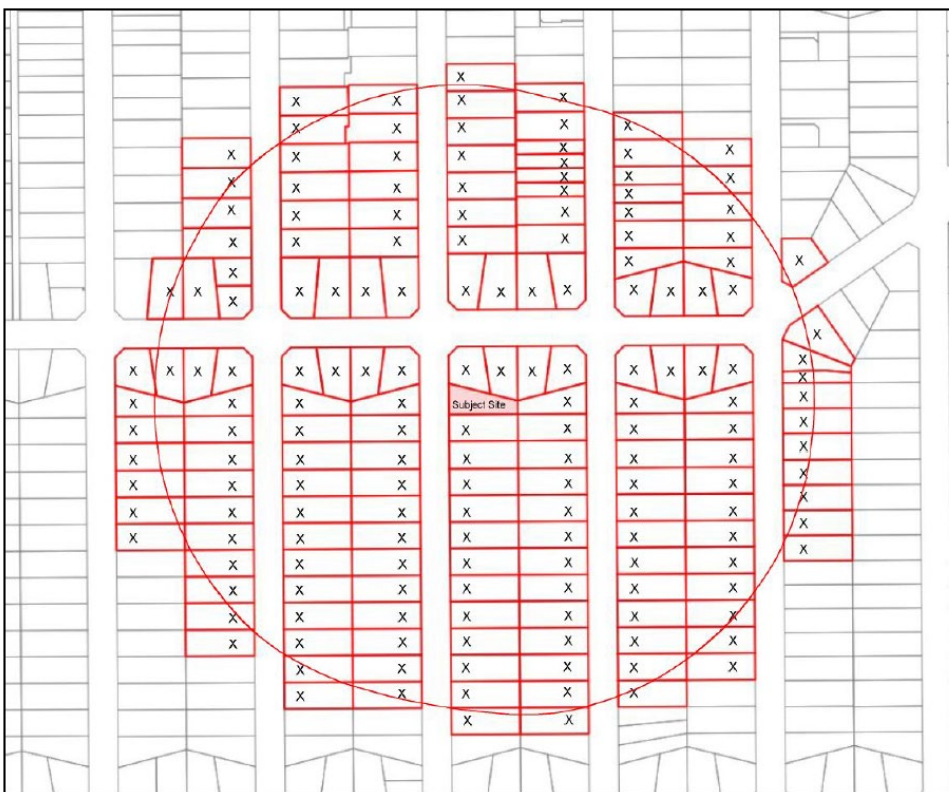


Figure 1: Example of extent of consultation based on a 200 metre radius from the boundary of a subject site.



Note: Any property that only falls partially within the radius shall also be subject to consultation.

Amendments to planning proposals:

Modifications to a proposal arising from comments received following consultation that address matters raised will not be readvertised unless they propose new or different variations to those submitted in the original proposal.

Modifications to a proposal in order to comply with a condition of approval will not be advertised.

Applications which seek to modify a condition of development approval or alter previously approved plans will be subject to consultation where the proposal is significantly different to that which was previously advertised.

Where an amendment proposes significant variations to the relevant development standards or requirements of DPS 2 or other relevant planning instruments it shall be subject to consultation.

Information Sessions:

Where a planning proposal is deemed to be complex or of significant interest to the community by the Manager Approval Services, Manager Strategic Land Use Planning and Environment, Coordinator Planning Services, Coordinator Strategic Land Use Planning or Coordinator Strategic Environmental Planning, the City may undertake an information session or sessions.

Where an information session is to be held it will consist of the following:

- Be held at the City of Wanneroo Administration Centre or other location as agreed by the City and will usually be held on a weeknight;
- Plans and details of the proposal will be made available for viewing;
- Officers of the City will be available to answer any questions and to explain the process of dealing with the proposal;
- The applicant will be invited to attend and be given an opportunity to provide information and respond to any questions.

Any matters arising from an information session will be taken into account in the consideration of the planning proposal.

Holiday Periods

The consultation period for any planning proposal excludes:

- (a) all public holidays;
- (b) a period commencing on 25 December in a year and ending on the next 1 January; and
- (c) a period of 7 days commencing on Good Friday in a year.

Changes to Consultation Period

Where a member of the public is seeking an alteration or extension to the consultation period, a request must be provided in writing and will need to outline any extenuating circumstances that the City should consider. Any alteration or extension will be at the discretion of the Manager Approval Services or Manager Strategic Land Use Planning and Environment and may only be granted where the applicant has agreed in writing to a longer period. Where an alteration or extension is granted it shall be no longer than an additional seven (7) days from the original submission closing date.

Verification of Submissions of Non-Objection

An applicant may include with their submission a copy of plans with a certification by the owners (regardless of whether or not they reside at the property) and occupiers of adjoining affected properties stating that they have no objection to the proposal.

Signatures should include all persons shown as owners and ownership details will be confirmed by the City.

The certification must include:

- The full name of the owners and occupiers certifying non-objection clearly printed and a signature;
- A statement printed clearly indicating no objection to the proposal; and
- A current contact address and telephone number printed clearly.

Officers of the City will verify the non-objection by contacting those persons who have signed the certification to confirm that they have sighted and signed the plans.

Where the City is satisfied that the certification from owners and occupiers of relevant affected properties is genuine, no further consultation will be required.

Valid considerations

The City recognises that those being consulted may wish to object to a proposal for a number of reasons. The City, however, can only take into consideration submissions and comments that are valid planning considerations and not matters that do not relate to the proposal being considered.

Matters that are considered to be valid considerations and those that are not, are set out below:

Valid Planning Considerations	Non-valid Planning Considerations
<p>a) Matters to be considered by the City under clause 67 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;</p> <p>b) Any development standard or requirement of District Planning Scheme No. 2 or other relevant planning instrument that requires the decision maker to exercise judgement.</p>	<p>a) Perceived impact on property value;</p> <p>b) Matters that are dealt with under other legislation;</p> <p>c) Private disputes between affected landowners and applicants;</p> <p>d) Matters unrelated to orderly and proper planning;</p> <p>e) Matters such as personal views about an applicant or a proposal;</p> <p>f) Incorrect assumptions on technical matters;</p> <p>g) Private land title matters such as caveats or other agreements or limitations affecting the land.</p>

If making a submission, submitters should clearly state if they support or object to a proposal and clearly set out the reasons for the submission and how they consider the proposal will affect them and/or their property. Submitters may also wish to provide suggestions and recommendations about the proposal.

Opportunity for applicants to respond to submissions

Where submissions are received for a planning proposal, the City will provide a summary of any submissions to the applicant and invite the applicant to provide a response and/or provide revised plans to address any issues raised during consultation.

Refusal of applications without consultation

Where a planning proposal is received by the City that is not considered to satisfy or be capable of satisfying the standards or requirements of DPS 2 and/or other relevant planning instruments, the application may be refused under delegated authority without first being advertised.

State Administrative Tribunal

Where an applicant is aggrieved by a decision of a decision maker, they have a right to lodge an application for review (appeal) of the decision to the State Administrative Tribunal (SAT).

Where an application for review is lodged with the SAT, the City will inform anyone who made a submission on that application in accordance with Local Planning Policy 4.17: State Administrative Tribunal.

6. Responsibility for Implementation

*Approval Services;
Strategic Land Use Planning and Environment.*

REVISION HISTORY

Version number	Version date	Next Review	Record No:
P & S - Version 1	11/08/2020	August 2024	20/168398
P & S – Version 2	19/11/2021	November 2025	20/168398v2

Appendix 1

List of potential consultees.

Consultation may be undertaken with one of more of the following:

- Affected owners and/or occupiers of adjoining and nearby properties;
- State Government departments and/or agencies that have relevant responsibilities over the matter proposed;
- Community groups;
- Resident and ratepayers associations;
- Industry groups, associations and/or bodies;
- Any individual or group who may have an interest in the proposal.