

Public consultation

Introduction

Good planning requires input from the community. Consultation is therefore an important part of the planning process, which can be thought of as having two main parts:

Strategic Planning is proactive. It is the setting of law, policy and guidelines, to create a framework for how land will be used and developed into the future.

Statutory Planning is the assessment of specific development applications. We make decisions to conditionally approve or not approve development proposals, according to the frameworks set in the strategic planning process.

Comments – or ‘submissions’ – made during public consultation are a valuable source of information. They can help us understand community feedback, assess potential impacts of development, identify gaps that require further information, and formulate amendments to planning proposals. Information is provided below on what constitutes valid planning submissions.

The City’s process

Planning legislation requires the opportunity for the community to engage in planning proposals that may affect them. Consultation has the following benefits:

- Provides opportunities for people to voice opinions and be involved in the planning and development of their community.
- Assists the City and Council in making informed and responsive development decisions.
- Maintains the transparency and accountability of the City’s processes.
- Builds cooperative and responsive relationships between the City and its community.
- Enables the City to explore a range of solutions to development issues.
- Encourages greater awareness and public participation in planning and development.

[Local Planning Policy 7.3: Public Consultation for Planning Proposals](#) outlines the types of proposals that require public notification and how the City undertakes consultation.

When preparing to lodge a development application, we encourage you to discuss your plans with your neighbours before lodging with the City. By doing this you can discount your planning fees by 25 per cent as per the City’s [Local Planning Policy 7.2: Reducing, Refunding and Waiving Planning Fees](#). Further information is available on the [City’s website](#).

Considerations when making a submission to the City of Subiaco

1. We consider all submissions before making a decision on a planning proposal. We look at submissions by considering the City’s legal duties, community interests and the rights of the person submitting the proposal.
2. Submissions can be made in writing via:
 - the online submission form on the City’s [Have Your Say Subiaco webpage](#)
 - email to city@subiaco.wa.gov.au
 - by mail addressed to the Chief Executive Officer.

When you make a submission, make sure you include your name and address, and a description of the proposal.

We need to receive the submission before the specified closing date to ensure we process the application within a timely manner. We understand that unexpected life circumstances happen and that you may need additional time; we can consider these requests on a case-by-case basis.

3. The content of your submission is not confidential and we may provide a summary of the submission to the applicant. Your feedback may result in adjustments to the design. Submissions are often included as attachments to relevant planning reports which are made public and may be subject to Freedom of Information requests.

Personal details such as names, telephone numbers and addresses are removed before a submission is provided to an applicant, made public or provided through Freedom of Information requests.

4. Planning submissions must raise valid planning concerns or comments, see **Table 1** for examples.

| Table 1: Public submissions | |
|---|--|
| Valid submissions examples | Invalid submissions examples |
| <ul style="list-style-type: none">• A loss of privacy, loss of direct sunlight or bulky buildings.• Perceptions of overdevelopment, such as limited open space or excessive building height.• Loss of heritage and/or an adverse impact on a heritage-protected place.• A type of land use and its impact regarding traffic, noise or other potential amenity impacts. | <ul style="list-style-type: none">• Judgements based on personal views or bias.• A possible impact on land value.• Assumptions or 'hearsay'.• Issues that relate to religious belief, morals or ethics.• Competition or oversupply of a service.• Matters dealt with by other relevant legislation. |

If you would like to make a submission on a planning proposal, the staff of the City's Planning Services are available to meet with you to discuss your queries. You can contact Planning Services on 9237 9222 or by email at city@subiaco.wa.gov.au.

5. The [Residential Design Codes](#) (R-Codes) include two pathways to determine development applications – being a design principle assessment and deemed-to-comply criteria.

If particular design elements meet the deemed-to-comply criteria, then it is considered to automatically meet the relevant design principle, and the City cannot refuse an application in these instances.

If an application is not deemed-to-comply with all design elements, a merit-based assessment will be undertaken. Design principles enable an alternate pathway for innovative development proposals to be considered, often to respond to their site context. Every site is unique and achieving the deemed-to-comply may not always be possible or desirable.

Why wasn't I notified of a development application?

If development is taking place nearby and you were not notified, the most likely reasons are:

- **The works or use did not require development approval.** The Residential Design Codes (R-Codes) applies to all residential development in Western Australia. If a proposal meets all the 'deemed-to-comply' provisions of the R-Codes and the City's local planning policies, it does not require approval from the City and consultation is not undertaken. Minor changes from the planning framework generally do not require consultation where there is limited/no impact to the community.
- **Your property is outside the notification area.** In some cases, notification is sent to immediately adjacent properties and/or those across the street.
- **Your postal address information at the City is outdated or incorrect.** The City notifies landowners and occupiers via post (i.e. a letter will be sent to the address(es) on file).