

# Consultation for Town Planning Proposals

## Local Planning Policy

**VERSION 3**

December 2015

town planning services

Version	Adoption	Comment
1	10 July 2007 Council Item DS001	Final – No objections received during advertising.
2	8 December 2009 Council Item SC131	Final – No objections received during advertising.
2	1 July 2011 Council Item SC001	Final – Readopted under the new City of Greater Geraldton.
3	15 December 2015 Council Item DRS242	Readopted under the new LPS No. 1.

# Contents

- 1.0 CITATION..... 3
- 2.0 BACKGROUND..... 3
- 3.0 OBJECTIVES ..... 3
- 4.0 POLICY MEASURES ..... 3
  - 4.1 No Consultation ..... 4
  - 4.2 Consultation with Owners/Occupiers of Adjoining Land ..... 4
  - 4.3 Consultation with Owners/Occupiers of Nearby Land ..... 4
  - 4.4 Consultation with Owners/Occupiers of Land in the Locality ..... 4
  - 4.5 Citywide Consultation ..... 4
  - 4.6 Consideration of Submissions..... 5
- 5.0 DEFINITIONS ..... 5

town planning services

## 1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as the *Consultation for Town Planning Proposals local planning policy*.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

## 2.0 BACKGROUND

The over-arching principle of this policy is that the local government (where appropriate or required) will advise and consult with the community about initiatives involving proposed new or extended land uses and developments, in an endeavour to ensure openness and accountability in the decision-making processes and to gauge public opinion.

The need to engage the community will be based firstly on any legislative requirement and then the degree to which the proposal impacts upon the site itself, the land immediately surrounding the site, the locality within which the site is situated or, in some cases, the whole local government.

In relation to complex issues, the local government will exercise flexibility in determining the level of consultation that is required and the best means by which maximum public feedback may be obtained.

The local government will predominantly consult with owners of land and, where appropriate, will also consult with occupiers of the land.

## 3.0 OBJECTIVES

- a) To develop a method by which proposals can be classified according to their likely impact.
- b) To clearly define the different levels of consultation that will be undertaken and advice that will be provided in respect of a range of land use and development proposals.
- c) To detail the requirements for consultation based on the level of impact of the proposal.
- d) To outline the process the local government will use when undertaking consultation and considering submissions.

## 4.0 POLICY MEASURES

The method of consultation used will relate to the legislative requirements and (in the opinion of the local government) the likely extent of the impact on the community or the interest likely to be generated by the community with respect to the proposed land use or development. In any event the local government has the discretion to publicly advertise any town planning proposal.

4.1 No Consultation

No consultation will occur where the proposal is determined as having no predictable detrimental impact on the character or amenity of the locality or is precluded under relevant legislation.

4.2 Consultation with Owners/Occupiers of Adjoining Land

4.2.1 Where a proposed development will be visible from any road or other public place and/or will be likely to have an impact on the streetscape, visual amenity and ambience of properties in immediate proximity to the site, the owners/occupiers of properties on the other side of any street immediately opposite the application site may also be consulted.

4.2.2 Where an affected land owner/occupier is consulted by the proponent of a development proposal, evidence of the acceptability of the proposal should be provided by way of a signed letter of no-objection and endorsement by way of no-objection comment, signature, printed name and full address on a copy of the plan(s) submitted for approval.

4.3 Consultation with Owners/Occupiers of Nearby Land

4.3.1 Generally owners of land within a radius of 60m of the boundary of the application site.

4.3.2 Dependent upon the level of impact in the area, the local government may also publish a notice of the development proposal in a newspaper.

4.4 Consultation with Owners/Occupiers of Land in the Locality

4.4.1 Publish a notice of the development proposal in a newspaper circulating in the area.

4.4.2 Sign(s) to be placed in a prominent position(s) on the site.

4.4.3 Consult the owners/occupiers of land within a radius of 100m of the boundary of the application site for land within an urban area or 500m radius for land within a rural area.

4.4.4 Consult with the owners/occupiers of land beyond the foregoing areas where required.

4.4.5 Consult as necessary with other affected government agencies or statutory authorities as appropriate.

4.5 Citywide Consultation

Determined on a case-by-case basis.

#### 4.6 Consideration of Submissions

- 4.6.1 While not detracting from the substance of any submission, all submissions received will be summarised when a report to Council is required.
- 4.6.2 Submissions shall be treated in confidentiality (unless otherwise prescribed by the relevant legislation), however Councillors may request a copy of submissions.
- 4.6.3 Once a determination of the matter has been made, notification will be provided to each submitter advising of the determination, providing reasons for that determination and advising contact details where further information can be obtained.
- 4.6.4 Where appropriate the local government may advise of the Council meeting date where the matter is to be determined or place an advertisement in the local paper providing public advice as to the outcome of the matter.

#### 5.0 DEFINITIONS

**Adjoining** means any land (or owner of land) which abuts an application site or is separated from the site only by a pathway, driveway, right-of-way or similar thoroughfare (excluding a public road reserve).

**Affected Person** means a person who owns (or occupies) land that adjoins an application site or the enjoyment of which, may be detrimentally affected by the use or development on an application site.

**Nearby Land** means any land (other than adjoining land) which may be adversely affected by a development proposal and, where appropriate, may include owners (or occupiers) within a neighbouring local government.

**Notify** means written communication by the local government or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

**Relevant Information** means the principle details of a development proposal sufficient to describe the proposal and its potential impacts. Each notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period during which comments are sought.