

	SUPPORT/OBJECT/COMMENT	SUBMISSION	ADMINISTRATION COMMENT
1	Support (Wattle Grove)	In general I support the efficient delivery of Council services and this appears to make inroads towards that objective. However, I also support a process that allows matters that are of community interest to be pulled aside and dealt with by having full council consideration. The exact mechanism for this ability needs consideration should the City desire it.	The Administration notes the submission. The Administration notes the focus on matters of community interest having an ‘escalation-point’. This has been reflected in a modification to the draft Policy, where a note has been added that where an application is minor, but related to an element of community interest which was considered as part of a more significant application such as a Development Assessment Panel, or a Development Application considered by Council – the Administration will not take an ‘inform’ level of engagement, and will seek regulatory engagement with the community – as much as the planning framework allows.
2	Object (Wattle Grove)	I object to the draft Policy in its current form. My primary concern relates to the implications for the role of elected Councillors. Councillors are elected to represent the interests and concerns of their communities and to provide democratic oversight of significant decisions affecting the places in which people live. Substantial development assessment decisions should not be delegated to City administration,	The Administration notes the submission and theme of objection. The Administration notes references to delegations, and to consultation. The draft Policy does not propose any changes to delegation.

with Councillors having little or no meaningful voting power over those decisions.

Decisions that have significant consequences for the community or environment should be made by elected representatives who are directly accountable to residents, rather than by the administration alone.

I am also concerned that the draft Policy, as proposed, would confer significant additional decision-making authority on City administration, reduce opportunities for meaningful community participation, and fail to provide adequate or substantive commitments to environmental protection and planning and developments affecting residents.

Efficiency should not come at the expense of democratic accountability. Delegating decision-making may streamline processes, but it should not effectively remove elected representatives from decisions that have significant planning, environmental and community consequences. There must be an appropriate balance between administrative efficiency and the role of elected Councillors in providing oversight, accountability and representation.

The draft Policy does not propose any changes to already established consultation conventions for significant planning proposals – what are subject to the City's Local Planning Policy 11 – Public Notification of Planning Proposals.

The draft Policy provides clarity on the consultation conventions for minor development proposals, which are not likely to meaningfully benefit from engagement with neighbours.

I therefore request that the draft Policy not be adopted in its current form. Appropriate amendments should be made to ensure that elected Councillors retain a meaningful role in significant development decisions, that community participation is properly protected, and that environmental and planning considerations are given appropriate weight in the assessment and determination of development proposals.

I further request that this submission, together with all other submissions received during the public consultation period, be presented to Council in full before Council makes any decision on the adoption of the Policy.

3 Object (Kalamunda)

I believe the current draft of LPP 1.0 has several serious failures and shortcomings which need to be amended. for example lack of sufficient input from councillors, lack of proper detailed definitions of certain elements and lack of sufficient scope for public / community input about processes that will have a potential direct impact upon them.

The concerns I have raised have all been detailed in the submissions made by [name] and [name] and I want in noted that this submission is in full support of all the elements,

The Administration notes the submission and theme of objection.

The submission largely refers to another submission which questions delegation and engagement principles.

The process followed has facilitated Councillor review prior to advertising, community consideration, and through a future Council report another round of Councillor review.

		objections and amendments proposed in those submissions.	
4	Object (Wattle Grove)	I object to the City's draft Local Planning Policy 1.0, Development Assessment (LPP1), in its current form. The Policy would let City officers alone decide whether an application is advertised for public comment, with no guarantee that applications attracting community objections are determined by Council rather than under staff delegation. It contains no meaningful commitment to environmental protection, and clause 5 is drafted so this Policy would override any future local planning policy dealing with tree retention or environmental protection. I ask that LPP1 not be adopted until these matters are addressed, and that this objection be reported to Council prior to any decision on adoption.	The Administration notes the submission and theme of objection. As noted earlier in this table, significant development applications will be subject to consultation in accordance with Local Planning Policy 11 – Public Notification of Planning Proposals. The draft Policy does not place bias towards any specific planning consideration, which is why the environment is not specifically mentioned. The draft Policy provides clarity on process, not priority of planning matters such as the environment.
5	Comment (Forrestfield)	I would like to see all of the old residential areas have their power put underground and a reduction in the quantity of infill housing on land without consideration to networking pedestrian ways and green space.....if we want Ellenbrook or wattle grove we would go and live there.	The Administration notes the submission. The matters raised are not related to the draft Policy, as it does not deal with infrastructure provision, or pedestrian connectivity, or green spaces.

			These are matters most commonly dealt with through the subdivision stage of development, and relate to design standards.
6	Support (Kalamunda)	I support the proposed modifications to the R-Codes; I believe that they are reasonable and will result in fewer development applications of a minor nature, decreasing administrative burden. I also generally support the clear communication of expectations surrounding processes for applicants.	The Administration notes the submission. The comments align with the intent of the draft Policy – specifically the purpose of the exempt development table, and the procedural clarity to applicants – which combine to deliver faster planning decisions.
7	Object	[name] makes this submission on the draft Local Planning Policy 1.0 - Development Assessment (LPP1), advertised for public comment following Council's resolution at the July 2026 Ordinary Council Meeting. [name] represents residents and ratepayers of the City of Kalamunda who are concerned with protection of the local natural environment and with the integrity of the City's development assessment and decision-making processes. [name] objects to the draft Policy in its current form. While [name] supports genuine efficiency improvements to development assessment, the draft Policy as written shifts significant decision-making power to City administration, narrows opportunities for community input, and contains no meaningful commitment to	The Administration notes the submission. The draft Policy does narrow the opportunity for community input – but only on select matters. The City's existing Local Planning Policy 11 – Public Notification of Planning Proposals is the main Policy providing guidance on advertising for significant matters, with the draft Policy only providing clarity on less significant development proposals.

environmental protection. [name] requests that the Policy not be adopted until the amendments set out below are made, and that this submission be reported in full to Council prior to any decision on adoption.

The draft Policy notes that many matters are subject of development assessment – including the environment.

1. The Policy's objectives omit community and environmental outcomes

The stated objectives at clause 3 are framed entirely around applicant 'customer experience', speed of approval, and a 'permission-based approach' that removes development approval requirements for undefined categories of development. None of the four objectives refers to community consultation, environmental protection, amenity, or retention of vegetation and tree canopy, despite these being core functions of a development assessment policy. [name] requests that clause 3 be amended to include environmental protection and meaningful community engagement as stated objectives, not as incidental by-products of process efficiency.

The draft Policy intends to provide clarity on the assessment process, rather than the planning merits of a proposal.

This is not a novel position for the City to take. In the City's own submission to the Western Australian Planning Commission on the Green Paper, Modernising Western Australia's Planning System, submitted on 27 July 2018, the

City stated that in defining 'sustainability' a hierarchy of emphasis should be placed on environment, then social, then economic considerations, with environmental and social benefit treated as a priority above short-term economic benefit. This submission remains published on the City's website as an official City submission. [name] considers LPP1.0's objectives, framed solely around applicant experience and approval speed, are a departure from that previously stated position, and requests that clause 3 adopt the same hierarchy the City has itself put to the State Government.

2. Consultation and engagement is reduced to a discretionary administrative decision
This is [name] central objection. Clause 9.4.1 gives Administration officers sole discretion over whether an application is advertised for public comment at all, other than where advertising is already mandatory. Advertising will specifically not occur where an officer forms the view that 'neighbour planning concerns are reasonably foreseeable and can be adequately considered in the assessment,' or that 'the limits of the planning framework make meaningful change... unlikely.' In practice, a single officer may decide, before the community has had any opportunity to comment, that community input would not change the

The draft Policy does not propose to alter any existing delegations. The intention is to provide clarity for applicants and landowners of the process the Administration will go through in considering when to – and when to not advertise, provided the discretion is available.

The development applications the general public are aware of are typically limited to more significant applications, and one way or another benefit from community consultation.

outcome and can therefore be dispensed with. Clause 9.4.2 confirms that where advertising does not occur, neighbours are simply notified after a development approval has already been issued.

Clause 9.4 also states that the Policy 'reflects informing and consulting levels of engagement... rather than collaboration or empowerment.' [name] considers this an explicit statement of intent to minimise community involvement in decisions affecting residents' amenity and the local environment. This also has a practical legal consequence: under clause 67 of the Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the City is required to have regard to submissions received on an application in reaching its determination. Where an officer decides in advance that no advertising will occur, no submissions exist for the City to have regard to, and that statutory consideration is rendered meaningless in practice. [name] requests that clause 9.4 be rewritten so that advertising is the default position for any application involving a discretionary planning judgement, including tree and vegetation removal and any variation from deemed-to-comply standards, and that a

The vast majority of development applications are for minor variations to state policy standards. The City of Kalamunda is unique to other Local Governments. It has both urban and rural areas – and an extension of a house is subject to the same state Policy.

The draft Policy reflects Kalamunda's unique context, noting that a 1.0 metre wall height variation in suburban Maida Vale which contributes to the overshadowing of a neighbours swimming pool should be assessed differently to the same 1.0 metre wall height variation in Pickering Brook with a 50 metre distance to the neighbours pool.

decision not to advertise cannot be made by Administration alone.

3. No guarantee that contested applications are determined by elected Council

Clause 10.1.2 states only that applications will be 'determined by the Administration, Council, or the relevant Planning Panel, as delegated,' without setting out when a matter must go to Council. As drafted, an application that attracts community objections during advertising can still be determined entirely under staff delegation, with no elected member oversight. [name] requests that the Policy require any application that receives a submission objecting to the proposal, or that relies on an exemption or discretion created by this Policy, to be referred to full Council for determination rather than determined under delegated authority. Decisions with genuine community or environmental consequence should be made by elected representatives who are directly accountable to residents, not by administration alone.

[name] also notes that clause 9.2 addresses conflicts of interest in assessment by referring the matter to 'independent peer review' from another local government planner or a planning consultant, rather than to Council. Given that

The draft Policy does not propose any changes to delegation, which already includes triggers to go to Council.

This statement regarding submissions being received is not correct. The benchmark is set at four objections for the Administration, more than that requires Council consideration.

The requested amendment for all matters using discretion to be referred to Council for determination is not possible, as recent planning reform at the state level has limited the consideration of single residential development be escalated to CEO level.

An implication of this request is that over 700 reports would be prepared for Council each year to determine – having a significant resourcing impact – and more importantly consistent with the customer experience lens of the draft Policy – would significantly delay determinations being issued for minor development proposals.

delegation of council functions to the CEO and City employees is itself a discretionary act of Council under Part 5 of the Local Government Act 1995 (WA), [name] considers Council should retain the ability to call in, and should be routinely informed of, any application assessed under a declared conflict of interest.

Clause 9.2 also raises a cost transparency issue. The Policy does not state whether the cost of engaging a planning consultant, or a planner from another local government, for this independent peer review is recovered from the applicant or met by the City. No corresponding item appears in the City's Schedule of Fees referenced elsewhere in the Policy. In the absence of an express cost recovery mechanism, [name] expects this cost would fall to the City's general operating budget, and so to ratepayers, without any public reporting of the frequency or cost of these reviews. [name] requests that clause 9.2 specify whether the cost of independent peer review is recovered from the applicant, consistent with the City's other fee-for-service items, and that the City report annually to Council on the number and cost of matters referred for independent peer review under this clause.

Any costs would be met by the City's normal budget – however recent tests of this process have been based on a reciprocal MOU trial with another Local Government. The idea is that both would require assistance from time to time, so its provided at no cost.

The planning framework exists to work together with other Policies, but there are certain circumstances that warrant this level of clarity – exemptions being one.

4. This Policy is designed to override future environmental protection policies
Clause 5 states that this Policy ‘will prevail over other City of Kalamunda Local Planning Policies in the event of inconsistency.’ Read with the narrow, process-driven objectives at clause 3, this means any future local planning policy directed at tree retention, biodiversity, or environmental protection would be subordinate to this Policy wherever the two are inconsistent. Given Council's recent consideration of a tree retention framework, [name] is concerned that clause 5 pre-emptively entrenches a fast-approval policy above any environmental protection policy the City may adopt in future. [name] requests that clause 5 be amended so this Policy does not override a local planning policy dealing specifically with tree retention, vegetation protection, or environmental matters.

5. Open-ended officer discretion to exempt development from approval altogether
Table 1 (item 6) and Table 2 (item 3) each allow ‘any other works’ or ‘any other use’ to be exempted from requiring development approval ‘as determined by a suitably qualified City planner in writing on a case-by-case basis,’ subject only to sign-off by an officer at Principal or Coordinator level. This is an open-ended

Should a Policy be introduced in the future that has an impact on an exemption, the appropriate response would be to seek an update to the draft Policy to reflect the new Policy.

This exists under the default planning framework. The Policy clarifies the expectation that this would only be completed by a senior member of the statutory planning team, rather than being deployed by other staff. This ensures senior oversight to avoid potential inconsistent application.

delegation of the power to remove a proposal from the development assessment process entirely, including from any requirement for advertising, referral, or Council oversight, based solely on the judgement of a single officer. [name] considers this the clearest example in the draft Policy of administrative discretion expanding at the expense of community and Council oversight, and requests that these general exemption items be deleted, or at minimum that any exemption granted under them be reported publicly to Council on a regular basis and remain subject to Council review.

Separately, 'low-impact development' is used at clause 3(d) as a basis for removing approval requirements but is not defined anywhere in the Policy; clause 4 (Definitions) states only that terms take their 'normal meaning.' An undefined threshold of this kind gives Administration effectively unreviewable discretion to decide what qualifies for exemption from the approval process. [name] requests that 'low-impact development' be defined in clear, objective, and measurable terms before the Policy is adopted.

6. Environmental protection is treated as one referral trigger among many, not a core assessment value

The draft does not propose a reporting mechanism for exempted developments, but that could be facilitated.

The Administration notes the Policy intends to shift terminology use from technical jargon – including creating and defining new terms.

As stated, it would be the appropriately trained technical officer responsible, and ultimately accountable for properly implementing the local planning framework - that would consider the impact on a case by case basis.

This is a draft Policy to articulate process – not determine the planning merits of a development proposal.

The only reference to environmental impact in the draft Policy is at clause 9.5, where ‘the environment’ appears in a list of matters that may generate a referral, alongside traffic, bushfire, flooding, and building design. There is no reference anywhere in the Policy to tree retention, canopy cover, biodiversity, or the cumulative environmental impact of development, notwithstanding that these are matters of clear and longstanding community concern in the City of Kalamunda. [name] requests that a specific clause be added confirming that retention of significant vegetation and tree canopy is a matter the City will actively assess and give weight to in determining applications, and that any post-approval variation affecting a vegetation retention condition be treated as a major amendment requiring advertising and, where objections are received, referral to Council.

Yes this is the intended impact.

7. Reduced setbacks and expanded exemption thresholds under the R-Codes

Table 3 replaces several deemed-to-comply standards under the Residential Design Codes, including reducing boundary setbacks to nil for carports, patios, and similar structures up to 10 metres in length, and increasing the permitted size of outbuildings. These changes remove the individual assessment and neighbour

notification that would otherwise apply, and increase the practical building footprint available on residential lots, which can in turn increase pressure to clear trees and vegetation to accommodate them. [name] requests that any expansion of deemed-to-comply thresholds be made expressly subject to retention of existing significant trees and vegetation on the lot.

This commentary is noted.

8. Consistency with the City's Communication and Engagement Policy

The draft Policy also sits awkwardly against the City's own Communication and Engagement Policy (Service 5), adopted by Council on 12 October 2021. That Policy commits the City to the International Association for Public Participation (IAP2) Spectrum, records that 'people whose lives are affected by a decision have the right to be involved in the decision-making process,' and includes among the City's commitments 'recognising those who are affected by a decision have a right to be involved in the decision-making process' and 'seeking out and enabling the involvement of those potentially affected.' It states expressly that 'stakeholder engagement does not replace Council decision-making responsibility, rather it is designed to ensure Council has access to a range of information about stakeholder and

community needs, opinions, and options, prior to making decisions,' that engagement 'will begin early... rather than being a one-off event or undertaken after a final decision,' and that engagement is 'implemented administratively with Council oversight over all engagements undertaken prior to engagement processes being released.'

The intent of the draft Policy is to set the engagement standard at the appropriate level for a regulatory process.

Clause 9.4 of the draft LPP1.0 sits in direct tension with these commitments. By stating that the Policy 'reflects informing and consulting levels of engagement... rather than collaboration or empowerment,' and by allowing Administration to dispense with advertising altogether where an officer judges community input unlikely to change the outcome, the draft Policy adopts a narrower approach than the City's own Engagement Policy, and allows engagement to be skipped entirely rather than scaled to the level a matter warrants. It also allows a final decision to be made by Administration without any of the community input that the Engagement Policy says exists precisely to inform Council decision-making, and without the Council oversight of engagement that the Engagement Policy commits to. [name] submits that LPP1.0 should be amended so it operates consistently with, and does not narrow, the commitments already

made in the City's Communication and Engagement Policy.

This will remain to be the case in accordance with LPP11.

9. Statutory context under the Local Government Act 1995 (WA)

[name] position, that decisions of genuine community and environmental consequence should remain with elected Council rather than being determined solely by Administration, is consistent with the governance framework established by the Local Government Act 1995 (WA). Section 2.7 provides that the council 'governs the local government's affairs and is responsible for the performance of the local government's functions.' Section 5.41 confirms that the CEO's executive role is to implement council decisions and council-determined policy and to manage the local government's day-to-day administration and operations, while responsibility for setting policy remains with Council. Section 5.43 further restricts what can be delegated to a CEO, reserving matters such as decisions requiring an absolute majority, tenders and property dealings above a set threshold, and matters requiring Ministerial or Governor approval, to Council itself, reflecting a legislative recognition that some categories of decision are too significant for administrative delegation.

[name] acknowledges that delegation of development assessment determinations is governed primarily by the Planning and Development Act 2005 (WA) and the City's Local Planning Scheme, rather than directly by the Local Government Act 1995 (WA). However, the broader governance principle in the Local Government Act, that Council governs the local government's affairs and that Administration exists to implement, not independently set, policy and significant discretionary outcomes, supports [name] position that provisions in LPP1.0 granting Administration open-ended discretion to exempt development from approval, or to dispense with advertising, sit uneasily with the framework of elected accountability the Act establishes. [name] recommends the City obtain its own legal advice on the precise limits of permissible delegation under the Planning and Development Act 2005 (WA) and the Local Planning Scheme, but considers this broader governance principle supports referring contested or discretionary matters to Council.

10. Consistency with the Planning and Development Act 2005 (WA), the Deemed Provisions, and State Planning Policies
LPP1.0 operates within the framework of the Planning and Development Act 2005 (WA) and

the Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, which apply to every local planning scheme in Western Australia regardless of whether they are reproduced in the scheme text. Clause 3(5) of the Deemed Provisions confirms that a local planning policy does not bind the local government in determining an application; the local government is only required to have regard to it to the extent it is consistent with the Scheme. This is standard across Western Australia and is reflected in near-identical terms in WALGA's own Model Local Planning Policy - Advertising of Planning Proposals, which local governments across the State adapt for their own advertising policies. This confirms [name] concern with clause 5 of LPP1.0 is well founded as a matter of law, and sharpens it: because no local planning policy binds the local government's decision, and because all relevant local planning policies are matters to be weighed together under clause 67 of the Deemed Provisions, it is doubtful that one local planning policy can lawfully declare itself to prevail over another. [name] submits that clause 5 should be removed or substantially reworded, and that the City obtain legal advice on whether a 'prevails over' clause of this kind has any legal effect at all.

This comment is noted. This is the lead Policy amongst many local planning Policies, so for the avoidance of doubt this provision has been added.

The exemption tables in section 12 of LPP1.0 do have a statutory basis. Clause 61(1) item 20 and clause 61(2)(g) of the Deemed Provisions allow a local planning policy to specify works and land uses that do not require development approval. However, that power depends on the works or use being specified, with conditions, in the policy itself. Table 1 item 6 and Table 2 item 3 of LPP1.0 instead exempt 'any other works' or 'any other use' 'as determined by a suitably qualified City planner in writing on a case-by-case basis.' [name] queries whether this satisfies the requirement in clause 61 that the exemption be specified in the Policy, given it does not specify a class of development at all, but instead assigns that task to an individual officer after the Policy is adopted, without any further advertising, referral, or Council involvement in each individual case. [name] recommends the City obtain legal advice on this point, and in the meantime amend Table 1 item 6 and Table 2 item 3 so that any class of works or use intended to be exempt is specified, with clear conditions, in the Policy itself.

The exemptions are sound.

LPP1.0's approach to advertising also falls short of standard Western Australian local government practice. WALGA's Model Local Planning Policy - Advertising of Planning

Proposals, widely adapted across the sector, ties discretionary advertising to objective criteria such as a significant exercise of discretion, potentially significant amenity or streetscape impacts, or a significant variation from the scale of surrounding development, and gives Council itself the power to direct that advertising be undertaken, or redone, where it considers the community has not been given a reasonable opportunity to comment. LPP1.0 contains no equivalent Council check, and unlike the model policy, does not specify minimum advertising periods or methods such as signage, letters to affected owners and occupiers, or newspaper notice. [name] also notes that State Planning Policy 7.0 - Design of the Built Environment, which is a relevant matter under clause 67 of the Deemed Provisions for most development, expressly includes 'Community' as one of its ten design principles. LPP1.0 does not refer to SPP 7.0 at all. [name] recommends LPP1.0 be amended to adopt objective advertising criteria, minimum timeframes and methods consistent with standard sector practice, a Council override mechanism, and an express reference to SPP 7.0.

Please refer to LPP11.

This has been addressed in a revision to the draft.

11. Corroborating evidence from the City's Ordinary Council Meeting of 28 July 2026

[name] concerns are not raised in the abstract. At the City's Ordinary Council Meeting on 28 July 2026, the same meeting at which Council resolved to advertise LPP1.0, a deputation was given by [name] regarding the removal of trees at 28 Lewis Road, Wattle Grove, trees that had been identified for retention on the landscape plan approved by the Metro East Joint Development Assessment Panel in 2019 (DAP/19/01562).

[name] advised Council that the original application attracted approximately 400 public submissions, that the arborist report relied on by City officers to permit removal of the retained trees has not been made available for public scrutiny, and that he had circulated a draft motion, for consideration at the City's August 2026 Ordinary Council Meeting, to amend the City's register of delegations so that any decision to remove a tree required to be retained under a development approval must be referred to full Council. [name] considers this proposed amendment addresses, through the delegation register, the same problem addressed through LPP1.0 itself by [name] requested amendment 3 below, and supports it.

In response to that deputation, the City's Director of Development Services told Council

the removal was 'not so much a loophole, but a normal part of the process,' and described LPP1.0 as 'one of the more public steps' in a wider program of 'process improvements and reform... undertaken behind the scenes,' including the City's Approval Services Regulatory Improvement Plan. He characterised the underlying question as a 'delicate balance between being informed and having an opinion and seeking to influence development outcomes after the certainty of that key decision has been made,' and noted that State Government reform has 'pulled back on that level of third-party intervention' in the planning process. [name] relies on these statements, part of the public record of the meeting, as confirmation that the narrowing of community and Council involvement identified in this submission reflects a considered administrative approach, not an incidental drafting choice, and submits LPP1.0 should be understood by Council as one part of that broader program when deciding whether to adopt it.

Also at that meeting, Cr Modolo asked whether the decision to permit removal of the Lewis Road trees was made under delegated authority, and whether that delegation could be revoked so that Council determines such matters in future. The Director of Development

Services confirmed the decision was made under delegation flowing from the Development Assessment Panel regulations, and took the question of whether the delegation could be revoked on notice. [name] considers this exchange illustrates precisely the accountability gap addressed by requested amendment 3 below.

Finally, [name] notes that at the same meeting, Council unanimously carried an alternate motion moved by Deputy Mayor Cr Kathy Ritchie and seconded by Cr Josh Clark, declining to revoke or narrow local planning policies protecting the Middle Helena drinking water catchment until the Department of Water and Environmental Regulation confirmed in writing precisely what protection would be lost, notwithstanding officer advice that the policies were redundant in light of State Planning Policy 2.9. [name] submits this demonstrates Council has itself recently applied exactly the level of caution [name] asks it to apply to LPP1.0: declining to remove an existing layer of protection on the strength of an officer assessment alone, and requiring independent confirmation of what would be lost before acting. [name] asks Council to apply the same standard to LPP1.0.

12. Requested amendments

1. Amend clause 3 to include environmental protection and meaningful community engagement as express objectives of the Policy.
2. Rewrite clause 9.4 so advertising is the default position for applications involving discretionary planning judgement, tree or vegetation removal, or variation from deemed-to-comply standards, and remove Administration's unilateral discretion to dispense with advertising.
3. Amend clause 10 to require that any application attracting an objection during advertising, or relying on an exemption or discretion under this Policy, be referred to full Council for determination.
4. Amend clause 5 so this Policy does not override a local planning policy dealing specifically with tree retention, vegetation protection, or environmental matters.
5. Delete the general 'any other works' and 'any other use' exemption items in Tables 1 and 2, or make any exemption granted under them subject to public reporting and meaningful Council review.

6. Define 'low-impact development' in clear, objective, and measurable terms.
7. Insert an express assessment criterion requiring the City to give weight to retention of significant vegetation and tree canopy, and treat post-approval variations to vegetation conditions as major amendments requiring advertising and, where objected to, Council determination.
8. Make any expansion of R-Codes deemed-to-comply thresholds in Table 3 subject to retention of existing significant trees and vegetation on the lot.
9. Amend LPP1.0 so it is consistent with, and does not narrow, the commitments in the City's Communication and Engagement Policy (Service 5), including that engagement is designed to inform Council decision-making rather than substitute for it.
10. Obtain independent legal advice on the limits of delegation to Administration under the Planning and Development Act 2005 (WA) and the City's Local Planning Scheme before adopting provisions that confer

open-ended discretion on individual officers.

11. Remove or substantially reword clause 5's assertion that LPP1.0 prevails over other Local Planning Policies, given that under clause 3(5) of the Deemed Provisions no local planning policy binds the local government, and there is no statutory basis for one local planning policy to take precedence over another, and obtain legal advice on whether the clause has any legal effect.
12. Amend Table 1 item 6 and Table 2 item 3 so that any exempt class of works or use, and the conditions for exemption, are specified in the Policy itself, consistent with clause 61(1) item 20 and clause 61(2)(g) of the Deemed Provisions, rather than left to case-by-case determination by an individual officer.
13. Adopt objective advertising criteria, minimum advertising timeframes and methods, and a mechanism allowing Council to direct that advertising be undertaken or redone where it considers the community has not had a reasonable opportunity to comment, consistent with

standard Western Australian local government practice.

14. Include an express reference to State Planning Policy 7.0 - Design of the Built Environment, including its Community principle, in the Policy's assessment framework.
15. Amend clause 9.2 to specify whether the cost of independent peer review, whether by engagement of a planning consultant or a planner from another local government, is recovered from the applicant, and require annual reporting to Council of the number and cost of matters referred for independent peer review under this clause.

[name] requests that the City not adopt LPP1.0 in its current form, that this submission be provided in full to Council, and that [name] receive a written response addressing each matter raised, together with notice of any further consultation and the opportunity to address Council directly should the Policy proceed to a Council meeting.

Thank you for considering this submission.

8 Object

While the [name] appreciates the aim of this policy is to “streamline workflows that allow for fast approvals” on ‘minor’ works, and provide ‘transparency’ to the proponents, we are concerned that it comes at the loss of:

- Vegetation/tree canopy
- Community and Council oversight and consultation

1. Vegetation and Tree Loss issues:

The policy encourages pre-development application meetings for sites "requiring the removal

of large trees to facilitate development."

However, there is no requirement for environmental impact assessments or specific criteria for protecting vegetation or minimizing tree loss in the main policy or exemption tables. The policy allows for certain minor works and developments to be exempt from development approval, but does not specify environmental safeguards or conditions regarding vegetation retention for these exemptions.

There must be specific criteria and mandatory assessments for vegetation loss, else there is a high risk that significant trees or vegetation could be removed without adequate consultation, oversight or mitigation.

The policy leaves discretion to City staff, which is likely to result in inconsistent and poor

The Administration notes the submission.

The intent of the draft Policy is to provide procedural clarity, not to provide weightings for planning assessments.

The City does not have a local planning policy in place to provide specific guidance on vegetation retention, although it is acknowledged as a matter to be considered in development assessments.

outcomes regarding tree and vegetation protection. A recent example of this is the removal of trees at 28 Lewis Road, Wattle Grove, which had been specified to be retained in the Landscape Plan approved by the Joint Development Assessment Panel in 2019. This was authorised by a staff member, overriding the approved Plan, without consultation or oversight by JDAP, Council or Community.

With a lack of policy specifically on tree canopy protection in Kalamunda, this will further add to the loss of Kalamunda's already very low and shrinking canopy cover. This is highly problematic in our drying and heating climate, in addition to the challenges of meeting the goals of the Urban Forest Strategy.

2. Loss of Community Consultation and Oversight issues

The policy distinguishes between 'consultation' and 'engagement,' focusing on informing and consulting rather than collaboration or empowerment.

It states "While there are key legislated elements of the development assessment process,

This has been addressed in a revision to the draft Policy to ensure previous decisions are considered, should an application for a minor development be submitted on the same site.

The draft Policy provides clarity on when the Administration will, and won't consult, based on the relevant delegation or statutory

many procedural elements and principles of planning law often lack transparency as they are conducted behind closed doors”. However, this Policy further exacerbates the lack

of transparency by locking out community and Council oversight. Further, the statement ignores and fails to mention the Community’s expectation that our local environment be protected, including the canopy and vegetation cover, which the majority of community feedback over decades state is one of the main reasons people choose to live in Kalamunda.

Advertising (public notification) of development applications is not mandatory unless, in the technical opinion of an officer, the development is likely to impact the amenity of a neighbouring property or streetscape. What are the conditions defining ‘impact’?

If advertising does not occur, only immediately adjoining neighbours are informed after approval is issued. Community consultation is limited to cases where an officer decides there may be an amenity impact, but this could exclude broader community concerns, especially regarding environmental impacts like tree loss that may affect more than immediate neighbours.

The policy's approach is reactive, with consultation occurring only when impacts are

limitations. The discretion currently exists, but the clarity doesn’t – demonstrating the transparency of the draft Policy.

Significant development requiring advertising is established elsewhere in the planning framework – the City’s version is LPP 11.

Impact is a technical consideration on a case by case basis, relating to the development proposed and its context. An example is provided in response to an earlier submission.

As noted, this matter has been addressed through an amendment to the draft.

anticipated by officers, rather than proactively seeking community views on all significant developments. Per the 28 Lewis Rd example above, if a development involves significant vegetation removal but is not judged by an officer to impact immediate amenity, then JDAP, Council and the wider community is not consulted or even notified until after approval. Section 9.4.1.b is confusing: “if the limits of the planning framework make meaningful change because of feedback unlikely”.

[name] requests the following changes to the policy:

- Require the applicant to consider options to avoid significant tree or vegetation removal.
- Require environmental impact assessments for developments involving significant vegetation or tree loss. ('Significant' to be defined by specific criteria in the policy)
- Require the goals of the Urban Forest Strategy to be accounted for.
- Require community consultation on any developments with potential environmental impacts, not just amenity impacts, before development approvals are given.
- Clarify Section 9.4.1.b.

The Administration notes the requested changes.