

Our Commitment to Services

Development Services is committed to providing a high standard of service to our customers.

We understand that development processes can be complex and confusing to applicants and our community, and we will strive to make those processes as simple, straightforward, streamlined and transparent as we can. We will be helpful in assisting applicants to navigate our processes, and will keep you informed about the status of your application.

This Agreement sets out the service Development Services will provide to all of its customers to ensure all development within the City adheres to legislation. Wherever the legislation provides us with an opportunity to conduct consultation with the community, we will do so in an open and transparent way.

Development Services officers will act in a courteous and professional manner at all times. We will demonstrate commitment to the City of Stirling values by ensuring that service is at the heart of everything we do. We will endeavour to work as one organisation, valuing the contribution of all our people, understand we are all responsible for the performance of our organisation, be open, honest and transparent and aspire to excellence in our work.

What do we do?

Development Services officers are involved in managing the processes that regulate the development and use of land within the City of Stirling. In doing so, Development Services officers act in the public interest. The overarching principal behind the City's processes is to ensure orderly and proper planning that results in high amenity suburbs and neighbourhoods.

Our role includes making decisions on development applications, building permits and other associated applications, responding to appeals against decisions, monitoring development, taking enforcement action where necessary to ensure standards are maintained and providing information and advice about these processes.

Our objective is to ensure that changes in the use of land and the construction of new buildings are appropriate for their purpose and location. We are required to work within a framework of State Government laws and policies, the City's own local laws, the local planning scheme and a range of policies which provide the context for ensuring development occurs in a logical and orderly way.

Community Consultation

Development Services will ensure that the community are consulted on relevant planning matters in accordance with the City's [Planning Consultation Procedure](#).

This procedure sets out the advertising process for planning proposals including development applications from the length of the advertising period, to how many people an application is advertised to. The Procedure also helps the community provide a submission on advertised development applications.

Development Services officers also ensure that the planning issues raised in submissions are considered by the applicant and the decision maker prior to a decision being made on the application.

Seeking Advice

Development Services Officers are committed to providing our community and customers with high quality customer service and offer a number of channels to obtain advice. These include:-

1. General enquiries through the website, over the phone or at the front counter;
2. Formal written pre-application advice on development proposals; and
3. Pre-application meetings with relevant City officers for complex applications.

General Queries

Development Services Officers are available to provide advice through our daily Duty Planner service where the community and customers can access in person at the City's Administration Centre, via telephone or by email through development@stirling.wa.gov.au.

Development Services Officers will return all calls received by the end of the next business day and reply to all written correspondence within seven business days in line with the City's [Customer Service Charter](#).

Pre-application Advisory Service

Development approval is often a complex process that measures the impact of proposals against a wide array of interrelated laws and policies. To assist you, we encourage all applicants to contact us about your proposals prior to submitting an application. This allows both parties to understand any issues associated with the development and positive discussions should reduce the likelihood of unforeseen complications arising in a refusal or delay.

Once a development application has been lodged with the City, the officers are required to assess it on its merits. The pre-application process provides an opportunity for City Officers and applicants to explore potential options before a formal application is lodged.

There are two key channels for obtaining our advice as follows:-

1. Formal written pre-application advice on development proposals; and
2. Pre-application meetings with relevant City officers for complex applications.

Key aspects of these services are:-

Online Information

- Detailed information is available on the City of Stirling website and in paper form covering [Development Applications, Building Permits and related processes](#)
- The various types of applications are explained through each stage including the scope of our pre-lodgement service.
- There are also various [Planning and Building Checklists and Information Sheets](#) on a wide variety of topics and Frequently Asked Questions you can review on the City's website. Information about applications currently advertised for public comment on the City's website. All applications currently advertised can be found by visiting the [Your Say at Stirling](#) section of the City's website or viewing in person at the City's Administration Centre.

- Information on how to make a valid submission on a proposal that you may wish to support or have concerns about contained within the City's [Planning Consultation Procedure](#).

Verbal Advice

- You can obtain general advice from Planning and Building officers at the City's Administration Centre and on the phone during normal working hours. Customers can expect to obtain the following advice from this service:-
 - The basic controls and policies that affect a property (Zoning, Density Code, Parking Requirements etc.);
 - Whether proposed works are likely to require formal approval or can be completed without the need to apply for approval;
 - Any special controls applying to a property (Heritage, Structure Plans, Local Development Plans etc.);
 - Get information about our consultation processes
 - Ask questions about applications currently advertised for public comment; and
 - Ask questions about how to make a valid submission on a proposal that you may wish to support or have concerns about.
- For customers preparing to lodge an application further advice can be obtained in person at the counter or over phone. This includes:-
 - What applications you may need to make and associated fees and charges.
 - How to prepare and submit your application.
 - How long will the process take and what is involved in reaching a decision.
 - Advice on the type of professional services that may be required in the preparation of your application.
 - Information on when approvals from other authorities may be required.
- Pre-application verbal advice for small-scale generally compliant applications (minor alterations and additions to a house (patios, carports etc.), or signage can be obtained from the Planning and Building officers at the City's Administration Centre or via a pre- application advice request.
- What documentation you need to provide.
- What consultation processes might be involved in your application as outlined in the City's [Planning Consultation Procedure](#)

Written Advice

- Pre-application written advice on a development proposal can be obtained from the City by submitting a pre-application advice request through the City's website. The more detailed the information you provide to the City, the more specific and useful the City's advice to you will be. For detailed advice the City will need to receive accurate plans, elevations, site features and details of the proposed land uses to be able to provide feedback on your proposal.
- When pre-application written advice is requested, officers will assess the preliminary proposal.
- The City will provide its written advice to you when it has completed its review of the information. The timeframe for this will be affected by the complexity of the proposal and the need for advice from other officers across the City.

- Where these queries are detailed the response may be an initial acknowledgement followed by a more detailed reply once the officers have researched the issue and prepared their advice.
- All other requests for written advice will be responded to in accordance with the City's [Customer Service Charter](#).

Meetings for Complex Proposals

- Pre-application meetings with applicants and relevant City officers for more complex proposals are available. These meetings are for applicants to present draft proposals in order to identify any assessment issues and specialist technical requirements and for the City's Officers to provide specific direction on issues of concern so the applicant is clear on the City of Stirling expectations.
- Meetings can be requested when you submit your Pre-application request through the City's website. The City will contact you to book a mutually convenient time to discuss the proposal following a review of information provided to the City.
- It may also be appropriate for the large-scale proposals to be presented to the Design Review Panel as detailed below.
- Meeting notes will be kept of pre-application meetings and will be provided to the applicant within 10 business days of a meeting.

Design Review Panel

The City will provide the opportunity for applicants as part of the pre-lodgement advisory service or during assessment of an application to present large-scale proposals to the City of Stirling's Design Review Panel (DRP). The panel is made up of a variety of qualified and experienced professionals, who will provide you with feedback on design aspects of your development proposal to ensure that a high quality design outcome is achieved.

An applicant will be asked to provide written details and drawings prior to the DRP meeting. The applicant will be requested to make a presentation to the DRP regarding the proposed development and the DRP will engage in discussions about the proposal.

An agenda for a DRP meeting will be prepared and circulated prior to each meeting. Minutes of the meeting will be taken by the City and issued with five business days of the meeting once confirmed by the DRP Chair.

Where the City decides to refer a development (or other type of) application to the DRP for review and advice during the assessment period the applicant will be advised and be invited to attend the DRP meeting.

More detailed information about the City of Stirling's DRP will be made available on the [City's Website](#).

Submitting and Processing of a Development Application

The City will work proactively with applicants through the lodgement and assessment processes. Applicants need to submit development applications with appropriate information in accordance with the City of Stirling's submission requirements and we will endeavour to make this as clear and easy to understand as possible. Details of these requirements, including application forms and checklists are available via the following link [Planning and Building Checklists and Information Sheets](#) or in person at the City's Administration Centre.

When the City receives your application the City will:-

- Review your documentation and receipt your application if it is complete.
- Notify you no later than five working days after the application is received if it is incomplete and inform you as to what information is to be provided and the timeframe by which you need to provide the information.
- Allocate your application to an officer for assessment once all information and fees are received.
- You will be informed of the officer's name and contact details assessing your application. Wherever possible, we will seek to have a single officer manage your application from start to finish.
- Carry out a site visit where required. If site access is required the officer will contact the applicant to arrange a mutually convenient time.
- Refer applications to technical staff and to external agencies for comment and advice where required.
- Assess and determine your application within 60 days, or 90 days where consultation is required. Application time frames can be extended by mutual agreement where further information may take you some time to prepare. The City will endeavour to ensure applications are processed sooner than this although external factors may impact on the City's ability to meet these time frames.
- Advertise your application for public consultation if required.
- Keep you informed and up to date with the progress of your application through online tracking, emails and phone calls from the officer.
- Request further information to support assessment of your application if required.
- Inform you where there is an impact likely to affect expected time frames such as needing to refer the application to Council for a decision.
- Discuss and clarify for you any queries you may have about the City's decision on your application.

Public Consultation and Making a Submission

The City will carry out public consultation on development applications, in line with Council's adopted [Planning Consultation Procedure](#), which is in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015. While the City's public consultation procedure sets out the expected criteria and scope of consultation, the City has the discretion to advertise any application where public comment is deemed to be important to the assessment of the proposal.

If, following the initial consultation process and planning review, a proposal undergoes considerable modification which involves a material change in the proposed built form and/or land uses, additional consultation may be required on the changes to ensure the public is informed.

The details of all advertised applications, such as plans and reports, will be made available on the City's website under the [Your Say Stirling](#) section of the City's website or at the City's Administration Centre.

You will be able to submit your feedback through the City's website or in writing via email or letter; this must be received by the end of the advertised consultation period.

Residents and owners in immediate proximity to the proposed development will be notified of an application where we are seeking comment. You will be provided with the details of the application, the date by which comment needs to be made, a contact officer at the City for information about the application and where to view the plans and documents.

Should you need assistance in preparing your comments, City officers will be available over the phone or at the front counter for advice and they will assist you to frame your comments correctly.

Making the Decision

Your application will be determined by the City's Officers under delegation in the large majority of cases. Where an application raises matters that require referral to Council or meets the criteria for determination by the State Government appointed Metro North West Joint Development Assessment Panel (or other Agency) we will endeavour to prepare a report on the application for determination within the statutory timeframes and we will:-

- Write a report to accompany all recommendations on applications based on the applicable Planning Scheme and Planning Policies, results of public consultation and an assessment of the planning merits of the proposal.
- Recommend appropriate conditions for approval, or provide reasons for refusal.
- Publish general guidance on whether applications are determined by senior officers under delegated powers or by Council or the JDAP, and on how members of the public can address the Planning and Development Committee.
- Write to the applicants and any persons who have made submissions on an application, providing at least five working days' notice in advance of any meeting to consider the Planning Committee or JDAP agenda report and state the procedure in order to make a presentation at the meeting.
- Send a decision letter (usually via email) to the applicant within three working days once a decision has been made. Council meeting decisions are issued after the minutes of the meeting are finalised which occurs several days after the meeting. JDAP decisions are issued by the JDAP Secretariat and not by the City.

Deputations - Speaking 'For' or 'Against' a Proposal

When an application is to be determined by Council, a report is prepared by officers and presented to the Planning and Development Committee. The members of the Committee will put forward a recommendation which requires a decision by Council at the following Ordinary Meeting of Council.

Applicants, objectors and supporters have the opportunity to make a deputation at the Planning and Development Committee meeting to present their views on an application. While visual presentations (such as PowerPoint displays) are not permitted, verbal deputations of up to three minutes may be made; one deputation may be 'in favour' of the recommendation and one deputation may be 'against' the recommendation. Following each deputation, the Committee Members may ask the depute questions in relation to the application.

If you wish to make a deputation to the Planning and Development Committee, please submit your request to the City's Governance team. For further information, and to access the deputation form, please visit the City's website via the following link: - [Council and Committee Meetings](#)

The matter will be presented to the Council meeting (usually one week after the Planning and Development Committee meeting) for Council to make a resolution. At Council meetings, deputations are not permitted, however members of the public are able to ask up to three questions during Public Question Time. For further information about Public Question Time, and to access the submission form, please visit the City's website via the following link: - [Council and Committee Meetings](#)

Applicants, objectors and supporters also have the opportunity to present at a Joint Development Assessment Panel meeting. The processes for making a presentation are set out on the [Department of Planning Lands and Heritage website](#).

Development Assessment Panels

Certain classes of development applications may be determined by the State Government appointed Metropolitan North-West Joint Development Assessment Panel rather than the City of Stirling Council.

Developments of a prescribed type with an estimated value in excess of \$10m are automatically referred to the JDAP, and in cases where the estimated development value is between \$2m and \$10m, the applicant can choose to have the development referred to the JDAP. Regardless of value, single houses or developments of less than 10 grouped or multiple dwellings are not referred to the JDAP.

The City of Stirling has a statutory responsibility for the assessing of JDAP applications including conducting community consultations and making recommendations to the JDAP. Recommendations are made directly to the JDAP through a Responsible Authority Report (RAR). City of Stirling Council may make a recommendation to the JDAP which is provided together with the RAR.

The Department of Planning Lands and Heritage has an extensive amount of information available on their website in regard to Development Assessment Panels.

Feedback, Complaints and Review Rights

The City welcomes feedback from customers regarding the processing of all applications carried out by Development Services.

All queries made regarding the processing or interpretation of policy relating to an application can be made by emailing development@stirling.wa.gov.au. All queries will be reviewed and a written response provided to ensure all applications are assessed in accordance with applicable legislation. All queries raised will be responded to in line with the City's [Customer Service Charter](#).

All written complaints received by Development Services relating to its conduct or processes will be dealt with under the City's [Complaints Policy](#). The Policy is there to deal with complaints about the service provided. This procedure does not apply to a review of the decision itself.

Applicants who are not satisfied with a decision made by the City, Council or the JDAP may seek a review of that decision by the State Administrative Tribunal. The City will provide information on rights of review on all of its decision notices and a detailed [SAT Information Sheet](#) is available on the City's website.

Under WA State legislation, there is no ability for a third party (such as a neighbour) to apply to the SAT for a review of a decision. The [State Administrative Tribunal](#) website provides extensive information on the review process.