

BELLINGEN SHIRE COMMUNITY PARTICIPATION PLAN



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Community Participation Plan

1. Why do we have a Community Participation Plan?

The purpose of this Community Participation Plan (CPP) is to outline how and when Council will engage with the community regarding its land use planning functions in accordance with the Environment Planning and Assessment 1979 and other relevant legislation.

This plan, as a standalone component of the Bellingen Community Engagement Framework, seeks to provide a single document that the community can access, that sets out all of council's community participation requirements under land use planning legislation, including all minimum mandatory exhibition timeframes.

The CPP is a public communication device designed to facilitate and enhance community participation in the land use planning system by making it clear how and when the community can participate in land use planning decisions that affect them.

The CPP also aims to increase the credibility, trust and accountability of council's planning functions by accessing our community's knowledge ideas and expertise and ensuring there is a common understanding of council's planning processes and how community input has been taken into account.

2. What is meant by community participation?

Community participation is an overarching term covering how we engage the community regarding land use planning decisions and through the preparation of planning documents that Council is required to make. The community includes anyone who is affected by the land use planning system and includes individuals, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses, local government, and State and Commonwealth government agencies.

The level and extent of community participation will vary depending on the community, the scope of the proposal under consideration and the potential impact of the decision. In documenting what level or type of participation is considered appropriate for particular land use planning functions, Council will utilise the IAP2 Spectrum for Public Participation, which is reprinted below.

Engagement Level	Explanation	Examples
Inform	One way communication providing balance and objective information to assist understanding about something that is going to happen or has happened	<p>Advising the community of a situation or proposal.</p> <ul style="list-style-type: none"> • Informing on a decision or direction. • Providing advice on an issue. • No response is required, although people are free to seek a further level of participation.
Consult	Two way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making	<p>Undertaking market research to identify needs or issues.</p> <ul style="list-style-type: none"> • Seeking comment on a proposal, action or issue. • Seeking feedback on a service or facility. • Requiring a response, but limited opportunity for dialogue. • Option for people to seek a further level of participation.
Involve	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making.	<p>Involving the community in discussion and debate.</p> <ul style="list-style-type: none"> • Ensuring informed input through briefings and information. • Adopting a more personal and innovative approach through personal contact and meetings/sessions that encourage participation. • Involving at different times in the planning process, i.e. keeping informed and enabling further comment.
Collaborate	Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions	<ul style="list-style-type: none"> • Establishing a structure for involvement in decision making, e.g. committee. • Enabling ongoing involvement and keeping informed. • Allocating responsibility in achieving initiatives

3. Principles for community participation

Council supports community participation in land use planning in accordance with the following key principles.

- (a) The community has a right to be informed about planning matters that affect it.*
- (b) Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.*
- (c) Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.*
- (d) The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.*
- (e) Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.*
- (f) Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.*
- (g) Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).*
- (h) Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.*

Council will express its support for these principles by adopting appropriate community participation strategies for its land use planning functions that are proportionate to the level of impact or significance, and that allow for open, easy, relevant, timely and meaningful input into land use planning decisions.

4. What land use planning functions does the Community Participation Plan apply to?

4.1 Development Assessment

Council makes planning decisions on a wide range of Development Applications (DA's) and Modification Applications (MOD's – applications that seek to modify existing development consents). When making decisions on these applications, consideration is given to whether land use proposals are in accordance with the public interest, applicable legislation, policies and guidelines.

Common applications assessed by Council include residential developments, subdivisions, commercial and industrial development.

Whilst some applications are highly complex, with potentially far reaching implications on amenity and character, the majority of applications determined by Council are relatively minor in scale or impact.

The NSW Government have indicated a strategic interest in shifting the focus of community participation in the planning system away from the assessment of individual applications, towards the development of strategic policy documents that establish a vision for a locality and set the context for the types of development that can occur there. In general terms, Council is supportive of this initiative.

4.2 Strategic planning

Strategic planning is an essential aspect of our work where we set the strategic direction, vision and context for land use planning in Bellingen shire. It involves planning for communities which integrates social, environmental and economic factors with the area's special attributes, and setting in place the policy framework that is used to assess whether Development Applications should be approved.

Examples of strategic planning works include overarching policy documents such as Growth Management Strategies (GMS) Local Housing Strategies, Rural Lands Strategies, Employment Lands Strategies and documents such as Local Environmental Plans (LEP's), Development Control Plans (DCP's) and Developer Contribution Plans. Please see the glossary for an explanation of these terms.

5. What level of participation is appropriate for different land use planning functions?

Council considers that the level of participation by the community in land use planning decisions should be greater for activities that have the potential to set a strategic direction for development in Bellingen Shire. Conversely, Council considers that the level of community participation in minor development decisions that comply with the adopted strategic policy documents of Council should be minimal.

This is expressed in the following diagram showing recommended engagement levels for different sorts of land use planning activities. These levels are not mutually exclusive, and may apply at different stages of a planning process. For example, the development of a Local Housing Strategy may involve the early establishment of collaborative relationships with key stakeholders to help understand key issues and develop a Housing Vision, with subsequent stages to be more focused on consultation regarding specific strategies or actions.



6. What timeframes will be used for different community participation activities?

As for levels of participation, Council considers that the timeframes that apply to community participation activities should generally be greater for activities that have the potential to set a strategic direction for development in Bellingen Shire, and less for minor development decisions that comply with the strategic policy documents of Council

6.1 Development Applications – Minimum timeframes for Community Participation

Application for development consent - Advertised development as described in Appendix A.	21 days advertising
Application for development consent – Notified Applications as described in Appendix B	14 days notification
Application for development consent – Designated Development	28 days advertising
Nominated integrated development	28 days advertising
Threatened species development	28 days advertising
Environmental Impact Statement obtained under Division 5.1	28 days advertising
Applications to Modify Development Consents– Modifications as described in Appendix C	As per Appendix C
Application for Category 1 Remediation works (pursuant to State Environmental Planning Policy 55 – Remediation of Land)	30 days advertising

6.2 Minimum Strategic Planning Timeframes for Community Participation

Strategic Planning Project	Minimum timeframe
Strategy Documents Phase 1 – Issues Paper Exhibition & Key Stakeholder Consultation	42 days
Strategy Documents Phase 2 – Draft Strategy	28 days
Comprehensive LEP Review	42 days
Comprehensive DCP Review	42 days
Housekeeping LEP or DCP Review	28 days
Draft Contributions Plan	28 days
Draft Community Participation Plan	28 days
Draft Local Strategic Planning Statements	28 days
Site specific planning proposals for LEP amendment	14 days or 28 days – depending upon Gateway Determination
Planning Agreements	Exhibited concurrently with Development Application or Planning Proposal where relevant and possible. When separate to Development Application or Planning Proposal – 21 days.

7. What methods will be used for different community participation activities?

7.1 Methods for Community Participation for Development Applications

Advertised development

The requirements for community participation for advertised development (as described in Appendix C and Section 6.1 of this Plan) are documented in *Part 6 (Division 7) – Public participation – other advertised development* of the Environmental Planning & Assessment Regulation 2000 (the Regulation).

The minimum methods that will be used in compliance with Division 7 are;

- Written notice will be provided to people who appear to own or occupy land adjoining the land to which the development relates, and to public authorities who may have an interest in the determination of the application, and
- A Published Notice of the application will be published in a local newspaper, and
- Hard Copies of the application material will be made available for viewing at the Council Administrative Centre in Bellingen and at the nearest public library to the development site. For example, for an advertised development application in Dorrigo, copies of the application material will be made available for viewing at the Dorrigo Library for the duration of the exhibition timeframe.

The information that will be included in the written and published notification (as extracted from section 89 of the Regulation) is reprinted at Appendix F.

Additional methods that may be used to encourage community participation in the assessment of applications classified as advertised development include;

- Providing electronic access to application material at the nearest public library to the development site. For example, for an advertised development application in Dorrigo, access to the application material will be provided at the Dorrigo Library for the duration of the exhibition timeframe.
- Placing details of the application on Council's Engagement website "Create".
- Council will work towards making electronic copies of relevant plans and supporting documentation available for viewing through online platforms as these are progressively introduced. Similarly, if customers register a preference to receive correspondence from Council through electronic means, such as email, then Council may elect to notify people of development via electronic means rather than hard copy letters.

Designated development

The requirements for community participation in development applications for designated development are specified in *Part 6 (Division 5) – Public participation – designated development* of the Regulation. These requirements are similar to those for advertised development, but also require the placement of a notice on the land.

Nominated integrated development

The requirements for community participation in development applications for nominated integrated development are the same as those for advertised development, but;

- the application must be advertised for 28 days, and
- the written and published notice must state that the development is for integrated development, state the approvals that are required, and the relevant approval bodies for those approvals.

Threatened Species Development

The requirements for community participation in development applications for threatened species development are the same as those for advertised development, but the written and published notice must state that the development is threatened species development.

Notified Applications

Written notice will be provided to people who Council determine should be notified of the development, pursuant to the provisions of Appendix B.

Written notice shall, at a minimum, constitute the delivery of correspondence to the owners of land adjoining the land the subject of the development application, unless Council is of the opinion that the proposed development will have no significant impact upon that land. Similarly, if Council is of the opinion that the development may have an impact on land beyond that immediately adjoining the development site, then Council may determine to notify additional properties of the proposed development.

The minimum information that will be included in the written notice is detailed in Appendix D. Additional information that may be supplied with the notification correspondence includes a site plan and elevations of the proposed development.

Council will work towards making electronic copies of relevant plans and supporting documentation available for viewing through online platforms as these are progressively introduced. Similarly, if customers register a preference to receive correspondence from Council through electronic means, such as email, then Council may elect to notify people of development via electronic means rather than hard copy letters.

7.2 Methods for Community Participation for Strategic Planning

Minimum participation methods

The minimum participation methods that will be used for strategic planning are;

- A Published Notice of the proposal will be published in a local newspaper.
- For site specific proposals (such as a site specific amendment to the LEP), written notice of the proposal will be provided to people who own the relevant land and to people who own land adjoining the relevant land. For comprehensive or shire wide reviews of strategic planning instruments where it is impractical to send individual notification to all potentially affected property owners, Council will rely upon the published notice in a local newspaper.
- Hard copies of the proposal will be made available for viewing at the Council Administrative Centre in Bellingen and at the nearest public library to the development site. For example, for a matter pertaining to Dorrigo, copies of the

proposal will be made available for viewing at the Dorrigo Library for the duration of the exhibition timeframe, and

- electronic copies of the proposal and supporting material will be placed on Council's Engagement website "Create", and
- a "Plain English" version of the proposal shall be developed that explains the intent of the proposal in simple and easy to understand language.

Note: For any planning proposal for which Council has received a Gateway Determination from the NSW Department of Planning Industry & Environment, the requirements for public and agency consultation that are specified in that determination shall also be deemed as the minimum participation requirements for that matter.

Additional participation methods

For strategic planning projects, the following additional community participation methods may be warranted, depending upon the particular characteristics of the project.

- Media releases
- Social Media announcements
- Drop in sessions
- Attendance at events such as community markets
- Preparation of Issues Papers / Discussion Papers to encourage informed feedback
- Surveys
- Community Reference or Advisory Groups
- Deliberative Democracy
- Forums
- Digital feedback maps
- Competitions
- Meetings with specific interest groups – e.g.: Development Professionals, Chambers of Commerce, and Aboriginal Land Councils.
- Public Meetings or Hearings

For certain types of strategic planning projects, NSW planning legislation also prescribes specific sets of circumstances and procedures that need to be followed for public participation. In this regard, Council notes that the public participation requirements of the following pieces of legislation will be observed for the following planning functions.

- Development Control Plans – *Part 3 Development Control Plans (Division 2 Public Participation)* of the Regulation.
- Development Contribution Plans – *Part 4 Development Contributions (Division 2 Public Participation)* of the Regulation.
- Planning Agreements – *Section 25D – Public Notice of planning agreements* of the Regulation.

8. Administrative provisions

8.1 Calculation of timeframes

- All timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday, then the exhibition period is to be extended to the first available work day following that day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.
- For advertised development, the exhibition period commences on the day after which the published notice of the development application is first published in a newspaper.

8.2 Variations

Council may vary or dispense with requirements relating to the advertising and notification of development applications in the following circumstances;

- When a development site possesses an excessive number of adjoining or adjacent allotments (e.g.: large parks, sports grounds), Council shall have the discretion to notify only those properties that are likely to be directly affected by the development and/or have the discretion to advertise the development as an alternative to notification
- Council cannot however vary the requirement for notification of all adjoining owners for those categories of development specifically listed as “advertised development”.

Council may decide to dispense with notification entirely, or partly, when Council is of the opinion that the application for development consent will have negligible impact upon the amenity of adjoining land or no adverse environmental impact. Similarly, if Council is of the opinion that an application requires broader public comment (when it would normally require notification only) Council may decide to advertise the development in accordance with the provisions outlined in Section 7.1.

8.3 Extensions to advertising and notification

Council may extend the prescribed notification and advertising period in the following instances.

- If, in the opinion of Council, the circumstances of the development warrant an extended period of public consultation.
- If a request for an extension is made prior to the closing of the initial exhibition period and sufficient cause is shown as to why the exhibition period should be extended.

8.4 What is the procedure when amendments are made to development applications or strategic planning projects prior to their final determination?

When a Development Application or strategic planning project is amended during the course of processing, Council will not re-notify or re-advertise the amended application or project if Council is of the opinion that the amended or substituted application differs only in minor respects from the original and will have no greater environmental impact than that originally submitted. Examples of situations where amendments would not require re-notification or advertising include:

- Amendments made to a development application or strategic planning project in response to concerns raised in submissions received by Council in relation to that matter, or
- Amendments made to a development application in response to concerns raised or advice provided by Council.

8.5 How to make a submission regarding a planning matter?

Any person is entitled to make a submission which may object to or support a planning matter within the public exhibition or notification period, whether or not a notification letter has been forwarded to the person.

Submissions must be made in writing and delivered to the Council via either electronic mail, a submission made on any Online Development Application Platform, the Create Website or by post.

All submissions received within the public exhibition or notification period will be considered in the officer's assessment of the matter.

Submissions should include the following characteristics:

- The reasons for objection or support.
- Submissions must be in writing, be addressed to the General Manager, clearly indicating the names, addresses of the person(s) making the submission, quote the development application number (if relevant), the subject matter, and clearly state the address of the property.
- Submissions must include the postal address or e-mail of person(s) making submissions so they can be notified in advance if the matter is to be considered by Council at a Council meeting.

Note: Copies of submissions are publicly available documents. If the author/s of a submission does not wish their name and address details to be publicly available then Council needs to be advised of this in writing in the submission.

8.6 Notification of Aboriginal Land Councils of development applications

Council will send a weekly emailed list of Development Applications received to the following Aboriginal Land Councils.

- Coffs Harbour & District Local Aboriginal Land Council
- Bowraville Local Aboriginal Land Council
- Dorrigo Plateau Local Aboriginal Land Council

This process will allow for relevant Land Councils to retain knowledge of potentially significant sites and to advise Council when a planning matter may be of interest to them, rather than Council speculating as to the potential significance of a development by referring specific applications.

8.7 Acknowledgement of Submissions

When a submission has been received in relation to a development application during the public exhibition period, the submission will be acknowledged in writing.

When a submission in the form of a petition is received, an acknowledgement letter will be issued to the organiser of the petition, if they are able to be identified.

8.8 Development Applications lodged by a Councillor

Development Applications submitted by a Councillor shall be subject to the same notification and advertising provisions as any other development application received by Council, with the following exceptions as resolved by Council:

- Any Councillor who has submitted a Development Application shall give notice of this at the first available Council meeting.
- Any objections by other Councillors to the development application shall be made in writing during the notification period. The submission shall then be dealt with in the same manner as prescribed for any other submission.

8.9 Modifications to Development Applications originally approved at a Council meeting

If an application has been determined at a Council meeting, any subsequent application to modify the consent shall also be determined by Council. This does not apply however to modifications classed as “Minor” or modifications involving “Minimal Environmental Impact” as discussed in Appendix E.

8.10 What is the procedure when a submission regarding a planning matter is received by council?

Where five (5) or less unique objections are received in response to a Development Application, the assessing officer may determine the application under delegated authority.

Note: For the purposes of this provision, petitions and multiple submissions received from different people residing at / owning a single property will be counted as only one submission.

Where more than five (5) objections are received in response to a Development Application, the application shall be referred to a Council Meeting for determination.

All submissions received within the public exhibition or notification period will be considered in the officer’s assessment of the matter. When a planning matter is reported to Council, the way in which a submission has been addressed will be detailed in the report, which can be publicly viewed from the Friday preceding the Council Meeting on the Council website.

When a development application is not reported to Council for a decision, the way in which a submission has been addressed will be;

- Documented in the assessment report prepared by the Officer, and
- Noted in the mandatory public notification of development decisions required by Schedule 1 (Clause 20) of the Act.

8.11 Notification to those who lodge submissions

If a Development Application is to be reported to Council for determination, those people who made a submission to Council regarding the application will be notified of the date of the

meeting. Notification will take place as soon as possible after the circulation of the Business Paper to Councillors and will either be by letter or email.

Those people who have made submissions concerning an application to be determined by Council have the option of requesting to address the Council meeting. Anyone wishing to speak must lodge their request a minimum of 24 hours before the meeting with the Mayor's Secretary. Council will normally only permit one person to speak on behalf of objectors and one person to speak on behalf of supporters. There is a 5 minute time limit for each respective speaker.

Following the determination of the application, anyone who made a written submission will be notified of Council's decision in accordance with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. This will be in the form of a letter which will be forwarded by email or through the post. For petitions, notification of Council's decision will be provided to the organiser of the petition.

8.12 Notification to properties in adjoining local government areas

Where adjoining properties are considered by Council to be affected by development in the Bellingen Shire, Council will notify the adjoining Council as if they were the property owner in accordance with this Community Participation Plan.

9. Glossary

Planning term	Definition
Contributions plan	A plan developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development.
Designated development	Designated Development refers to developments that are high- impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area (e.g. a coastal wetland).
Development control plans (DCP)	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP
Gateway determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local environmental plan (LEP)	An environmental planning instrument developed by a local planning authority, generally a council. An LEP sets the planning framework for a Local Government Area
Local Strategic Planning Statement (LSPS)	A statement prepared by a Council that identifies the basis for strategic planning in the area, having regard to economic, social and environmental matters.
Nominated integrated development	Integrated development (not being threatened species development or Class 1 aquaculture development) that requires an approval (within the meaning of section 4.45 of the Act) under: (a) a provision of the Heritage Act 1977 specified in section 4.46 (1) of the Act, or (b) a provision of the Water Management Act 2000 specified in section 4.46 (1) of the Act, or (c) a provision of the Protection of the Environment Operations Act 1997 specified in section 4.46 (1) of the Act.
Planning proposal	A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan.
Planning agreement	A planning agreement is a voluntary agreement between a planning authority (or 2 or more planning authorities) and a developer under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other

	material public benefit, or any combination of them, to be used for or applied towards a public purpose.
Strategy documents	Strategy documents include documents such as Growth Management Strategies and their sub-components (eg: Local Housing Strategy, Rural Lands Strategy and Employment Lands Strategy) that inform the content of LEP's and DCP's.
The Act	The NSW Environmental Planning and Assessment Act 1979
The Regulation	The NSW Environmental Planning and Assessment Regulation 2000
Threatened species development	Development to which section 7.7 (2) of the Biodiversity Conservation Act 2016 or section 221ZW of the Fisheries Management Act 1994 applies.

Appendix A - Applications that are not required to be notified

Applications for the following types of development are not required to be notified:

- Removal of trees (not including heritage items), unless in the opinion of the officer responsible for the management of the application the removal of the tree is likely to result in a detrimental impact to the streetscape or adjoining properties.
- Modifications of Consent involving minimal environmental impact.

At the discretion of Council staff, any application which is of a minor nature and impact, for example:

- internal fit-outs to an existing shop that is not a change of use;
- internal alterations to a dwelling with no external changes;
- boundary adjustments that do not result in any additional lot; and
- minor residential development applications (such as alterations and additions to a dwelling, sheds and other outbuildings) that do not involve a variation to a development standard or planning control).

Applications in the above list may be notified at the discretion of Council staff.

Appendix B- Notified applications

All other development applications will have the following minimum standards for notification:

- A notification letter will be sent to adjoining property owners and occupiers and property owners and occupiers directly across a street or road. Council will rely on its property system on the day of compiling the notice to identify the owners of the land.
- In cases where the property to be notified is a strata titled building, Council will notify all owners and occupiers of the property.
- The exhibition period is **14 days** (unless legislation requires otherwise)

The notification letter will include the following advice:

- Identification of the relevant parcel of land, including the complete address of all street frontages and lot numbers;
- A description of the development;
- The place and times the application can be inspected;
- The closing date for submissions, and;
- A statement that submissions will be disclosed to any person requesting information under the applicable legislation.

The above process may be varied at the discretion of Council staff to permit:

- Notification of properties beyond adjoining properties;
- The reduction in the number of properties notified for applications of a minor nature or impact;
- An extension of the notification period;
- Placement of a public notice in a local newspaper;
- Exhibition of plans at other public venues;

- The holding of a public meeting;
- Consultation with relevant community groups;
- Variations to the notification letter; and/or
- Compliance with legislative requirements.

Appendix C – Advertised Development

The *Environmental Planning and Assessment Regulation 2000* ('EP&A Regulation') requires that Council follow specific advertising procedures for certain types of development. In addition, the *Environmental Planning and Assessment Act 1979* ('EP&A Act') enables Council to identify other forms of 'advertised development' to include in notification processes that are over and above the minimum notification procedures.

The following development applications will be advertised within a local newspaper:

air transport facility
airport
airstrip
biosolid waste application
brothel
bulky goods premises
caravan park
charter and tourism boating facility
community facility
correctional centre
crematorium
eco-tourist facility
educational establishment
electricity generating works
entertainment facility
exhibition village
extractive industry
freight transport industry
funeral home
heavy industrial storage establishment
heavy industry
helipad
highway service centre
hospital
information and education facility
intensive livestock agriculture
marina
mine
place of public worship
port facilities
pub
public administration building
recreation facility (indoor)

recreation facility (major)
recreation facility (outdoor)
registered club
research station
restricted premises
restriction facilities
rural industry
service station
sewerage system
sex services premises
subdivisions involving the creation of more than 15 additional lots
transport depot
truck depot
waste or resource management facility
water supply system

A development consistent with any of these definitions shall not be considered to be “advertised development” for the purposes of this plan in circumstances where it only represents a minor addition/alteration to an existing facility or where it involves a minor development that is ancillary to the core function of the overall facility e.g.: toilet blocks, change rooms, play equipment, landscaping.

Where an application is received for a staged development, the initial development application will be advertised as per the requirements of this section. Any applications for stages following the initial application will not be further advertised, provided the application is in accordance with the approved masterplan.

Appendix D – Other legislative requirements

Additional legislative requirements apply to the following types of development:

- Nominated Integrated Development
- Threatened Species Development
- Designated Development

Clause 89 of the EP&A Regulation requires nominated integrated development or threatened species development to be notified and advertised for a period of 30 days as detailed in the Regulation.

Designated development refers to certain types of high impact development that are identified under Schedule 3 of the EP&A Regulation. The requirements for public exhibition and notification of development applications for designated development are specified in Schedule 1 of the EP&A Act and Clauses 77-81 of the EP&A Regulation. Designated development is to be notified and advertised for a period of 30 days.

Appendix E – Modifications of Development Consents

A Development Consent may be modified in one of three ways. Advertising and Notification requirements are specified for each type of modification.

Minor Modification

Council may, on an application being made by an applicant, modify development consent to correct a minor error, misdescription or miscalculation. There are no public advertising or notification requirements for minor modifications. All such applications will be dealt with under delegated authority.

Modification Applications Concerning Minimal Environmental Impact

Council may, on application being made by the applicant, modify the consent if it is satisfied that the proposed modification is of minimal environmental impact.

Where an application for a modification of 'minimal environmental impact' is received by Council, there will be no requirement for the re-notification or re-advertisement of the application, whether or not there were submissions to the original DA. All such applications will be dealt with under delegated authority.

Other Modifications

Other types of modifications shall be notified or re-advertised in accordance with the following criteria:

- When it is considered that a modified development may have a greater degree of adverse impact upon a property than the originally approved development, Council will notify any affected properties of the proposed modification (regardless of whether or not they were originally notified) in accordance with the provisions in Section 7.1 of this Plan.
- When it is considered that a modified development would also be of interest or significance to persons that are not necessarily in close proximity to the site (i.e.

Large scale developments that have attracted high levels of previous interest, developments that are politically sensitive, developments involving issues that affect the community at large), Council will advertise the modification, regardless of whether or not the application was originally advertised in accordance with the provisions of Section 7.1 of this Plan.

Appendix F – Written and published notice requirements

(1) A written notice and a published notice of the development application must contain the following information:

- (a) a description of the land (including the address) on which the development is proposed to be carried out,
- (b) the name of the applicant and the name of the consent authority,
- (c) a description of the proposed development,
- (d) a statement that the application and the documents accompanying that application may be inspected at the consent authority's principal office for a period specified in the notice during the consent authority's ordinary office hours,
- (e) a statement that any person during the period specified under paragraph (d) may make a written submission in relation to the development application to the consent authority,
- (f) the dates of the period specified under paragraph (d).

(2) The written notice and the published notice:

- (a) in the case of development that is integrated development:
 - (i) must contain a statement that the development is integrated development, and
 - (ii) must state the approvals that are required and the relevant approval bodies for those approvals, and
- (b) in the case of development that is threatened species development, must contain a statement that the development is threatened species development.