

Lismore City Council

Community Engagement Strategy 2019

Statement of acknowledgement of the Widjabul Wiabal people

Lismore City Council acknowledges the Widjabul Wiabal people of the Bundjalung Nation, traditional custodians of the land on which we work.

Council recognises Aboriginal people as an integral part of the Lismore community and highly values their social and cultural contributions.

Lismore City Council is committed to showing respect for Aboriginal and Torres Strait Islander people as Australia's First Peoples.

Council acknowledges the traditional custodians of country at all Council events, ceremonies, meetings and functions.



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Mayor's Foreword

Welcome to Lismore City Council's Community Engagement Strategy. You're reading this because you want to be involved in community decisions that affect you. Council looks forward to your contribution.

The Lismore Local Government Area is made up of a number of diverse and different communities. That means there are many points of view to be considered before making decisions.

So, what is community engagement?

Community engagement is information sharing, consultation and active participation between government and communities. There are a number of forms of community engagement. It may range from filling out an online survey or receiving a letter about a neighbour's development application to attending a facilitated workshop on a masterplan or project.

Council recognises that community members and other stakeholders have a lot to offer through their expertise, skills and experience, and we want to make the most of your knowledge when making Council decisions. Council has a responsibility and can influence matters that affect your lives, and we want your input on community issues. Council needs community participation to ensure that everyone has access to fair and informed decision-making.

Council welcomes the increased role that Councillors are expected to play in community engagement. As your elected representatives, we encourage you to contact us to discuss the future of your community.

This Community Engagement Strategy will help us to engage in robust and meaningful discussions with all members of our diverse communities. What we learn will help Council make the best decisions for you and our community into the future.

Cr Isaac Smith

Mayor – Lismore City Council



About this Strategy

The Community Engagement Strategy describes Lismore City Council's commitment to informing and engaging with the community about Council business.

This strategy documents what Council aspires to achieve and assists in guiding how Council communicates and engages with its community. There are some matters that Council is unable to consult on broadly, such as matters with commercial in confidence sensitivities. These exceptions aside, Council will always ensure that the community is informed and able to participate in decision-making.



Introduction

Lismore City Council is committed to genuine and effective engagement with our community. This strategy outlines a whole-of-Council approach to community engagement and describes how we enable our community to be informed and get involved in the things we do and decisions we make.

An engaged and involved community is one of the objectives outlined in Council's Community Strategic Plan 2017–2021. We actively encourage community participation in the governance and decision-making

process. We are committed to having open, respectful and honest communication with the community and encourage the community to do the same.

We have a mandate to provide a range of infrastructure, programs and services to meet the needs of residents and visitors to the Lismore Local Government Area (LGA). As part of our mandate, we are required to ensure good governance. Integral to good governance is a comprehensive and effective community engagement approach that contributes to informed decision-making.



**Lismore City Council's online
community engagement hub.**

www.yoursay.lismore.nsw.gov.au

**Your
Say
Lismore**

This document is a publicly accessible document that:

- Outlines our approach to community engagement including requirements of both the *Environmental Planning & Assessment Act 1979* and the *Local Government Act 1993*.
- Includes the draft Community Participation Plan at Appendix 1 in accordance with Schedule 1 of the *Environmental Planning & Assessment Act 1979*.
- Will periodically be amended to incorporate statutory requirements.

What is Engagement?

Community engagement is a broad term that covers the interactions between Council, the community and other stakeholders. Community engagement provides community members with an opportunity to inform our decisions. Council commits to creating an inclusive environment in which feedback is embraced in decision-making.

Why do we Engage?

Community engagement is the foundation to good governance. By using best-practice community engagement approaches, we seek to involve the community in decision-making. It provides a valuable link between Councillors, Council staff and the community by:

- Enabling Council to gain a better understanding of local needs.
- Enabling the community to be informed.
- Reducing the level of misconception or misinformation.
- Ensuring greater community understanding of decision-making and outcomes.
- Encouraging the community to participate in engagement activities and put forward ideas.
- Helping to identify issues that the community feels are important and asking for solutions from those who are most affected.
- Acknowledging the basic human need for people to be involved in decisions that impact them.
- Enabling Council to make informed and sustainable decisions.

Not every decision before Council requires engagement. Local government councillors are elected by the community. They are elected to lead the strategic direction of Council on behalf of the community. Therefore, community engagement does not replace the statutory decision-making functions of Council. Rather, it informs and guides it.

What do we Engage About?

We engage with our community on matters including:

- Community strategic plans, delivery programs and annual budgets.
- Policies and strategic plans such as economic development strategies and sport and recreation plans.
- Planning matters including development control plans and the Local Environmental Plan.
- Major infrastructure and capital works projects.
- Capital works and maintenance programs.
- Development applications and planning proposals (see Community Participation Plan, Appendix 1).
- Events.
- Other issues that are of interest to our community and stakeholders.



Our Responsibilities

Section 402 (4) of the *Local Government Act 1993* requires councils to establish and implement a community engagement strategy for engagement with the community when developing their community strategic plans. The strategy must be based on social justice principles of equity, access, participation and rights.



Equity

There is fairness in decision-making and prioritising and allocation of resources.



Access

All people have fair access to services, resources, and opportunities to meet their basic needs and improve their quality of life.



Participation

Everyone has the maximum opportunity to genuinely participate in decisions which affect their lives.



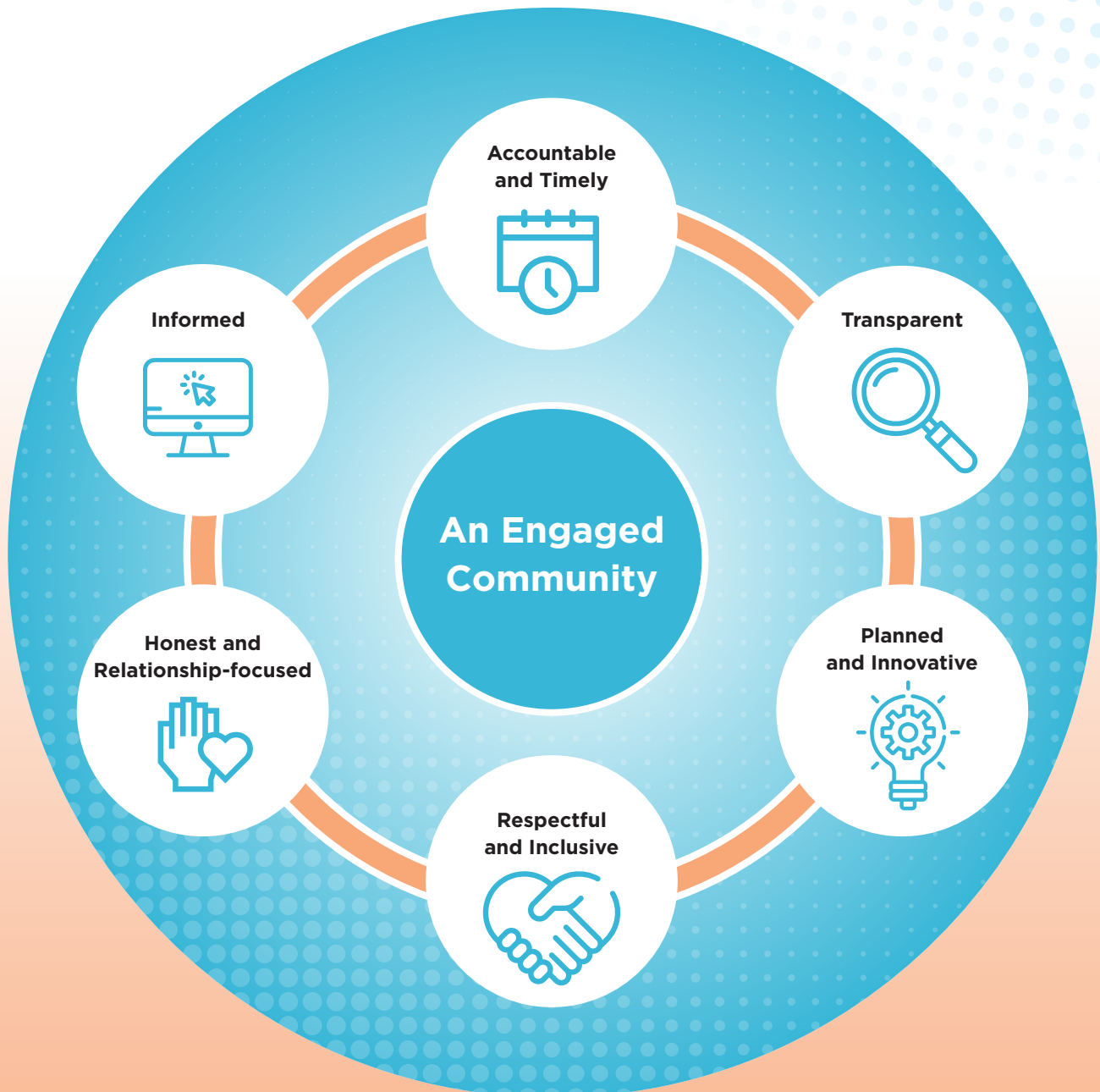
Rights

Equal rights and opportunities for everyone to participate in community life.

Recent reforms to the *Environmental Planning & Assessment Act 1979* require councils across NSW to prepare Community Participation Plans. This Strategy addresses the requirements set out by the Department of Planning and Environment in our Community Participation Plan (see Appendix 1).

Principles Underpinning our Engagement Approach

Creating an engaged community is at the centre of what we do at Lismore City Council. We have developed six principles that guide us in how we work with our community and we hold ourselves accountable to these principles.



Our Principles

1. Accountable and Timely



- 1.1. We forward all relevant information arising from community engagement to other areas of Council for further action.
- 1.2. We continually evaluate engagement activities and learn from past performance to improve future community engagement.
- 1.3. The timeframe for engagement is clearly communicated and we work within agreed timeframes for all activities.
- 1.4. Engagement activities are held at times that are appropriate and maximise the number of people who can participate.
- 1.5. We are mindful of not organising engagement activities during the Christmas/New Year period and when there are special events within the community.
- 1.6. If the matter we are seeking feedback about is delayed or extended due to unforeseen circumstances, we will keep our stakeholders and community updated.

2. Transparent



- 2.1. We are open and transparent about the intent and nature of any community engagement activity.
- 2.2. We demonstrate and explain to the community how their feedback will be considered in the decision-making process.
- 2.3. We provide all the necessary information relating to a project or decision that needs to be made and provide detailed answers to questions that arise from the community.
- 2.4. We provide feedback to our stakeholders in order to explain our decisions and let them know how their input has influenced the outcome.

3. Planned and Innovative



- 3.1. We are open to practical and innovative ideas.
- 3.2. We recognise that varying levels of engagement are required at different times across the range of Council services and operations.
- 3.3. Every engagement is appropriately planned with consideration being given to its purpose, scope, stakeholders, risk, level of participation, resources and timeframe.
- 3.4. We research the problem to ensure the community is able to make informed decisions.
- 3.5. We use a range of engagement and communication methods that suit the purpose of engagement and the community and stakeholders involved.
- 3.6. We collaborate across Council to ensure our engagement activities are coordinated.

Our Principles

4. Respectful and Inclusive



- 4.1. We treat all participants with respect, courtesy and honesty throughout the engagement process.
- 4.2. All people and groups who might be impacted by a decision will be given equal opportunity to be involved in the engagement process.
- 4.3. We are committed to being respectful of the diverse range of interests and views that may exist in our community around a particular issue.
- 4.4. All engagement activities are designed to ensure that views from a cross-section of the community are captured. We use appropriate methods to engage with hard-to-reach and minority groups when necessary.
- 4.5. We respect, acknowledge and respond to the needs of Aboriginal and Torres Strait Islander peoples and communities in a culturally appropriate and respectful manner.
- 4.6. The type of engagement or contact that is made is considerate of each stakeholder or community group's needs.

5. Honest and Relationship-focused



- 5.1. We work with the community to understand their issues and interests to enable informed decisions to be made.
- 5.2. We are focused on building strong, honest relationships with our community and stakeholders.
- 5.3. We are clear about why, how and what we are engaging on when we work with the community and other stakeholders.
- 5.4. We support the application of the principle of 'free, prior and informed consent' when engaging with Aboriginal and Torres Strait Islander peoples on all matters that may affect their rights and interests.

6. Informed



- 6.1. We recognise the community has a right to be informed about all Council matters that impact it.
- 6.2. All information is presented in an easily understood and accessible format.
- 6.3. We will make all relevant information about the issue we are engaging on available to the community. The exception to this is information that is commercially sensitive, of a personal nature, or is the property of other agencies and information that, for legal reasons, is unable to be made available to the public.
- 6.4. We will describe the limitations of statutory requirements imposed upon us when we consult with the community.
- 6.5. We forward all relevant information arising from community engagement to other areas of Council for further action.
- 6.6. We continually evaluate engagement activities and learn from past performance to improve future community engagement.
- 6.7. The timeframe for engagement is clearly communicated and we work within agreed timeframes for all activities.
- 6.8. Engagement activities are held at times that are appropriate and maximise the number of people who can participate.
- 6.9. We are mindful of not organising engagement activities during the Christmas/New Year period and when there are special events within the community.
- 6.10. If the matter we are seeking feedback about is delayed or extended due to unforeseen circumstances, we will keep our stakeholders and community updated.

IAP2 Spectrum and Levels of Engagement

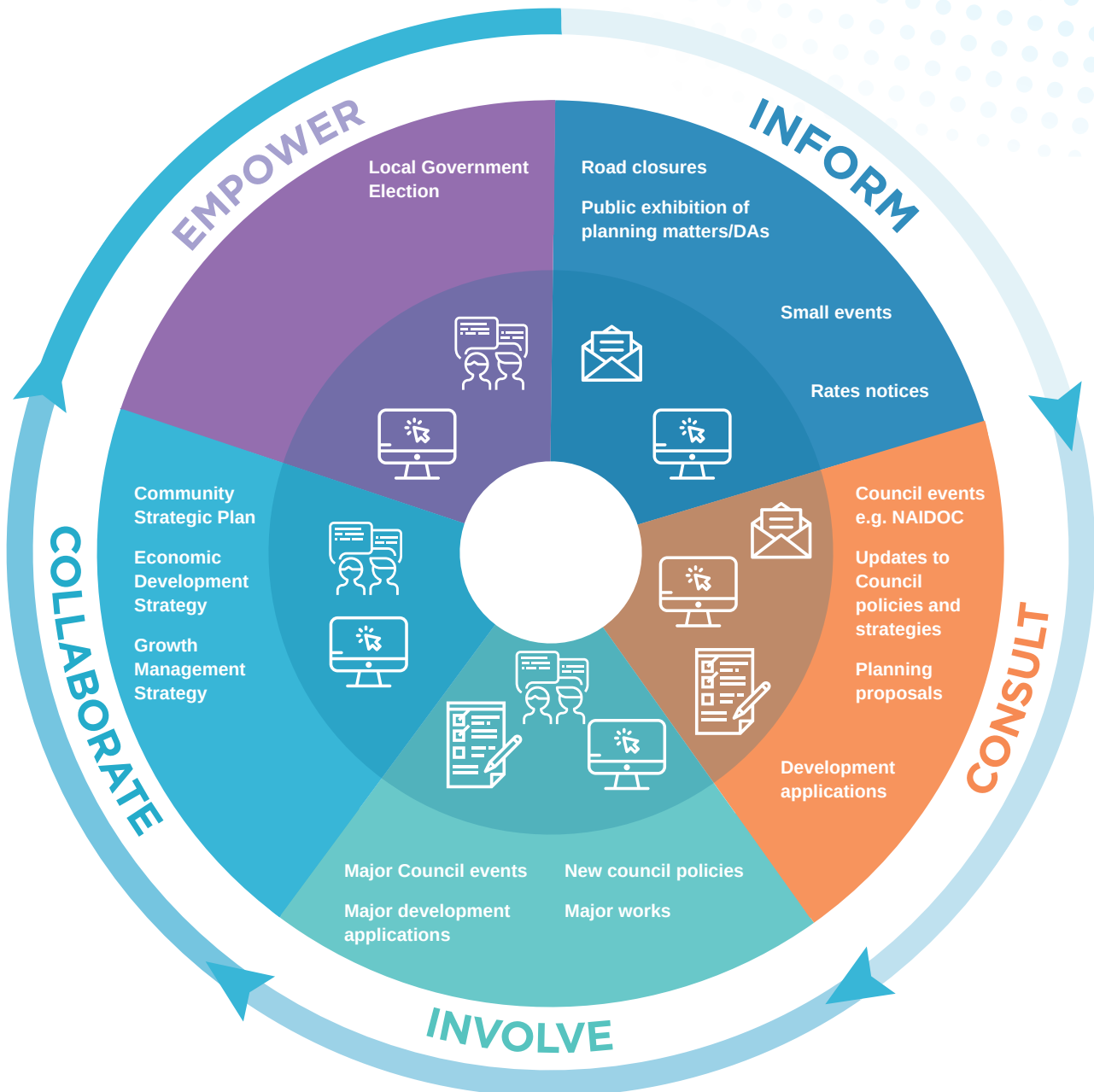
Our approach to community engagement is built upon a spectrum developed by the International Association for Public Participation (IAP2). IAP2 is an internationally recognised platform used to provide guidance to the public service, not-for-profit sector, private industry and communities.

The IAP2 Public Participation Spectrum identifies that there are different levels of engagement from 'Informing' through to 'Empowering'. No single approach to engagement will serve every project. The spectrum requires that the level of engagement must be determined by considering the issue, problem or opportunity requiring engagement, the objectives to be achieved by engaging, and the extent that the community can assist us to make decisions.

Inform To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.	Our Commitment We will keep you informed.	Level of Influence ● ○ ○ ○ ○	Examples <ul style="list-style-type: none"> • Fact sheets • Website information • Newsletters • Social media
Consult To obtain public feedback on analysis, alternatives and/or a decision.	Our Commitment We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	Level of Influence ● ● ○ ○ ○	Examples <ul style="list-style-type: none"> • Written submissions • Focus groups • Surveys • Public meetings
Involve To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Our Commitment We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	Level of Influence ● ● ● ○ ○	Examples <ul style="list-style-type: none"> • Workshops • Expert panels • Forums • Online polls
Collaborate To partner with the public in each aspect of the decision including the development of alternatives and the identification of a preferred solution.	Our Commitment We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	Level of Influence ● ● ● ● ○	Examples <ul style="list-style-type: none"> • Stakeholder advisory committees • Participatory decision-making
Empower To place final decision-making in the hands of the public.	Our Commitment We will implement what you decide.	Level of Influence ● ● ● ● ●	Examples <ul style="list-style-type: none"> • Citizens' juries • Ballots





Lismore City Council's Engagement framework

We have developed a community engagement framework that defines our response to the needs of different individuals and groups depending on the issue or project at stake.



Methods and Tools

Listed below are some examples of the methods and tools we use when engaging with our community.

Councillors 	You can contact any of your elected representatives to discuss issues or concerns. Contact details are available at www.lismore.nsw.gov.au or by phoning 1300 87 83 87. Councillors may also attend Council-facilitated community events in public places, giving community members the opportunity to raise issues with Councillors in person.
Local Matters and other newsletters 	Council produces a fortnightly publication called <i>Local Matters</i> for our residents and ratepayers. <i>Local Matters</i> is delivered fortnightly to around 23,000 homes and PO boxes in the LGA via Australia Post. <i>Local Matters</i> includes information on events, projects, meetings, development applications, items on public exhibition and lots more. It is designed to provide you with information that may affect you or your neighbourhood. Council also produces several online newsletters on a range of topics – the Lismore Biodiversity News, Building & Development News, and Business News. You can subscribe to receive any of these publications via email in the 'Subscribe' section at the bottom of our website at www.lismore.nsw.gov.au .
Social Media 	Lismore City Council has active Facebook and Twitter accounts which are updated regularly with Council news, events and other important information that the community needs to be made aware of. Please note, while people can make comments and engage in discussion, this information is unlikely to be included in Council's feedback mechanisms, such as formal reports to Council. Council does not engage in or condone discriminatory social media posts and will act in accordance with relevant policies to manage the unreasonable conduct of trolls.
Your Say Lismore 	The Your Say Lismore engagement platform is a multi-faceted site that allows members of the community to register and contribute to discussions on a range of consultation projects. It also provides a platform to keep the community informed on the progress of these projects. Community members can register at www.yoursay.lismore.nsw.gov.au .
Advisory Committees and Groups 	Council has many different committees, panels and advisory groups that provide input into Council decisions. Some are required by legislation and others act in an advisory capacity. Information about Council's committees and panels is available on Council's website at www.lismore.nsw.gov.au .

Focus Groups or Workshops 	<p>These are usually led by Council's community engagement team or an external trained facilitator and their aim is to explore a range of options available on a subject. Participants could be invited because they are residents or have an interest, involvement or stake in the subject.</p>
Media Releases 	<p>This involves issuing media releases and attracting coverage from local media outlets. If it is part of the engagement process, the Council spokesperson will indicate to the media representative that feedback from the community is valued. The media release will be forwarded to local media and is also available to the community at www.lismore.nsw.gov.au.</p>
Letterbox Drops 	<p>Council seeks feedback through unaddressed leaflets or fliers delivered to an affected area. The flier will summarise the relevant issues and advise of any changes that will affect the resident or business.</p>
Local Neighbourhood 	<p>Council on occasion promotes events on local noticeboards and in local newsletters and publications such as community and school newsletters. This may also include neighbourhood Facebook pages and other networks as a vehicle for communication.</p>
Email 	<p>Community members can contact Council at any time by emailing council@lismore.nsw.gov.au or contact Councillors via their contact details, which are available at www.lismore.nsw.gov.au.</p>
Telephone 	<p>Council has a Customer Contact Centre with an after-hours service available for emergencies. Contact us on 1300 87 83 87.</p>

Keeping you Updated




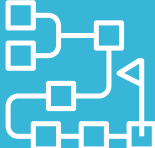



An important part of community participation is demonstrating and reporting back on how feedback has been incorporated into the final decision or outcome. This is known as 'closing the loop' and it is important in maintaining an open and transparent engagement process.

We will ensure that the community understands how their input was considered and the reasons for the final decision. We will also inform the community of the expected timeframes for providing feedback.



Community Engagement Planning

The community engagement planning process is useful when staff are engaging stakeholders and the community in the development of Council strategies or the implementation of programs and projects. The process of planning and implementing the engagement plan is listed below.

Step	Description
Scope the project 	Determine the need for a community engagement plan and how the engagement will influence the project. Understand the needs and expectations of the decision makers and gain clarity on the scope of work including what aspects are negotiable.
Identify and assess stakeholders 	Identify and assess the relevant stakeholders considering what role they may play in the engagement process.
Determine level of influence 	Determine the appropriate level of engagement and clarify the specific engagement goals.
Techniques and engagement flow 	Determine which methods and communication activities are best suited to the stakeholders, engagement objectives and level of influence. Consider the resources needed to support the implementation of the engagement design.
Start engagement activities 	Undertake engagement activities as part of the integrated project plan.
Review and feedback 	Review and then provide feedback to decision makers, stakeholders and the community on the progress of engagement activities, outcomes and impacts for the work being done.
Final evaluation 	Complete the evaluation process.

**Your
Say
Lismore**

How to get in touch

Call: 1300 87 83 87

Email: council@lismore.nsw.gov.au

www.lismore.nsw.gov.au

www.yoursay.lismore.nsw.gov.au

**43 Oliver Avenue
Goonellabah NSW 2480**



Appendix 1

Community Participation Plan

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1. What is a Community Participation Plan?

Lismore City Council's Community Participation Plan (CPP) outlines when and how Council will engage with the community across the range of planning functions it carries out. The CPP has to meet the minimum requirements set out in the Environmental Planning and Assessment Act 1979 (EP&A Act).

2. Scope of the Community Participation Plan

The CPP does not relate to Council's engagement strategies for the delivery of Council services, functions or infrastructure. Community engagement for these areas of responsibility are outlined in Council's Community Engagement Strategy.

3. Principles of the Community Participation Plan

The EP&A Act provides Council with guidance in order to make it clear and easy for the community to participate in planning decisions. The following principles underpin Council's CPP as set out in the EP&A Act. These include:

- (a) The community has a right to be informed about planning matters that affect it.
- (b) Council will encourage effective and ongoing partnerships with the community to provide meaningful opportunities for community participation in planning.
- (c) Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- (d) The community will be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- (e) Community participation will be inclusive and Council will actively seek views that are representative of the community.
- (f) Members of the community who are affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- (g) Planning decisions will be made in an open and transparent way and the community will 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.

4. What are Council's planning functions?

Council's planning functions are divided into two different areas: development assessment and strategic planning.

What are the mandatory minimum participation requirements?

The mandatory community participation requirements are outlined in the table below, which reflect the minimum public exhibition periods stipulated in Schedule 1 of the EP&A Act.

5. What are the mandatory minimum participation requirements for Strategic Planning?

The mandatory community participation requirements are outlined in the table below, which reflect the minimum public exhibition periods stipulated in Schedule 1 of the EP&A Act.

Type of Plan	Description	Minimum exhibition requirements
Draft Community Participation Plan	Outlines how Council will engage with its community across all planning functions.	28 days as specified in Schedule 1 of the EP&A Act 1979
Draft Local Strategic Planning Statements	The primary aim is to outline the 20-year vision for land use in the Lismore Local Government Area and the special characteristics which contribute to our local identity.	<p>28 days as specified in Schedule 1 of the EP&A Act 1979</p> <p>Advertising</p> <ul style="list-style-type: none"> • Notice is published in Local Matters newsletter which is distributed in the area affected by the plan. • Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. <p>Submissions</p> <ul style="list-style-type: none"> • Submissions can be made online via Your Say Lismore, or addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore, NSW 2480, or emailed to council@lismore.nsw.gov.au. • If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two years before the application was made.
Planning Proposals for amendments to the Lismore Local Environmental Plan (LEP) subject to Gateway Determination	A Planning Proposal outlines the justification for amending the LEP and consistency with relevant land use strategies, section 9.1 Ministerial Directions, State Environmental Planning Policies.	<p>28 days as specified in Schedule 1 of the EP&A Act 1979 unless a different timeframe is specified in the Gateway Determination (as specified in the EP&A Regulation)</p> <p>Advertising</p> <ul style="list-style-type: none"> • Notice is published in Local Matters newsletter which is distributed in the area affected by the Planning Proposal. • Letter sent to landowners adjoining the subject land. • Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. <p>Submissions</p> <ul style="list-style-type: none"> • Submissions can be made online via Your Say Lismore, or addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore, NSW 2480, or emailed to council@lismore.nsw.gov.au. • If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two years before the application was made.

Type of Plan	Description	Minimum exhibition requirements
Reclassification of Public Land	Reclassification of public land occurs through an amendment to the Lismore LEP 2012 when the classification needs to be changed from community to operational or operational to community.	<p>28 days unless a different timeframe is specified in the Gateway Determination (same requirements as for Planning Proposals in Schedule 1 of EP&A Act)</p> <p>Public Hearing</p> <ul style="list-style-type: none"> A public hearing is required under section 29 of the Local Government Act 1993. Council is required to publish the report on the public hearing on its website no later than 4 days of its receipt under section 47G of the Local Government Act. <p>Advertising</p> <ul style="list-style-type: none"> Notice is published in Local Matters newsletter which circulates in the area affected by the Planning Proposal Letter sent to landowners adjoining the subject land <p>Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah.</p> <p>Submissions</p> <ul style="list-style-type: none"> Submissions to be in writing and addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore or emailed to council@lismore.nsw.gov.au If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two (2) years before the application was made.
Draft Development Control Plans (DCP)	A Development Control Plan contains development standards to guide development and complement the planning controls contained in the Lismore LEP 2012	<p>28 days (as per Clause 18 (2) of EP&A Regulation 2000)</p> <p>Advertising</p> <ul style="list-style-type: none"> Notice is published in Local Matters newsletter which circulates in the area affected by the draft DCP Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. <p>Submissions</p> <ul style="list-style-type: none"> Submissions to be in writing and addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore or emailed to council@lismore.nsw.gov.au If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two (2) years before the application was made. <p>Notification of Council decision in relation to DCP</p> <p>Council must give notice of its decision in a local newspaper within 28 days after the decision is made under Clause 21 of the EP&A Regulation 2000.</p>

Type of Plan	Description	Minimum exhibition requirements
Draft contributions plans	The aim of a contributions plan is to gain financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development	<p>28 days (as per Clause 26 (4) of EP&A regulation 2000)</p> <p>Advertising</p> <p>Notice is published in Local Matters newsletter which circulates in the area affected by the draft DCP</p> <p>Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah.</p> <p>Submissions</p> <p>Submissions to be in writing and addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore or emailed to council@lismore.nsw.gov.au</p> <p>If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two (2) years before the application was made.</p> <p>Notification of Council decision</p> <p>Council must give notice of its decision in a local newspaper within 28 days after the decision is made under Clause 31 of the EP&A Regulation 2000.</p>

Non-mandatory notification requirements for Strategic Planning

Type of Plan	Description	Minimum exhibition requirements
Strategic Land Use Plans (i.e. Growth Management Strategy, Floodplain Management Strategy)	Identifies land for future growth for residential, commercial, industrial and open space purposes.	<p>45 days</p> <p>Advertising</p> <ul style="list-style-type: none"> • Notice is published in Local Matters newsletter which is distributed in the area affected by the plan. • Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. <p>Submissions</p> <ul style="list-style-type: none"> • Submissions can be made online via Your Say Lismore, or addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore, NSW 2480, or emailed to council@lismore.nsw.gov.au. • If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two years before the application was made.

6. What are the mandatory minimum requirements for development applications?

The mandatory community participation requirements with respect to development applications for which Council is the consent authority are outlined in the Table below as specified in Schedule 1 of the EP&A Act 1979.

Development Applications	Description	Minimum time frame for exhibition
Application for development consent (other than for complying development certificate, for designated development or State significant development)	A development application (DA) is a formal application for development consent from Council to carry out development	14 days or (a) if a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified, or (b) if the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition.
Application for development consent for 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 wetland).	28 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	An application to modify a development consent is made under section 4.55 of the EP&A Act which allows a consent to be modified if the development is substantially the same.	The period (if any) determined by the consent authority in accordance with the relevant community participation plan. Refer to the Notification Plan
Environmental impact statement obtained under Division 5.1	An environmental impact statement (EIS) is a publicly available document that provides information on a project, including its environmental impacts and mitigation measures to inform development consent decisions.	28 days
Re-exhibition of any amended application or matter referred to above required by or under this Schedule	A development application of any type that is required to be re-exhibited	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter Refer to the Notification Plan

Note: Nominated integrated development or threatened species development is not listed in Schedule 1 of the EP&A Act. Approval will need to be obtained from other relevant public authorities before development consent can be granted.

Exhibition period is 28 days.

7. Notification Plan

7.1 Neighbour notification and advertising of Development applications

The objectives of this part are to:

- Provide a framework for the notification and advertisement of development applications, applications to modify development consents and the review of development determinations.
- Provide an opportunity for public participation in the development application process.
- Establish a clear process and expectations of how public views are considered in the development application process.
- Specify circumstances where notification and advertising of applications is not required.
- Identify development applications that will be notified and/or advertised and those persons who will be notified.
- Facilitate the efficient processing of applications without unreasonably compromising the opportunity for public participation.
- To ensure notification and advertisement is carried out in accordance with the Environmental Planning & Assessment Act and Regulation.

7.2 Land to which this part applies

This applies to all land within the Lismore LGA to which the Lismore Local Environmental Plan 2012 and the Lismore Local Environmental Plan 2000 applies for the notification of:

- applications for development consent lodged under the *Environmental Planning and Assessment Act 1979* (EPA Act)
- amendments to development applications lodged before an application is decided
- modifications of development consents under section 4.55 of the EP&A Act and
- review of determination under Division 8.2 and Section 8.9 of the EP&A Act

This part does not apply to Exempt or Complying Development as defined by the EPA Act.

7.3 Persons to be notified and applications to be advertised

The following sections are grouped into different categories:

Category 1 - Development Applications which will not be notified

Category 2 - Notification requirements for Minor Development

Category 3 - Notification requirements for other Local Development

Category 4 - Development Applications requiring notification, advertising and site sign

If a Local Environmental Plan land use or development definition is not listed in any of these categories, the default minimum public exhibition period for an application for development consent is 14 days in accordance with Schedule 1 of the EP&A Act.

8. Category 1 – Development Applications which will not be notified

Some forms of development are of a nature which does not warrant notification by virtue of its minor nature, minimal or low environmental, social and economic impact and high degree of compliance with Council's LEP and DCP.

There will be no notification of applications relating to:

- (i) Exempt development;
- (ii) Complying development;
- (iii) Change of use, where, in the opinion of the Council, there will be no adverse impact on the neighbourhood;
- (iv) Dwelling houses:-
 - a. Single storey dwelling houses (i.e. less than 6.5m at the ridge and 4m at the top plate), that comply with setbacks and cut/fill/retaining provisions applying under this DCP;
 - b. Minor alterations and additions (excluding second storey extensions) that comply with setbacks applying under this DCP;
 - c. That have no other dwelling houses located on the same allotment;
- (v) Dual occupancies - minor alterations and additions, (excluding second storey extensions) that comply with setbacks applying under this DCP;
- (vi) Environmental protection works;
- (vii) Existing buildings where the work will not change the height, external shape or façade of the building;
- (viii) Extensive agriculture;
- (ix) Farm buildings located more than 20 metres from any property boundary;
- (x) Flood mitigation works;
- (xi) Forestry;
- (xii) Home businesses and home industries;
- (xiii) Horticulture;
- (xiv) Intensification of a permissible use including change to the hours of operation of a business, or where, in the opinion of the Council, there will be no adverse impact on the neighbourhood;
- (xv) Internal alterations to a building;
- (xvi) Subdivision applications to strata subdivide or to company/community title buildings, or boundary adjustments which do not affect neighbouring land;
- (xvii) Swimming pools ancillary to a dwelling and for private use;
- (xviii) Viticulture;
- (xix) Amendments to applications where the amendments do not change the height or setbacks or window size and window placement of the proposed development;
- (xx) Proposals which have no potential adverse impact on adjoining properties (i.e. a window on one side of a building which has no impact on properties on the opposite side of the property – notification will only sent to likely affected adjoining property);
- (xxi) Applications made by Council for capital or community infrastructure works on Council land, where in the opinion of the Council, there will be no adverse impact on the neighbourhood.

9. Category 2 – Notification requirements for Minor Development

Type of development requiring notification	Minimum time frame for exhibition
Bed and breakfast accommodation	14 days
Boat sheds	14 days
Demolition of a structure that is not a heritage item or is not within a conservation area;	7 days
Dwelling houses <ul style="list-style-type: none"> Dwelling houses greater than single storey, i.e. greater than 6.5m at the ridge and 4m at the top plate. Second storey extensions. Dwelling houses that do not comply with setback requirements under this DCP. Alterations and additions to dwellings that do not comply with setbacks applying under this DCP. Any new dwelling house in a heritage conservation area. Alterations and additions to a heritage item or dwelling in a heritage conservation area. 	7 days
Dual occupancies	14 days
Dual occupancies - alterations and additions that do not comply with setbacks applying under this DCP	7 days
Farm stay accommodation	14 days
Fences that are not exempt development	7 days
Farm buildings located less than 20 metres from any property boundary	7 days
Garages, carports, sheds and other ancillary buildings where the height of external walls (not including gables) is greater than 2.7m from ground level (existing) to the underside of the eaves and 3.6m to the top of the roof ridgeline, or the area is greater than 54m ² or the building does not comply with setbacks applying under this DCP	7 days
Roadside stalls	14 days
Secondary dwellings	14 days
Transport depots	14 days
Tree removal applications	7 days
Water recreation structures	14 days
Subdivisions Subdivision of less than 5 lots and not including the creation of a public road	14 days
Subdivision involving boundary adjustments that create an additional dwelling entitlement	14 days

10. Category 3 – Notification requirements for other Local Development

Development in this category requires notification and a site sign

Type of development	Minimum time frame for exhibition
<ul style="list-style-type: none">• Signage, other than building and business identification signs• Child care centre• Health services facility• Landscape and garden supplies• Rural industries• Rural workers' dwellings• Vehicle repair station	14 days

11. Category 4 – Development Applications requiring notification, advertising and site sign

Applicants are required to pay a fee to Council to cover the cost of advertising and notification of the original application, subsequent amendments to an application prior to determination and any modification.

Type of development	Minimum timeframe for exhibition
<ul style="list-style-type: none"> • Airstrips and Air transport facilities • Animal boarding or training establishments • Aquaculture • Biosolids treatment facilities • Caravan parks • Cellar door premises • Cemeteries • Commercial premises (new) • Community facilities • Correctional centres • Demolition of a heritage item or a structure or building within a Heritage Conservation Area • Eco-tourist facilities • Educational establishments • Electricity generating works • Environmental facilities • Extractive industries • Helipads • Industry (new) • Intensive livestock agriculture • Intensive plant agriculture • Mining • Neighbourhood shops • Places of public worship • Public administration building/ Emergency services facilities • Recreation areas • Recreation facilities (indoor & outdoor) • Research stations • Rural supplies • Sex services premises • Telecommunications facility (see notes in section 10.4j) • Veterinary hospitals • Waste or resource management facilities • Water recycling facilities • Any proposed development affecting a heritage item, other than minor works and maintenance, including use of a heritage item for use other than uses generally permitted in the zone, i.e. using special LEP heritage provisions. • Any development where Lismore LEP clause 5.3 is used allowing development permitted in an adjoining zone. 	14 days minimum
Subdivisions <ul style="list-style-type: none"> • Subdivision where 5 or more lots are created. • Subdivision involving the creation of a public road 	14 days minimum

12. General requirements relating to all categories

13. Notification

A notification letter advising notice of an application will be sent to:

- (xxii) all persons who, according to Council's property records, own or occupy land immediately adjoining that part of the application site affected by the proposed development;
- (xxiii) owners and occupiers of any neighbouring land which, in the opinion of Council, may be adversely affected by the application.

For the purpose of this section:

- if land is owned or occupied by more than one person, a written notice to one owner or one occupier is taken to be a written notice to all the owners and occupiers of that land.
- Council may also direct that:
 - an application be advertised or notified to any person or group of persons whom it considers may have an interest in the matter;
 - the application be available for inspection and submissions for such additional periods as it considers appropriate.

The extent of notification may be increased where the Council is of the opinion that additional notification is required taking into consideration the potential impact of the proposal.

Over Christmas and New Year, the period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

14. Notification Letter/Advertisement/Site sign

All advertisements, notification letters and site notices will include:

- (xxiv) The application reference number;
- (xxv) the address (or property description if no street address is allocated) on which the development is proposed to be carried out;
- (xxvi) the name of the applicant;
- (xxvii) a brief description of the proposed development;
- (xxviii) 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 business hours or online via Council's website;
- (xxix) a statement that any person during the period specified may make a written submission in relation to the development application to the consent authority;
- (xxx) a statement outlining the privacy rights of any person making a submission to the Council.

Where the application involves erecting a building the notification letter will include an A4 size plan showing the height and external configuration and façade of the building in relation to the site. Floor plans will not be provided due to privacy legislation, but can be viewed at Council's office as detailed in the notification letter.

15. Advertised development

Advertised development includes

- Integrated development, if it requires an approval under the Heritage Act 1977(NSW), the Water Management Act 2000 (NSW) or the Protection of the Environment Operations Act 1997 (NSW) (pollution licence) (is called 'nominated integrated development')
- Threatened species development (development affecting threatened species which requires a species impact statement),
- Class 1 aquaculture development (development that is Class 1 aquaculture under SEPP 62 -Sustainable Aquaculture.

16. Submissions

Council publishes all submissions online via the Council website. A fact sheet is available on Council's website containing information about making submissions and what is published by Council. On request, applicants will be supplied with hard copies of all submissions.

Council will consider all submissions on their merits. Submissions will be summarised in the assessment report supplied for consideration and determination of the application. The report will include names of those who made the submissions.

Council is not bound by any submission and its assessment of an application will involve considering the merits of the application together with all submissions.

17. Who can inspect plans and make a submission?

Applications may be inspected during business hours or online at any time, and submissions made during the notification period are to be in accordance with this Chapter. Council will not decide on the application before the notification period has expired. Late submissions may be received by the Council up to a decision on the application.

Council publishes all submissions online via the Council website. A fact sheet is available on Council's website containing information about making submissions and what is published by Council. On request, applicants will be supplied with hard copies of all submissions.

Council will consider all submissions on their merits. Submissions will be summarised in the assessment report supplied for consideration and determination of the application. The report will include names of those who made the submissions.

Council is not bound by any submission and its assessment of an application will involve considering the merits of the application together with all submissions.

18. Notification of submitters when a strategic planning matter or Development Application is to be determined by Council

In accordance with Council's policy Determination of Development Applications under delegated authority, some development applications are submitted to a Council meeting for consideration and determination. In this situation, all individuals who have made a submission to the DA will be notified of the meeting date and opportunities available to address the Council through Public Access. This process allows community members to speak for up to four minutes on any agenda item included in the business paper.

Similarly, if a submission is made regarding a strategic planning matter that is scheduled to be determined by Council, each individual who has made a submission will be notified of the relevant Council meeting date when the matter will be determined by Council and the opportunity available to address Council through the Public Access process.

19. Amendments prior to Determination

An applicant may amend an application at any time before Council has made its decision with the prior agreement of Council staff. If, in Council's opinion, the amendments are considered likely to have a greater adverse effect on or a different adverse effect on adjoining or neighbouring land, then Council will renotify:

- Those persons who made submissions on the original application;
- Any other persons who own adjoining or neighbouring land and in the Council's opinion may be adversely affected by the amended application;
- Where the amendments in the Council's opinion do not increase or lessen the adverse effect on adjoining or neighbouring land, or only provides additional information, Council may choose not to notify or advertise the amendments.
- Where the amendments arise from a Council-sponsored mediation, and it is considered that the amendments reflect the outcome of the mediation and do not otherwise increase the application's environmental impact, the amendments will not be notified or advertised.
- Amendments to applications to remove a tree or to lop, top, or prune a tree, will not be notified or advertised, where the application is required only by Chapter 14 of this DCP and no other development is involved.=

20. Modifications (including consents granted by a meeting of Council, the Court or a Joint Regional Planning Panel)

All applications to modify a development consent will be advertised/notified unless:

- (xxxi) the modification does not change the height or external shape or facade of the proposal as shown on the original application; or
- (xxxii) Council is satisfied that the modification or amendment has none or only a minimal impact on the environment; or
- (xxxiii) Council is satisfied that the modification or amendment does not substantially change the original application; or
- (xxxiv) Council is satisfied that no disadvantage will be caused to any person who owns adjoining or neighbouring land or who has made a submission relating to the application.
- (xxxv) In determining who is to be notified of the proposed modification, if Council is satisfied that the modification is of a minor nature, or of minimal environmental impact, the requirement for newspaper advertisement/site notice may be waived.

21. Community Consultation Plans including Telecommunications Infrastructure

Council strongly encourages proponents for large or potentially controversial developments to undertake pre-consultation with communities likely to be affected by a proposed development. This assists with identifying issues of concern and enables design responses to those concerns to be included at an early stage in any proposal lodged with Council for consideration or comment. Pre-consultation can also reduce costs and potential submissions in relation to applications lodged for assessment.

Council will consider facilitating pre-consultation processes within reasonable means which may include:

- Putting proponents in contact with local community groups;
- Mail outs to residents from Council's property database;
- Engaging an independent facilitator or making a suitable meeting venue available.

Large developments and proposals for new telecommunications facilities such as new mobile phone towers (whether under a DA for complying development process) have the potential to result in community concerns, and well considered community consultation plans have the ability to address issues and inform the community with background information to assist in understanding the proposed development.

There are community consultation guidelines published by various agencies for new telecommunication facilities, and to assist proponents, Council's expectations for community consultation plans include:

- (xxxvi) A pre-consultation public meeting with any known local community groups and/or property owners within 500m of the proposed telecommunications facility to share information and views;
- (xxxvii) The formal notification of the proposal should include details of how the Telecommunications Provider has responded to matters raised in previous submissions;
- (xxxviii) The formal notification of the proposal should include photomontages from different view points around the site, and refer to details demonstrating how visual impacts have been minimised in deciding the preferred proposal;
- (xxxix) People who made submissions in response to pre-consultation for the proposal should be advised by letter of the formal proposal;
- (xl) The formal notification should ensure that all premises within 500m (unless this extent of notification is impractical in the circumstances) of the proposed installation are provided with written notification of the proposal;
- (xli) Newspaper notices should be placed in the Echo/Northern Star and any local village newspaper/journal or the like around the same time;
- (xlii) In addition to a site notice, a notice should also be placed at any local village store in consultation with the proprietor of that store;
- (xliii) At the conclusion of the formal notification period, a public meeting should be convened at following proper advance notice of an accessible and convenient location and time to residents/submitters to respond to the matters raised in submissions. This will enable the Telecommunications Provider to respond directly to community questions and concerns and provide information/undertakings in response.

Council responses to requests for comment on community consultation plans will incorporate the above expectations to ensure appropriate and meaningful community engagement from an early stage in project development.