

Contents

1	PUBLIC NOTIFICATION PROCEDURES FOR DEVELOPMENT APPLICATIONS and OTHER		7	RECEIPT AND ACKNOWLEDGEMENT OF SUBMISSIONS BY COUNCIL
	APPLICATIONS	1	8	CONSIDERATION OF LATE SUBMISSIONS
1.1	Objectives	1	9	ASSESSMENT OF PUBLIC SUBMISSIONS AFTER
1.2	Policy Statement	1	3	THE CLOSE OF THE PUBLIC EXHIBITION PERIOD
1.3	Applications for which notification / advertising is not required prior to determination	1	10	INDEPENDENT HEARING and ASSESSMENT PANEL (IHAP)
1.4	Applications for which notification / advertising is required prior to determination	1 3	11	NOTIFICATION OF THE FINAL DETERMINATION OF
1.5	Who will be notified of a Development Application?	3		AN APPLICATION
1.6	How will an application be notified?	3	12	NOTIFICATION OF NSW LAND AND ENVIRONMENT
1.7	When will an application be notified?	3		COURT APPEALS
1.8	Public exhibition process & length	4	13	MATRIX NOTIFICATION REQUIREMENTS FOR
2	GENERAL NOTIFICATION REQUIREMENTS	4		DEVELOPMENT APPLICATIONS, SECTION 96 (1A) & (2) MODIFICATION
2.1	Notification Letter	4	14	DEFINITIONS
2.2	Site Notice	5	14	DEFINITIONS
2.3	Newspaper Advertisement	5		
2.4	Library Exhibition	5		
2.5	Other Notification and Consultation Opportunities	5		
3	COSTS OF NOTIFICATION	6		
4	NOTIFICATION ACROSS LOCAL GOVERNMENT BOUNDARIES	6		
5	PUBLIC EXHIBITION OF APPLICATIONS FOR THE DECEMBER TO JANUARY CHRISTMAS PERIOD	6		
6	MAKING A SUBMISSION	6		
6.1	Options for the Lodgement of a Submission	7		
6.2	Reporting of any Political Donation or Gift to a Councillor or Council Employee within a Two (2) Year Period before			
	the Lodgement Date of the Application	7		

1 PUBLIC NOTIFICATION PROCEDURES FOR DEVELOPMENT APPLICATIONS AND OTHER APPLICATIONS

1.1 Objectives

- (a) To provide a framework for the notification and advertising requirements for Development Applications, Section 96 Modification Applications, Section 82A Review of Determination Applications and other application types.
- (b) To clarify the procedures for the dealing with the notification and advertising requirements for all application types.
- (c) To provide greater certainty to applicants and the general public as to the nature and extent of notification to be undertaken for all applications.
- (d) To ensure that the notification and advertising requirements are appropriate to the nature and scale of development proposals.
- (e) To allow a reasonable timeframe for the public exhibition of applications.
- (f) To identify circumstances under which public notification or advertising requirements will not be necessary for certain types of applications.
- (g) To define procedures that enable parties to identify and if possible resolve issues of contention.
- (h) To ensure consistency and fairness in the manner in which the Council deals with objectors' concerns regarding development applications.

1.2 Policy Statement

Wollongong City Council is committed to assisting the community with concerns that may arise from development applications. This policy outlines the procedures for notification and advertising of development applications, the principles of facilitation and the Independent Hearing and Assessment Panel (IHAP). This process will ensure that all parties can be confident of an impartial, fair and transparent assessment process.

1.3 Applications for which notification / advertising is not required prior to determination

The following applications will not be notified under this DCP:

- 1. Activity Applications under section 68 of the Local Government Act 1993;
- 2. Alterations to a building that are internal only and are not visible from any adjoining property;
- 3. Amendments to an undetermined Development Application which are of a minor nature and, in the opinion of Council, are unlikely to cause any adverse impact upon any adjoining property.
- 4. Ancillary structures with a maximum height of 3.5 metres or less above natural ground level (i.e. as measured from the natural ground surface level up to the highest point of the structure) with a maximum 500 millimetre floor height above the natural ground level and a minimum 900 millimetre setback from any side or rear property boundary;
- 5. Applications where insufficient information has been provided with the application or Section 96 Applications and the applications are to be determined by way of a refusal for that reason;
- 6. Building Certificate applications;
- 7. Bushfire hazard reduction work;
- 8. Business identification signage;
- 9. Change of use of premises from a commercial office to another commercial office or shop; shop to another shop or commercial office; light industry to light industry;
- 10. Community events carried out by or on behalf of Council on Council owned or controlled land for a maximum 5 days duration and an anticipated attendance of less than 100 people;

- 11. Complying development as referred to in either: Schedule 3 of Wollongong Local Environmental Plan 2009 or a State Policy;
- 12. Demolition works for any building or structure (except where the demolition work is proposed upon a site which contains an item of environmental heritage or the site is within a Heritage Conservation Area):
- 13. Dwelling-houses single storey with a setback of at least 900 millimetres from any side or rear property boundary.
- 14. Dwelling-houses single storey alterations or additions with a minimum setback from any side or rear property boundary at or greater than 900 millimetres.
- 15. Dwelling-houses two storey, with a setback of at least 1500 millimetres from any side or rear property boundary.
- 16. Exempt development as referred to in either: Schedule 2 of Wollongong Local Environmental Plan 2009, State Environmental Planning Policy or any State Code.
- 17. First use of an approved light industry building; warehouse distribution building.
- 18. Innovation Campus development proposals which are consistent with the Wollongong Innovation Campus Master Plan as approved by Council.
- 19. Kiosk identified within any Plan of Management for a specific public reserve.
- 20. Manufactured home placement within an approved manufactured home estate.
- 21. Modification of development consent under Section 96(1) of the Environmental Planning and Assessment Act 1979 (i.e. modifications involving the proposed correction of a minor error, misdescription or miscalculation only).
- 22. Modification of a development consent under Section 96(1A) of the Environmental Planning and Assessment Act 1979 (i.e. minimal environmental impact) and where it involves one of following scenarios:
 - (a) Internal alterations and / or additions to a dwelling-house or semi-detached dwelling, and
 - (b) Minor external changes which, in the opinion of Council, will not cause any adverse impact upon any adjoining properties.
- 23. Moveable dwelling installation or placement upon a site within an approved caravan park (excluding any camping ground site).
- 24. Rainwater tanks which: (i) have a maximum storage capacity of 20,000 litres (ii) a maximum 3.5 metre height above natural ground level and (iii) are located at least 3 metres from any side or rear property boundary.
- 25. Section 96 modification that was previously notified / advertised and the amendment to the application differs only in a minor nature and in the opinion of Council is unlikely to cause any adverse impact upon any adjoining property.
- 26. Solar heating or photovoltaic cells on the roof of any residential dwelling, commercial office building or industrial building.
- 27. Strata subdivision of an existing or approved development, except where the building is affected by the operation of State Environmental Planning Policy No. 10 Retention of Low Cost Rental Accommodation.
- 28. Torrens title subdivision of an existing or previously approved development.
- 29. Torrens title subdivision involving minor boundary adjustments which are not exempt development.
- 30. Tree Management Orders.

1.4 Applications for which notification / advertising is required prior to determination

- 1. See matrix table in section 13 of this DCP for specific development requirements.
- 2. Development not mentioned in the matrix table in section 13 will only be notified at the discretion of the Manager or the relevant Area Manager in Development Assessment and Certification Division.

1.5 Who will be notified of a Development Application?

1. All property owners and occupants, or who in the opinion of Council, may be adversely affected by a development proposal will be notified in writing in accordance with this Part of the DCP.

1.6 How will an application be notified?

- 1. Council will send a written notice of the subject Development Application to any affected property owner and occupant where, in the opinion of Council, the enjoyment of their land may be adversely affected by the proposed development.
- 2. Generally, written notification of an application will be limited to directly adjoining property owners and occupants. However, certain applications will be notified to adjoining property owners / occupants as well as neighbouring property owners and occupants within the immediate locality.
- 3. The determination as to whether neighbouring property owners are also notified of a development proposal will be in general accordance with Table 1 in section 13 of this DCP chapter. In exceptional circumstances, this decision will be at the discretion of the responsible assessing officer in consultation with the Manager or the Area Manager of the Development Assessment and Certification Division.
- 4. For major applications, Council may decide to extend the notification area, depending the upon the nature and potential environmental impacts associated with the development proposal. This decision will be at the discretion of the responsible assessing officer in consultation with the Manager or the Area Manager of the Development Assessment and Certification Division.
- 5. For certain applications, correspondence may also be forwarded to a public authority (i.e. other than government departments / statutory authorities from which formal concurrence or approval is required) where Council seeks specialist advice on a particular part of the application from that authority.
- 6. A single letter will be sent to the first property owner listed in Council's rating system, where a property is in multiple ownership.
- 7. For the purposes of establishing the property owner(s) of an adjoining or neighbouring property, Council shall rely upon its computer rating record database to determine the property ownership at the date of obtaining this information for preparation of the notification letter. Therefore, Council must be immediately notified of any change in property ownership by the purchasers' solicitor / conveyancer, otherwise Council will continue to advise the registered property owner in its rating record database of any new application.

1.7 When will an application be notified?

- 1. Generally, applications for dwelling-houses or other less complex development proposals will be notified shortly after the lodgement of the application.
- 2. However, applications will generally only be advertised when Council is of the opinion that sufficient information has been received by Council, to enable the public exhibition of the application. This may however not include all necessary information in which Council may require for its final assessment of the application.
- 3. For major development proposals, the public exhibition period may not commence until all requested additional information has been received. However, the timing of the public exhibition period will be at

- the discretion of the responsible assessing officer or the Area Manager of the Development Assessment and Certification Division.
- 4. If an application is notified and the need for an independent specialist report or other supporting documentation is identified during the assessment process, the application may be re-notified upon receipt of all necessary information where Council is of the opinion, that re-notification is necessary in the circumstances. However, the decision as to whether re-notification is required will be at the discretion of the responsible assessing officer or the Area Manager of the Development Assessment and Certification Division.

1.8 Public exhibition process & length

- 1. The public exhibition process for any Development Application will be in accordance with the Environmental Planning and Assessment Act 1979 & Regulation 2000 and this part of the DCP.
- 2. The length of the formal public exhibition period for each application will be in accordance with Table 1 in section 13 to this chapter, which reflects the legislative requirements of the Environmental Planning and Assessment Act 1979 and Regulation 2000 for specific development matters.

2 GENERAL NOTIFICATION REQUIREMENTS

2.1 Notification Letter

What will the Notification Letter include?

- 1. The standard notification letter will include:
 - (a) The application number;
 - (b) The street address & property description of the subject site to which the application is proposed to be carried out;
 - (c) Name of the applicant;
 - (d) A statement that Council is the consent authority:
 - (e) A brief description of the proposed development, namely, the key components of the application;
 - (f) A brief statement that the application and any supporting documentation is available for viewing at Council's administration building, during regular office hours or on-line via Council's online DA web tracking system;
 - (g) Dates of the exhibition period including final closing dates of exhibition period.
 - (h) A statement that any person may make a submission during the exhibition period concerning the application;
 - (i) A statement that any submission objecting to the proposal must state the grounds of objection;
 - (j) A statement that any submission may not be kept confidential and may be disclosed to either Councillors, Council staff, applicant(s), consultants or members of the public. Under the Government Information (Public Access) Act 2009 (GIPA Act), Council is obliged to allow for the public inspection of its documents, including any submission made to an application. Additionally, a person may make an application for access to documents including submissions, under the GIPA Act; and
 - (k) A statement that any person who makes a submission must complete a Political Donation and Gifts Disclosure Statement where that person has made a reportable political donation or gift to a Councillor or Council employee within a two (2) year period before the date of this application. The statement will also indicate that the failure to disclose relevant information is an offence under the Act and it is also an offence to make a false disclosure statement.
 - (I) A statement regarding any requested departure from a development standard.
 - (m) A statement that a person may contact their local Neighbourhood Forum.

- 2. Where the proposed development is defined as a designated development or an integrated development by the Environmental Planning and Assessment Act 1979 or Regulation 2000, the notification letter will include the notification letter requirements as prescribed by the EP & A Act 1979 and Regulation 2000.
- 3. Additionally, if the proposal is classified as a "threatened species development", then the notification requirements for this development category will also be included in the notification letter.

2.2 Site Notice

- 1. Any Development Application which is classified as a designated development will require a specific site notice to be prepared in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Regulation 2000.
- 2. However, the responsible assessing officer or relevant Area Development Manager of the Development Assessment and Certification Division may use their discretion to require the erection of a site notice for other applications.
- 3. The site notice will be generally erected upon the front property boundary of the site by a sign post or alternatively, the site notice may be affixed to a fence or part of the building façade where the notice will be more prominently displayed. The site notice will be displayed so it is capable of being read from the road reserve (footpath area) or other public domain area, wherever practicable.
- 4. Where the site is a corner site or has two frontages, the site notice will be placed on the primary street frontage.
- 5. The Site Notice will contain all relevant information on the development proposal as required by the Environmental Planning and Assessment Regulation 2000.

2.3 Newspaper Advertisement

- 1. The requirement for local newspaper advertisement of any Development Application or other application shall be in accordance with Table 1 in section 13 of this chapter.
- 2. Additionally, Council may decide to formally advertise any major application (i.e. other than prescribed developments) in a local newspaper where such advertising is considered necessary to allow for broader public participation into the application process. The decision as to whether a certain application will require newspaper advertising will be at the discretion of the responsible assessing officer in consultation with the Manager or the relevant Area Manager of the Development Assessment and Certification Division.

2.4 Library Exhibition

1. Any application for a major proposal (i.e. designated development, integrated development or other advertised major development proposals) will be displayed in an easily accessible location at the Council's central library in Council's Administration Building at 41 Burelli Street, Wollongong. Additionally, major applications will also be displayed at the closest local library to the subject site. The public exhibition of the application and any supporting documentation shall occur during the formal notification period only.

2.5 Other Notification and Consultation Opportunities

- 1. Wollongong City Council may provide a range of additional ways in which the community may view and comment on certain applications. These opportunities may include:
 - a. Web Forums;
 - b. Wollongong City Council Website DA Web Tracking System;
 - c. Ward Kiosk;
- 2. The type and level of additional notification provided for a specific application will be at the discretion of the Manager or the Area Manager of the Development Assessment and Certification Division.

3. Ward kiosks will normally be run by staff from Council's Engagement team and / or staff from Council's Development Assessment and Certification Division.

3 COSTS OF NOTIFICATION

1. The applicant is required to pay for the cost of advertising and notification in accordance with Council's adopted fees and charges.

4 NOTIFICATION ACROSS LOCAL GOVERNMENT BOUNDARIES

- 1. Where an application may, in the opinion of Wollongong City Council, detrimentally affect property owners of land outside Wollongong City Local Government Area (LGA), Council will contact the neighbouring Council to provide them with sufficient information to enable them to adequately inform such property owners.
- 2. The notification of property owners outside the Wollongong City LGA regarding any application is at the discretion of the neighbouring Council.
- 3. For major applications, the application may also be advertised in the Illawarra Mercury which provides coverage to all areas within the Illawarra Region. This decision will be at the discretion of the responsible assessing officer in consultation with the Manager or Area Manager of the Development Assessment and Certification Division.

5 PUBLIC EXHIBITION OF APPLICATIONS FOR THE DECEMBER TO JANUARY CHRISTMAS PERIOD

- Applications received after close of business on the last Friday in November in any year and prior to the third Monday in January in the following year will be placed on public exhibition for a period of 31 days.
- 2. Any application lodged with Council prior to close of business on the last Friday in November but not exhibited prior to close of business on the following Monday due to additional information being required will be exhibited for 31 days.
- 3. This clause does not apply to applications where the Environmental Planning and Assessment Regulation 2000 stipulates a maximum notification / advertising period i.e.
 - (a) Applications under Section 82A of the Environmental Planning and Assessment Act 1979 (Clause 113A of the Environmental Planning and Assessment Regulation 2000); and
 - (b) Applications for modification of development consent under Sections 96(2) and 96(AA) to which Clause 119 of the Environmental Planning and Assessment Regulation 2000 applies.
- 4. For these applications outlined in the paragraph directly above, Council will not commence the exhibition period until the second Monday in January the following year.

6 MAKING A SUBMISSION

- 1. Any person (including the occupant of an adjoining or neighbouring property) is entitled to make a submission which may object to or support an application within the notification period, whether or not a notification letter has been forwarded to that person.
- 2. Submissions must be made in writing and will be received by Council up to the close of business on the closing date appearing in the written notification letter or in the local newspaper advertisement.
- 3. In certain circumstances, the Manager or the relevant Area Development Manager of the Development Assessment and Certification Division (in consultation with the Manager Development Assessment and Certification Division) may approve an extension to the closing date for submissions for a particular application. However, extensions to the final closing date for submissions will generally only be permitted in cases where a major application is involved and in Council's opinion, it is reasonable to allow interested stakeholders the opportunity to thoroughly review the proposal and any accompanying specialist report(s), prior to making any submission on the proposal.

- 4. Any extensions granted by the Manager or the relevant Area Development Manager of the Development Assessment and Certification Division will appear on Council's web page and will not be advised through additional letters sent to those previously notified.
- 5. Any written submission raising objection to the development must state the grounds for objection. In this regard, the grounds of objection may be summarised in a series of bullet points with appropriate comments attached on each bullet point. Additionally, Council welcomes any advice or comments on how an application may be amended or altered which may help to resolve some or all of the issues of concern.
- 6. The written submission should clearly indicate the submitter's name and address as well as daytime contact details including telephone number and / or mobile phone number, in order to allow Council staff the ability to contact the submitter to discuss the contents of their submission or in some circumstances to arrange a site inspection of the person's property to assess the issues raised.

6.1 Options for the Lodgement of a Submission

- 1. Any of the following methods of submission are acceptable:-
 - (a) Personal delivery: Wollongong Council Administration Building 41 Burelli Street, Wollongong between the hours of 9 am to 5 pm Monday to Friday
 - (b) Post: Locked Bag 8821, Wollongong, NSW 2500
 - (c) Fax: 612 4227-7277
 - (d) E-mail: council@wollongong.nsw.gov.au
 - (e) On-line: A submission may be made for each exhibited application directly via the online application tracking website at: www.wollongong.nsw.gov.au/planning/exhibition.asp
- 2. Each submission must include the following information:
 - (a) Addressed to the GENERAL MANAGER;
 - (b) Development Application Number;
 - (c) Address of the property;
 - (d) Date for which the submission is made:
 - (e) State the ground of any support or objection expressed in the submission such as maps and photos;
 - (f) Any other supporting information that will assist in the submission;
 - (g) Solutions to issues or suggestions for ways in which the plans could be amended to provide a better result or outcome; and
 - (h) Reply postal address and daytime contact telephone or mobile phone number.

6.2 Reporting of any Political Donation or Gift to a Councillor or Council Employee within a Two (2) Year Period before the Lodgement Date of the Application

- 1. Under Section 147 of the Environmental Planning and Assessment Act 1979, any reportable political donation to a Councillor and/or any gift to a Councillor or Council employee within a two (2) year period before the lodgement date of this application, must be publicly disclosed as part of any public submission made.
- 2. If you make a public submission (objection or support) and have, or are aware of any person having a financial interest in the application, made a 'reportable political donation' or 'gift' to a Councillor or Council employee within a two (2) year period before the lodgement date of this application, you must complete a Political Donation and Gifts Disclosure Statement and lodge it with the submission. In

- addition, you must disclose to Council in writing within 7 days any reportable political donation or gift made after lodgement of the application and prior to its determination.
- 3. Failure to disclose relevant information is an offence under the Environmental Planning and Assessment Act 1979. It is also an offence to make a false disclosure statement.

7 RECEIPT AND ACKNOWLEDGEMENT OF SUBMISSIONS BY COUNCIL

- 1. The receipt of all submissions will normally be acknowledged in writing by Council, within 14 days from the date of receipt of the submission.
- 2. However, Council will only provide an acknowledgement letter to the head signatory of any preprinted or pro-forma letter or petition. Therefore, it is important that the name and address details of the head signatory are clearly legible. The daytime telephone contact details of the head signatory on a petition or pro-forma letter is also requested, to enable Council to contact the head signatory, in order to clarify any issue raised in the submission, if necessary.
- 3. It should be noted that for the majority of applications, individual replies to specific questions raised in a submission cannot be guaranteed. However, the final assessment of an application by Council staff will involve the thorough assessment of all issues raised in the public submissions received for the particular application.
- 4. Under the Local Government Act 1993, any submissions including any personal information such as names and addresses are available for public inspection and will not remain confidential.
- 5. A person may request Council (in the form of a statutory declaration) to suppress the personal details in your submission from public inspection, if they consider that their or your families' personal safety or well-being may be affected if the information is not suppressed. Any such request will be considered and determined in accordance with the Privacy and Personal Information Protection Act 1998.

8 CONSIDERATION OF LATE SUBMISSIONS

1. Consideration of late submissions is at the discretion of the Manager Development Assessment and Certification Division. Generally, late submissions will only be able to be considered in circumstances where the responsible assessing officer is still undertaking the final assessment of the application. However, in circumstances where the final planning assessment report on the application has been completed, consideration of the issues raised in a late submission will not be possible.

9 ASSESSMENT OF PUBLIC SUBMISSIONS AFTER THE CLOSE OF THE PUBLIC EXHIBITION PERIOD

- 1. Following the closure of the public exhibition period, Council staff will undertake a thorough review of all issues raised in any public submissions received on an application. All issues raised in public submissions will be thoroughly assessed by the responsible assessing officer during the final assessment of the application.
- 2. In some cases, Council may formally require further additional information from the applicant to address a particular issue raised in a submission or to provide additional information which is necessary for the final assessment of the application. The responsible assessing officer shall in consultation with the Manager or the Area Manager of the Development Assessment and Certification Division determine whether re-notification of the application is necessary.

10 INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP)

1. A range of development types will be referred to Council's IHAP. These are outlined in Council's IHAP charter which can be found at www.wollongong.nsw.gov.au or by contacting Council's Customer Service Centre.

How can stakeholders (applicant's and objectors) be involved in the IHAP hearing?

- 1. During the public hearing the objectors and the applicant will be given the opportunity to speak (generally submissions are kept to a maximum of 3 minutes). The Panel may limit the number of objectors who speak or encourage a spokesperson to convey the common issues where practical. The Panel may ask questions of the objectors and the applicant.
- 2. After all speakers have been heard the meeting is closed and the Panel will retire and make their assessment in private. Given that stakeholders have been provided an opportunity to make submissions at the Hearing, there is no further opportunity for applicants and objectors to speak at the Council meeting at which the matter may be determined.

11 NOTIFICATION OF THE FINAL DETERMINATION OF AN APPLICATION

- 1. The Council will give written notice of the determination of an application to each person who made a written submission in relation to that application or who participated in facilitation or addressed the IHAP. This notice will indicate whether the application was granted development consent or refused and will indicate the actual determination date.
- 2. The notice of determination will, wherever possible, be sent to each person who made a submission on the application within 14 days of the determination date.
- 3. Additionally, Council will notify all determined Development Applications in a local newspaper in accordance with section 101 of the Environmental Planning and Assessment Act 1979.

Complying Development

 A notification letter of the issue of the Complying Development Certificate will be posted to the address of the adjoining property owners and occupants as recorded in Council's rating records database. This letter will only advise that the determination has been issued.

12 NOTIFICATION OF NSW LAND AND ENVIRONMENT COURT APPEALS

1. In the event of an application being subject to an appeal in the NSW Land and Environment Court, all persons who made a submission on the application will be notified of the appeal.

13 MATRIX NOTIFICATION REQUIREMENTS FOR DEVELOPMENT APPLICATIONS, SECTION 96 (1A) & (2) MODIFICATION

Applications & Section 82a review of determination applications

LEGEND NOTES:

- ✓ Notification / Advertising / Site Notice / Consultation required
- x Notification / Advertising / Site Notice / Consultation not required
- At the discretion of the Manager Development Assessment and Certification Division or Area Development Manager in the Development Assessment and Certification Division.

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Development Description	Adjoining Land	Written notice (Neighbouring Properties in Proximity to the Site)	Newspaper Advertisement	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Development involving a variation to a development standard	✓	✓	✓	14 Days
Activity application	х	х	х	14 Days
Advertising Structures / Signs	✓	✓	•	14 Days
Amusement Centres	✓	✓	✓	14 Days
Ancillary structures	✓	х	х	14 Days
Animal Boarding or Training Establishment	✓	✓	•	14 Days
Any structures encroaching on building alignment (front, rear or secondary (for corner allotments)	✓	•	х	14 Days
Any applications associated with/or without a Building Certificate seeking to legitimise illegal works.	~	•	•	14 Days
Attached Dwellings	✓	•	х	14 Days
Backpacker's Accommodation	✓	✓	✓	14 Days
Bed & Breakfast Accommodation	✓	✓	х	14 Days
Boarding-houses	✓	✓	✓	14 Days
Brothels (Sex Service Premises)	✓	✓	✓	14 Days
Bulky Goods Premises	✓	✓	✓	14 Days
Bus Stations	✓	✓	х	14 Days
Business Premises	✓	•	х	14 Days
Car Parks	✓	✓	✓	14 Days
Child Care Centres	✓	•	✓	14 Days
Community Facilities	✓	•	✓	14 Days
Drainage Works / Flood Mitigation Works	✓	•	•	14 Days
Dual Occupancies	✓	•	х	14 Days
Alterations & additions to existing single and two storey dwellings New single and two storey dwellings regardless of side setback	~	•	x	14 Days

Development Description	Adjoining Land	Written notice (Neighbouring Properties in Proximity to the Site)	Newspaper Advertisement	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Earthworks (Excavation or Land Filling Works)	✓	•	•	14 Days
Eco-tourism Developments	✓	✓	✓	14 Days
Educational Establishments	✓	•	✓	14 Days
Emergency Service Facilities	✓	•	•	14 Days
Environmental Protection Works	✓	•	•	14 Days
Entertainment Facilities	✓	✓	✓	14 Days
Exhibition Homes & Exhibition Villages	✓	•	•	14 Days
Extensive Agriculture	✓	•	х	14 Days
Extractive Industries	✓	•	✓	14 Days (excluding Designated Developments)
Farm Buildings	✓	х	х	14 Days
Farm Stay Accommodation	✓	•	х	14 Days
Food and Drink Premises	✓	•	х	14 Days
Forestry Operations	✓	•	•	14 Days
Function Centres	✓	✓	✓	14 Days
Funeral Chapels & Funeral Homes	✓	✓	✓	14 Days
Helipad	✓	✓	✓	14 Days
Heliport	✓	✓	✓	14 Days
Health Consulting Rooms	✓	•	✓	14 Days
Home-based Child Care or Family Day Care	✓	•	х	14 Days
Home Business	✓	•	•	14 Days
Home Industries	✓	•	•	14 Days
Hospitals (where Council is the consent authority)	✓	✓	✓	14 Days

Development Description	Adjoining Land	Written notice (Neighbouring Properties in Proximity to the Site)	Newspaper Advertisement	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Hostels	✓	✓	✓	14 Days
Hotel or Motel Accommodation	✓	✓	✓	14 Days
Industries	✓	•	•	14 Days (excluding Designated Development)
Information and Education Facilities	✓	•	✓	14 Days
Kiosks	✓	х	х	14 Days
Landscape and Garden Supplies	✓	✓	✓	14 Days
Light Industries	✓	•	х	14 Days
Markets	✓	•	•	14 Days
Medical Centres	✓	✓	✓	14 Days
Multi-Dwelling Housing (Villas, Townhouses & 3 Storey Walk-up Residential Flats)	✓	✓	✓	14 Days
Mixed Use Retail, Commercial Office & Residential Apartment Building Developments	✓	✓	✓	14 Days
Neighbourhood Shops	✓	•	х	14 Days
Office Premises	✓	•	✓	14 Days
Passenger Transport Facilities	✓	✓	✓	14 Days
Places of Public Worship	✓	✓	✓	14 Days
Pond Based Aquaculture	✓	✓	✓	14 Days (excluding Designated Developments)
Pubs and Registered Clubs	✓	✓	✓	14 Days
Public Administration Buildings	✓	•	х	14 Days
Public Utility Undertakings	✓	•	•	14 Days
Recreation Areas	✓	•	•	14 Days
Recreation Facility (Indoor)	✓	•	•	14 Days

Development Description	Adjoining Land	Written notice (Neighbouring Properties in Proximity to the Site)	Newspaper Advertisement	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Recreation Facility (Outdoor)	✓	✓	✓	14 Days
Rural Supplies	✓	•	х	14 Days
Residential Flat Buildings	✓	✓	✓	14 Days
Restricted Premises	✓	✓	✓	14 Days
Rural Industries	✓	•	•	14 Days
Secondary Dwellings	✓	•	х	14 Days
Semi-detached Dwellings	✓	•	х	14 Days
SEPP 5 Senior Living Facilities / Residential Care Facilities	✓	•	•	14 Days
Subdivision of land	✓	✓	✓	14 Days
Swimming Pools with a setback from any side or rear property boundary less than 900mm	✓	х	х	14 Days
Swimming Pools located less than 3 meters from any side or rear property boundary with a pool coping greater than 300mm in width and a height greater than 600mm above natural ground level.	~	x	x	14 Days
Telecommunications & Radio-communications Facilities	✓	✓	✓	14 Days
Temporary Uses of Land	✓	•	✓	14 Days
Warehouse or Distribution Centre	✓	•	✓	14 Days
Waste Disposal Facility	✓	✓	✓	14 Days (excluding Designated Development)
Waste Management Facility	✓	✓	✓	14 Days (excluding Designated Development)
Waste or Resource Management Facility	✓	✓	✓	14 Days (excluding Designated Development)
Waste or Resource Transfer Station	✓	√	✓	14 Days (excluding Designated Development)
Veterinary Hospitals	✓	✓	✓	14 Days

Applications requiring specific advertising / notification

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Development Description	Adjoining Land	Neighbouring Land in Proximity to the Site (Notification Area may be enlarged if considered necessary by Council)	Site Notice	Newspaper Advertisement	Consultation with Government Departments / Statutory Authorities Required	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Applications involving any departure from a development standard contained in an environmental planning instrument	•	•	•	•	•	Min. 14 Days
Applications involving Items of Environmental Heritage or sites within a Heritage Conservation Area (Development that is not considered minor work)	✓	•	•	•	•	30 Days after first notice in the letter / newspaper
Category 1 Remediation Works – SEPP 55	✓	•	•	•	•	30 Days after first notice in letter / newspaper (except for Category 1 as part of a Designated Development in which case the public exhibition period may be longer)
Development Applications involving Voluntary Planning Agreements (VPAs)	•	•	•	✓	Approval of Minister may be required (Section 93F of EP&A Act 1979)	28 Days
Designated Development	√	√	✓	√	•	30 Days after first notice in the letter / newspaper
Nominated Integrated Development (Advertised Development)	✓	•	•	✓	•	30 Days after first notice in the letter / newspaper
Other Advertised Development	✓	•	•	✓	•	14 Days
Potentially Hazardous or Potentially Offensive Industries (SEPP 33)	√	•	•	√	•	30 Days after first notice in the letter / newspaper

Development Description	Adjoining Land	Neighbouring Land in Proximity to the Site (Notification Area may be enlarged if considered necessary by Council)	Site Notice	Newspaper Advertisement	Consultation with Government Departments / Statutory Authorities Required	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Section 96(1) Modification Applications (not required if exempt under section 4 of DCP)	х	х	х	х	х	Х
Section 96 (1A) Modification Applications (not required if exempt under section 4 of DCP)	•	As per Original Development Application & each person who made a previous submission (will be sent to the last known address)	As per Original Development Application & each person who made a previous submission (will be sent to the last known address)	As per Original Development Application & each person who made a previous submission (will be sent to the last known address)	Notification required to each concurrence authority or approval body for any modification to a development consent (Clause120 of the EP & A Reg. 2000)	14 Days
Section 96(2) Modification Applications for Certain Development Consents (Designated Development, State Significant Advertised Development, Any other advertised development where the application was made to a consent authority other than Council)	•	Written notification required to all persons who made a submission in relation to the original Development Application. (will be sent to the last known address)	As per Original Development Application (will be sent to the last known address)	Mandatory Local Newspaper advertisemen t (Clause 118 of the EP & A Reg.2000)	Notification required to each concurrence authority or approval body for any modification to a development consent (Clause120 of the EP & A Reg. 2000)	Minimum 14 days after the first day of notice in the local newspaper (Clause 118 of the EP & A Reg.2000)
Section 96(2) Modification Applications for Other Development Consents	~	As per Original Development Application (will be sent to the last known address)	As per Original Development Application . (will be sent to the last known address)	As per Original Development Application . (will be sent to the last known address)	•	Maximum 14 days (Clauses 119 of the EP & A Reg. 2000)
Section 82A Review of Determination Applications	✓	As per Original Development Application. (will be sent to the last known address)	As per Original Development Application. (will be sent to the last known address)	As per Original Development Application. (will be sent to the last known address)	•	Maximum 14 Days (Clause 113A of the EP & A Reg. 2000)

Development Description	Adjoining Land	Neighbouring Land in Proximity to the Site (Notification Area may be enlarged if considered necessary by Council)	Site Notice	Newspaper Advertisement	Consultation with Government Departments / Statutory Authorities Required	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter or newspaper)
Section 96(AA) Modification of Court approved applications	•	As per Original Development Application. (will be sent to the last known address)	As per Original Development Application. (will be sent to the last known address)	As per Original Development Application. (will be sent to the last known address)	•	14 Days
Threatened Species Development	•	•	•	√	•	30 Days after first notice in the letter / newspaper

14 DEFINITIONS

Activity Application is an application made for a range of activity matters listed under section 68 of the Local Government Act 1993.

Adjoining Property means a parcel of land that directly adjoins the development site or is directly opposite the development site and is only separated by a road, laneway, pathway or the like.

Advertised Development means a development (i.e. other than Designated Development) which is either a nominated integrated development, threatened species development, Class 1 aquaculture development or any other development that is advertised development by an environmental planning instrument or a development control plan.

Ancillary Structures includes but is not limited to garages, carports, sheds, cabanas, pergolas, decks, aviaries, minor retaining walls, fences and the like.

Applicant means the person who has lodged a Development Application, Section 96 Modification Application, Section 82A Review of Determination Application, Activity Application or other specific application types.

Designated Development means development that is declared to be designated development by an environmental planning instrument, including Schedule 3 of the Environmental Planning and Assessment Regulation 2000.

Facilitation means a meeting in which information is exchanged and which seeks to improve communication and understanding by clarifying issues and establishing facts. It identifies or lists concerns and/or options to better define problems or issues. It also helps to identity relevant stakeholders. Its main objective is not seen as one of resolving disputes; however this may occur in the course of exploring issues.

Integrated Development is development which requires development consent and concurrence approval under a number of other acts, as set out under section 91(1) of the Environmental Planning and Assessment Act 1979.

Neighbouring Property means any property other than "adjoining properties" which may be detrimentally affected by the proposed development (as determined by Council) and may include properties in a neighbouring Council Local Government Area.

Nominated Integrated Development means integrated development (not being State significant development, threatened species development or Class 1 aquaculture development) that requires approval (within the meaning of section 90A of the Environmental Planning and Assessment Act 1979) under:

- (i) A provision of the Heritage Act 1977 (section 91(1) of the Environmental Planning and Assessment Act 1979);
- (ii) A provision of the Water Management Act 2000 (section 91(1) of the Environmental Planning and Assessment Act 1979);
- (iii) A provision of the Protection of the Environment Operations Act 1997 (section 91(1) of the Environmental Planning and Assessment Act 1979);

Property Owner means:

- (i) The person(s) who appear on Council's computer rating records as the registered property owner(s).
- (ii) In the case of land that is the subject of a strata scheme under the Strata Titles Act 1973 or a leasehold strata scheme under the Strata Titles (Leasehold) Act 1986, the Owner's Corporation.
- (iii) In the case of land that is a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989, the Association for that parcel of land.