



## Development Applications - Exhibition and Notification Policy

Application	Developers and <b>Building &amp; Regulatory Services Staff</b>
Responsible Officer	<b>Building &amp; Regulatory Services Manager</b>
File No	CM:POL:CWP
Authorised by	Council
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### Purpose

To specify the types of development applications that require public exhibition and notification prior to determination, in accordance with the *Environmental Planning & Assessment Regulation 2000*.

### Definitions

*Development* means:

- (a) the use of land, and
- (b) the subdivision of land, and
- (c) the erection of a building, and
- (d) the carrying out of a work, and
- (e) the demolition of a building or work, and
- (f) any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument,

but does not include any development of a class or description prescribed by the regulations for the purposes of this definition.

*Development application* is a formal request to carry out a specific type of development required to be lodged with Council for approval to carry out any form of development work that is not deemed to be exempt development or complying development.

*Designated development* is development described in Part 1 schedule 3 of the *Environmental Planning & Assessment Regulation 2000*. It includes, agricultural produce, aircraft, aquaculture, artificial water bodies, breweries and distilleries, ceramic and glass industries, chemical industries and works, chemical storage, coal mines, intensive livestock, mining, sewerage and waste management processing facilities.

*Integrated development* is the planning category which links development consent for matters under Part 4 of the *Environmental Planning & Assessment Act 1979* with any associated approval, licence, concession or permit required under other legislation.

*Local Environmental Plan (LEP)* is a legal document prepared by Council and approved by the State Government to regulate land use and development. LEPs guide planning decisions for local governments. The Carrathool Shire Council LEP allows Council to regulate the ways in which all land both private and public may be used and protected through zoning and development controls.

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## Reference

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

*Environmental Planning & Assessment Act 1979*

*Environmental Planning & Assessment Regulation 2000*

*Carrathool Shire Council Local Environmental Plan 2012*

## Policy statements

That the following development applications require public exhibition and/or notification prior to determination.

Type of Development	Exhibition Notification	Period
Designated Development	Site notice, print media & adjoining and adjacent landowners	Minimum 30 days (Clause 78 EP&A Reg 2000)
Integrated Development	Site notice, print media & adjoining and adjacent landowners	Minimum 30 days (Clause 89EP&A Reg 2000)
Development affected by the Threatened Species Conservation Act 1995	Site notice, print media & adjoining and adjacent landowners	Minimum 30 days (Clause 89 EP&A Reg 2000)
Development within the Conservation Area	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Development affecting a Heritage Item as listed in a Schedule of the proposed Carrathool Shire Council Local Environmental Plan 2012	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Boarding-houses	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Hotels	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Motels	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Residential Flat Buildings / Dual Occupancies	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Industries (other than home or rural industries) in Zone RU1 and R5.	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)

Type of Development	Exhibition Notification	Period
Intensive Livestock Keeping Establishments	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)



Junk Yards	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Liquid Fuel Depots	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Sawmills	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Stock and Sale Yards	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Any development where Council is the applicant, landowner or is in care and control of the land in question	Site notice, print media & adjoining and adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Any Development that seeks a variation to Council's existing building lines policy within the residential precinct	Adjoining and Adjacent landowners	Minimum 14 days (Clause 89 EP&A Reg 2000)
Any development that staff feel should be notified or exhibited i.e. development that is does not meet with the criteria for complying development (typically but not limited to relocated dwellings).	The discretion of staff	Minimum 14 days (Clause 89 EP&A Reg 2000)

**Revision Table**

Minute /Date	Amendment Summary	Reason or Reference
0463/15.05.2005	Policy commencement	Dept Local Government recommendation
19.09.2011	Nil	Reviewed by General Manager
0612/18.03.2014	New LEP zones	Reviewed and Reformatted
1131/22.10.2019	Changes to the Act	Reviewed and Reformatted

**Associated Documents**

Nil

**Review**

This policy may be amended from time to time and will be reviewed within four years of its adoption (or latest amendment) with reference to any relevant legislation, best practice guides, or other factor.