

ITEM 10

DRAFT COMMUNITY PARTICIPATION PLAN - ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

Community Participation Plans (CPPs) are a new requirement under the *Environmental Planning and Assessment Act 1979* (the Act). A CPP outlines how and when planning authorities engage with the community across their planning functions. Council is required to have the final version of the CPP published on the NSW Planning Portal by 1 December 2019.

A draft Community Participation Plan (CPP) has been prepared for exhibition. The CPP will replace Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures, which currently outlines how Council exhibits development applications.

## RECOMMENDATION

- 1 The Draft Community Participation Plan be exhibited for a minimum period of 28 days.
- 2 The exhibition material include advice that the Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures is proposed to be repealed, upon the commencement of the Community Participation Plan.

## REPORT AUTHORISATIONS

Report of: David Green, Manager City Strategy (Acting)  
Authorised by: Chris Stewart, Director Planning and Environment - Future City and Neighbourhoods (Acting)

## ATTACHMENTS

- 1 Draft Community Participation Plan

## BACKGROUND

Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures, currently outlines how, when and for what period Council exhibits development applications and modifications.

On 1 March 2018, amendments to the Environmental Planning and Assessment Act 1979 (the Act) commenced including a requirement for all councils to prepare a Community Participation Plan (CPP) by 1 December 2019. In October 2018, the (then) Department of Planning and Environment exhibited a draft Community Participation Plan for that organisation, and as a template. The stated purpose of a CPP is to provide a single document that the community can access that sets out all of council's community participation requirements under the planning legislation, including all minimum mandatory exhibition timeframes.

Currently councils outline community participation requirements in multiple documents including a notification development control plan and community engagement plan or strategy prepared under section 402 of the Local Government Act 1993. This includes information setting out specific exhibition timeframes (sometimes referred to as notification periods) for types for development applications.

The State requires councils to transfer all its planning functions community participation requirements (sometimes referred to as notification, advertising or submission periods) from Development Control Plans to their CPP or a community engagement strategy prepared to meet the CPP requirement.

Planning functions include the exhibition of development applications, draft Planning Proposals and draft Planning Policies. The CPP only applies to planning functions and not other exhibition requirements, for example draft Plans of Management exhibited under the Local Government Act 1993.

Council has the option to prepare a standalone CPP or include the requirements in a community engagement plan/strategy prepared under the Community Strategic Plan (section 402 of the Local Government Act 1993).

The CPP should be clear about what is meant by public exhibition, which could be described as -

- Giving notice to individual land owners / occupiers
- Determining an appropriate exhibition timeframe
- Advertising the exhibition notice, including how submissions can be made
- Making documents publicly available

A CPP should include all other non-mandatory community participation commitments including when extended public exhibition will occur or targeted consultation.

The CPP should set out, as a minimum, the following -

Schedule 1 to the EP&A Act	Minimum Community Participation Requirement
Draft community participation plans	28 days
Draft local strategic planning statements	28 days
Planning proposals for local environmental plans subject to a gateway determination	28 days or - <ul style="list-style-type: none"> <li>a If a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or</li> <li>b If the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition.</li> </ul>
Draft development control plans	28 days
Draft contribution plans	28 days
Application for development consent (other than for complying development certificate, for designated development or for State significant development)	14 days or - <ul style="list-style-type: none"> <li>a If a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified, or</li> <li>b If the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition.</li> </ul>
Application for development consent for designated development	28 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	The period (if any) determined by the consent authority in accordance with the relevant community participation plan.
Environmental impact statement obtained under Division 5.1	28 days

On 23 July 2018 Council adopted the Community Engagement Policy which details how, why and when Council engages with the community on all projects. Despite Council having this overarching policy, Council is still required to prepare a CPP.

## PROPOSAL

A draft Community Participation Plan (CPP) has been prepared (Attachment 1). The draft CPP incorporates all Council planning functions, whereas Appendix 1 Public Notification and Advertising Procedures of the DCP related solely to Development Assessment and Determinations. The draft CPP incorporates key elements from the Wollongong Development Control Plan 2009 – Appendix 1. The draft CPP has been prepared under Council's overarching Community Engagement Policy and does not duplicate the information in the policy.

As required by the Department of Planning, Industry and Environment (the Department), the CPP has been written in plain language to make an easily understood document that will encourage community participation in planning.

The draft CPP is structured in a sequence which reflects the notification process. Planning functions are firstly defined with information provided that is pertinent to that category. The CPP then explains how members of the community can participate in the planning functions of the Council. This includes details on how to make submissions and what information should be included. Details on how Council will respond and provide information on determinations follows.

Links are provided within the draft CPP to relevant pages of Council's, and the Department's website. This allows community members easy access to further detail on certain topics, without needing to repeat definitions and processes not required within the CPP. The principles of Community Engagement are also incorporated into the document, without replicating the entirety of the Community Engagement Strategy.

This makes the CPP a much easier plan to navigate than the previous notification policy, as it is more user friendly, and therefore inclusive.

The draft plan includes Sections 13 - Matrix notification requirements for Development Applications and Section 1.3 – Applications for which notification/advertising is not required from Appendix 1. They have been revised and updated, in consultation with Managers from Development Assessment and Compliance, and are included as Schedules 2 and 3 respectively.

One important change is the removal of the requirement to advertise certain applications in the newspaper. Integrated and Designated developments will remain advertised development, however other types of development applications will not. As exists presently, there remains the ability for a Development Application to be advertised, at the relevant Area Managers discretion, if the wider community would benefit.

In resources provided by the Department, to assist Councils in the preparation of their CPPs, it was suggested that newspaper advertisements should not be committed to within the CPP. The Department is investigating making notification requirements online rather than newspaper publication. The draft CPP reflects this and additional notification is required, for certain development categories, to offset the removal of newspaper advertising for some planning functions. It is noted that local newspapers are no longer available in some parts of the Local Government Area.

The key changes to the notification requirements are detailed as follows –

- Some development categories have been updated to increase the level of written notification, to offset the removal of newspaper advertising for certain DAs. Where in Appendix 1 a Development Application may have required written notice to adjoining land and newspaper advertisement, such development categories have been updated to include or consider written notice to neighbouring land also. This is either at Managers' discretion, for lower impact development categories (such as ancillary structures) or is mandatory for those likely to attract more public interest (such as multi-dwelling housing). This will ensure that those community members most likely to be interested in the potential impacts of a development application are notified. It also allows Managers' discretion for development categories with variable impacts
- Updated legend for Notification requirements Matrix to reflect new requirements

- Designated and Integrated Development Added to matrix. Activity application removed as they are not normally notified. This is reflected in Schedule 3
- Ancillary structures amended to include the requirement that -
  - They will only be advertised if they are less than 0.9m from side and rear property boundaries.
  - They not be advertised if they have -
    - A maximum height of 3.5m above natural ground level
    - A maximum wall/eave height of up to 2.7m above natural ground level and a minimum 0.9m setback from any side or rear property boundary
- Development descriptions updated to align with the definitions contained within the Wollongong LEP 2009 land use table. Development Descriptions align with the Land Use Matrix. For instance, Bed & Breakfast Accommodation has been removed as it is covered by the higher order definition Tourist & Visitor Accommodation.
- Minor changes to development categories to remove unnecessary wording.
- Dwelling houses category amended to avoid conflicts with schedule 3 carried over from Section 1.3 of Appendix 1.
- All measurements standardised and expressed as metres.
- References to sections of the Environmental Planning and Assessment Act 1979 have been updated to reflect new numbering which commenced 1 March 2018.

## CONSULTATION AND COMMUNICATION

The draft Community Participation Plan was prepared in consultation with the Development Assessment and Certification Division and the Community Development and Engagement Team.

If Council endorses the draft Community Participation Plan, it will be exhibited for a minimum period of 28 days.

Copies will be available on Council's website and at Council's Administration Centre and libraries. Following the exhibition period, a report on submissions will be prepared for Council's consideration, along with a recommendation regarding adoption.

## PLANNING AND POLICY IMPACT

The CPP is required to be adopted by 1 December 2019. If not, all development applications are required to be notified.

This report contributes to the delivery of Our Wollongong 2028 goal "We are a connected and engaged community".

It specifically delivers on core business activities as detailed in the Land Use Planning Service Plan 2019-20.

## CONCLUSION

The Community Participation Plan is an important policy for the Council and incorporated overdue updates to Appendix 1 of the Wollongong DCP 2009.

It is recommended that the draft Community Participation Plan (2019) (Attachment 1) be exhibited for community comment.

## Draft Community Participation Plan

The Community Participation Plan (CPP) outlines how Council will inform and engage with the community about planning and development matters. The CPP also provides information on how you, as the community, can participate in planning matters. Other matters, not directly related to planning, are covered by Council's [Community Engagement Policy](#).

The CPP applies to all land within the Wollongong Local Government Area (LGA). The CPP sets out Council's exhibition requirements, as required by the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

This plan replaces the Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures, which currently outlines how Council exhibits development applications. The CPP provides notification and engagement requirements for all planning matters, including -

- Development Application (DA) determinations
- Preparation of strategic plans
- Other relevant planning policies
- Decisions made by the Local Planning Panel.

The CPP reflects Council's community engagement objectives which we use to guide our notification strategies when inviting the community to participate in local planning.

### Community Engagement

Community engagement is how we reach out and encourage you, our community, to talk with us about the plans, projects and policies we develop on your behalf, for the LGA. It is about asking and listening to the community to help us make decisions. We recognise that the community has an interest, and a right, to be informed about planning matters and given opportunities to participate in strategic planning for the LGA.

Community Engagement is important, it -

- Informs decision making
- Builds relationships and trust
- Strengthens community
- Builds a sense of belonging
- Keeps the community informed.

Our commitment to community engagement is detailed in Council's [Community Engagement Policy](#). We are committed to the following principles for community engagement -

- We aim to be flexible
- We will be inclusive
- We believe community engagement is important for good governance
- We aim to effectively plan each engagement
- We will give you feedback.

## Public Exhibition

There are mandatory and non-mandatory consultation requirements for planning matters that are to be publically exhibited. Mandatory requirements for community participation are set out by Section 2.6 of the Environmental Planning & Assessment Act 1979 (EP&A Act) and the Environmental Planning & Assessment Regulation 2000. This includes the minimum exhibition periods, public notification obligations and the requirement to provide reasons for planning decisions made, such as for development assessments.

**Schedule 1** below contains the minimum time that a matter must be exhibited for -

Schedule 1 of the EP&A Act	Minimum Community Participation Requirement
Draft Community Participation Plans	28 days
Draft Local Strategic Planning Statements	28 days
Planning Proposals for Local Environmental Plans subject to a Gateway Determination	28 days or – a If a different period of public exhibition is specified in the gateway determination for the proposal – the period so specified, or b If the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal – no public exhibition.
Draft Development Control Plans and amendments	28 days
Draft Development Contribution Plans and amendments	28 days
Application for Development Consent (other than for Complying Development Certificate, for Designated Development or for State Significant 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	30 days
Application for Modification of Development Consent that is required to be publicly exhibited by the Regulations	14 days or – The period (if any) determined by the consent authority in accordance with the relevant Community participation plan.
Application for Development Consent for Nominated Integrated Development and threatened species development	28 days
Application for Development Consent for Integrated Development	14 days
Environmental Impact Statement obtained under Section 5.1	28 days



The notification period for development applications is listed in Schedule 2, at the end of this policy. Clause 17 in Schedule 1 to the EP&A Act states that if a particular matter has a different exhibition or notification period that applies under Part 1 of Schedule 1, the longer period applies.

If a planning matter needs to be exhibited, Council may do any, or all, of the following -

- Make documents publicly available
- Determine an appropriate exhibition timeframe (where non-mandatory)
- Give notice to individual land owners/ occupiers
- Advertise the exhibition notice and advise how submissions can be made
- Utilise social media
- Hold an information session or workshop.

### **Plan Making and Strategic Planning**

Council, via planning controls manages how most land in the LGA is used, protected, or developed. This includes things like where new roads or buildings should go, or how many houses can be built in a certain area. Development also includes activities like holding a big event, running a business or demolishing a building.

We have development controls to make sure buildings and public areas are safe, well designed, and meet planning rules set by the State Government.

When Council prepares a new policy, such as Planning Proposals, [Local Environmental Plans](#) (LEPs), [Development Control Plans](#) (DCPs) and [Development Contributions Plans](#) we will seek comments from the community. The community will also be consulted, in line with the EP&A Act, when Council seeks to amend a policy, or rezone a parcel of land.

### **Development Applications**

A Development Application is a formal request for consent to carry out a proposed development, such as erecting a building, subdividing land, and or changing the use of land.

Council is committed to listening to community concerns that may arise from Development Applications (DAs). We aim to ensure that all parties can be confident of an impartial, fair, and transparent assessment process.

DAs have different classifications and these determine the length of the notification period: ranging from no exhibition or short exhibition for minor proposals and longer exhibition periods for more complex DAs. The length of time a Development Application is notified, if required, is specified in **Schedule 2** at the end of this policy. **Schedule 3** lists Development Application types which do not require notification. This is generally due to their minor nature. Development not mentioned in the schedules will only be notified at the discretion of the responsible Assessing Officer, or Area Manager.

There are [types of development](#), such as Exempt and Complying, which do not need to be notified by Council. They are assessed under various state policies and not processed by Council.

If a DA needs to be notified or advertised, the applicant will be charged a notification fee, in accordance with Council's [adopted fees and charges](#).

Before you lodge a DA, we recommended that you discuss your proposal with adjacent landowners. This allows any potential issues to be discussed early on in the process, and may allow some matters to be addressed before the DA is lodged.

## Keeping You Informed

### How you will be notified

Council will write to you if you are likely to be affected by a development application, or policy. This includes land owners, occupants, neighbours, businesses and the general public. This is so everyone has a chance to raise any concerns, provide support, make a comment or provide useful information before a planning decision is made.

Please note that exhibition timeframes vary in length. Some timeframes are prescribed in legislation and others are at our discretion. The typical minimum mandatory exhibition timeframes are provided in **Schedule 1**. Council is able to extend a notification/exhibition timeframe for longer than the minimum, as considered necessary.

### 1 Development Applications

If a complete DA is lodged, it will normally be notified within a few days of lodgement. If more information is required from the applicant, the notification will be delayed until this information is received. Generally, written notification of an application will be limited to directly adjoining property owners and occupants. However, some notifications may extend beyond this to include those within the immediate locality. For major applications, the notification area may be extended, depending upon the nature and potential environmental impacts associated with the proposal.

A Development Application may need to be re-notified, if during the assessment the design changes substantially, or additional supporting information is supplied. The decision to re-notify will be at the discretion of the responsible Assessing Officer and Area Manager.

For certain DAs, correspondence may be forwarded to a public authority (i.e. government departments/statutory authorities) from which formal concurrence or approval is required, or where Council seeks specialist advice on a particular part of the application from that authority. If you think you should have been notified about a DA, but did not receive a letter, please call us and let us know.

Where a DA may, in the opinion of Council, affect property owners of land outside Wollongong City Local Government Area (LGA), Council will contact the neighbouring Council.

Where the Development Application has an associated Planning Agreement, the Draft Planning Agreement will be reported to Council for endorsement and exhibited for a minimum period of 28 days.



If a Development Application is subject to an appeal in the NSW Land and Environment Court (LEC), or if a refused DA is subject to a Review of Determination via Section 8.2 of the EP&A Act, and you sent in a submission, you will be notified of the application and the outcome.

### **Christmas Period**

DAs received after close of business on the Friday before Christmas (25 December) and before the second Monday in January will be placed on public exhibition for 31 days.

For applications where the Environmental Planning and Assessment Regulation 2000 stipulates a maximum notification / advertising period, ie -

- a Applications under Section 8.2 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 4.55 and 4.56 to which Clause 119 of the Environmental Planning and Assessment Regulation 2000 applies.

Council will not commence this notification until the second Monday in January, the following year.

## **2 Planning Proposals**

A planning proposal is a request to change how land is zoned so certain types of development can go ahead. When Council prepares or assesses a Planning Proposal, the public will be notified as soon as possible, to measure community interest. For minor proposals, the Planning Proposal may not be notified until Council receives the Gateway Determination from the Department of Planning, Industry and Environment. This will inform Council of the minimum level of consultation required. The exhibition of new or amended Planning Proposal will not be started, or finish, during school holidays.

Before submitting a Planning Proposal to Council, we recommend a proponent discuss the planning proposal with adjacent landowners. This allows any potential issues to be discussed early on in the process, and may allow some matters to be addressed before it is considered by Council.

A report on issues raised in submissions will be considered by Council, following exhibition. If you wrote a submission, Council will let you know the report dates and resolutions. You may also have opportunity to address Councillors at Council meetings, through a Public Access Forum.

Public hearings may be held for some Planning Proposals, such as the reclassification of community land to operational land. Where the Planning Proposal has an associated Planning Agreement, the Draft Planning Agreement will be reported to Council for endorsement and exhibited for a minimum period of 28 days.

If there are significant changes to a Planning Proposal before it is adopted, and you were originally notified or wrote to us, you will be notified of those changes. Minor changes are unlikely to be re-notified. Specific detail on [The Gateway Process](#) and the making of Local Environmental Plans can be found on the [Department of Planning and Environment's](#) website and in Council's [Planning Proposal Policy](#).

### 3 Planning Policies

Planning policies are prepared by Council to inform and guide development decisions within the LGA, such as Development Control Plans. They are regularly updated, and we generally invite the community to comment on new policies, or changes to existing policies, before they are put into place. Notification may include community surveys and workshops, or we may ask you to visit Council's website, review the documents and provide comment. We will tailor community engagement strategies in the lead up to notification and exhibition, to ensure a targeted process.

When Council makes or amends a Planning Policy, the public will generally be notified when the draft policy is ready for public exhibition. The exhibition timeframe depends on the type of document prepared or updated, as well as the level of community interest. **Schedule 1** lists the minimum mandatory timeframes for the various planning functions. When we prepare some policies, we may seek community input before the policy is drafted, to ensure that the community has the opportunity to help inform the plan. The exhibition of new or amended Planning Policy will not be started, or finish, during school holidays.

Following exhibition of a draft policy, we will review all submissions received and the draft policy will be updated to incorporate any relevant or necessary changes.

When a new, or amended, planning policy is to be adopted this will be advised on Council's website.

## How you can participate

### Submissions – Have Your Say

Anyone with an interest in a planning matter is welcome to make a submission, but this has to be done in writing. If you're objecting or supporting, you need to give a clear reason why, e.g. how the proposed development impacts on you or your property. We also encourage people to share positive suggestions or recommendations to improve the final outcome.

Submissions are public documents, and other people can view them on request, so make sure you read our [privacy statement](#) before you comment.

You are required to tell us if you have made a reportable [political donation or gift](#). It is an offence not to disclose relevant information under the Environmental Planning and Assessment Act 1979. It is also an offence to make a false disclosure statement. Under the Local Government Act 1993, submissions must be made available for public inspection and will not remain confidential. If you wish to suppress personal details within your submission, a statutory declaration must be completed along with a request to suppress the information. These requests are considered and determined in accordance with the Privacy and Personal Information Protection Act 1998.

All submissions received within the notification period will be considered when the notification period finishes. Comments on social media will not be treated as submissions. Any of the following methods of submission are acceptable -

- **Personal delivery**  
Council's Customer Service Centre, Ground Floor Administration Building,  
41 Burelli Street Wollongong, between 9am and 5pm weekdays;
- **Post**  
Locked Bag 8821, Wollongong, NSW 2500
- **E-mail**  
council@wollongong.nsw.gov.au
- **On-line**  
A submission may be made for each exhibited application directly via the  
online [Application tracking](#) page

Submissions must be received by close of business on the last day of the notification period and include the following information -

- a Addressed to the GENERAL MANAGER
- b Application Number and location, or policy name
- c Address of the property; subject of the application
- d Your address; (so we can inform you of the outcome)
- e Date of submission
- f State the reasons for support or objection expressed in the submission. You may include maps and photos
- g Solutions to issues or suggestions for ways the plans could be amended to provide a better outcome
- h Reply postal address and daytime contact telephone number.

In certain circumstances, the relevant Area Manager may approve an extension to the closing date for submissions. However, extensions will generally only occur when it is considered reasonable that more time be permitted. This may be to allow stakeholders the opportunity to thoroughly review the proposal and any accompanying specialist report(s), prior to making any submission. Such extensions will appear on the relevant website.

#### **Where you can view proposals on notification**

If you're a neighbour of a proposal that needs to be notified, we will send you a letter that explains how you can review the relevant documents.

For everyone else, you can find information about items on exhibition and that are open for comment via the following -

- The [View an Application](#) page on our website
- Council's [Have Your Say](#) online community engagement site
- Council's Customer Service Centre, Ground Floor Administration Building, 41 Burelli Street Wollongong, between 9am and 5pm weekdays
- For some DAs, information may be available in your nearest [library](#) branch.
- [Current LEP Proposals](#) on The Department of Planning website
- Newspaper (Designated development only)

**Responding**

When we receive your submission, we will write to you confirming that it has been received, within 14 days. If there are numerous names on the submission, or it is a petition, we will send the letter to the head signatory. This letter will not respond to any issues raised in the submission.

If a proposal is amended while it is being considered, any person who has expressed written interest in the application may be contacted about the amendments. This is at the Assessing Officer/Area Manager's discretion. Minor amendments are generally not re-notified.

All submissions received within the notification period will be considered, and referenced in the relevant report. If a submission is received after the closing date specified, it may not be possible to consider it in the assessment. Individual replies to questions raised in submissions cannot be guaranteed.

**Decisions**

All [Development Determinations and Assessment Reports](#) are available on Council's website. If you were notified about a DA, or you wrote a submission, you will be contacted advising the decision made. We will also tell you where you can review the reasons for the decision, and how submissions were taken into account.

Decisions made by the Wollongong [Local Planning Panel](#) and the [Southern Regional Planning Panel](#) are available on their respective web pages. If you made a submission, or addressed the panel, you will be notified of the decision. You can also view the decision, assessment report and panel commentary on the respective web pages.

Planning proposals can be tracked on The Department of Planning's [online tracking system](#).

## Schedule 2 – Notification Requirements Matrix

### LEGEND NOTES –

- ✓ Notification / Consultation required
- x Notification / Consultation not required
- At the discretion of the Area Development Manager

Development Description	Written notice to Adjoining Land	Written notice to Neighbouring Land in Proximity to the Site	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter)
Development involving a variation to a development standard	✓	✓	14 Days
Designated Development	✓	✓	30 Days
Nominated Integrated Development	✓	✓	30 Days
Integrated	✓	✓	14 Days
Advertising Structures/ Signs	✓	✓	14 Days
Agriculture	✓	•	14 Days
Amusement Centres	✓	✓	14 Days
Ancillary structures less than 0.9m from side and rear property boundaries	✓	•	14 Days
Animal Boarding or Training Establishment	✓	✓	14 Days
Any structures encroaching on building alignment (front, rear or secondary for corner allotments)	✓	•	14 Days
Any application associated with/or without a Building Certificate seeking to legitimise illegal works	✓	•	14 Days
Attached Dwellings	✓	•	14 Days
Boarding Houses	✓	✓	14 Days
Boat building and repair facilities	✓	•	14 Days
Boat Launching Ramps	✓	•	14 Days
Boat Sheds	✓	•	14 Days
Brothels (Sex Services Premises)	✓	✓	14 Days
Business Premises	✓	•	14 Days
Camping Grounds	✓	✓	14 Days
Car Parks	✓	✓	14 Days
Caravan Parks	✓	✓	14 Days
Cemeteries	✓	✓	14 Days
Centre-based Child Care Facilities	✓	✓	14 Days
Charter and tourism boating facilities	✓	✓	14 Days
Commercial Premises	✓	✓	14 Days
Community Facilities	✓	✓	14 Days
Crematoria	✓	✓	14 Days
Drainage Works/ Flood Mitigation Works	✓	•	14 Days
Dual Occupancies	✓	•	14 Days



Development Description	Written notice to Adjoining Land	Written notice to Neighbouring Land in Proximity to the Site	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter)
Dwelling-houses (where not specified in Schedule 3) New dwelling-houses regardless of side setback Alterations & additions to existing dwelling-houses	✓	•	14 Days
Earthworks (Excavation or Land Filling Works)	✓	•	14 Days
Educational Establishments	✓	✓	14 Days
Emergency Service Facilities	✓	•	14 Days
Entertainment Facilities	✓	✓	14 Days
Environmental facilities	✓	✓	14 Days
Environmental Protection Works	✓	•	14 Days
Exhibition Homes & Exhibition Villages	✓	•	14 Days
Extractive Industries	✓	✓	14 Days
Farm Buildings	✓	x	14 Days
Forestry	✓	•	14 Days
Function Centres	✓	✓	14 Days
Group Homes	✓	✓	14 Days
Helipad	✓	✓	14 Days
Heliport (or Air Transport Facilities)	✓	✓	14 Days
Health Services Facility or Consulting Rooms	✓	✓	14 Days
Heavy Industrial Storage Establishments	✓	•	14 Days
Home-based Child Care	✓	•	14 Days
Home Business	✓	•	14 Days
Hospitals (where Council is the consent authority)	✓	✓	14 Days
Hostels	✓	✓	14 Days
Industrial Retail Outlet	✓	•	14 Days
Industrial Training Facility	✓	•	14 Days
Industries	✓	✓	14 Days
Information and Education Facilities	✓	✓	14 Days
Intensive Livestock Agriculture	✓	✓	14 Days
Intensive Plant Agriculture	✓	✓	14 Days
Light Industries	✓	✓	14 Days
Markets	✓	✓	14 Days
Medical Centres	✓	✓	14 Days
Multi-Dwelling Housing	✓	✓	14 Days
Mixed Use Development	✓	✓	14 Days
Neighbourhood Shops	✓	✓	14 Days
Office Premises	✓	•	14 Days
Open Cut Mining	✓	✓	14 Days
Passenger Transport Facilities	✓	✓	14 Days
Places of Public Worship	✓	✓	14 Days

Development Description	Written notice to Adjoining Land	Written notice to Neighbouring Land in Proximity to the Site	Notification Period (Calendar Days commencing on the day after first notice published in the notification letter)
Port Facilities	✓	✓	14 Days
Public Administration Buildings	✓	•	14 Days
Public Utility Undertakings	✓	•	14 Days
Pubs and Registered Clubs	✓	✓	14 Days
Recreation Areas	✓	•	14 Days
Recreation Facilities (Indoor)	✓	✓	14 Days
Recreation Facilities (Major)	✓	✓	14 Days
Recreation Facilities (Outdoor)	✓	✓	14 Days
Residential Flat Buildings	✓	✓	14 Days
Respite Day Care Centres	✓	•	14 Days
Restricted Premises	✓	✓	14 Days
Rural Supplies	✓	•	14 Days
Rural Industries	✓	•	14 Days
Secondary Dwellings	✓	•	14 Days
Semi-detached Dwellings	✓	•	14 Days
Seniors Housing / Residential Care Facilities	✓	•	14 Days
Service Station	✓	✓	14 Days
Shop Top Housing	✓	•	14 Days
Storage Premises	✓	•	14 Days
Subdivision	✓	✓	14 Days
Swimming Pools with a setback from any side or rear property boundary less than 900mm	✓	•	14 Days
Swimming Pools located less than 3m from any side or rear property boundary with a pool coping greater than 0.3m wide and a height greater than 0.6m above natural ground level.	✓	•	14 Days
Telecommunications & Radio-communications Facilities	✓	✓	14 Days
Temporary Uses of Land	✓	•	14 Days
Tourist and Visitor Accommodation	✓	✓	14 Days
Transport Depot	✓	✓	14 Days
Vehicle Body Repair Shop	✓	✓	14 Days
Vehicle Repair Station	✓	✓	14 Days
Veterinary Hospitals	✓	✓	14 Days
Warehouse or Distribution Centre	✓	•	14 Days
Waste or Resource Management Facility	✓	✓	14 Days
Waste or Resource Transfer Station	✓	✓	14 Days
Water Recreation Structures	✓	✓	14 Days
Water Supply System	✓	✓	14 Days
Wholesale Supplies	✓	•	14 Days

### **Schedule 3 – Applications for which notification / advertising is not required**

The following applications will not be notified -

- 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 Minor amendments to undetermined Development Applications which are, in the opinion of Council, unlikely to impact any adjoining property.
- 4 Ancillary structures with –
  - a A maximum height of 3.5m above natural ground level
  - b A maximum wall/eave height of 2.7 m above natural ground level and a minimum 0.9m setback from any side or rear property boundary.
- 5 Applications where insufficient information has been provided with the application, or Section 4.55 Applications which are to be refused for that reason
- 6 Balconies, decks, patios, terraces or verandahs which are greater than 3m from side and rear property boundaries and less than 1m in height from natural ground level.
- 7 Building Certificate applications
- 8 Bushfire hazard reduction work
- 9 Business identification signage applications
- 10 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
- 11 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
- 12 Complying development as referred to in either: Schedule 3 of Wollongong Local Environmental Plan 2009 or a State Policy
- 13 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)
- 14 Exempt development as referred to in either: Schedule 2 of Wollongong Local Environmental Plan 2009, State Environmental Planning Policy or any State Code.
- 15 First use of an approved light industry building; warehouse distribution building.
- 16 Innovation Campus development proposals which are consistent with the Wollongong Innovation Campus Master Plan as approved by Council.
- 17 Kiosk identified within any Plan of Management for a specific public reserve.
- 18 Manufactured home placement within an approved manufactured home estate.
- 19 Modification of development consent under Section 4.55 (1) of the Environmental Planning and Assessment Act 1979 (i.e. modifications involving the proposed correction of a minor error, misdescription or miscalculation only).
- 20 Modification of a development consent under Section 4.55 (1A) of the Environmental Planning and Assessment Act 1979 (i.e. minimal environmental impact) and where it involves one of the 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.

- 21 Moveable dwelling installation or placement upon a site within an approved caravan park (excluding any camping ground site).
- 22 Rainwater tanks which –
  - i Have a maximum storage capacity of 20,000 litres
  - ii A maximum 3.5m height above natural ground level and
  - iii Are located at least 3 metres from any side or rear property boundary.
- 23 Section 4.55 modification that was previously notified 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.
- 24 Single storey dwelling-houses with a setback of at least 0.9m from any side or rear property boundary.
- 25 Single storey Dwelling-houses alterations or additions with a minimum setback from any side or rear property boundary at or greater than 0.9m.
- 26 Two Storey Dwelling-houses, with a setback greater than 1.5m from any side or rear property boundary.
- 27 Solar heating or photovoltaic cells on the roof of any residential dwelling, commercial office building or industrial building.
- 28 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.
- 29 Torrens title subdivision of an existing or previously approved development.
- 30 Torrens title subdivision involving minor boundary adjustments which are not exempt development.
- 31 Tree Management Orders (TMOs).