



Development Applications - Exhibition and Notification Policy

Application	Developers and Building & Regulatory Services Staff
Responsible Officer	Building & Regulatory Services Manager
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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 2021*.

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 2 Schedule 3 of the *Environmental Planning & Assessment Regulation 2021*. 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 2021*
- 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, public exhibition & adjoining and adjacent landowners	Minimum 28 days (Sch 1 cl 8 EP&A Act 1979)
Integrated Development	Site notice, public exhibition & adjoining and adjacent landowners	Minimum 28 days (Sch 1 cl 8A EP&A Act 1979)
Threatened Species Development	Site notice, public exhibition & adjoining and adjacent landowners	Minimum 28 days (Sch 1 cl 8A EP&A Act 1979)
Development within the Conservation Area	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Development affecting a Heritage Item as listed in a Schedule of the proposed Carrathool Shire Council Local Environmental Plan 2012	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Boarding-houses	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Hotels	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Motels	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Residential Flat Buildings / Dual Occupancies	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Industries (other than home or rural industries) in Zone RU1 and R5.	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)

Type of Development	Exhibition Notification	Period
Intensive Livestock Keeping Establishments	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)



Junk Yards	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Liquid Fuel Depots	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Sawmills	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Stock and Sale Yards	Public exhibition & adjoining and adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
Any development where Council is the applicant, landowner or is in care and control of the land in question	Public exhibition & adjoining and adjacent landowners	Minimum 28 days (Sch 1 cl 9B EP&A Act 1979)
Any Development that seeks a variation to Council's existing building lines policy within the residential precinct	Adjoining and Adjacent landowners	Minimum 14 days (Sch 1 cl 7 EP&A Act 1979)
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 (Sch 1 cl 7 EP&A Act 1979)

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
0753/19.12.2023	Updates to legislation	Reviewed

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.