



Land Use Engagement Plan (Strategic Planning)

Notification area

Given the nature of Strategic Planning documents, community consultation for each document will require a tailored approach and a range of different consultation measures to ensure that the community has the opportunity for meaningful engagement.

Consultation requirements will be prepared on a site by site basis, with each report identifying a consultation strategy.

Consultation approach

The community is generally notified in a number of different methods, including (but not limited too):

- Public notice in corporate page of the relevant local newspaper
- Website
- Council’s administration centre
- Council’s libraries
- Notification letter to land owners directly affected by a proposal
- Notification letter to neighbours and adjoining properties

Council also endeavours to utilise other methods of consultation when appropriate, such as social media, interactive web mapping, information stalls and drop-in sessions.

Public hearings

The *Local Government Act 1993* provides certain consultation requirements for Council’s who are seeking to reclassify their land from ‘community land’ to ‘operational land’, including public hearings.

Section ‘29 Public hearing into reclassification’ of the *Local Government Act 1993* requires these public hearings to be held.

Provisions relating to public exhibition

- Decisions on publicly exhibited plans and applications are not to be made until after exhibition period.
- Submissions with respect to a plan, application or other matter may be made during the minimum period of public exhibition.
- The period between 15 December and 3 January (inclusive) is excluded from the calculation of a period of public exhibition.
- If a particular matter has different exhibition or notification periods, the longer period will apply.
- Council is not required to make environmental impact statements whose publication would be contrary to the public interest because of its confidential nature or for any other reason available for public inspection.

Strategic planning document	Timeframes – statutory
Planning proposals / Local Environmental Plans	28 days – unless otherwise specified in the gateway determination
Draft Development Control Plan	28 days
Draft Development Contributions Plans	28 days
Local Strategic Planning Statement	28 days
Planning Agreement	28 days

Strategic planning document	Timeframes – best practice
Policy or guideline	28 days
Greenfield urban renewal structure plans	42 days (6 weeks) or 56 days (2 months)
Major in-fill urban renewal (i.e. urban design studies)	42 days (6 weeks) or 56 days (2 months)
Re-exhibition	As per original exhibition period



Development Application Notification Plan (Statutory Planning)

Purpose

The purpose of this Plan is to provide the community with opportunities to have a say in decisions about development proposals that could affect their lives. The requirements for notification are a balance of timeframes, resources and levels of potential impact from decisions made in the development and/or activity approval process.

The objectives of the Notification Plan are:

- a) to keep the community informed, acknowledge comments and provide feedback on what influenced the final decision,
- b) to seek out and facilitate the involvement of those potentially affected by or interested in a development proposal and its subsequent determination,
- c) to obtain feedback on development proposals which will assist in identification of issues of concern and opportunities for alternative outcomes, and
- d) to promote sustainable decisions by recognising and communicating the needs and interests of all affected persons, including decision makers.

Notification Procedures

What are the types of Notification?

There are five types of notification identified as Types A1, A2, B, C and D. These types reflect the varying impacts, complexity or sensitivity of proposed developments, and consist of:

Table 1. Types of Notification

Type of Notification	Mode	Extent	Duration
A1	Letter sent to affected properties	30 metres from all property boundaries	14 days
A2	Letter sent to affected properties and public authorities with likely interest	50 metres from all property boundaries	14 days

Type of Notification	Mode	Extent	Duration
B	Letter sent to affected properties and public authorities with likely interest; Advertisement in local newspaper.	50 metres from all property boundaries	14 days unless the regulations require some other period
C	Letter sent to affected properties and public authorities with likely interest; Advertisement in local newspaper.	100 metres from all property boundaries	21 days unless the regulations require some other period
D	Letter sent to affected properties when development about to start	20 metres from all property boundaries	Advisory only, two days before commencement of works

- a) Developments referred to in *the Act* and regulations that may require a longer notification period include State Significant development, *designated development* and *integrated development*. The provisions of *the Act* and the EP&A Regulations shall prevail for these developments.
- b) All other developments that require Types B or C notification are identified by this DCP as “other advertised development” as defined by Clause 5 of the EP&A Regulation 2000.
- c) For Type D notifications, notice of intention to commence works must be given in writing at least 2 days prior to the commencement of works, to the owner or occupier of each dwelling that is situated within 20 metres of the lot on which the works will be carried out.
- d) Notification requirements for complying development are specified under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Division 8.2 Review Applications

The same type of notification carried out as part of the original development application will also apply to Division 8.2 review applications.

What are the specific requirements for the modes of notification?

Letter of notification

The letter sent by Council will have the following details:

- a) The address of the proposed site
- b) A description of the proposal
- c) The name of the applicant
- d) An A4 notification plan, which depicts the height, external configuration and siting of the proposed development
- e) Name and contact number of the relevant development assessment officer
- f) Advice regarding the location(s) where the application may be inspected, and
- g) The closing date for written submissions.

If the development is *integrated development*, the following additional information must be included in Council's letter of notification:

- a) A statement that the development is *integrated development*, and
- b) An indication of the other approval(s) that are required and the relevant approval bodies for those approvals.

The letter sent by Council will be sent under the following conditions:

- a) Both owners and occupiers of affected properties will be notified;
- a) Where land is owned or occupied by more than one person, a letter to one owner or occupier is taken to be a letter to all the owners and occupiers;
- b) Where strata titled land is an *affected property*, a letter will be sent to the secretary of the body corporate of that land only; and
- c) Any public authority deemed to have an interest will be notified.

Advertisement in local newspaper

The advertisement in the local newspaper shall include the following as a minimum:

- a) the address of the site of the development proposal,
- b) a brief description of the proposed development; and
- c) Council's contact details.

Notification on Council's Web Site

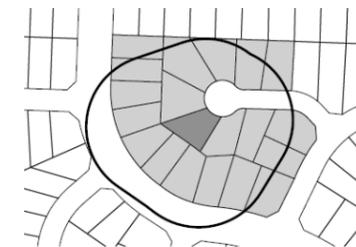
Council's web site provides details of all applications received, determined and subject to public notification.

How is the extent of notification measured?

The *extent* of notification is measured radially from each point on the boundary of the subject site. Any property, any part of which is within this area will be notified. An example of how notified properties are selected based on this approach, is provided below:



30 metre extent of notification



50 metre extent of notification

What does the duration of notification refer to?

The *duration* is the period during which the subject plans will be on exhibition. Written submissions are required to be made within the exhibition period.

Council **may** consider any submissions received in the two weeks following the closure of the exhibition period, but only if the application has not been determined at the time of receipt of the late submission. Council **will not** consider any submissions received later than two weeks after the completion of the exhibition period, except where the relevant manager (being the Manager Development Planning or Manager Building Control) determines otherwise.

Duration over the Christmas period

All development applications received during the period of 15 December to 3 January will have the *duration* of exhibition extended by seven (7) days.

What type of notification (if any) is required for your development?

Which developments do not require notification?

The following development applications need not be notified:

- a) **Development types identified as Type 'D' not requiring notification** in Tables 2 to 8 of the Development Notification section;
- b) **Developments to carry out works for the sole purpose of upgrading fire safety** in an existing building;
- c) **The proposed works are internal only** and the completed development will not have any significant impacts (intensity of use, visual, auditory or other like impacts) on properties that would otherwise be considered to be *affected properties*;
- d) **Outbuildings having a gross floor area less than 50m² or having a combined floor area of less than 75m²**;
- e) **Refurbishment of existing commercial and industrial uses**;
- f) **Shop fit outs**;
- g) **Satellite dishes less than 2.5 metres in diameter** that meet all other Council requirements;
- h) **Change of use of an existing development** (with the exception of nonconforming uses);

- i) **Modifications to development applications** made prior to the determination of the application, where in the opinion of the Group Manager City Development and Compliance or the relevant manager (being the Manager Development Planning or the Manager Building Control) such modifications reduce adverse impacts, do not create new issues and the development is substantially the same. (As an example of a development that fails this test, the amendment of a two-storey development to a single-storey with a larger floor plate, may reduce some impacts but generates new issues that will require notification);
- j) **Modifications to consents involving minor error**, incorrect description or miscalculation under section 4.55(1) of *the Act*;
- k) **Modifications involving minimal environmental impact** properly made under section 4.55(1A) of *the Act* except for *Designated Development*;
- l) **Strata subdivision of existing buildings** (including residential, business and industrial) and **Torrens Title subdivision of an existing dual occupancy or multi-unit development**.

Note: Modifications under section 4.55(2) or 4.56 of *the Act* will be notified / advertised in the same manner as the original application.

Is notification required for Building Certificates for Unauthorised Work?

In addition to development applications, Council will notify Building Certificate Applications for unauthorised work as if they were submitted as development applications.

Table 2. Residential Development and Related Land Uses

Development	Type of Notification*
Attached dwellings	A2
Dual occupancies	A2
New dwellings in rural zones, or dwellings with two or more storeys, and dwellings and dwelling additions with a floor level that is greater than 1.5 metres above natural ground level at any point	A1
Group homes, Boarding houses and Hostels	B
Multi dwelling housing	B
Outbuildings that are in an excess of 50m ² or where the combined area of two or more outbuildings exceeds 75m ² in residential zones.	A1
Outbuildings that are in an excess of 150m ² in the rural zones	A1
Residential flat buildings	B
Semi-detached dwellings	A2
Seniors housing	B
Shop top housing	A2
Subdivision proposing construction of new road	B
Subdivision (torrens or stratum) of land comprising 2 or more lots	A1

Table 3. Tourist and Visitor Accommodation

Development	Type of Notification*
Backpackers accommodation	B
Bed and breakfast accommodation	A2
Caravan parks	B
Camping Grounds	B
Farm stay accommodation	A2
Hotel and motel accommodation	B
Serviced apartments	B

*See Table 1 for mode, extent and duration of notification types

Table 4. Commercial Development and Related Land Uses

Development	Type of Notification*
Amusement centres	B
Bulky goods premises	D
Business premises	D
Entertainment facilities	B
Function centres	C
Garden centres	A1
Hardware and building supplies	A1
Health consulting room	A2
Highway service centres	B
Internet cafes or Internet access facilities	B
Landscape material supplies	A2
Markets (not on Council owned or managed land)	B
Medical centres	B
Neighbourhood shops in residential zones	B
Neighbourhood shops in industrial zones	A1
Office premises	D
Plant nurseries	A2
Public administration building	A2
Pubs (including extension of hours of operation)	C
Registered clubs (including extension of hours of operation)	C
Restaurants or cafes – not licensed (including extension of hours of operation)	A1
Restaurants or cafes – licensed (including extension of hours of operation)	B
Restricted premises	C
Retail premises (shops & kiosks)	D
Roadside stalls	A1
Rural supplies	A1
Service stations	B
Sex services premises	C
Take-away food and drink premises	A1
Timber yards	D
Vehicle sales or hire premises	D
Veterinary hospitals	A1

Table 5. Industrial Development and Related Land Uses

Development	Type of Notification*
Boat building and repair facilities	A1
Depots	D
Freight transport facilities	A1
General industries	D
Industrial retail outlets	A1
Industrial training facilities	D
Light industry	D
Self storage units	D
Storage premises	D
Transport depot	D
Truck depots	D
Vehicle body repair workshops	D
Vehicle repair stations	D
Warehouse and distribution centre	D
Waste or resource management facilities	B
Wholesale supplies	D

Table 6. Primary Industry and Related Land Uses

Development	Type of Notification*
Agricultural produce industries	A2
Animal boarding or training establishments	B
Aquaculture	A2 unless Designated Development
Extensive Agriculture in zone RU4	A2
Extractive industries	B unless Designated Development
Farm buildings (not being Complying Development)	A1
Forestry	C
Intensive livestock agriculture	C
Intensive plant agriculture	B
Open cut mining	C
Water storage facilities	A1

*See Table 1 for mode, extent and duration of notification types

Table 7. Community and Recreational Land Uses Development

Development	Type of Notification*
Child care centres	B
Community facilities	B
Educational establishment	B
Emergency services facilities	B
Hospitals	C
Information and education facilities	B
Methadone clinics and other drug-use health buildings	C
Places of public worship	C
Recreation facilities	A1
Recreation facilities (indoor)	A1
Recreation facilities (outdoor)	A1
Recreation facilities (major)	C
Respite day care centres	B

Table 8. Other Land Uses and Additional Development Considerations

Development	Type of Notification*
Advertising structures	A1
Air transport facilities, airstrips and helipads	C unless Designated development
Boatsheds and boat launching ramps	B
Building identification signs	D
Business identification signs	D
Car parks	B
Charter and tourism boating facilities	B
Correctional centres	C
Crematorium	C
Designated development	B
Earthworks	A2
Environmental facilities	A1
Exhibition homes	A2
Exhibition villages	A2
Flood mitigation works	A1
Funeral homes	C
Heritage items (State significant) - (any development involving)	B
Illuminated signage	A1
Jetties, marinas, moorings or mooring pens	B
Mortuaries	B
Passenger transport facilities	A1
Poker Machines: including any increase in the number of poker machines	C
Telecommunication facilities	B
Water recreation structures	B

*See Table 1 for mode, extent and duration of notification types

What if your development has more than one proposed use? Viewing Applications and Making a Submission

If there are any uses within the development that require Type C notification, then this shall be applied. If not, then Council will consider whether any of the uses require Type B notification. Finally, only if there are no uses that invoke the need for Types B or C notification will Type A be applied.

Can these requirements be varied?

The Manager Development Planning has the discretion to vary any of the requirements based on the circumstances of the particular case, subject to the objectives of this plan being achieved.

The Manager Building Control and Compliance has the discretion to vary any of the requirements in Table 2 (other than for multi-unit housing and residential flat buildings), based on the circumstances of the particular case and subject to the objectives of this plan being achieved.

For example, an application may relate to adjustment of internal walls in a registered club. Although this is listed as requiring Type C notification, the likely impact on others would be negligible and so no notification may be required.

What if there is any ambiguity or lack of clarity?

Where, for a particular application, the provisions of this plan may be interpreted in more than one way, or if no single interpretation can be derived, then the relevant manager (being the Manager Development Planning or Manager Building Control) shall determine notification requirements.

Where can Applications be viewed?

All applications that are notified will be available for viewing on Council's website at www.fairfieldcity.nsw.gov.au and at Council's Administration Centre, 86 Avoca Road, Wakeley between 8.30am and 4.30pm on normal business days.

Who can view an application and make a submission?

- Any person may inspect the development application and any accompanying information and make extracts from or copies of them; and
- Any person may make written submissions to the consent authority with respect to the development application. Council advises that it is prohibited from exhibiting certain documents as a result of legislative restrictions.

What must be included in a submission?

Any submission must contain the following information:

- The name, address and contact phone number of the person making the submission.
- The address of the property that is the subject of the application.
- The grounds of the objection must be clearly set out. It should be noted that laws governing the assessment of an application limit the matters Council may take into consideration when assessing an application. For example, the personal circumstances of individuals cannot be taken into account.
- Council will include a standard form for submissions with all notification letters. Completing this form ensures that all the relevant information has been provided.

Acknowledgement of a Submission Acknowledgement of a Petition

All submissions that have the information listed above will receive acknowledgement of their submission in writing.

Petitions that have the information listed above will receive acknowledgement of their petition in writing. Acknowledgement will only be sent to the petition organiser.

Pro-forma Letters

Form letters must contain the following information:

- a) The name, address and contact phone number of the person making the submission.
- b) The address of the property that is the subject of the application.
- c) The grounds of the objection must be clearly set out. It should be noted that laws governing the assessment of an application limit the matters Council may take into consideration when assessing an application. For example, the personal circumstances of individuals cannot be taken into account.

Requirements for Applicants

To reduce delays, applicants are required to provide six copies of A4 sized plans to be used for notifying neighbours. These plans should show the site boundaries, building footprint, shadow diagrams, north point and relevant elevations. The key levels and dimensions (e.g. natural ground, finished floor and eaves levels) should also be shown, together with a clear indication of the extent of the proposed new work.

Acknowledgement of Pro-forma Letters

All pro-forma letters that have the information listed above will receive acknowledgement of their submission in writing.

Petitions

Any petition must contain the following information:

- a) A petition organiser, who will be the point of contact for the petition. This person should be the first person on the list and details must include the full name, address, contact phone number, and signature.
- b) The name, address and contact phone number of a person who signs the petition.
- c) The address of the property that is the subject of the application.
- d) The grounds of the objection must be clearly set out. It should be noted that laws governing the assessment of an application limit the matters Council may take into consideration when assessing an application. For example, the personal circumstances of individuals cannot be taken into account.

Glossary

Community Engagement Strategy

The below glossary is from the Community Engagement Strategy:

Demographic

The statistical data of a population such as age, sex, income, education, etc.

Strategic Direction

Strategic directions are a set of ideas that provide a consistent course of action to achieve the goals of a strategy.

Fairfield City Council's Community Consultation and Engagement Policy

The Community Consultation and Engagement Policy provides a consistent framework for community consultation and engagement within Fairfield City. The purpose of this Policy is to articulate Fairfield City Council's commitment to thorough, consistent and genuine community engagement that will inform responsible decision making to achieve best possible value for the Fairfield community.

Social Justice Principles

The Social Justice Principles ensure social consideration such as equity, access, participation and rights are taken into account when engaging the community. Social Justice Principles are based on eliminating inequity and promoting inclusiveness of diversity.

Strategy

A strategy is a plan, method, or series of actions for achieving a specific goal or result.

Integrated Planning and Reporting Framework

The Integrated Planning and Reporting (IPR) Framework is a legislative requirement for all NSW councils and is designed to improve local government's community, financial and asset planning. Council is required to develop a series of long, medium and short-term plans that aim to ensure a more sustainable Local Government sector with a key focus on councils being more responsive to community priorities. Council reports on these plans and the progress towards achieving the community's vision, priorities and goals, identified through community engagement.

Measures

Measures are variables that are developed to identify progress towards a goal or strategic direction.