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Lismore City Council's Community Participation Plan (CPP) outlines when and how Council will engage with the community across the range of planning functions it carries out. The CPP has to meet the minimum requirements set out in the Environmental Planning and Assessment Act 1979 (EP&A Act).

2. Scope of the Community Participation Plan

The CPP does not relate to Council's engagement strategies for the delivery of Council services, functions or infrastructure. Community engagement for these areas of responsibility are outlined in Council's Community Engagement Strategy.

3. Principles of the Community Participation Plan

The EP&A Act provides Council with guidance in order to make it clear and easy for the community to participate in planning decisions. The following principles underpin Council's CPP as set out in the EP&A Act. These include:

- (a) The community has a right to be informed about planning matters that affect it.
- (b) Council will encourage effective and ongoing partnerships with the community to provide meaningful opportunities for community participation in planning.
- (c) Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- (d) The community will be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- (e) Community participation will be inclusive and Council will actively seek views that are representative of the community.
- (f) Members of the community who are affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- (g) Planning decisions will be made in an open and transparent way and the community will be provided with reasons for those decisions (including how community views have been taken into account).
- (h) Community participation methods (and the reasons given for planning decisions) should be appropriate, having regard to the significance and likely impact of the proposed development.

4. What are Council's planning functions?

Council's planning functions are divided into two different areas: development assessment and strategic planning.

What are the mandatory minimum participation requirements?

The mandatory community participation requirements are outlined in the table below, which reflect the minimum public exhibition periods stipulated in Schedule 1 of the EP&A Act.

5. What are the mandatory minimum participation requirements for Strategic Planning?

The mandatory community participation requirements are outlined in the table below, which reflect the minimum public exhibition periods stipulated in Schedule 1 of the EP&A Act.

Type of Plan	Description	Minimum exhibition requirements
Draft Community Participation Plan	Outlines how Council will engage with its community across all planning functions.	28 days as specified in Schedule 1 of the EP&A Act 1979
Draft Local Strategic Planning Statements	The primary aim is to outline the 20- year vision for land use in the Lismore Local Government Area and the special characteristics which contribute to our local identity.	 28 days as specified in Schedule 1 of the EP&A Act 1979 Advertising Notice is published in Local Matters newsletter which is distributed in the area affected by the plan. Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. Submissions Submissions can be made online via Your Say Lismore, or addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore, NSW 2480, or emailed to council@lismore.nsw.gov. au. If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two years before the application was made.
Planning Proposals for amendments to the Lismore Local Environmental Plan (LEP) subject to Gateway Determination	A Planning Proposal outlines the justification for amending the LEP and consistency with relevant land use strategies, section 9.1 Ministerial Directions, State Environmental Planning Policies.	 28 days as specified in Schedule 1 of the EP&A Act 1979 unless a different timeframe is specified in the Gateway Determination (as specified in the EP&A Regulation) Advertising Notice is published in Local Matters newsletter which is distributed in the area affected by the Planning Proposal. Letter sent to landowners adjoining the subject land. Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. Submissions Submissions can be made online via Your Say Lismore, or addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore, NSW 2480, or emailed to council@lismore.nsw.gov. au. If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two years before the application was made.

Type of Plan	Description	Minimum exhibition requirements
Reclassification of Public Land	Reclassification of public land occurs through an amendment to the Lismore LEP 2012 when the classification needs to be changed from community to operational or operational to community.	 28 days unless a different timeframe is specified in the Gateway Determination (same requirements as for Planning Proposals in Schedule 1 of EP&A Act) Public Hearing A public hearing is required under section 29 of the Local Government Act 1993. Council is required to publish the report on the public hearing on its website no later than 4 days of its receipt under section 47G of the Local Government Act. Advertising Notice is published in Local Matters newsletter which circulates in the area affected by the Planning Proposal Letter sent to landowners adjoining the subject land Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. Submissions Submissions to be in writing and addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore or emailed to council@lismore.nsw.gov.au If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two (2) years before the application was made.
Draft Development Control Plans (DCP)	A Development Control Plan contains development standards to guide development and complement the planning controls contained in the Lismore LEP 2012	 28 days (as per Clause 18 (2) of EP&A Regulation 2000) Advertising Notice is published in Local Matters newsletter which circulates in the area affected by the draft DCP Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. Submissions Submissions to be in writing and addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore or emailed to council@lismore.nsw.gov.au If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two (2) years before the application was made. Notification of Council decision in relation to DCP Council must give notice of its decision in a local newspaper within 28 days after the decision is made under Clause 21 of the EP&A Regulation 2000.

Type of Plan	Description	Minimum exhibition requirements
Draft contributions plans	The aim of a contributions plan is to gain financial contributions from new development towards the cost of new and upgraded public amenities and/ or services required to accommodate the new development	 28 days (as per Clause 26 (4) of EP&A regulation 2000) Advertising Notice is published in Local Matters newsletter which circulates in the area affected by the draft DCP Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. Submissions Submissions to be in writing and addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore or emailed to council@ lismore.nsw.gov.au If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two (2) years before the application was made. Notification of Council decision Council must give notice of its decision in a local newspaper within 28 days after the decision is made under Clause 31 of the EP&A Regulation 2000.

Non-mandatory notification requirements for Strategic Planning

Type of Plan	Description	Minimum exhibition requirements
Strategic Land Use Plans (i.e. Growth Management Strategy, Floodplain Management Strategy)	Identifies land for future growth for residential, commercial, industrial and open space purposes.	 45 days Advertising Notice is published in Local Matters newsletter which is distributed in the area affected by the plan. Documentation is available on Council's website under 'Your Say Lismore' and at Council's Corporate Centre at 43 Oliver Avenue, Goonellabah. Submissions Submissions can be made online via Your Say Lismore, or addressed to the General Manager, Lismore City Council, PO Box 23A, Lismore, NSW 2480, or emailed to council@lismore.nsw.gov.au. If you do make a submission (either objecting or supporting) you are required to disclose any reportable political donations or gifts made to a Councillor or Council employee within the period commencing two years before the application was made.

6. What are the mandatory minimum requirements for development applications?

The mandatory community participation requirements with respect to development applications for which Council is the consent authority are outlined in the Table below as specified in Schedule 1 of the EP&A Act 1979.

Development Applications	Description	Minimum time frame for exhibition
Application for development consent (other than for complying development certificate, for designated development or State significant development)	A development application (DA) is a formal application for development consent from Council to carry out 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	Designated Development refers to developments that are high- impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area (e.g. a wetland).	28 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	An application to modify a development consent is made under section 4.55 of the EP&A Act which allows a consent to be modified if the development is substantially the same.	The period (if any) determined by the consent authority in accordance with the relevant community participation plan. Refer to the Notification Plan
Environmental impact statement obtained under Division 5.1	An environmental impact statement (EIS) is a publicly available document that provides information on a project, including its environmental impacts and mitigation measures to inform development consent decisions.	28 days
Re-exhibition of any amended application or matter referred to above required by or under this Schedule	A development application of any type that is required to be re-exhibited	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter Refer to the Notification Plan

Note: Nominated integrated development or threatened species development is not listed in Schedule 1 of the EP&A Act. Approval will need to be obtained from other relevant public authorities before development consent can be granted.

Exhibition period is 28 days.

7. Notification Plan

7.1 Neighbour notification and advertising of Development applications

The objectives of this part are to:

- Provide a framework for the notification and advertisement of development applications, applications to modify development consents and the review of development determinations.
- Provide an opportunity for public participation in the development application process.
- Establish a clear process and expectations of how public views are considered in the development application process.
- Specify circumstances where notification and advertising of applications is not required.
- · Identify development applications that will be notified and/or advertised and those persons who will be notified.
- Facilitate the efficient processing of applications without unreasonably compromising the opportunity for public participation.
- To ensure notification and advertisement is carried out in accordance with the Environmental Planning & Assessment Act and Regulation.

7.2 Land to which this part applies

This applies to all land within the Lismore LGA to which the Lismore Local Environmental Plan 2012 and the Lismore Local Environmental Plan 2000 applies for the notification of:

- applications for development consent lodged under the Environmental Planning and Assessment Act 1979 (EPA Act)
- amendments to development applications lodged before an application is decided
- · modifications of development consents under section 4.55 of the EP&A Act and
- review of determination under Division 8.2 and Section 8.9 of the EP&A Act

This part does not apply to Exempt or Complying Development as defined by the EPA Act.

7.3 Persons to be notified and applications to be advertised

The following sections are grouped into different categories:

- Category 1 Development Applications which will not be notified
- Category 2 Notification requirements for Minor Development
- Category 3 Notification requirements for other Local Development
- Category 4 Development Applications requiring notification, advertising and site sign

If a Local Environmental Plan land use or development definition is not listed in any of these categories, the default minimum public exhibition period for an application for development consent is 14 days in accordance with Schedule 1 of the EP&A Act.

8. Category 1 - Development Applications which will not be notified

Some forms of development are of a nature which does not warrant notification by virtue of its minor nature, minimal or low environmental, social and economic impact and high degree of compliance with Council's LEP and DCP.

There will be no notification of applications relating to:

- (i) Exempt development;
- (ii) Complying development;
- (iii) Change of use, where, in the opinion of the Council, there will be no adverse impact on the neighbourhood;
- (iv) Dwelling houses:-

a. Single storey dwelling houses (i.e. less than 6.5m at the ridge and 4m at the top plate), that comply with setbacks and cut/fill/retaining provisions applying under this DCP;b. Minor alterations and additions (excluding second storey extensions) that comply with setbacks applying under

this DCP; c. That have no other dwelling houses located on the same allotment;

- (v) Dual occupancies minor alterations and additions, (excluding second storey extensions) that comply with setbacks applying under this DCP;
- (vi) Environmental protection works;
- (vii) Existing buildings where the work will not change the height, external shape or façade of the building;
- (viii) Extensive agriculture;
- (ix) Farm buildings located more than 20 metres from any property boundary;
- (x) Flood mitigation works;
- (xi) Forestry;
- (xii) Home businesses and home industries;
- (xiii) Horticulture;
- (xiv) Intensification of a permissible use including change to the hours of operation of a business, or where, in the opinion of the Council, there will be no adverse impact on the neighbourhood;
- (xv) Internal alterations to a building;
- (xvi) Subdivision applications to strata subdivide or to company/community title buildings, or boundary adjustments which do not affect neighbouring land;
- (xvii) Swimming pools ancillary to a dwelling and for private use;
- (xviii) Viticulture;
- (xix) Amendments to applications where the amendments do not change the height or setbacks or window size and window placement of the proposed development;
- (xx) Proposals which have no potential adverse impact on adjoining properties (i.e. a window on one side of a building which has no impact on properties on the opposite side of the property – notification will only sent to likely affected adjoining property);
- (xxi) Applications made by Council for capital or community infrastructure works on Council land, where in the opinion of the Council, there will be no adverse impact on the neighbourhood.

9. Category 2 - Notification requirements for Minor Development

Type of development requiring notification	Minimum time frame for exhibition
Bed and breakfast accommodation	14 days
Boat sheds	14 days
Demolition of a structure that is not a heritage item or is not within a conservation area;	7 days
Dwelling houses	7 days
 Dwelling houses greater than single storey, i.e. greater than 6.5m at the ridge and 4m at the top plate. 	
Second storey extensions.	
 Dwelling houses that do not comply with setback requirements under this DCP. 	
 Alterations and additions to dwellings that do not comply with setbacks applying under this DCP. 	
Any new dwelling house in a heritage conservation area.	
 Alterations and additions to a heritage item or dwelling in a heritage conservation area. 	
Dual occupancies	14 days
Dual occupancies - alterations and additions that do not comply with setbacks applying under this DCP	7 days
Farm stay accommodation	14 days
Fences that are not exempt development	7 days
Farm buildings located less than 20 metres from any property boundary	7 days
Garages, carports, sheds and other ancillary buildings where the height of external walls (not including gables) is greater than 2.7m from ground level (existing) to the underside of the eaves and 3.6m to the top of the roof ridgeline, or the area is greater than 54m ² or the building does not comply with setbacks applying under this DCP	7 days
Roadside stalls	14 days
Secondary dwellings	14 days
Transport depots	14 days
Tree removal applications	7 days
Water recreation structures	14 days
Subdivisions Subdivision of less than 5 lots and not including the creation of a public road	14 days
Subdivision involving boundary adjustments that create an additional dwelling entitlement	14 days

10. Category 3 - Notification requirements for other Local Development

Development in this category requires notification and a site sign

Type of development	Minimum time frame for exhibition
 Signage, other than building and business identification signs 	14 days
Child care centre	
Health services facility	
Landscape and garden supplies	
Rural industries	
Rural workers' dwellings	
Vehicle repair station	

11. Category 4 - Development Applications requiring notification, advertising and site sign

Applicants are required to pay a fee to Council to cover the cost of advertising and notification of the original application, subsequent amendments to an application prior to determination and any modification.

Type of development	Minimum timeframe for exhibition
Airstrips and Air transport facilities	14 days minimum
Animal boarding or training establishments	-
Aquaculture	
Biosolids treatment facilities	
Caravan parks	
Cellar door premises	
Cemeteries	
Commercial premises (new)	
Community facilities	
Correctional centres	
Demolition of a heritage item or a structure or building within a Heritage Conservation Area	
Eco-tourist facilities	
Educational establishments	
Electricity generating works	
Environmental facilities	
Extractive industries	
Helipads	
Industry (new)	
Intensive livestock agriculture	
Intensive plant agriculture	
Mining	
Neighbourhood shops	
Places of public worship	
Public administration building/ Emergency services facilities	
Recreation areas	
Recreation facilities (indoor & outdoor)	
Research stations	
Rural supplies	
Sex services premises	
Telecommunications facility (see notes in section 10.4j)	
Veterinary hospitals	
Waste or resource management facilities	
Water recycling facilities	
Any proposed development affecting a heritage item, other than minor works and	
maintenance, including use of a heritage item for use other than uses generally	
permitted in the zone, i.e. using special LEP heritage provisions.	
• Any development where Lismore LEP clause 5.3 is used allowing development permitted in an adjoining zone.	
Subdivisions	14 days minimum
Subdivision where 5 or more lots are created.	
Subdivision involving the creation of a public road	

12. General requirements relating to all categories

13. Notification

A notification letter advising notice of an application will be sent to:

- (xxii) all persons who, according to Council's property records, own or occupy land immediately adjoining that part of the application site affected by the proposed development;
- (xxiii) owners and occupiers of any neighbouring land which, in the opinion of Council, may be adversely affected by the application.

For the purpose of this section:

- if land is owned or occupied by more than one person, a written notice to one owner or one occupier is taken to be a written notice to all the owners and occupiers of that land.
- · Council may also direct that:
 - an application be advertised or notified to any person or group of persons whom it considers may have an interest in the matter;
 - the application be available for inspection and submissions for such additional periods as it considers appropriate.

The extent of notification may be increased where the Council is of the opinion that additional notification is required taking into consideration the potential impact of the proposal.

Over Christmas and New Year, the period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

14. Notification Letter/Advertisement/Site sign

All advertisements, notification letters and site notices will include:

- (xxiv) The application reference number;
- (xxv) the address (or property description if no street address is allocated) on which the development is proposed to be carried out;
- (xxvi) the name of the applicant;
- (xxvii) a brief description of the proposed development;
- (xxviii) a statement that the application and the documents accompanying that application may be inspected at the consent authority's principal office for a period specified in the notice during the consent authority's business hours or online via Council's website;
- (xxix) a statement that any person during the period specified may make a written submission in relation to the development application to the consent authority;
- (xxx) a statement outlining the privacy rights of any person making a submission to the Council.

Where the application involves erecting a building the notification letter will include an A4 size plan showing the height and external configuration and façade of the building in relation to the site. Floor plans will not provided due to privacy legislation, but can be viewed at Council's office as detailed in the notification letter.

15. Advertised development

Advertised development includes

- Integrated development, if it requires an approval under the Heritage Act 1977(NSW), the Water Management Act 2000 (NSW) or the Protection of the Environment Operations Act 1997 (NSW) (pollution licence) (is called 'nominated integrated development')
- Threatened species development (development affecting threatened species which requires a species impact statement),
- Class 1 aquaculture development (development that is Class 1 aquaculture under SEPP 62 -Sustainable Aquaculture.

16. Submissions

Council publishes all submissions online via the Council website. A fact sheet is available on Council's website containing information about making submissions and what is published by Council. On request, applicants will be supplied with hard copies of all submissions.

Council will consider all submissions on their merits. Submissions will be summarised in the assessment report supplied for consideration and determination of the application. The report will include names of those who made the submissions.

Council is not bound by any submission and its assessment of an application will involve considering the merits of the application together with all submissions.

17. Who can inspect plans and make a submission?

Applications may be inspected during business hours or online at any time, and submissions made during the notification period are to be in accordance with this Chapter. Council will not decide on the application before the notification period has expired. Late submissions may be received by the Council up to a decision on the application.

Council publishes all submissions online via the Council website. A fact sheet is available on Council's website containing information about making submissions and what is published by Council. On request, applicants will be supplied with hard copies of all submissions.

Council will consider all submissions on their merits. Submissions will be summarised in the assessment report supplied for consideration and determination of the application. The report will include names of those who made the submissions.

Council is not bound by any submission and its assessment of an application will involve considering the merits of the application together with all submissions.

18. Notification of submitters when a strategic planning matter or Development Application is to be determined by Council

In accordance with Council's policy Determination of Development Applications under delegated authority, some development applications are submitted to a Council meeting for consideration and determination. In this situation, all individuals who have made a submission to the DA will be notified of the meeting date and opportunities available to address the Council through Public Access. This process allows community members to speak for up to four minutes on any agenda item included in the business paper.

Similarly, if a submission is made regarding a strategic planning matter that is scheduled to be determined by Council, each individual who has made a submission will be notified of the relevant Council meeting date when the matter will be determined by Council and the opportunity available to address Council through the Public Access process.

19. Amendments prior to Determination

An applicant may amend an application at any time before Council has made its decision with the prior agreement of Council staff. If, in Council's opinion, the amendments are considered likely to have a greater adverse effect on or a different adverse effect on adjoining or neighbouring land, then Council will renotify:

- · Those persons who made submissions on the original application;
- Any other persons who own adjoining or neighbouring land and in the Council's opinion may be adversely affected by the amended application;
- Where the amendments in the Council's opinion do not increase or lessen the adverse effect on adjoining or neighbouring land, or only provides additional information, Council may choose not to notify or advertise the amendments.
- Where the amendments arise from a Council-sponsored mediation, and it is considered that the amendments reflect the outcome of the mediation and do not otherwise increase the application's environmental impact, the amendments will not be notified or advertised.
- Amendments to applications to remove a tree or to lop, top, or prune a tree, will not be notified or advertised, where the
 application is required only by Chapter 14 of this DCP and no other development is involved.=

20. Modifications (including consents granted by a meeting of Council, the Court or a Joint Regional Planning Panel)

All applications to modify a development consent will be advertised/notified unless:

- (xxxi) the modification does not change the height or external shape or facade of the proposal as shown on the original application; or
- (xxxii) Council is satisfied that the modification or amendment has none or only a minimal impact on the environment; or
- (xxxiii) Council is satisfied that the modification or amendment does not substantially change the original application; or
- (xxxiv) Council is satisfied that no disadvantage will be caused to any person who owns adjoining or neighbouring land or who has made a submission relating to the application.
- (xxxv) In determining who is to be notified of the proposed modification, if Council is satisfied that the modification is of a minor nature, or of minimal environmental impact, the requirement for newspaper advertisement/site notice may be waived.

21. Community Consultation Plans including Telecommunications Infrastructure

Council strongly encourages proponents for large or potentially controversial developments to undertake pre-consultation with communities likely to be affected by a proposed development. This assists with identifying issues of concern and enables design responses to those concerns to be included at an early stage in any proposal lodged with Council for consideration or comment. Pre-consultation can also reduce costs and potential submissions in relation to applications lodged for assessment.

Council will consider facilitating pre-consultation processes within reasonable means which may include:

- · Putting proponents in contact with local community groups;
- · Mail outs to residents from Council's property database;
- Engaging an independent facilitator or making a suitable meeting venue available.

Large developments and proposals for new telecommunications facilities such as new mobile phone towers (whether under a DA for complying development process) have the potential to result in community concerns, and well considered community consultation plans have the ability to address issues and inform the community with background information to assist in understanding the proposed development.

There are community consultation guidelines published by various agencies for new telecommunication facilities, and to assist proponents, Council's expectations for community consultation plans include:

- (xxxvi) A pre-consultation public meeting with any known local community groups and/or property owners within 500m of the proposed telecommunications facility to share information and views;
- (xxxvii) The formal notification of the proposal should include details of how the Telecommunications Provider has responded to matters raised in previous submissions;
- (xxxviii) The formal notification of the proposal should include photomontages from different view points around the site, and refer to details demonstrating how visual impacts have been minimised in deciding the preferred proposal;
- (xxxix) People who made submissions in response to pre-consultation for the proposal should be advised by letter of the formal proposal;
- (xl) The formal notification should ensure that all premises within 500m (unless this extent of notification is impractical in the circumstances) of the proposed installation are provided with written notification of the proposal;
- (xli) Newspaper notices should be placed in the Echo/Northern Star and any local village newspaper/journal or the like around the same time;
- (xlii) In addition to a site notice, a notice should also be placed at any local village store in consultation with the proprietor of that store;
- (xliii) At the conclusion of the formal notification period, a public meeting should be convened at following proper advance notice of an accessible and convenient location and time to residents/submittors to respond to the matters raised in submissions. This will enable the Telecommunications Provider to respond directly to community questions and concerns and provide information/undertakings in response.

Council responses to requests for comment on community consultation plans will incorporate the above expectations to ensure appropriate and meaningful community engagement from an early stage in project development.