

**Attachment 3 – Review of Existing Public Exhibition Requirements**

**Table 1 - MINIMUM PUBLIC EXHIBITION PERIOD FOR DEVELOPMENT APPLICATIONS AND OTHER MATTERS**

Type of Plan	Minimum Public Exhibition Requirement (EP&A Act 1979)	Current LEP/DCP Requirement	Action Required
<p><b>Application for development consent (other than for complying development certificate, for designated development or for State significant development)</b></p>	<p>14 days or:</p> <p>If a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified, or</p> <p>If the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition.</p> <p><b>NOTE:</b></p> <p>The Community Participation Plan will not be implemented until late 2019.</p>	<p><b><u>DCP 2014</u></b></p> <p><b>Level 0</b> (no notification)</p> <p><b>Level 1</b> – 14 days</p> <p><b>Level 2</b> – 14 days</p> <p>Scope available in DCP to increase notification to 28 days.</p> <p><b>Clause A14.6</b> States that Council has discretion to waive the public notification or exhibition of any application.</p>	<p>No action required due to provisions under Part 2 of the <i>EP&amp;A (Savings, Transitional and Other) Regulation 2017</i>.</p> <p>Recommend review of DCP provisions for early adoption, or for adoption under the community participation plan to be implemented in late 2019.</p>
	<p>In the interim, Part 2 of the <i>EP&amp;A (Savings, Transitional and Other) Regulation 2017</i> allows for Council to continue to exercise discretion over advertising requirements as per the existing DCP controls.</p>	<p><b><u>DCP 2010</u></b></p> <p><b>Level 0</b> (no notification)</p> <p><b>Level 1</b> – 14 days</p> <p><b>Level 2</b> – 14 days</p> <p>Scope available in DCP to</p>	<p>No action required due to provisions under Part 2 of the <i>EP&amp;A (Savings, Transitional and Other) Regulation 2017</i>.</p> <p>Recommend review of DCP provisions for early adoption, or for adoption under the community participation plan to</p>

		<p>increase notification to 21 - 28 days.</p> <p><b>Chapter 17 - Clause 6</b> States that Council has discretion to waive the public notification or exhibition of any application.</p>	be implemented in late 2019.
<b>Application for development consent for designated development</b>	28 days	<p>No DCP/LEP requirement.</p> <p>Public engagement requirements are regulated under State legislation.</p>	No Action
<b>Application for development consent for State significant development</b>	28 days	<p>No DCP/LEP requirement.</p> <p>Public engagement requirements are regulated under State legislation.</p>	No Action
<b>Application for modification of development consent that is required to be publicly exhibited by the regulations</b>	<p>The period (if any) determined by the consent authority in accordance with the relevant community participation plan.</p> <p><b>NOTE:</b></p> <p>The Community Participation Plan will not be implemented until late 2019.</p> <p>In the interim, Part 2 of the <i>EP&amp;A (Savings, Transitional and Other) Regulation 2017</i> allows for Council</p>	<p><b><u>DCP 2014</u></b></p> <p>As prescribed for original application; or</p> <p>No notification in some instances (Clause A14.3)</p>	<p>No action required due to provisions under Part 2 of the <i>EP&amp;A (Savings, Transitional and Other) Regulation 2017</i></p> <p>Recommend review of DCP provisions for early adoption, or for adoption under the community participation plan to be implemented in late 2019.</p>
		<p><b><u>DCP 2010</u></b></p> <p>As prescribed for original</p>	<p>No action required due to provisions under Part 2 of the <i>EP&amp;A (Savings, Transitional</i></p>

	to continue to exercise discretion over advertising requirements as per the DCP controls.	application; or No notification in some instances (Clause 5.1)	<i>and Other) Regulation 2017</i> Recommend review of DCP provisions for early adoption, or for adoption under the community participation plan to be implemented in late 2019.
<b>Environmental impact statement obtained under Division 5.1</b>	28 days.	No DCP/LEP requirement. Public engagement requirements are regulated under State legislation.	No Action
<b>Environmental impact statement for State significant infrastructure under Division 5.2</b>	28 days	No DCP/LEP requirement. Public engagement requirements are regulated under State legislation.	No Action
<b>Re-exhibition of any amended application or matter referred to above required by or under this Schedule</b>	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter.	No specific DCP/LEP provisions are in place.	No action required due to provisions under Part 2 of the <i>EP&amp;A (Savings, Transitional and Other) Regulation 2017</i> Recommend review of DCP provisions for early adoption, or for adoption under the community participation plan to be implemented in late 2019.

**Table 2 - MINIMUM PUBLIC EXHIBITION PERIOD FOR PLANS**

Type of Plan	Minimum Public Exhibition Requirement (EP&A Act 1979)	Current LEP/DCP Requirement	Action Required
<b>Draft local strategic planning statements (Division 3.1)</b>	28 days.	No DCP/LEP requirement.  Public engagement requirements are regulated under State legislation.	No Action
<b>Planning proposals for local environmental plans subject to a gateway determination (Division 3.4)</b>	28 days or: if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition.	No DCP/LEP requirement.  Public engagement requirements are regulated under State legislation and via the Gateway Determination.	No Action
<b>Draft development control plans (Division 3.6)</b>	28 days.	No DCP/LEP requirement.  Public engagement requirements are regulated under State legislation.	No Action
<b>Draft contribution plans (Division 7.1)</b>	28 days.	No DCP/LEP requirement.  Public engagement requirements are regulated under State legislation.	No Action

