

Community Participation Plan

2019

Adopted October 2019



CGRC Community Participation Plan
Drafted 2019
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What is a community participation plan (CPP)?

Community engagement is a collective term which covers consultation and collaboration between Council and a range of stakeholders. Community consultation aims to empower stakeholders (the community) by enabling them to participate in decisions and processes which impact them. The concept of community engagement is often thought of as being on a spectrum from low level engagement or consultation to high level engagement or empowerment.

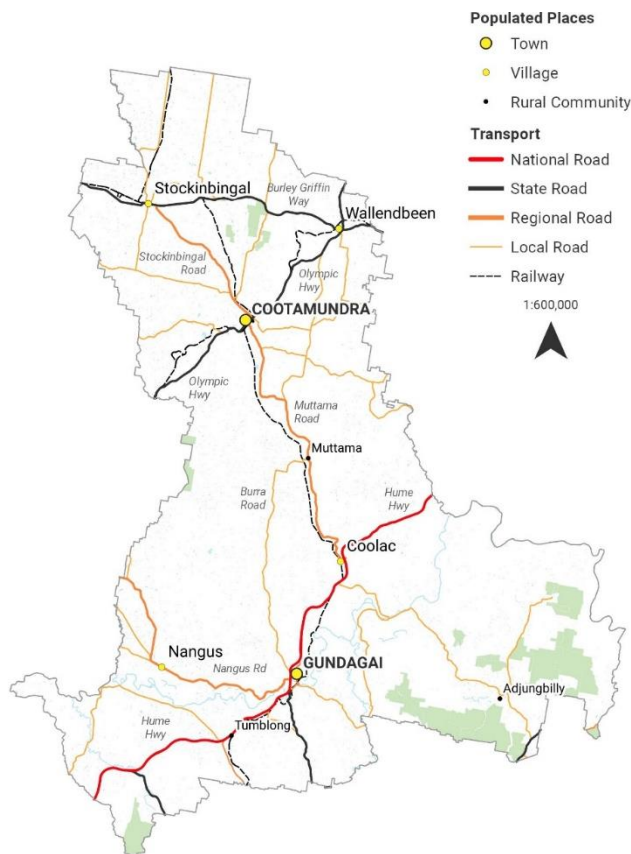
The Environmental Planning and Assessment Act 1979 (the Act) recognises the importance of community engagement in the successful implementation of a planning decisions and the value that community engagement can offer decision makers and the decision making process. To formalise this, the Act mandates that Council, as a planning authority, is to prepare and adopt a community participation plan (the CPP) which details the mandatory provisions for notification in accordance with Part 1 Schedule 1 of the Act as well as any local provisions.

The CPP is a plain English document which seeks to encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning by giving the community every opportunity to participate in strategic planning, have a say on major development which they may be affected by and ensure that there is transparency in decision making processes.



When does this CPP apply?

This CPP applies to the Cootamundra-Gundagai Regional Council Local Government Area (the LGA) and its exercise of planning functions in accordance with the Act.



Objectives of the CPP

The objectives of this CPP are to ensure:

- That the community is informed about planning matters that affect it,
- Effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning,
- Planning information is conveyed in a manner which is easy to access and understand,
- That the community is given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered,
- That community participation is inclusive and that community views are actively sought,
- That proponents of major developments are actively engaging with affected stakeholders before an application is lodged with Council,
- That planning decisions are made in an open and transparent way which clearly outlines how community views have been taken into account, and
- That there is a clear understanding of the methodology Council uses to engage with the community in accordance with the Act.

When doesn't this CPP apply?

This Community Participation Plan does not outline Council's engagement strategies for the delivery of other Council services, functions or infrastructure.



The CPP complements existing Council processes and engagement principles

Exhibition and Notification

The Act and associated Environmental Planning and Assessment Regulations 2000 detail mandatory requirements in relation to public exhibition and consultation, however this CPP also includes non-mandatory requirements which reflect best practice and promote the objectives of this plan. For example there may be instances where consultation should be extended or notification be more widespread to better afford the community the opportunity to contribute to decision making and ensure that their voice is heard.

Plan making instruments

Planning document	Mandatory/non mandatory	Timeframe	Target audience	How
Community participation plan	Mandatory	28 days	LGA wide	<ul style="list-style-type: none"> • Council's newsletter • Local newspapers • Council website • Council's Facebook
Planning proposal for local environmental plans subject to a gateway determination*	Mandatory	28 days (unless otherwise stated in the gateway determination)	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
Development control plan*	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
Contribution plan*	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
Local strategic planning statement	Mandatory	28 days	LGA wide	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook

Planning agreement	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
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* **Note:** In the case of a comprehensive LEP, DCP or Contributions Plan, individual land holders and tenants will not be sent a letter.

Development applications

Planning document	Mandatory/non mandatory	Timeframe	Target audience	How
Designated development application	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
State significant development application	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
Integrated development application	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
Environmental impact statement for State Significant Infrastructure	Mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook
Development applications which are for: <ul style="list-style-type: none"> • Buildings with a floor area greater than 100m² closer than 3m to the boundary line; • Any building or works closer than 0.9m to the boundary line; 	Non mandatory	14 days	Properties affected by the proposal	Letters to individual owners and tenants

<ul style="list-style-type: none"> • Buildings which are greater than one storey less than 6m to the boundary line; • Buildings less than or equal to 100m from a boundary in a rural (excluding RU5) or environmental zone; • Applications which may detrimentally impact adjoining neighbours including matters of overshadowing, views, privacy, noise, smoke, dust, odour, reflection of light, storm water and so on. 				
Any modification application which was originally advertised	Mandatory/Non mandatory	Based on original exhibition timeframe	<ul style="list-style-type: none"> • As per original application's notification • Any additional receptors who may be impacted by the modification 	•

Other planning plans and policies

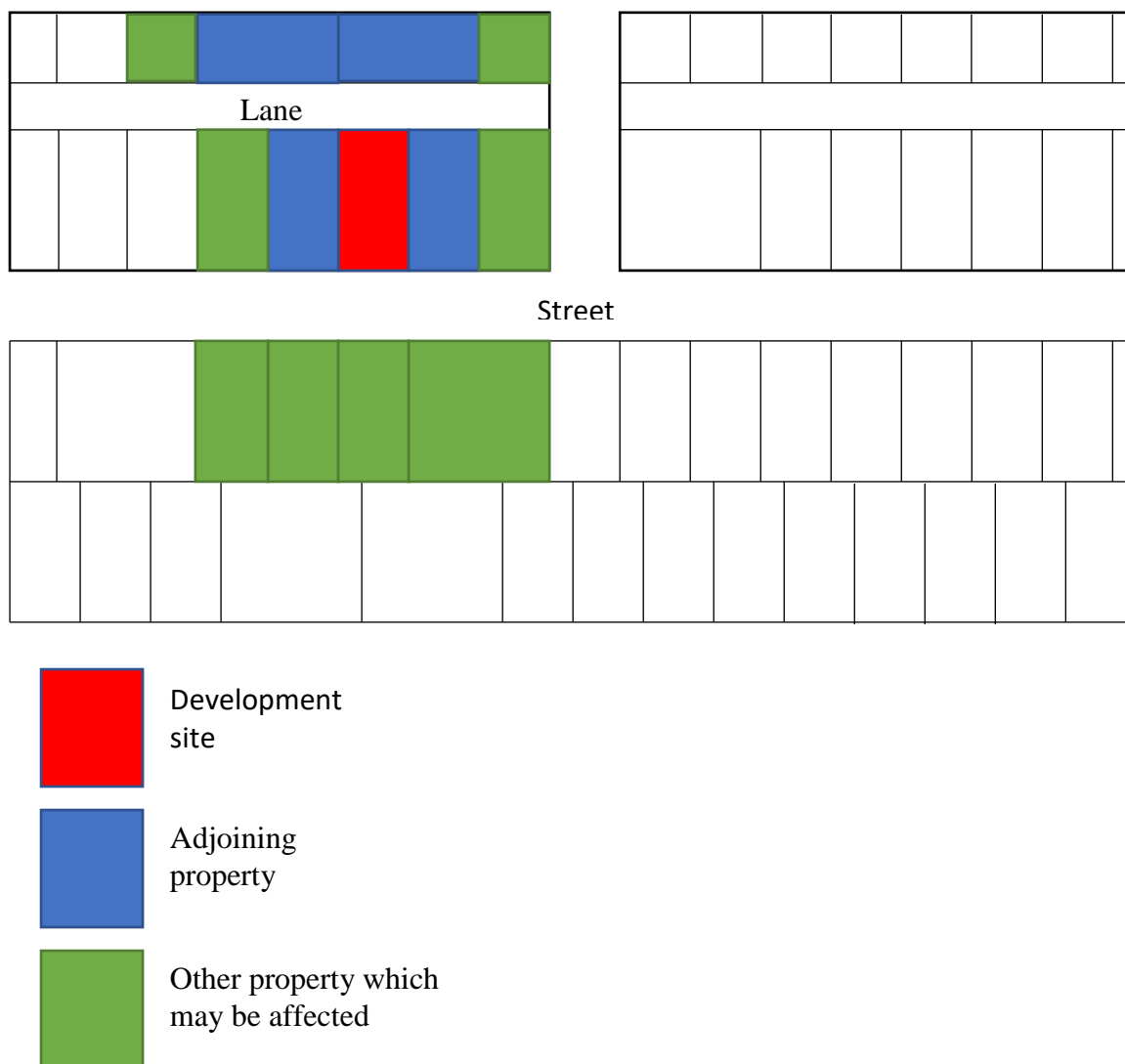
Planning document	Mandatory/non mandatory	Timeframe	Target audience	How
Policy or guide	Non mandatory	28 days	LGA wide	<ul style="list-style-type: none"> • Council's newsletter • Local newspapers • Council website • Council's Facebook
Masterplan	Non mandatory	28 days	<ul style="list-style-type: none"> • Properties affected by the proposal • Properties adjoining affected site/s 	<ul style="list-style-type: none"> • Letters to individual owners and tenants • Council's newsletter • Local newspapers • Council website • Council's Facebook

Some Development Applications Don't Need to be Notified

Not every development application needs to be notified. A routine development application which complies with the DCP and does trigger any notification requirements listed above, will not be notified.

Adjoining property versus impacted property

Depending on the nature of the development will determine whether consultation through notification is required and whether that notification is to only physically adjoining property or more broadly to impacted property. The following scenario is provided as a guide only, the authorised officer is ultimately responsible for determining how wide notification is to occur in accordance with the intentions of this plan.



How can Development Applications be viewed by the public?

All plans and information lodged with an application that is notified in accordance with this CPP will be available for viewing at the closest Council Customer Service Centre to the subject site during regular business hours. Development applications to be determined by a planning panel will be available for viewing at the closest Council Customer Service Centre to the subject site during regular business hours.

Applications will also be available for online tracking and viewing through Council's website www.cgrc.nsw.gov.au/DAtack.

How to lodge a submission

The submission period is the same as the notification period. Any submissions need to be addressed to the General Manager of Cootamundra-Gundagai Regional Council. The relevant application, plan, policy, etc. will not be determined until the notification period is over, with any submissions considered in the relevant officer's report and recommendation.

Privacy

Should a matter be referred to Council for determination, the names and addresses of those who have made a submission will be withheld in the report, however anyone who makes a submission needs to be conscious of the fact that details of their submission will be kept on file and may be accessed by other members of the public in accordance with the Government Information (Public Access) Act 2009.

Council will not knowingly release any identifying information of anyone who makes a submission even when a request is made in accordance with the Government Information (Public Access) Act 2009. Copy write is federally legislated and overrides State information access laws. Plans are for viewing only and cannot be copied or reproduced without the owner of that copy write's consent.

Outcomes of assessment

Council is required as the consent authority to formally notify the public of outcomes of assessment of a development application (or modification). This is usually done on a monthly basis, first through the Council report and then in the local paper.

Council will also give notice of the determination of an application to each person who provided a written submission and in the instance of a petition, the instigator of the petition. This notice will include:

- The decision;
- The date of the decision;
- The reason/s for the determination outcome; and
- How community feedback was considered.

In the case of a matter which is referred to a planning panel, Council will write to each individual who made a submission to notify them of the time and date of the meeting.

SUBMISSION CHECKLIST

- ☐ The submission must be received by Council on or before the last day of the notification timeframe.
- ☐ The submission must be in writing (via post, email, fax or hand delivered) and addressed to the General Manager, Cootamundra-Gundagai Regional Council.
- ☐ Clearly state the name and address of the person making a submission.
- ☐ Clearly reference the development application number or document name.
- ☐ All reasons for or against must be based on planning considerations such as:
 - the clauses and objectives of a relevant planning instrument;
 - the likely impacts of the development including social, environmental and economic;
 - Suitability of the site; and
 - The public interest.

Outcomes of other engagement

While Council is only obligated to report and respond to submissions made for a development applications, good practice has determined that should a submission be made in relation to any other exhibited planning document in which Council has a proper name and address of the submitter, correspondence will be sent to notify them of the outcome.

Adjoining or impacted neighbours in a different LGA

Development can occur along or near LGA boundaries. In the instance when a neighbour or affected land parcel is identified as being in a LGA which is not CGRC, Council will contact the relevant planning authority (neighbouring Council), identify the affected properties and pass along all relevant information in which that authority will then be responsible for passing along to the relevant party/s.



How we engage

To maximise community participation and engagement, each situation is tailored to the individual circumstance of the development application or plan making instrument. Council has a number of methods in which to meet mandatory obligations for notification and consultation as well as more innovative methods to ensure that a broad cross section of the community is heard from. These methods can broadly be divided between the need to either inform or to consult with the community.

Inform

Council usually undertakes consultation to inform when dealing with development applications. This is undertaken in accordance with the relevant regulatory timeframe (see pages 7-8).

Information is usually targeted through letters to adjoining and/or affected neighbours for small or regular development applications. Occasionally, for larger developments, designated development and other relevant development applications the community is informed via letters, advertising in the local newspaper and Council's communication channels such as the newsletter, website and Facebook.

Following the determination of a development application Council will continue to inform as appropriate. All determinations will be listed monthly in the relevant Council report and published in the local paper. In the instance where submission/s were received which provide a proper name and address then Council will inform the submitter of the outcome of the assessment (see page 10).

Consult

Consulting with the community generally occurs in instances when Council is creating or exhibiting plan making instruments and other matters such as master planning. While there are mandatory requirements for notification and exhibition (see page 6) for plan making instruments, when undertaking consultation for certain strategic plans Council may determine that it is necessary to undertake other engagement methods, such as street stalls, drop in sessions, public meetings and social media campaigning.

A key issue with this method of engagement is that it is largely anonymous and so keeping the community informed of outcomes and decisions needs to be done to ensure that the same or similar reach is achieved as what was done during the consultation phase.



Council staff engaged in a saturation consultation methodology for the Cootamundra 2050 Town Strategy in order to hear from a broad cross section of the community.

