

Community Participation Plan



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COMMUNITY PARTICIPATION IN COUNCILS PLANNING DECISIONS

Warren Shire Council recognises that community participation throughout the planning system delivers better planning results for residents, businesses and visitors of Warren.

Ultimately, our responsibility is to deliver the objectives of various Acts, including the *Environmental Planning and Assessment Act 1979* (EP&A Act). These objectives include the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

Community participation is an overarching term covering how we engage the community in our work under the EP&A Act, including rezonings and making decisions on proposed developments. The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impacts of the decision.

“The Community” includes anyone who is affected by the planning system and includes residents, visitors, community groups, NGOs, Aboriginal communities, peak bodies representing a range of interests, businesses and State and Commonwealth government agencies.

Why is community participation important?

- Community participation builds community confidence in the planning system
- Community participation creates a shared sense of purpose, direction and understanding of the need to support growth and change, while preserving local character.
- It provides access to community knowledge, ideas and expertise.

Objectives

The community participation plan objectives are to:

- build community confidence in the planning system
- create a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character
- provide access to community knowledge, ideas and expertise

What is our Community Participation Plan?

Our Community Participation Plan (CPP) is designed to make participation in planning clearer for the community. It does this by setting out in one place how and when you can participate in the planning system, our functions and different types of proposals. This CPP also establishes our community participation objectives which we use to guide our approach to community engagement.

Table 1: What functions does the Community Participation Plan apply to?	
Policies	Council develops policies that shape how we interact with the planning system. These may include policies on developments that do not require a Development Application, developer contributions or repayment schemes.
Plan Making	Strategic planning is an essential aspect in Council's work as it supports development and economic investment in the Shire. It involves planning for communities which integrates social, environmental and economic factors with the Shire's special attributes. Examples of this work includes Planning Proposals such as rezonings, development control plans and economic growth plans.
Assessment	Councillors in a Council Meeting, the General Manager, the Manager Health & Development Services and various officers in Council's Health & Development Department make decisions on a range of developments. When making decisions on these developments, consideration is given to whether land use proposals are in accordance with the strategic priorities of Council, the Region and the State. Further, Council considers whether the proposed development is in the public interest and complies with applicable legislation, policies and guidelines.

Who does this community participation plan apply to?

Our CPP is a requirement of the EP&A Act (see division 2.6 and Schedule 1 of the EP&A Act) and applies to the exercise of planning functions by Council. Planning functions are vast and may include determining Development Applications, preparing Local Environmental Plans or Development Control Plans or preparing strategic documents such as the Local Strategic Planning Statement. These functions are generally administered either by the General Manager or their delegates. In general, planning controls and their delegations are outlined in Table 2.

Table 2: Planning functions		
Planning Function	Responsibility	Delegation
Strategic documents such as the Local Strategic Planning Statement and Community Participation Plan.	Endorsed by Council following a public exhibition period.	Manager Health & Development Services, assisted by Council's Town Planners.
Preparation of Local Environmental Plans and Development Control Plans	Endorsed by Council following a public exhibition period.	Manager Health & Development Services, assisted by Council's Town Planners.
Determination or modification of Development Applications.	Manager Health & Development Services on behalf of the General Manager	Councils Assessment Officers.

Our approach to community participation

In line with our community participation objectives, we encourage open, inclusive, easy, relevant, timely and meaningful opportunities for community participation in the planning system, our planning functions and individual proposals. To achieve this, we design our engagement approach so that even where they may not be community wide consensus on the decision or outcomes, there can be acknowledgement that the process was fair with proper and genuine consideration given to community views and concerns. To achieve the benefits of community participation in the planning system, we will tailor the following community participation approaches for all our planning functions:

Table 3: Community participation approach

<i>What</i>	<i>When</i>	<i>How</i>
<p><i>We will review all Development Applications to determine whether they should be placed on public exhibition in a timely manner.</i></p>	<p>We make this decision as soon as practical after the application is lodged with Council and commence public exhibition and neighbour notification as appropriate.</p>	<p><i>Level 1: Inform</i></p> <p>Advertisements in the local paper, letter mailouts, our website, social media announcements, emails, information sessions etc as deemed appropriate.</p>
		<p><i>Level 2: Consult</i></p> <p>Public exhibition, drop in sessions, walking tours, one on one engagement, emails and phone calls as deemed appropriate.</p>
<p><i>We consult with the community and invite them to provide their views and concerns on a Development Application or other planning function.</i></p>	<p>During the public exhibition period, we seek your views and concerns. We welcome feedback as a submission in a formal exhibition, or at other times if appropriate.</p>	<p>Public exhibition, drop in sessions, walking tours, one on one engagement, emails and phone calls as deemed appropriate.</p>

<i>What</i>	<i>When</i>	<i>How</i>
<p><i>We respond to the community's views by addressing concerns raised.</i></p>	<p>In reaching a decision we consider your views and concerns, and outline how we have addressed them in the assessment.</p>	<p><i>Level 3: Consider</i></p> <p>Phone calls, emails, opportunities to speak at Council Meetings and targeted consultation as appropriate.</p>
<p><i>We notify the community of decisions on proposals and detail how their views were considered in reaching the decision.</i></p>	<p>In reaching a decision we consider your views and concerns, notify you of the reasons for the decision and how community views were considered.</p>	<p><i>Level 4: Determination</i></p> <p>Updates to websites, publication of submission reports, letters to submitters. Council provides a "Reason for the Decision" on the consent for each Development Application.</p>

THE ROLE OF EXHIBITIONS IN THE PLANNING SYSTEM

Exhibitions

A key technique we use to encourage community participation is formal exhibition. During an exhibition we make available relevant documents that may include a draft of the policy, plan or proposed development that we are seeking community input on. In conducting an exhibition we receive submissions and we maintain privacy of the submitter.

In reaching decisions on proposals that have been exhibited, the Council, the General Manager, the Manager Health & Development Services or an assessment officer balances a wide range of factors to ensure that decisions are in the public interest. This includes considering the objectives of the EP&A Act, the strategic priorities of Council, the community's input, the land use priorities identified in strategic plans and applicable policies and guidelines.

How can you get involved in a public exhibition?

- Make a formal submission on an exhibition by email or post.
- Connect directly with Council staff working on a proposal, policy, plan or project.
- At Council pop up shops call by, have a look at the proposals, policies, plans and projects on exhibition, chat to Councillors and fill in the feedback forms.
- On Council's notice board peruse the proposals, policies, plans and projects on exhibition so that you can stay informed about planning processes and opportunities for feedback.
- Participate in council presentations made to village communities - Nevertire and Collie - by being informed and providing valuable feedback.
- Have your say in a variety of group forums: Council documents will be presented to service clubs and sporting groups, on request.
- Publicity in the weekly media and social media outlets: be informed by reading the media releases on new proposals, policies, plans or projects and make sure you have a say in the matters which affect you by writing a submission or connecting with Council staff.

Exhibition timeframes

Section 2.21(2) of the EP&A Act details the types of proposals that must be considered in the CPP and Schedule 1 of the Act sets a minimum exhibition timeframe for most of these proposals. We will always exhibit a proposal for this minimum timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal. The only requirements in this plan that are mandatory are those set out in the table below and these are the same as the mandatory minimum timeframes in Schedule 1 of the EP&A Act.

Table 4: Mandatory exhibition timeframes

<i>Draft Community Participation Plan</i>	28 days
<i>Draft Local Strategic Planning Statements</i>	28 days
<i>Planning proposals for Local Environmental Plans subject to a gateway determination</i>	28 days or as specified by the Gateway Determination which may find, due to the minor nature of the proposal, that no public exhibition is required.
<i>Draft Development Control Plan</i>	28 days
<i>Draft Contribution Plans</i>	28 days
<i>Application for development consent for designated development</i>	28 days
<i>Environmental Impact Statement obtained under Division 5.1</i>	28 days

Several of our functions and proposals do not have minimum exhibition timeframes. As a matter of course in line with our community participation objectives. We typically exhibit documents related to the exercise of these functions and proposals for the timeframes described in the table below:

Table 6: Exhibition timeframes for Development Applications

<i>Notification to all landowners considered by the Manager Health & Development Services to be impacted by the Development Application</i>	14 days
<i>Advertisement if deemed to be of significant public interest by the Manager Health & Development Services</i>	14 days
<i>Integrated and Advertised Development Amendments to Development Applications</i>	28 days In the same manner as the Original Development application unless varied at the discretion of the Manager Health & Development Services.

Key points to note about public exhibitions include the following:

- A public authority is not required to make available for public inspection any part of an Environmental Impact Statement whose publication would, in the opinion of the public authority, be contrary to the public interest because of its confidential nature or for any other reason.
- Timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday, we may extend the exhibition to finish on the first available work day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

Making a submission

It is important that submissions only contain information relevant to the development or planning proposal. Council officers are required to assess proposals on planning grounds identified in relevant legislation. Issues such as a moral objection, commercial competition or personal circumstance of an applicant or objector cannot be given weight in Council's assessment. At a minimum, each submission must:

- Clearly identify the matter to which the submission relates
- State the grounds for any support or objection expressed in the submission
- Include appropriate contact details

Feedback

There are many ways for the community to provide feedback or raise questions outside of formal exhibition and we will always consider and respond to your views and concerns.

Copies of the Community Participation Plan have been:

- Placed on Council's notice board
- Presented to the Village communities
- Presented to service clubs and sporting groups
- Publicised in weekly media and social media outlets and
- Placed on public exhibition for a minimum of 60 days.

Contact us:

Email us at council@warren.nsw.gov.au

Write to the General Manager: PO Box 6 Warren NSW 2824

Phone us on (02) 6847 6600

Visit Council at 115 Dubbo Street, Warren.

GLOSSARY

Planning term	Definition
Contribution Plans	A plan developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development
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 coastal wetland)
Development Application	Development application refers to developments require consent pursuant to the Environmental Planning and Assessment Act.
Development Control Plans	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP
Gateway Determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local Environmental Plan (LEP)	An environmental planning instrument developed by a local planning authority, generally a council. An LEP sets the planning framework for a Local Government Area
State Environmental Planning Policy (SEPP)	An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state