



COMMUNITY PARTICIPATION PLAN



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PART 1. INTRODUCTION

1.1 What is a Community Participation Plan?

A Community Participation Plan (CPP) outlines in a single, easy to read document of how and when Council will engage with the community across planning functions. This CPP encourages Council and the community to interact in an informed, meaningful and transparent manner when considering Strategic Plan making and Development Assessment functions and activities.

The extent of community participation will vary on the community, the size of the proposal and the extent of the potential impacts of the proposal. This CPP provides guidance on how the community can have a say in different types of planning processes. The aims of the CPP are to provide transparency and clarity for the community, to understand its role in different planning functions.

It is generally acknowledged that community participation in the planning system encourages better outcomes for residents, business, industry and the community.

Dubbo Regional Council being an amalgamated Council previously had Development Applications notification requirements within two (2) separate documents including the Dubbo Development Control Plan 2013 and the Wellington Development Control Plan 2012.

This plan provides a consolidated set of community participation requirements for the notification or advertisement of Development Applications within the Dubbo Regional LGA. This CPP will supersede each section of the DCPs which relates specifically to the notification and advertisements of Development Applications.

1.2 Purpose of the Community Participation Plan

The purpose of the CPP is to:

- Encourage community confidence in planning processes undertaken by Council.
- To encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- Provide the community with opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Allow early consultation to ensure members of the community who area affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- Grow a shared sense of purpose, direction and understanding of planning functions and directions.
- Provide an effective process of engagement between Council and the community, which embraces the community's knowledge, ideas and expertise.

1.3 Objectives of the Community Participation Plan

The objectives of the CPP are:

- To provide information that is easily accessible and in plain English.
- To ensure our strategic planning reflects the aspirations of our community and partners.
- To meet statutory obligations regarding notification, exhibition and decisions of Council on relevant planning materials.
- To ensure the needs and concerns of the community are identified and addressed wherever possible.
- To provide engagement material which is inclusive, transparent and encourages participation.
- To notify adjoining and/or adjacent owners where Council considers that the proposal may have an impact on them.
- To ensure consistency to the manner in which Council considers development applications.
- To enhance opportunities for all members of the community to participate in planning decisions to achieve better planning outcomes.
- To ensure the community understands how they can participate in planning decisions.

1.4 Planning Framework

Planning functions in New South Wales are largely governed by the State Statutory Legislation Instruments such as:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Local Government (General) Regulation 2005

This Plan has been prepared to satisfy the requirements of Division 6 Community Participation of the Environmental Planning and Assessment Act 1979 (EP & A Act). In particular, the Plan has been prepared having regard to the matters included in Section 2.23(2) of the EP & A Act. These matters relate to community participation being inclusive, relevant, timely and meaningful.

1.5 Planning functions this Community Participation Plan applies to

The CPP applies to the Dubbo Regional Local Government Area (LGA). The community participation methods and approaches will reach different communities within the Dubbo Regional LGA dependent on the size of proposal and potential impacts of such proposal.

Planning matters that fall under the responsibility of other planning authorities (such as State Significant Development Assessed by the NSW Government) are subject to the relevant CPP adopted by that authority.

The aims of the CPP are to provide transparency and clarity for the community to understand its role in different planning functions. For the purposes of this CPP, planning functions have been identified as either Statutory or Strategic.

Statutory Planning	The assessment of Development Applications lodged with Council, primarily under the provisions of the Environmental Planning and Assessment Act, 1979.
Strategic Planning	<p>Sets the desired outcomes and provides direction on how to achieve them. The strategic planning function enables development and assists in managing growth and change. Strategic Planning projects include:</p> <ul style="list-style-type: none"> • Community Participation Plans. • Local Strategic Planning Statements. • Planning Proposals. • Development Control Plans. • Developer Contributions Plans. • Master Plans. • Structure Plans and, • Policies relating to Development and Environment. • Community Strategic Plan

1.6 What is Community Engagement

Community engagement is the process of involving people in the decisions that affect their lives and environment. It is proactive and ongoing, promoting open discussion and shared responsibilities for decisions. Community engagement can involve a broad variety of activities from informing (reflecting a low level of engagement) through to active participation or collaboration (reflecting a high level of engagement). An overview of the level of activities are:

Informing	To provide balanced and objective information to the community in a timely manner
Consultation	To obtain feedback on analysis, issues, alternatives and decisions
Involvement	To work with the public to make sure that concerns and aspirations are considered and understood
Collaboration	To partner with the public in each aspect of the decision-making

PART 2. NOTIFICATION REQUIREMENTS AND TIMEFRAMES

2.1 Introduction

Schedule 1 of the EP & A Act outlines the statutory minimum requirements for public exhibition of strategic planning documents and statutory Development Applications.

Table 1 and Table 2 provides guidance for minimum exhibition timeframes and if written notice and council website notice is required. All applications, projects and policies will be notified in the following ways:

2.2 Statutory Planning Functions

The level of community participation for statutory planning functions, such as Development Applications, will depend upon the expected impact, scale and type of development.

Table 1: Statutory Planning Services Community Participation Requirements

Application	Minimum Days	Written Notice	Application Tracker
Development Applications	14 Development Applications considered to have negligible impacts are not required to be notified (see below on page 6)	✓	✓
Integrated Development Applications	14 - 28	✓	✓
Designated Development Applications	30	✓	✓
Modified Development Applications	No requirement. Notification for all Modified Applications being Section 4.55 (1) (1A) and (2) will be at the discretion of the Manager Building and Development Services		✓

Circumstances where Development Applications require notification in local print media

If a Development Application is lodged for a new land use listed below in Table 2, an advertisement is required to be placed in Local Print Media. This requirement may be satisfied by notification via an online platform, including Council's website and Application Tracker.

Where alterations or additions are proposed, the level of notification will be at the discretion of the Manager Building and Development Services.

Table 2: Development Applications required to be notified in local print media

- | | | |
|------------------------------------|-----------------------------------|---------------------------------------|
| • Air transport facilities | • Helipads | • Registered clubs |
| • Aquaculture | • Heliports | • Residential flat building |
| • Biosolids treatment facilities | • Highway service centres | • Restricted premise |
| • Boarding house | • Hospitals | • Resource recovery facility |
| • Caravan park | • Hotel or motel accommodation | • Sewerage treatment |
| • Correctional centres | • Liquid fuel depot | • Sex services premise |
| • Crematoriums | • Livestock processing industry | • Stock and sale yards |
| • Educational establishments | • Manufacture home estates | • Subdivision with more than 50 lots |
| • Electricity generating works | • Medical centres | • Waste disposal facilities |
| • Entertainment facilities | • Mining (open cut) | • Water recycling facilities |
| • Extractive industries | • Mining (underground) | • Waste or resource transfer stations |
| • Gas pipelines | • Offensive industry | • Water reticulation systems |
| • Hazardous industries | • Offensive storage establishment | • Water storage facilities |
| • Hazardous storage establishments | • Petroleum production | • Water treatment facilities |
| | • Places of public worship | |
| | • Pubs | |
| | • Recreation facilities (major) | |

*For definitions of these land use activities, please see the relevant Local Environmental Plan.

Circumstances where notification is not required

Some minor development is of a scale and nature that does not require formal notification of neighbouring properties. Provided the proposal complies with all applicable development controls (LEP, DCP & other relevant policies) and/or is considered unlikely to detrimentally impact neighbouring properties, no formal notification period applies.

This applies to development such as:

- Residential dwellings.
- Alterations and additions.
- Residential sheds and garages.
- Rural buildings.
- Landscaping.
- Fences.
- Pools.
- Change of use.
- Strata subdivisions of existing developments.
- Boundary adjustments where no additional lots are created.

Note:

- Development Applications may be notified for longer than the minimum days if deemed necessary.
- Notification periods may be extended in consideration of the mailing process aiming to ensure that people notified receive the full notification period to consider the proposal.
- Timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday. The exhibition may finish on the next available work day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

2.3 Exempt and Complying Development

Some development, such as exempt and complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, does not allow opportunities for community engagement.

2.4 Strategic Planning Functions

The level of community participation for Strategic Planning projects will depend upon the expected impact, the scale and the type of project.

Table 3: Strategic Planning Community Participation Requirements

Application/Project/Policy	Minimum Days	Written Notice	Website
Community Participation Plans	28		✓
Local Strategic Planning Statements	28		✓
Planning Proposals (Gateway Determination)	28 (Gateway Determination requirements may change the minimum)	✓	✓
Development Control Plans	28	✓	✓
Developer Contribution Plans	28	✓	✓
Planning Agreements	28	✓	✓
Re-classification of Public Land	28	✓	✓
Master/Precinct Plans	28	✓	✓
Structure Plan	28	✓	✓
Planning/Land use Policies	28	✓	✓
Land use strategies	28	✓	✓

Circumstances where a Community Engagement Strategy is required

Dependent on the level of complexity of a project, the number of directly impacted community members, the project will have monetary impacts and the anticipated level of importance for the community. If deemed appropriate by Director Development and Environment, a community and stakeholder engagement strategy, prepared specifically for the individual project may be required. The strategy would aim to ensure that the participation level of community collaboration is achieved.

The engagement plan includes the activities and methodology for providing feedback to the stakeholders. This may include the use of a number of the following activities (this list is not comprehensive list, consultation activities not listed may still be used).

- Social media posts;
- Local print media notices;
- Letter box flyer;
- Council website;
- Public displays in the relevant Civic Administration Building, library and popular community locations (i.e. cafés);
- Workshops and focus groups;
- Public meetings and information sessions;
- Discussion papers;
- Councillor briefing sessions;
- Pop up stall at event, markets and in popular community areas;
- Information sessions;
- Surveys; and
- Drop-in sessions.

For projects where the collaboration level of participation is achieved, it is expected that two (2) public exhibitions will occur. This would include the initial 'blank page' consultation asking the community for their thoughts on a matter. The collation of this data would be used to inform the draft project. The second consultation being public exhibition of the draft document.

Minimum Participation Activities

For projects which are not required to have a dedicated Community Engagement Strategy, Council will undertake a number of participation activities to ensure that the participation level of consultation is achieved. The following activities are undertaken as a minimum for all Strategic Planning projects.

- Public displays in the relevant Civic Administration Building, library and popular community locations (i.e. cafés).
- Council website.
- Local print media notices.
- Written notification if residents are directly impacted by proposal.
- Responsible officer to answer enquiries.

PART 3. COMMUNITY PARTICIPATION IN THE PLANNING PROCESS

3.1 Our approach to Community Engagement

Community engagement is a planned process with the specific purpose of working with identified groups of people, whether they are connected by geographic location, special interest, or affiliation or identify to address issues affecting their well-being.

Community engagement can take many forms and the International Association for Public Participation (IAP2) has developed the 'IAP2 public participation spectrum' to help groups define the public's role in any public participation process.

The spectrum of community engagement has been designed to assist in determining the most appropriate level of participation of the public. The spectrum shows that differing levels of participation are legitimate depending on the goals, time frames, resources and levels of concern in the decision to be made. However, and most importantly, the spectrum sets out the goal being made to the public at each level.

While the IAP2 Spectrum for Public Participation has been adopted for this framework, within the context of Local Government, the highest level of 'Empower' will rarely be achievable or appropriate. The spectrum notes that the level of 'Empower' places the "final decision-making in the hands of the public". As elected representatives for the community, final decisions will ultimately rest with the elected Councilor's.

'Consider' and 'Determine' have been included within the statutory planning approach to provide a more practical approach as to how development applications are considered and determined, with respect to the Environmental Planning and Assessment Act, 1979.

a) Statutory Planning Approach



	Inform	Consult	Consider	Determine
Goal	We will tell you about relevant applications and give you accurate and relevant information.	We will keep you informed, listen to and acknowledge your concerns and aspirations.	We will consider your submission when assessing the application.	We will let you know the decision regarding the application.
When	As soon as practical following the application's lodgment.	Consultation will continue as specified in the notification letter.	After the exhibition period the application will be formally assessed by Council.	After the determination has been made.
Example Techniques	<ul style="list-style-type: none"> Written notification Online Application Tracker Newspaper advertisements (if required under Section 2.2 of this CPP) 	<ul style="list-style-type: none"> Reviewing Documentation by Application Tracker Making Submission 	<ul style="list-style-type: none"> Council development assessment process 	<ul style="list-style-type: none"> Written letter Application tracker Notice of decision in local newspaper

b) Strategic Planning Approach



	Inform	Consult	Involve	Collaborate
Goal	To provide balanced and objective information in a timely manner	To obtain feedback on analysis, issues, alternatives and decisions	To work with the public to make sure that concerns and aspirations are considered and understood	To partner with the public in each aspect of the decision-making
When	Across the entire project, however, will usually be upfront, on adoption of a draft plan and adoption of the final plan.	Could be prior to developing a draft plan, and/or on adoption of a draft plan for exhibition	At a series of stages within a project that seek feedback and explain involving outcomes.	Multiple opportunities across the projects.
Example Techniques	<ul style="list-style-type: none"> • Council website • Social media • Written notification • Advertisements 	<ul style="list-style-type: none"> • Surveys • Drop-in sessions • Markets 	<ul style="list-style-type: none"> • Community workshops • Targeted workshops • Information sessions 	<ul style="list-style-type: none"> • Working groups • Stakeholder meetings • Surveys • Submissions

3.1 Submission Process

Written submissions received during the exhibition period will be considered as part of the assessment of the application. No determination of any matters will be made before the conclusion of the exhibition period.



3.2 Making a submission

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

- Clearly identify the matter to which the submission relates
- State the grounds for support or objection with adequate details as to reasons
- Include appropriate contact details

Late submissions may be considered at Council's discretion until a determination has been made.

Submission can be:

Posted: PO Box 81, DUBBO NSW 2830

Emailed: council@dubbo.nsw.gov.au

Dubbo drop in: Cnr Church and Darling Street, DUBBO

Wellington drop in: Cnr Nanima Crescent and Warne Street, WELLINGTON

All submissions should be addressed to the Chief Executive Officer.

GLOSSARY

Planning term	Definition
Contribution plans	A plan developed by councils for the purpose of levying financial contributions from development towards the cost of new and upgraded public amenities and/or services required to accommodate the development
Designated development	Designated Development refers to high-impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area.
Development application	Refers to developments which 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 by the Department of Planning, Industry and Environment (DPIE) 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 DPIE, that relates to planning matters that are state significant or are applicable across the state
Local Government Area (LGA)	A Local Government Area is an administrative division of the Country that Local Government is responsible for.
Environmental Planning and Assessment Act 1979	The Environmental Planning and Assessment Act 1979 sets out the laws under which planning in New South Wales takes place.

DOCUMENT CONTROL TABLE

Revision	Purpose	Date
1	Draft Issued for Public Exhibition	11 October 2019
2	Amendments for Council Adoption	8 November 2019

Revision 2 adopted at Ordinary Council meeting Monday 25 November 2019 (CCL19/224)