

# Community Participation Plan Your Say Matters

Hornsby Shire Council

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Office hours: 8.30am–5pm Monday to Friday  
(excluding public holidays)

### **Duty officer**

A duty officer is available 8.30am–1pm and 2pm–4.30pm on weekdays to provide general town planning and engineering advice.

Our duty officer is located at the Hornsby Shire Council Administration Centre on the ground floor.

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**Council would like to recognise the Traditional owners of the lands of Hornsby Shire, the Darug and Guringai Aboriginal Peoples, and pay respect to their Elders past, present and emerging and their heritage.**



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## Introduction

We're making it easier for you to understand how you can have your say.

You're an important member of our community and when it comes to what matters to you – our environment, new developments and infrastructure – what you have to say about it matters to us.

That's why we're making it even easier for you to understand your part in the conversation and the decisions that affect you and our community.

This community participation plan explains our commitment to you and how you can be involved in making Hornsby an even better place to live.

### What is the Hornsby Shire Council community participation plan?

This community participation plan is your guide to how you can help to plan our future.

You can participate in planning and assessment matters. You can also participate in developing strategies and proposals that Council or local, district or regional planning panels need to assess.

### What region does this community participation plan apply to?

This community participation plan applies to all land within the Hornsby Shire Council local government area relating to the operation of planning functions outlined in the Environmental Planning and Assessment Act 1979.

### Why do we need a community participation plan?

We developed this plan to meet the requirements of Division 2.6 and Schedule 1 of the Environmental Planning and Assessment Act 1979.

Notification procedures from the Hornsby Development Control Plan have been included in this community participation plan. Once made, the Hornsby Development Control Plan will be updated to remove Part 1B.5 Notification and Exhibition.



## Our promises to you

The following objectives work with the community participation principles outlined in Section 2.23(2) of the Environmental Planning and Assessment Act 1979.

Our goal is for you to understand how you can participate in planning decisions.

### Community participation is open and inclusive

#### We will:

- Keep you informed about planning matters
- Provide a safe environment so you feel comfortable and confident to be part of planning decisions
- Engage our community strategically to ensure the information we capture is accurate and represents our community as a whole.

#### We will do this by:

- Using a variety of engagement methods so everyone can participate, no matter their group or age
- Hosting a range of information and engagement events at venues throughout Hornsby that are easy for you to access.

### Community participation is easy

#### We will:

- Present you with information that is written in plain English and easy to understand
- Clearly show you the purpose of any community engagement activity and how and when you can be involved
- Use visual aids when it's appropriate.

#### We will do this by:

- Advertising opportunities for you to participate as widely as possible through channels like email, newspaper, media releases, social media, our website and direct mail
- Giving you multiple ways to give us feedback like email, through the post or by speaking to us
- Making it easy for you to visualise a proposed project or plan by using interactive maps or 3D representations.

### Community participation is relevant

#### We will:

- Define the purpose of our engagement activities and adapt them to suit the context, nature, scale and the level of community interest in the project or plan.

#### We will do this by:

- Targeting our community engagement campaigns, surveys or information available on social media to specific community groups
- Sending you information relevant to a planning matter you tell us you're interested in
- Reviewing the outcomes of previous community consultation so we can learn how we can do it better next time.

### Community participation is timely

#### We will:

- Involve you as early as possible in planning processes for plans and projects
- Meet the required minimum exhibition timeframes
- Give you plenty of time to give us feedback.

#### We will do this by:

- Notifying you early in the exhibition timeframe on how you can be part of making decisions via our website, newspapers and media releases
- The timeframe for you to give us feedback will depend on the nature of the proposed plan or project.

### Community participation is meaningful

#### We will:

- Keep giving you meaningful opportunities to be part of council decisions that affect you
- Thoughtfully consider your feedback
- Report back to you about the reasoning behind our decisions.

#### We will do this by:

- Amending our plans or giving you more information as a result of your feedback.

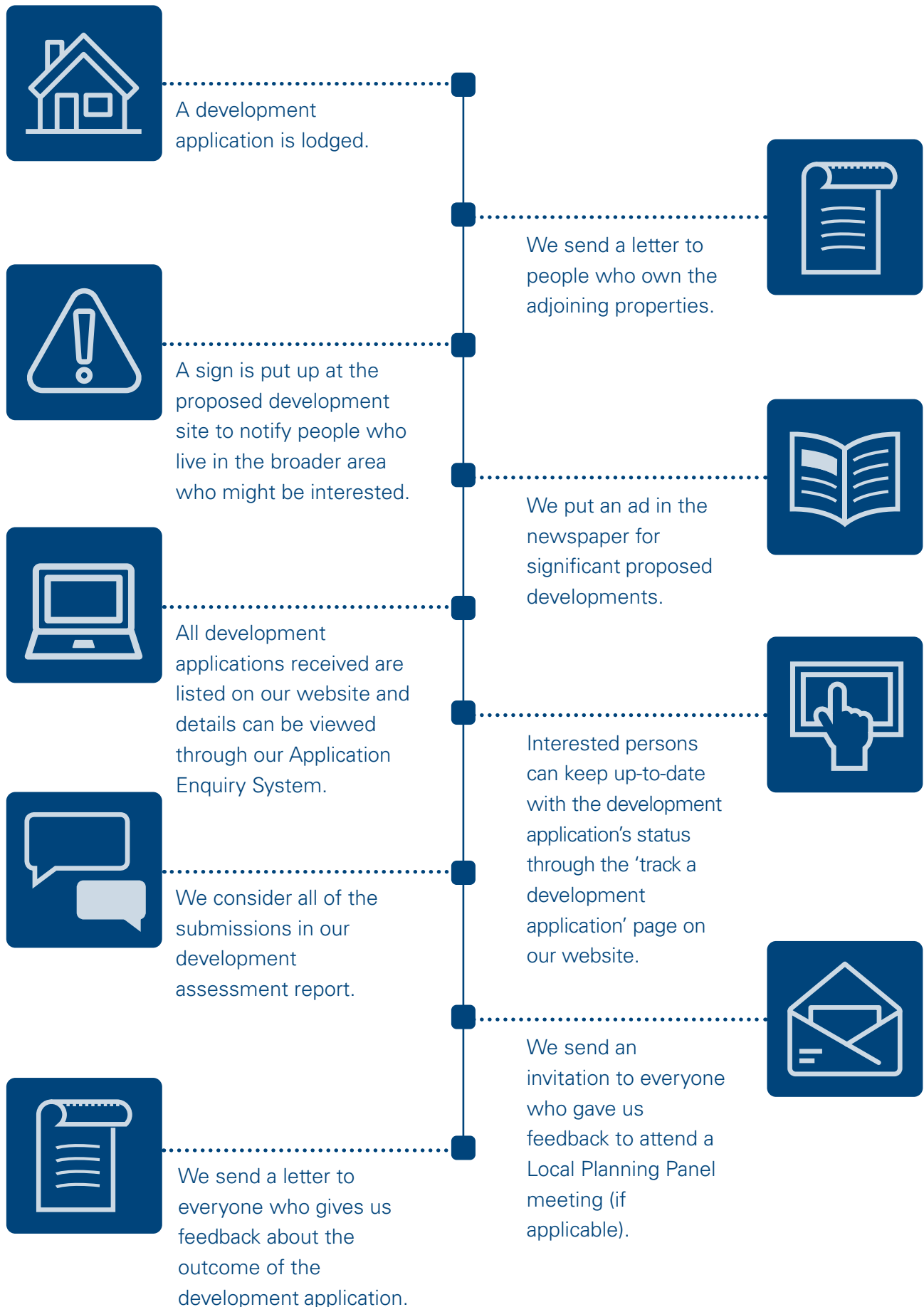






# Development applications

## Development consent functions





## Notification and exhibition of development applications and other matters

We exhibit applications in line with the Environmental Planning and Assessment Act 1979. This table shows you how, and for how long, we advertise common development applications.

Application type	Sign on property	Ad in local newspaper	Letter to adjoining property owner	Minimum mandatory timeframe
Advertised development: <ul style="list-style-type: none"> <li>■ Designated development</li> <li>■ Nominated integrated development (development that requires approval under the Heritage Act, Water Management Act and Protection of the Environment Operations Act)</li> <li>■ Threatened species development</li> <li>■ Class 1 Aquaculture</li> </ul>	✓	✓	✓	28 days
Other integrated development	✓	✓	✓	14 days
Local development (other than listed below)	✓	✓	✓	14 days
Local development involving: <ul style="list-style-type: none"> <li>■ Dwelling house and ancillary work</li> <li>■ Advertising signs</li> <li>■ Temporary land use (per clause 2.8 of Hornsby Local Environmental Plan)</li> </ul>	✓	✗	✓	14 days
Section 8.2 Applications (review of a determination)	✓	As per original development application.	✓ We also send letters to people who object to the original development application.	14 days
Section 4.55(2) and 4.56 Applications (modification of a development application)	✓	As per original development application.	✓ We also send letters to people who object to the original development application.	14 days
Environmental Impact Statement obtained under Division 5.1	✗	✓	✓	28 days





# Exhibiting applications

## Exhibition periods

- For applications where we advertise in the local newspaper, the minimum exhibition period starts the day after the notice first appears in the newspaper.
- We may extend the minimum exhibition period for development when there is significant community interest.
- We'll extend minimum exhibition periods when they cross over the Christmas/New Year period. Days between 20 December and 10 January aren't included in minimum exhibition periods.
- Time frames are calendar days and include weekends.

## Notification of amendments before determining applications

- We might re-exhibit an amended application if the person who assesses the application thinks the changes negatively affect the surrounding properties.
- If we re-exhibit a development application and the person who assesses it thinks it only differs slightly from the original application, we'll send a letter to the affected property owners and submitters. The exhibition period will be 14 days or when we have received all submissions—whichever occurs first.
- When the amended application differs significantly from the original, we'll re-exhibit the application the same way we did for the original.

Note: The re-exhibition requirements for designated and other advertised development are prescribed in the Environmental Planning and Assessment Act 1979 and regulations.

## Development not exhibited

We don't need to exhibit or notify the public about these applications:

- Modifications for minor errors, misdescription or miscalculation (section 4.55(1))
- Modifications of minimal environmental impact (section 4.55(1A))
- Temporary community advertisements
- Any other development we don't think would negatively impact the surrounding properties and area.



## Exhibition methods

### Our website

Every week, we publish a list of all of the development applications we received during the week on our website: [hornsby.nsw.gov.au](https://hornsby.nsw.gov.au). Details of each application may be viewed through our Application Enquiry System.

### Sign on property

- The applicant needs to display the A4-sized notice we issue in a prominent position so members of the community can read it easily throughout the exhibition period. See the Notification and exhibition of development applications table for more information about exhibition periods.
- The applicant needs to give us evidence the sign was displayed at the site at the beginning of the exhibition period. This evidence can be a dated photograph or a statutory declaration.

### Local newspaper advertisement

When required, we'll publish receipt of the application in a locally circulated newspaper. The newspaper will be one of the following:

- Hornsby and Upper North Shore Advocate
- Hills News
- Northern District Times.

### Letters to adjoining property owners

- We'll send a letter to adjoining property owners to advise them we received an application, and invite them to comment.
- An adjoining property is a property that shares a common boundary with the subject site, or a property directly across the road from the subject site.
- In addition to an adjoining property, Council may extend the area of notification if in Council's opinion the development may potentially impact on the wider locality.  
*Note: Pre-consultation with neighbours or effected landowners is encouraged as best practice before lodging a development application to assist in reducing delays.*
- If an adjoining property is a lot within the Strata Schemes (Freehold Development) Act 1973, a written note to the lessor under the leasehold strata scheme, and to the owner's corporation, is taken as a written notice to all of the owners.

- If an adjoining property has more than one owner or occupier, a written note to one owner or occupier is taken as a written note to all owners or occupiers.
- When requested, we'll provide a written notice to civic trusts, chambers of commerce or other community groups to let them know about proposed developments that are likely to have implications for the broader community.

### Public authorities

We'll refer applications to public authorities if the application requires their approval under the Environmental Planning and Assessment Act 1979, or if we think the authority might be interested in the application.



## Submission

### Lodging a submission

Anyone can submit a response to a development application. You don't need to have received a letter about it.

Your submission needs to be in writing and include:

- Your name, address and email address
- The address of the proposed development
- Council's application number
- Your reasons for objecting or supporting the proposal

You can email your submission directly to [devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au). You can also comment via our Application Enquiry System or post.

### Considering submissions

- All submissions received within the exhibition period will be included in the assessment of the application.
- Only submissions that are made electronically via [devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au) or our Application Enquiry System will receive an acknowledgement of receipt.
- Where an application is to be determined at a panel meeting, rather than by Council officers, we will invite the applicant and all submitters to attend the meeting.
- Petitions are recorded as one submission containing the number of signatures.
- When we receive a petition, we will send updates to the lead petitioner only. It is the lead petitioner's responsibility to inform co-petitioners about any updates.
- Applicants can check on the status of development applications on our website: [hornsby.nsw.gov.au](http://hornsby.nsw.gov.au).
- We do our best to consider submissions we receive outside of the exhibition period. However, there's no guarantee.
- Please note that submissions may be made publicly available in accordance with relevant legislation.

### Post determination notification

In line with the Environmental Planning and Assessment Act 1979, we notify the public of the outcomes when we assess an application.

We'll notify submitters what we determined in writing. For a petition, we'll advise the lead petitioner.

We'll publish the outcomes of applications on our website and in one of these locally circulated newspapers:

- Hornsby and Upper North Shore Advocate
- Hills News
- Northern District Times.

We also publish all application outcomes on our website: [hornsby.nsw.gov.au](http://hornsby.nsw.gov.au).

Notifications about the outcomes of applications include:

- The decision
- The date of the decision
- The reasons for the decision
- How we considered the community views in making the decision.

In accordance with Section 10.4 of the Environmental Planning and Assessment Act 1979, any person or organisation that has made a submission about a relevant planning application and has made a reportable political donation or gift to a Councillor or employee of the Council must make a political donations disclosure statement.





# Strategic planning functions

## Overview of strategic planning functions and exhibition periods

In accordance with the Environmental Planning and Assessment Act 1979, the minimum mandatory timeframes are as outlined below. Depending on the scale and nature of the proposal, we can extend the timeframes to allow the community enough time to properly consider it.

### Draft community participation plans

What is the community participation plan?	Minimum exhibition period
The Hornsby community participation plan explains how we engage with our community across all of our planning functions so people in our community can easily understand how they can be part of planning matters.	28 days

### Draft local strategic planning statements

What is the local strategic planning statement?	Minimum exhibition period
<p>Our local strategic planning statement (LSPS) sets out a 20-year vision for land use in Hornsby Shire. It identifies the special character and community values we preserve and how we manage growth and change.</p> <p>Legislation requires all councils in New South Wales to prepare an LSPS. LSPSs unify state, regional, district and local strategies and allow councils to translate their strategic planning work into local priorities and actions that shape development controls.</p>	28 days

### Draft planning studies and reviews

What is a draft planning study?	Minimum exhibition period
Before preparing a major amendment to the local environmental plan or development control plan, Council conducts a planning study or review.	<p>28 days</p> <p>*Council may extend this based on the urgency, scale and nature of the study or review. A consultation strategy will be reported to Council with any draft strategic planning study or review and will include the methods of consultation and identification of residents to be notified.</p>

### Planning proposals for local environment plans subject to gateway determination

What is a local environmental plan?	Minimum exhibition period
<p>A local environment plan (LEP) is a legal instrument that establishes land use zones and imposes standards to control development. The purpose of an LEP is to implement our strategic plans to achieve the objectives of the Environmental Planning and Assessment Act 1979.</p> <p>To amend an LEP, a planning proposal must be submitted to the New South Wales Department of Planning, Industry and Environment for a gateway determination. The gateway determination will identify the merit of the proposed plan-making process and specify if the planning proposal is to proceed and establish conditions we need to comply with.</p>	<p>28 days, or the time period specified in the gateway determination</p> <p>*Council undertakes an additional informal notification process beyond that required by legislation for owner-initiated Planning Proposals. On receipt of an owner-initiated Planning Proposal, Council will seek feedback (14 day exhibition period) prior to consideration by Council or the Department of Planning, Industry and Environment.</p>

**Draft development control plans**

What is a development control plan?	Minimum exhibition period
<p>We create development control plans (DCP) to provide detailed planning and design guidelines within certain areas to implement the controls outlined in the LEP.</p> <p>We will occasionally amend a DCP and introduce new controls or modify existing DCP provisions to respond to legislative changes or clarify the intent of an existing control.</p>	28 days

**Draft contribution plans**

What is a contributions plan?	Minimum exhibition period
<p>Contribution plans allow us to levy new developments to provide local infrastructure and community facilities. These plans can occasionally be amended to reflect land rezoning and to meet additional needs required by population growth.</p>	28 days

**Voluntary Planning Agreement**

What is a Voluntary Planning Agreement?	Minimum exhibition period
<p>A VPA is an agreement voluntarily entered into by a public authority (Council) and a developer to deliver public benefits. These include monetary contributions, the provision of community facilities, affordable housing, public infrastructure, dedication of land to Council, conservation of the natural environment and any other material of public benefit or any combination of these.</p>	28 days

**How to lodge a submission**

Anyone can make a submission in response to a strategic plan or strategy. You don't need to have been formally notified, and your submission can support or oppose a matter.

You need to make your submission in writing – by mail, via an email or through our website: [hornsby.nsw.gov.au](https://hornsby.nsw.gov.au).

Include these details with your submission:

- Your name, postal address and email address
- The name of the strategy or plan
- Your reasons for objecting or supporting the strategy or plan.

Please note that submissions may be made publicly available upon request, other than personal information contained within them, in accordance with relevant legislation.

**Consultation Strategies**

When a Strategic planning report or policy is reported to Council for endorsement for exhibition, the report will

include a strategy, outlining at a minimum, the exhibition period, who will be consulted and where the plans and supporting documentation can be viewed. Each consultation strategy will vary depending on the urgency, scale, nature of the study and anticipated level of community interest. We use the 'Noticeboard' tab through the 'Have Your Say' page on Council's website to view these.

Current planning proposals can also be viewed on Council's website under the 'Building and Development' tab through the 'Planning Proposals' page.

**How we consider submissions**

We consider all submissions we receive within the exhibition periods. We also do our best to consider submissions we receive outside of the exhibition period, but we can't guarantee this.

When we receive a petition, we only communicate through the lead petitioner. Check with them if you signed a petition and would like an update. We record petitions as one submission containing the number of signatures.



# How to get involved

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There are so many ways you can give us feedback or talk about planning matters with us.

## **Hornsby Shire Council**

ABN 20 706 996 972

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[devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au) for DA matters.

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