

TABLE OF CONTENTS

Community Participation in councils planning decisions _____	2
Why is community participation important? _____	2
Objectives _____	3
What is our Community Participation Plan? _____	3
Who does this community participation plan apply to? _____	4
Our approach to community participation _____	5
Local Developments that will be notified _____	6
Who will be notified _____	7
Exhibitions _____	8
How can you get involved in a public exhibition? _____	8
Exhibition timeframes _____	8
Making a submission _____	10
Feedback _____	11
Glossary _____	12

COMMUNITY PARTICIPATION IN COUNCILS PLANNING DECISIONS

Oberon Council (Council) recognizes that community participation throughout the planning system delivers better planning results for residents, businesses and visitors of Oberon.

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 rezoning proposals, plan formulation and decision making for 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 on the community.

"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 ensure participation from the community in planning decisions is both clearer and more accessible. It achieves this by setting out in a single document 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.

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 Councils work as it supports development and economic investment in the Council area. It involves planning for communities which integrate social, environmental and economic factors with the Council's unique 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, Director of Planning and Development and various officers in Councils Planning and Development department make decisions on a range of developments.

	When making decisions on 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.	Planning & Development Director, assisted by Councils Town Planner.
Preparation of Local Environmental Plans and Development Control Plans	Endorsed by Council following a public exhibition period.	Planning & Development Director, assisted by Councils Town Planner.
Determination or modification of development applications.	Planning & Development Director on behalf of the General Manager	Councils Town Planner and Health & Building Surveyor.

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 there may not be a 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

What	When	How
<i>Level 1: Inform</i>		
<i>We will review all Development Applications to determine whether they should be placed on public exhibition in a timely manner.</i>	We make this decision as soon as practical after the application is lodged with Council and commence public exhibition and neighbour notification as appropriate.	Advertisements in the local paper, letter mailouts, our website, social media announcements, emails, information sessions etc as deemed appropriate.
<i>Level 2: Consult</i>		
<i>We consult with the community and invite them to provide their views and concerns on a development application or other planning function.</i>	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.	Public exhibition, drop in sessions, walking tours, one on one engagement, emails and phone calls as deemed appropriate.
<i>Level 3: Consider</i>		
<i>We respond to the community's views by</i>	In reaching a decision we consider your views and	Phone calls, emails, opportunities to speak at

<i>addressing concerns raised.</i>	concerns, and outline how we have addressed them in the assessment.	Council Meetings, mediation between disputed parties and targeted consultation as appropriate.
------------------------------------	---	--

Level 4: Determination

<i>We notify the community of decisions on proposals and detail how their views were considered in reaching the decision.</i>	In reaching a decision we consider your views and concerns, notify you of the reasons for the decision and how community views were considered.	Updates to websites, publication of submission reports, letters to submitters. Council provides a "Reason for the Decision" on the consent for each Development Application.
---	---	--

Local Developments that will be notified

- Boarding Houses
- Demolition of a heritage item
- Extractive Industries
- Intensive Livestock Keeping
- Liquid Fuel depots
- Junk yards
- Sawmills
- Subdivision (over 2 lots)
- Brothels
- Heritage Items
- Hotels / Motels
- Industries- other than in the industrial area of the Oberon Village
- Medium & high density housing
- Residential Flat Buildings and duplexes
- Stock & Sale yards
- Tourist Facilities

In addition, where Council's Planning & Development Staff considers that community interest in a development proposal warrants public consultation, such development can be notified appropriately as per this policy.

Who will be notified

The extent of neighbour notification will be determined by Councils staff having regard to the following:

- The siting of the building/development and its proximity to boundaries;
- The design of the building/development, and in particular its height bulk and scale and its relationship to the character of existing development in the vicinity and the street scape;
- The use of proposed rooms and the possible effect on adjoining land, due to overlooking and loss of privacy;
- The views to and from adjoining land;
- Any overshadowing of adjoining and;
- Natural drainage of the site and possible changes in response to the proposed works and the impacts that this may have on adjoining properties;
- The likelihood of the adjoining land being detrimentally affected by noise;
- Any relevant matter for consideration under division 2.6 and Schedule 1 of the EP&A Act.

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, Planning & Development Director 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.

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 tables below:

Table 6: Exhibition timeframes for Development Applications

<i>Notification to all landowners considered by the Planning & Development Director to be impacted by the Development Application</i>	14 days
<i>Advertisement if deemed to be of significant public interest by the Planning & Development Director</i>	14 days

<i>Integrated and Advertised Development</i>	28 days
<i>Amendments to Development Applications</i>	In the same manner as the original development application unless varied at the discretion of the Planning & Development Director.

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) and public holidays over the Easter period are excluded from the calculation of a period of public exhibition.
- Notification periods which include mailed notification letters should be extended by 3 business days to allow for postage to occur.

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 including email, phone and postal details.

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

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.

Contact us:

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

Write to the General Manager: PO Box 84 Oberon NSW 2787

Phone us on (02) 6329 8100

Visit Council at 137-139 Oberon Street, Oberon

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