



WARRUMBUNGLE SHIRE COUNCIL



COMMUNITY PARTICIPATION PLAN 2019

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Introduction

Warrumbungle Shire Council (WSC) Community Participation Plan (CPP) is a requirement of the *Environmental Planning & Assessment Act (EP&A Act)*. The objectives of the CPP is to set out the process for community engagement and feedback on the use of land, proposals for the sustainable development of land, and the social and economic wellbeing of the community. The CPP works alongside the principles of the WSC's Community Strategic Plan (CSP) and Development Control Plan (DCP).

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 CPP?

Our CPP is designed to make participation in planning clearer for the community. This is achieved by setting out in one place how and when you can participate in the planning system, Councils functions and the different types of proposals. The CPP also established 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?

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|--------------------|--|
| 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 Shire. It involves planning for communities which integrates social, environmental and economic factors with the Shires special attributes. Examples of this work include Local Environmental Plan reviews and Development Control Plans. |
| Assessment | Councillors in a Council Meeting, the General Manager, Director Environment and Development Services, Manager Planning and Regulation and various officers in Councils Environment and Planning Department can 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. Council also 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. | Director of Environment and Development Services, assisted by Council's Town Planner. |
| Preparation of Local Environmental Plans and Development Control Plans | Endorsed by Council following a public exhibition period. | Director of Environment and Development Services, assisted by Council's Town Planner. |
| Determination or modification of development applications. | Director of Environment and Development Services on behalf of the General Manager | Councils assessing 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

| What | When | How |
|--|---|---|
| <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 neighbor notification as appropriate. | <i>Level 1: Inform</i> Advertisements in the local paper, letter mail-outs, on our website, social media announcements, as deemed appropriate. |
| <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. | <i>Level 2: Consult</i> Public exhibition, drop in sessions, one on one engagement, emails and phone calls as deemed appropriate. |
| <i>We respond to the community's views by addressing concerns raised.</i> | In reaching a decision we consider your views and concerns, and outline how we have addressed them in the assessment. | <i>Level 3: Consider</i> Phone calls, emails, opportunities to speak at Council Meetings and targeted consultation as appropriate. |
| <i>We notify the community of decisions on proposals</i> | In reaching a decision we consider your views and concerns. | <i>Level 4: Determination</i> Updates to websites, publication of submission reports, and letters to submitters. Council provides a "Statement of Reasons" on the consent for each Development Application. |

Exhibition Timeframes and Community Involvement 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, Director of Environment and 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 the community get involved?

Where there is a public exhibition in relation to development in the Shire, (whether this relates to development proposals, strategies or plans) the community can:

- Make a formal submission by email info@warrumbungle.nsw.gov.au or post PO Box 191 Coonabarabran NSW 2357.

If you decide to make a submission you must:

- (a) Make your submission in writing addressed to the General Manager;
 - (b) State your name, address and the development application number or name of strategy or plan being exhibited. Submissions and comments where the writer is anonymous may not be considered;
 - (c) There is no obligation for you to make a submission to Council. However should you have a view that you wish to bring to Council's attention, this is your opportunity. If objecting to a development proposal, strategy or plan, you should clearly state your reasons, and if possible, make positive suggestions as to what, if any, solutions you feel would be appropriate;
 - (d) Sign the submission;
 - (e) Email and written submissions and comments will be received up to 4.00pm on the expiry date. Email submissions should be followed by a short letter confirming email and signed by the person making submission.
- Contact Council staff members directly via phone or in person who are dealing with the proposal, policy/strategy, or development application.
 - Submit an online request through Council's website www.warrumbungle.nsw.gov.au

Exhibition Timeframes

Pursuant to Section 2.21(2) of the EP&A Act details of the types of proposals that must be considered in the CPP and Schedule 1 of the Act sets out a minimum exhibition timeframe for most of these proposals. Council will exhibit a proposal for the minimum timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal.

Table 4: Mandatory exhibition timeframes

| | |
|--|--|
| Draft Community Participation Plan | 28 days |
| Draft Local Strategic Planning Statements | 28 days |
| Planning proposals for Local Environmental Plans subject to a gateway determination | 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. |
| Draft Development Control Plan | 28 days |
| Draft contribution plans | 28 days |
| Application for development consent for designated development | 28 days |
| Environmental Impact Statement obtained under Division 5.1 | 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 5: Schedule of Notification and Advertising of Development Applications

| Development Type | Exhibition Period | Written Neighbour Notify | Newspaper Advertising and Councils web site |
|--|--------------------------|---------------------------------|--|
| Dwelling house comprising 2 or more storeys in RU5 and R1 | 14 days | Yes | No |
| Dual occupancies (attached or detached) in RU5 and R1 | 14 days | Yes | No |
| Attached dwellings and semi-detached dwellings | 14 days | Yes | No |
| Multi dwelling housing | 14 days | Yes | Yes |
| Residential flat buildings | 14 days | Yes | Yes |
| Seniors housing | 14 days | Yes | Yes |
| Hostels and Boarding houses | 14 days | Yes | Yes |
| Shop top housing | 14 days | Yes | Yes |
| Manufactured or relocated dwellings in RU5 and R1 | 14 days | Yes | No |
| Restricted Premises | 14 days | Yes | Yes |
| Tourist and visitor accommodation in urban areas * | 14 days | Yes | Yes |
| Non residential development in or adjoining the RU5, R1 and R5 zone | 14 days | Yes | Yes |
| Demolition of a Heritage Item | 14 days | Yes | Yes |
| Subdivision involving the creation of new additional allotments | 14 days | Yes | Yes - if an additional 5 or more lots are created |

| | | | |
|--|--|-----|----------------------|
| Major projects (not including utility services infrastructure) with a value exceeding \$1 million or likely to be of significant community interest | 14 days | Yes | Yes – if appropriate |
| Any development (including change of use) which in the opinion of the Council or its delegated staff may have potential for adverse impacts on the general amenity of a locality including views to or from an adjoining property or other perceived impacts.** | 14 days | Yes | Yes – if appropriate |
| Integrated and Advertised Development | 28 days | Yes | Yes |
| Amendments to Development Applications | In the same manner as the original development application unless varied at the discretion of the Director of Environment and Development Services | | |

**tourist and visitor accommodation in urban areas – newspaper advertisement is not required for bed and breakfast accommodation, or minor alterations and additions to existing tourist and visitor accommodation.*

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 |

Contact us:

Email: info@warrumbungle.nsw.gov.au

Postal Address: PO Box 191 Coonabarabran NSW 2357

Coonabarabran Office ph: (02) 6849 2000

Coolah Office ph: (02) 6378 5000

Visit us: 14-22 John Street, Coonabarabran or 59 Binnia Street, Coolah