



COMMUNITY PARTICIPATION PLAN

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Community participation in the planning system

What is community participation and why is it important?

Community participation is an overarching term covering how we engage the community in our work under the Environmental Planning and Assessment Act 1979 (EP&A Act), including plan making and making decisions on proposed development. The level and extent of community participation will vary depending on the community, the scope of the proposal under consideration and the potential impact of the decision.

Council recognises community participation throughout the planning system is not only your right, it also delivers better planning results for the people of the Wentworth Shire. The community includes anyone who is affected by the planning system and includes individuals, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses, local government, and State and Commonwealth government agencies. Community participation in the planning system is important because it:

- a) builds community confidence in the planning system;
- b) creates a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character; and
- c) provides access to community knowledge, ideas and expertise

What is the purpose of our Community Participation Plan?

Our Community Participation Plan (CPP) is designed to make participation in planning clearer for the Wentworth Shire 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.

What functions does the community participation plan apply to?

Our planning responsibility is to deliver the objectives of the EP&A Act including the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing in the Shire. The specific planning functions of Council are summarised in Table 1 below.

Table 1: Planning functions this CPP applies to

Planning Functions	Details
Plan making	Strategic planning is an essential aspect of our work where we set the strategic direction, vision and context for planning in the Shire. It involves planning for communities which integrates social, environmental and economic factors with the area's special attributes and their future realisation within the planning system. Examples of this work include the creation of or amendments to local environmental plans, planning proposals for local environmental plans subject to a gateway determination, development control plans, local strategic planning statements, contribution plans, structure plans, and land/community development strategies.
Assessments	The Council, General Manager and delegated officers of the Council all make planning decisions on a range of developments. When making decisions on

	<p>these developments, consideration is given to whether land use proposals are in accordance with the strategic priorities of the Council, public interest and applicable policies and guidelines.</p> <p>Proposals assessed may be residential developments, commercial developments, industrial activities, mining developments, transport and social infrastructure projects. In these proposals the planning phase is just one aspect of the overall lifecycle and at other phases engagement may be undertaken by either proponents or other NSW Government agencies. In some instances, we require ongoing engagement as a condition of approval.</p>
Policies	<p>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, street trees, mobile food vending, sheds and frost fans.</p>

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 the Council, the General Manager and delegated Council Officers. Our CPP does not apply to other NSW planning authorities. Our CPP will be reviewed on a periodic basis.

How the community can participate in Council's planning functions

Our community participation objectives

Our community participation objectives have been developed having regard to the community participation principles set out in Section 2.23(2) of the EP&A Act. The objectives and the measurable actions we will undertake to deliver them are presented in Table 2 below.

Table 2: Community participation objectives

Objectives	Actions	Examples
Community participation is open and inclusive	<ul style="list-style-type: none"> • Encourage community participation by: <ul style="list-style-type: none"> - keeping the community informed - promoting participation opportunities - seeking community input • Build strong partnerships with the community • Ensure community engagement accurately captures the relevant views of the community • Conduct community engagement opportunities in a safe environment 	<ul style="list-style-type: none"> • We engage resident groups to build community partnerships. Through these forums we can unpack what the community is worried about, what it wants a project to achieve and how it might be able to satisfy its wider needs • Planning team has a presence at community events such as the Small Business Expo, Annual Wentworth Show • We facilitate a more formal planning education programme, targeted at industry groups that the community can access

<p>Community participation is easy</p>	<ul style="list-style-type: none"> • Clearly set out the purpose of any engagement and how and when the community can participate in respect of a planning function • Prepare information for the community that is relevant, concise, written in plain English and easy to understand • Use visual representations to make it easier to understand the possible impacts of a proposed plan or development • Use best practice engagement methods and techniques • Ensure information is accessible and seek input from groups who may find it difficult to participate in standard engagement activities (e.g. young and older people; people with disabilities; Aboriginal and Torres Strait Islander people; people from a culturally and linguistically diverse background) 	<ul style="list-style-type: none"> • Community participation opportunities are advertised through channels including mail, advertising signs, newspaper advertisements, social media, press releases, email and our website • We use a range of technology such as powerpoint presentations and digital maps to make it easier to visualise how a plan or project will look and what it will mean for a local community
<p>Community participation is relevant</p>	<ul style="list-style-type: none"> • Clearly establish the purpose for engagement and tailor engagement activities to match the: <ul style="list-style-type: none"> - context (e.g. location; type of application; stage of the assessment process; previous engagement undertaken) - scale and nature of the proposal and its impacts - level of community interest - community's preferences about how they would like to participate • Adjust engagement activities (if necessary) in response to community input 	<ul style="list-style-type: none"> • We target information campaigns and surveys to specific audiences using paid and editorial media as well as organic and paid social media • Based on community feedback we undertake additional engagement to further understand issues raised during initial consultations • Consultation outcomes have helped us better understand what is important to the Wentworth community and led to the development of new policy initiatives

<p>Community participation is timely</p>	<ul style="list-style-type: none"> • Start community engagement as early as possible, and continue this engagement for an appropriate period • Ensure the community has reasonable time to provide input 	<ul style="list-style-type: none"> • We use workshops and public hearings to stimulate thought and provoke conversations about policy projects before the objectives are set • We require proponents for major projects to conduct pre-proposal and ongoing community engagement • Project updates and community participation opportunities are shared with community members that sign up for updates or on our website
<p>Community participation is meaningful</p>	<ul style="list-style-type: none"> • Explain how community input was taken into consideration, and ensure the response to community input is relevant and proportionate • Give genuine and proper consideration to community input • Keep accurate records of engagement activities and community input • Regularly review the effectiveness of community engagement • Integrate community input into the evaluation process • Comply with any statutory obligations • Protect privacy and respect confidentiality 	<ul style="list-style-type: none"> • Our planning team regularly engages with community groups to ensure that feedback has been understood • Provisions of our plans or the proposed development may change in response to community feedback. A building height may be amended, or a project could take an altogether different approach • Consultation reports are distributed to community members who participated in the process or signed up for updates as well as other channels such as our website, social and mainstream media

Our approach to community participation

Council encourages 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 community wide consensus on the decision or outcomes, there can be acknowledgment 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 community participation approaches outlined in Table 3 for all our planning functions. Examples of how these approaches will be used for our planning functions are presented in Appendix 1.

Table 3: Community participation approach

What	When	How
Level 1: Inform		
We notify the community of proposed plans/developments, provide accurate and relevant information on the context of the proposal and update information as proposals progress through the planning system.	During the early stages of proposed plan or on lodgement of development proposal we inform you of the intent and seek feedback to shape the plan’s design or planning decision on the proposed development. We then update you on the progress of a proposal as it makes its way through the planning system	Letter mail-outs, onsite advertisements, newspaper advertisements, our website, emails, media releases, social media announcements, information sessions, technical reports.
Level 2: Consult		
We consult with the community and invite them to provide their views and concerns on a proposed plan or development.	During the public exhibition period, we seek your views and concerns. We welcome feedback as a submission in a formal exhibition, or at any other time	Public exhibition, workshops, drop in sessions, walking tours, one-on-one meetings, phone calls, emails or letter mail-outs
Level 3: Consider		
We respond to the community’s views by addressing concerns raised and also conduct targeted engagement.	Through submissions and feedback, we identify your key issues and concerns and conduct targeted engagement activities to find solutions to determine the way forward	Public hearings, community reference groups, feedback sessions, phone calls, emails, opportunities to speak at Council Meetings, targeted consultation NSW government agencies expert advisors
Determination		
We notify the community of decisions on proposed plans/development and detail how their views were considered in reaching the decision	In reaching a decision we consider your views and concerns, notify you of the reasons for the decision and how community views were considered	Notice of decisions to submitters, Council provide a “Reason for the Decision” on the consent, updates to websites

It is important to note that the planning process is only one part of an overall project lifecycle in which you can participate. Outside of this standard process, in some circumstances we also undertake post-determination, compliance and enforcement activities to ensure that planning laws and decisions are implemented correctly.

The role of exhibitions in the planning system

Exhibitions

A key technique we use to encourage community participation is formal exhibitions. During an exhibition we make available relevant documents that may include a proposed plan/development that we are seeking community input on.

In reaching decisions on proposed plans/developments that have been exhibited, the Council or Delegated Council Officers balance a wide range of factors to ensure that decisions are in the public interest. This includes considering the objects of the EP&A Act, the strategic priorities of the Government, the community's input, the land use priorities identified in strategic plans and applicable policies and guidelines.

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 sets a minimum exhibition timeframe for most of these proposals. We will always exhibit a proposed plan/development for this minimum timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal. Tables 4-6 present our exhibition timeframes.

Table 4: Plan making mandatory exhibition timeframes

Plan	Exhibition period
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 Plans	28 days
Draft Contribution Plans	28 days

Table 5: Development assessment mandatory exhibition timeframes

Development	Exhibition period
Application for development consent (other than for complying development certificate, for designated development, for State significant development or for nominated integrated development)	14 days
Application for development consent for designated development	28 days
Application for nominated integrated development	28 days
Application under section 4.55 (1A) or 4.56 for modification of consent involving minimal environmental impact granted by the Court on appeal, or granted or deemed to have been refused by a regional panel	Up to 14 days based on scale and nature of the proposal

Applications under sections 4.55 (2) and 4.56 for modification of consent for designated development or any other advertised development where the application was made to a consent authority other than a council	At least 14 days commencing on the day after which notice of the application for modification is first published in a local newspaper.
Applications under sections 4.55 (2) and 4.56 for modification of other development consents	Up to 14 days or in the same manner as the original development application was notified or advertised.
Application for review of modification decision	Up to 14 days based on scale and nature of the proposal
Environmental impact statement obtained under Division 5.1	28 days
Re-exhibition of any amended application or matter referred to above	Discretionary based on the urgency, scale and nature of the proposal

Table 6: Non-mandatory exhibition timeframes

Plan/Development	Exhibition period
Draft Legislation, regulation, policies and guidelines	28 days based on the urgency, scale and nature of the proposal
Draft strategic plans (e.g. Structure plan, master plan, rural land use strategy)	28 days
Review of Environmental Factors obtained under Division 5.1	Discretionary based on the urgency, scale and nature of the proposal
Applications for modification of consent decisions under section 4.55 (1) involving minor error, misdescription or miscalculation, or under section 4.55 (1A) involving minimal environmental impact granted or deemed to have been refused by Council	Discretionary based on the urgency, scale and nature of the proposal
Application for review of determination of development application	Discretionary based on the urgency, scale and nature of the proposal

Key points to note about public exhibitions:

- 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.
- A public authority is only required to provide extracts of a development application relating to the erection of a building sufficient to identify the applicant and the land to which the application relates and a plan of the building that indicates its height and external configuration, as erected, in relation to the site on which it is to be erected.
- 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.

How can you get involved in a public exhibition?

Opportunities to participate in the planning system will respond to the nature, scale and likely impact of the proposed plan or development. A regular and valuable way for the community to participate in the planning system is by making a submission on a proposal during an exhibition. You can also provide us with feedback or raise questions outside of formal exhibition and we will always consider and respond to your views and concerns.

Making a submission

A formal submission on an exhibition should be written and delivered by mail, by email or in-person. It is important that submissions only contain information relevant to the proposed plan or development. 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

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

Appendix

Appendix 1: Prescribed Exhibition Methods for Certain Developments

Development	Community Participation Approach
Application for development consent (other than for complying development certificate, for designated development, for State significant development or for nominated integrated development)	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, • Onsite advertisement, or • Newspaper advertisement
Application for development consent for designated development	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, • Onsite advertisement, and • Newspaper advertisement
Application for development consent for nominated integrated development	<ul style="list-style-type: none"> • Letter mail-outs, • Onsite advertisement, and • Newspaper advertisement
Application under section 4.55 (1A) or 4.56 for modification of consent involving minimal environmental impact granted by the Court on appeal, or granted or deemed to have been refused by a regional panel	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, and/or • Onsite advertisement
Applications under sections 4.55 (2) and 4.56 for modification of consent for designated development or any other advertised development where the application was made to a consent authority other than a council	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants and persons who made submissions in relation to the original development application, • Onsite advertisement, and • Newspaper advertisement
Applications under sections 4.55 (2) and 4.56 for modification of other development consents	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, and/or • Onsite advertisement
Application for review of modification decision	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, and/or • Onsite advertisement
Environmental impact statement obtained under Division 5.1	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, and/or • Onsite advertisement/public notice
Applications for modification of consent decisions under section 4.55 (1) involving minor error, misdescription or miscalculation, or under section 4.55 (1A) involving minimal environmental impact granted or deemed to have been refused by Council	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, and/or • Notice of decision to submitters
Application for review of determination of development application	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants
Re-exhibition of any amended application or matter referred to above	<ul style="list-style-type: none"> • Letter mail-out to adjoining landowners/tenants, and/or • Onsite advertisement