

espresso bar cafe

CENTRAL COAST COUNCIL
**COMMUNITY
PARTICIPATION
PLAN**

Central
Coast
Council

COMMUNITY PARTICIPATION PLAN





CENTRAL COAST COUNCIL

TABLE OF CONTENTS

INTRODUCTION

Community Participation in Corporate Planning:	4
Land Use Planning Matters:	4
Intention Statement:	6

PART ONE

Community participation principles	8
Council's Engagement Framework	8

PART TWO

Minimum community participation requirements	11
Notification Provisions Currently in DCPs	11
Post Determination	13

PART THREE

Definition of planning terms	14
------------------------------	----

Date: November 2019
Approved by: Central Coast Council
Date of Approval: November 2019
Assigned review period: 5 years
© Central Coast Council

INTRODUCTION

Community Participation in Corporate Planning:

Central Coast Council is constituted under the Local Government Act, 1993 (LG Act), which requires that Council engage with its community in corporate strategic planning. It is important for the community to know how Council operates, including how it plans and spends its budget, and how this connects to what the community has told us is important. Our key plans developed under the LG Act outline how we'll identify and plan funding priorities, manage regional challenges and plan for a sustainable future.

The *One – Central Coast, Community Strategic Plan 2018-2028* is a 10 year plan developed by Council under the LG Act – but it isn't Council's Plan. It was developed through engagement with the community to help set the priorities and confirm strategies and activities that best achieve the community's desired outcomes for the future. It is Council's contract with the community.

Land Use Planning Matters:

Council also has a responsibility to deliver the objectives of the Environmental Planning and Assessment Act 1979 (EP&A Act), including 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 strategy development, 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. 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, other local government, and State and Commonwealth government agencies.



“

The planning system seeks to effectively leverage local knowledge, ideas and expertise

Community participation in planning matters is important because:

- It contributes to building community confidence in the planning system;
- Community participation creates a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character; and
- It provides an improved process that generates two-way engagement that recognises and embraces community knowledge, ideas and expertise.

Intention Statement:

The Central Coast Community Participation Plan (CPP) is designed to make participation in planning clearer for the Central Coast 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 reaffirms our community participation objectives which we use to guide our approach to community engagement (detailed within the Central Coast Engagement Framework (EF), adopted January 2017).

The CPP is separated into three parts:

PART ONE: An outline of Council's community participation principles

PART TWO: Minimum community participation requirements.

PART THREE: Definitions of Planning Terms.



PART ONE

COMMUNITY PARTICIPATION PRINCIPLES

Council has the very important responsibility of making decisions for and on behalf of the community, and as such, we are required to ensure that appropriate community input and/or statutory requirements are considered in that process. Operating as an 'open government' that prioritises transparency, collaboration and participation is a key priority for Council.

The following principles are designed to support Council's values and guide its approach to all community engagement activities under Council's Engagement Framework:

ENGAGEMENT MODEL

Engagement is led by both organisation and the community

COMMUNITY LEADS

Community leads the engagement and the organisation is responsible for the action
COMMUNITY ADVOCACY

Community leads the engagement and the community is responsible for the action
COMMUNITY ACT AND CONTRIBUTE

SHARED
LEADERSHIP
AND
ACTION

ORGANISATION LEAD

ORGANISATION IMPLEMENTATION
Organisation leads the engagement and the organisation is responsible for the action

BEHAVIOUR CHANGE
Organisation leads the engagement and the community is responsible for the action

01 Respect and Transparency

- We will consult when needed and use the information gathered in a meaningful way
- We will respect your time and listen to you
- We will engage at a level that is appropriate to the possibility to influence
- We will share the responsibility, trust and transparency

02 Access and Inclusion

- We will seek a diversity of views and perspectives
- We will provide feedback to the community as to how their input contributed to decision-making
- We will endeavour to identify and remove barriers to participation
- We will use a range of opportunities and techniques to encourage participation, and increase awareness and understanding for all who may be affected by or interested in the outcome
- We will work in partnership with relevant community groups, State and Federal government, local government partners, and / or other stakeholders internally within Council

03 Clarity

- We will have genuine and open dialogue with the community
- We will clearly communicate the intention, scope and outcomes of the consultation
- We will use plain language and avoid jargon to provide clear explanation
- We will make information available in accessible formats

04 Accountability and Improvement

- We will seek to maintain consistent standards and levels of quality
- We will share results internally and work together to avoid duplication and 'over consultation'
- We will evaluate engagement efforts and consistently seek to learn and improve practice

05 Capacity

- We will build the community's capacity to contribute, by educating and empowering both the community and staff so that they may participate in meaningful, two-way collaboration.

PART TWO



PART TWO

MINIMUM COMMUNITY PARTICIPATION REQUIREMENTS

Public Exhibitions

Schedule 1 of the EP&A Act identifies minimum requirements for the public exhibition of strategic planning and policy documents, and applications submitted to Council for determination. These minimum requirements are set out below in Table 1. Strategic Plans, Policy proposals and major developments are displayed on Council's web site (<https://www.yourvoiceourcoast.com/>) .

On occasions, specific arrangements to the proposal would be identified in a notification letter. Submissions relating to applications and other exhibited documents must be made in writing and be lodged with the Council within the period specified in the notice (the exhibition period).

Notification Provisions Currently in DCPs

Following the merger of the Gosford City Council with the Wyong Shire Council to form Central Coast Council in May 2016, Council adopted a Notifications Policy (January 2017), which consolidates the provisions previously relating to the Gosford Local Environmental Plan (LEP) 2014 and the Wyong LEP 2013. The relevant Development Control Plans (DCPs) currently contain Notification Chapters with identical provisions:

- Gosford DCP, 2013 – Chapter 7.3; and
- Wyong DCP, 2013 – Chapter 1.2.

Council is in the process of preparing a consolidated LEP for the Central Coast. The draft Development Control Plan Chapter 2.1 – Notification of Development Proposals, which is proposed to support this consolidated LEP, includes minor updates to address the following:

- changes made to the EP&A Act in 2018; and
- Council's practice of advertising all development applications for secondary dwellings.

Post Determination

In relation to applications for development consent, and applications for the modification of a development consent which were publicly exhibited, Council will place notification in a local newspaper of:

- The land and the proposed development; and
- the decision; and
- the date of the decision; and
- the reasons for the decision (having regard to any statutory requirements applying to the decision); and
- how community views were considered in making the decision. This requirement may be satisfied by reference to any document that contains the reasons for the decision.







This public notification is prescribed in cl.124 and cl.137 of the EP&AR 2000 to confirm the validity of a development consent or a complying development certificate pursuant to s.101 of EP&A Act 1979.





Table 1 identifies Council requirements for the public exhibition of documents and proposals.



PART TWO

TABLE 1: MINIMUM COMMUNITY PARTICIPATION REQUIREMENTS

MANDATORY REQUIREMENTS (Schedule 1, Part 1, Division 1 (1) of the EP&A Act, 1979)	MINIMUM COMMUNITY PARTICIPATION REQUIREMENT
Draft community participation plans	
Draft local strategic planning statements	
Planning proposals for local environmental plans subject to a gateway determination	 <p>or:</p> <ul style="list-style-type: none"> a) if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or b) if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition.
Draft development control plans	
Draft contribution plans	
Application for development consent (other than for complying development certificate, for designated development or for State significant development)	 <p>or:</p> <ul style="list-style-type: none"> a) if a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified, or b) if the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition.
Application for development consent for designated development	
Application for modification of development consent that is required to be publicly exhibited by the regulations	The period (if any) determined by the consent authority in accordance with the relevant community participation plan.
Environmental impact statement obtained under Division 5.1	

FROM COUNCIL'S NOTIFICATION DCP	MINIMUM COMMUNITY PARTICIPATION REQUIREMENT
<p>The instances and terms for the provision of Notification are identified within Appendix A to Council's Development Control Plans:</p> <ul style="list-style-type: none"> • Gosford DCP, 2013 – Chapter 7.3; and • Wyong DCP, 2013 – Chapter 1.2. <p>These DCPs are intended to be superceded by Development Control Plan Chapter 2.1 – Notification of Development Proposals upon enactment of the Central Coast Consolidated Local Environmental Plan.</p>	<p>Appendix A is presented in a Table format and identifies for various types of Development:</p> <ul style="list-style-type: none"> a) Whether a Notice of Exhibition will be published within a newspaper; b) Whether a Notice will be issued to adjoining owners; and c) The minimum period for exhibition and submissions <p>Council's practice of advertising all development applications for secondary dwellings will also be included in the Consolidated DCP Chapter 2.1.</p>
NON-MANDATORY TIMEFRAMES	MINIMUM COMMUNITY PARTICIPATION REQUIREMENT
Planning Strategies	
Area / Structure Plans	
Precinct / Masterplans	
Public Domain Plans	

Notes:

1. Clause 17 in Schedule 1 to the Act states that if a particular matter has a different exhibition or notification period that applies under Part 1 of Schedule 1, the longer period applies.
2. The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

PART THREE

DEFINITION OF PLANNING TERMS

PLANNING TERM	DEFINITION
Contribution plan	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 control plan	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 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
Regional strategic plan	20-year plans prepared by DPIE, that address the community's needs for housing, jobs, infrastructure and a healthy environment for a DPIE Region
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
State significant development (SSD)	Some types of development are deemed to have State significance due to the size, economic value or potential impacts that a development may have. Examples of possible SSD include: new educational establishments, hospitals and energy generating facilities
State significant infrastructure (SSI)	SSI includes major transport and services development that have a wider significance and impact than on just the local area. Examples of possible SSI include: rail infrastructure, road infrastructure and water storage and treatment plants
Planning Strategy	Broadly applicable documents prepared by Council that help shape the vision for the Central Coast region. They generally relate to a specific issue.
Area / Structure Plan	<p>Sets the future land use structure and identifies the preferred urban structure for a precinct.</p> <p>They are prepared by Council, and provide illustrative layouts of future land use structure</p> <p>A moderately detailed plan, i.e. provides recommendations for location of public facilities, but does not detail specific to the format of facilities or the material with which such facilities should be constructed.</p>
Precinct / Master Plan	<p>Prepared by Council, and providing guidance for potential development of a particular area within a precinct with development concepts and illustrations.</p> <p>Most often applies to commercial/retail centres</p> <p>A highly detailed plan, e.g. provides recommendations for specific public facilities (such as a public boardwalk), but does not detail the material with which such facilities should be constructed.</p>
Public Domain Plan	<p>Prepared by Council, these plans establish design direction and general criteria to apply to design of the public space network.</p> <p>They provide illustrations of street furniture, materials to be used in public domain such as paving, street plantings and planter boxes etc.</p> <p>A very highly detailed plan, e.g. working towards implementation of public facilities recommended within a Masterplan, including selection of landscaping, paving and street furniture.</p>

“

All levels of government have an intention to actively involve the community in planning for their places and communities.

SUBMISSION PROCESS FOR APPLICATIONS

Submission is made to Council and assigned to corresponding DA

Submission author or lead petitioners details are recorded, and submission is acknowledged

Council officer receives notification of submission

Submission is considered in assessing the DA

Submitter is formally notified of outcome

TO QUALIFY AS A SUBMISSION, THE SUBMISSION MUST:



be in writing by
email or letter



be submitted
within the
nominated
exhibition time
period



reference the
application,
policy or plan
being exhibited



be based
on planning
grounds in
support or
objection to the
proposal



include the
name, address
and daytime
telephone of
the author

Submissions must be lodged with Council by 5pm on the final day of the exhibition period.

Central
Coast
Council