



CABONNE COUNCIL COMMUNITY PARTICIPATION PLAN

2019

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1	26/11/2019	CE/HJN	Council (Nov 19)
2	26/4/20	CE/HJN	Council (Apr 20)

Foreword

The aim this Cabonne Council Community Participation Plan is to make the planning system clearer for our community.

Planning can sometimes be a complicated function for people to understand, so this Plan is designed to make it easier for the community to participate in land use planning in Cabonne Shire.

It sets out how and when people can be involved in the land use planning system, as well as mandating notification times for Council's various planning functions, such as Development Applications, Development Control Plans and strategic planning documents.

In line with Cabonne's community participation objectives, we encourage open, inclusive, easy, relevant, timely and meaningful opportunities for all residents to participate in the planning system.

This includes all Council's planning functions, as well as individual proposals.

**Cr Kevin Beatty,
Mayor of Cabonne**



Community Participation in the Planning System

Cabonne Council recognizes that community participation throughout the planning system is not only your right, but it is essential to delivering better planning results for the people of Cabonne.

Ultimately, Council's responsibility is to deliver the objectives of the 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 strategic 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, local government, and State and Commonwealth government agencies.

Why is community participation important?

- It builds 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
- It provides access to community knowledge, ideas and expertise

What is our Community Participation Plan?

Our community Participation Plan (CPP) is designed to make participation in planning clearer for the NSW 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?

Plan Making	Strategic planning is an essential aspect of Council's work where we set the strategic direction, vision and context for the planning system in Cabonne. 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 amendments to or the creation of local strategic planning statements, planning proposals for local environmental plans, development control plans and development contribution plans.
Assessments	<p>The Council, the General Manager and Council staff all make planning 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, public interest and applicable policies, legislation and guidelines.</p> <p>Proposals assessed may include residential, commercial, industrial or agricultural developments. In these proposals the planning phase is just one aspect of the</p>

	overall lifecycle and at other phases engagement may be undertaken by either proponents or NSW Government agencies. In some instances, we require ongoing engagement as a condition of approval.
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Who does this community participation plan apply to?

Our Community Participation Plan is a requirement of the Environment Planning & Assessment Act 1979 (see division 2.6 and Schedule 1 of the EP&A Act) and applies to the exercise of planning functions by Cabonne Council. Our CPP will be reviewed on a periodic basis.

How the community can participate in the planning system

Our community participation objectives

The table below illustrates the type of actions we will undertake to deliver our community participation objectives and provides some descriptions of our current practice.

These objectives have been developed having regard to the community participation principles set out in Section 2.23(2) of the EP&A Act.

These objectives will be supported by measurable actions that we will use to:

- develop community participation programs
- embed best practice community participation within the Department
- evaluate the effectiveness of our community participation.

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 Cabonne residents to build community partnerships. Through these channels 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 • Council staff are available at Council offices to answer planning enquiries • Give opportunities for the community to address Councillors at monthly meetings • Give Progress Associations a direct contact to Councillor's • Providing opportunities for all Cabonne communities through the Small Town Committee. • Council will arrange engagement opportunities for those with impaired vision, hearing or when english is a second language.
Community Participation is easy	<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, 	<ul style="list-style-type: none"> • Community participation opportunities are advertised through channels including Council's website, newspapers, social media, press releases, mail outs and at Council offices.

	<p>concise, written in plain English and easy to understand</p> <ul style="list-style-type: none"> • Use visual representations to make it easier to understand the possible impacts of a proposal • 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 	<ul style="list-style-type: none"> • We use Council's interactive mapping system where possible to assist the community in understanding a development. • Council staff are available each business day to assist with enquiries regarding projects and developments. • Ensuring that Council staff are available across the shire.
Community Participation is relevant	<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 or project; 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 participation to ensure that relevant community members are aware about the developments and projects. Landowners adjoining lots where a development may have an adverse impact are notified in writing. The number of people notified will depend on the type and scale of the development. • 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 Cabonne community and led to the development of new policy initiatives
Community participation is timely	<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"> • Exhibition is undertaken as soon as possible when projects and developments are received. • The community is able to contact Council throughout a project or development assessment for updates on the proposals.
Community participation is meaningful	<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 Council staff regularly engage with community members to ensure that feedback has been understood • Provisions of our plans or the proposed development may change in response to community feedback. A development may be amended, or a project could take an altogether different approach as a result of community participation. • On the determination of an application, the community is advised of the outcome.

Our approach to community participation

In line with our community participation objective, 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 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 following community participation approaches for all our planning functions:

Table 3: Community participation approach		
What	When	How
Level 1: Inform		
We notify the community of proposals, provide accurate and relevant information on the context of the proposal and update information as proposals progress through the planning system.	During the early scoping of a proposal we inform you of the intent and seek feedback to shape the project's design. We then update you on the progress of a proposal as it makes its way through the planning system	<ul style="list-style-type: none"> • Media releases, • Letter mailouts, • Our website, • Social media announcements, • Emails, • Newsletters, • Public notices and advertisements, • Information sessions,
Level 2: Consult		
We consult with the community and invite them to provide their views and concerns on a proposal	Once a Strategic plan or document is drafted, or an application is received, we notify the relevant stakeholders to seek your views and concerns. We welcome feedback as a submission in a formal exhibition, or at any other time	<ul style="list-style-type: none"> • Public exhibition, • Online participation forum, • Digital feedback maps, • Focus Meetings • Drop in sessions, • One-on-one engagement with Council staff via the phone, email, letter of face to face.
Level 3: Engage		
We respond to the community's views by conducting targeted engagement to seek specific input reflecting the scale, nature and likely impact of the proposal	Through submissions and feedback, we identify your key issues and concerns and conduct targeted engagement activities to find solutions to determine the way forward	<ul style="list-style-type: none"> • Public meetings and hearings, • Community reference groups, • Feedback sessions, • Workshops and engagement with community groups.
Determination		
We notify the community of decisions on proposals 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	<ul style="list-style-type: none"> • Updates to websites, • Publication of submissions reports, • Exhibition reports, • Notice of decision letters.

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

Opportunities to participate in the planning system will respond to the nature, scale and likely impact of the proposal or project being considered or assessed.

A regular and valuable way for the communities to participate in the planning system is by making a submission on a proposal during an exhibition. You can also provide us with feedback at any time.

How can you get involved in a public exhibition?

- Make a formal submission on a proposal by writing to, or emailing council Council:
The General Manager,
Cabonne Council
PO Box 17
MOLONG NSW 2866

OR Council's email address council@cabonne.nsw.gov.au

OR dropping your submission at any of the Council offices.

- Visit Council where staff can assist you in accessing the exhibition documents. Council staff can also answer questions in relation to the proposal or connect you to an appropriate Council officer who can help you
- Connect directly with Council staff working on a proposal, policy, plan or project. Contact details are typically available on our exhibition documents.
- Please note that exhibition timeframes vary in length. Some timeframes are prescribed in legislation and others are at our discretion. Details of typical and minimum mandatory and typical timeframes are provided below.
- The method in which planning documents may be exhibited may be amended at the discretion of Council or by direction from the Department of Planning, Industry and Environment due to unforeseen circumstances. However, in those instances Council staff will endeavor to make available the information to interested parties as required.

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 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:

Strategic Documents/Plans	
Document	Exhibition Requirement
Planning Proposal to Amend Local Environmental Plan	28 days, or so determined by the Department of Planning and Environment in the Gateway determination. Due to the minor nature of the Planning Proposal, the Department of Planning and Environment may only require a reduced 14 day notification.

Draft or Amending a Development Control Plan	28 Days
Draft Local Strategic Planning Statements	28 Days
Community Participation Plans	28 Days
Development Contributions Plans	28 Days

Assessments	
Application Type	Exhibition Requirement
Development Application	<p>The following development applications will not be notified:</p> <ul style="list-style-type: none"> • Development outlined in Appendix A • Development that in the opinion of the assessing officer, is minor in nature and will not have an adverse impact on adjoining properties. <p>All other development applications will be notified to adjoining landowners for a minimum of 14 days.</p> <p>Major development applications may be advertised in local newspapers at the discretion of Council staff.</p>
Modification of a Development Application 4.55(2)	All 4.55(2) modification will be notified in accordance with the previous development application (if the application was initially notified). Any persons who objected to the development will be notified.
Section 8.2 Review of a Development Application	An application to review the determination of a development application will be notified in accordance with the initial development application.
Designated Development	28 Days
Environmental Impact Statement under Division 5.1 of EP&A Act	28 Days

Key points to note about public exhibitions include the following:

- Council is not required to make available for public inspection any part of an application 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) is excluded from the calculation of a period of public exhibition.
- The above timeframes are a minimum requirement and may be extended at the discretion of Council officers.

- Due to unique circumstances, Council may amend (or be directed to amend) the methods in which documents are exhibited. In those instances, Council staff will endeavor to make all information available to interested parties as required.

Some of Council’s planning functions do not have minimum exhibition timeframes. As a matter of course in line with our community participation objectives, we may exhibit documents related to the exercise of these functions and proposals for the timeframes described in the table below:

Table 6: Non-mandatory exhibition timeframes	
Modification of a Development Application 4.55(1A) and 4.55(1)	4.55 (1A) applications will only be notified if in the opinion of the assessing officer the proposed changes are likely to have additional impact on adjoining properties. If the application is notified, any persons who objected to the initial development will be notified. 4.55(1) applications will not be notified.
Re-exhibition of an amended development application	Where an application is amended prior to determination, it may be re-notified at the discretion of Council staff depending on the scope of the amendments.
Draft Strategic Planning Documents	The notification of local strategic planning documents will depend on the nature of the documents. All draft strategic planning documents will be notified for a minimum of 14 days, with larger documents being exhibited for up to 28 days.

There may be other proposals not subject to the mandatory exhibition timeframes for which Council have the option to exhibit for at least 28 days and engage with the community in line with our community participation objectives. Additionally, there may be some occasions where a Council priority or administrative requirement demands immediate action on proposals that prevents the implementation of our usual community participation process.

Feedback

Council invites feedback about how and when we engage the community on planning matters. This feedback will be used to enhance our Community Participation Plan into the future.

- Write to Council:
The General Manager,
Cabonne Council
PO Box 17
MOLONG NSW 2866
- Email Council: council@cabonne.nsw.gov.au
- Call us: 02 6392 3200

Appendix A: Development Applications not requiring Notification

Council may not notify a Development Application if the proposal is compliant with all of the legislation and controls in Cabonne Local Environmental Plan 2012, Council's Development Control Plans and Policies (where relevant) and is:

- 1) A single storey dwelling house;
- 2) An addition to a single storey dwelling house and minor external dwelling additions such as an open car port, pergola, or verandah;
- 3) Private swimming pool;
- 4) A detached garage or shed/outbuilding associated with a dwelling house that is behind the building line;
- 5) Any building on land within Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU3 Forestry where the land has an area greater than 5 hectares and/or the building is greater than 150 metres from a boundary with a different owner;
- 6) Subdivision creating less than 3 lots within Zones RU1 Primary Production, Zone RU2 Rural Landscape & RU3 Forestry;
- 7) A boundary adjustment;
- 8) Development considered to have nil or minor impacts on adjoining land owners

The above exemptions only apply if the proposed development is on a lot that is not a heritage item or adjacent to one.

All other development not identified above will require notification in accordance with this CPP including the abovementioned development types that do not comply with Council's Development Control Plan, and the development, in the opinion of the assessing officer, may have an adverse impact on adjoining properties.

Please note: Council staff may notify an application even though it may satisfy the above requirements if, in the opinion of the assessing officer, the development could result in an adverse impact to an adjoining (or neighbouring) lot it may be notified to adjoining landowners.