



# Community Participation Plan

Goulburn Mulwaree Council



# Community Participation Plan

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# Community Participation Plan

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## 1. Application of this plan

This *Community Participation Plan* applies to the various planning functions Goulburn Mulwaree Council (Council) undertakes. This includes the processing of planning proposals, amendments to the Development Control Plan and the assessment of Development Applications.

This plan is prepared in accordance with Division 2.6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This plan does not outline Council's overarching community engagement commitments for non-planning related matters. These commitments are dealt with separately under Council's *Community Engagement Strategy & Communications Plan*, found under the Integrated Planning & Reporting section of Council's website. This plan also does not detail the circumstances when a Development Application is to be determined at a Council meeting, which are detailed separately in Council's *Development Assessment and Decision Making Policy*.

This plan supersedes the advertising and notification requirements in the *Goulburn Mulwaree Development Control Plan 2009*.



*Photo: Mulwaree River Crossing, Braidwood Road.*



# Community Participation Plan

## 2. The Community Participation Plan

Council recognises that community participation is an integral part of making transparent and well-informed planning decisions.

The *Community Participation Plan* is designed to make participation in planning matters clearer for the community by setting out in one place how the community can participate in the planning system.

The *Community Participation Plan* also establishes community participation objectives that Council will use to guide the approach to community engagement.

It is important to note, however, that the planning process is but one part of an overall project lifecycle in which the community can participate. Outside of this standard process, Council undertakes post-determination, compliance and enforcement activities; to ensure that planning laws and decisions are implemented correctly.

## 3. Our community participation objectives

Council has established eight (8) community participation objectives developed in accordance with the community participation principles set out in section 2.23(2) of the EP&A Act. Each objective has been given corresponding actions that Council will observe when dealing with various planning matters.

The community participation objectives are to:

Objective	Action	Example
Uphold the community's right to information.	<ul style="list-style-type: none"> <li>• Keep accurate records of engagement activities and community input.</li> <li>• Comply with any statutory obligations.</li> </ul>	<ul style="list-style-type: none"> <li>• Use of Councils own website to exhibit relevant information.</li> <li>• The community is given access to all information relevant to the item on exhibition in a manner, where not restricted under various forms of privacy legislation.</li> </ul>
Encourage effective and on-going partnerships with the community.	<ul style="list-style-type: none"> <li>• Build strong partnerships with the community.</li> <li>• Clearly set out the purpose of any engagement and how and when the community can participate in respect of a planning matters.</li> <li>• Protect privacy and respect confidentiality.</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing community engagement activities.</li> <li>• Clearly detail how and when the community can be engaged.</li> <li>• Include accurate summations of all submission and engagement activities in reports.</li> </ul>

Objective	Action	Example
<p>Ensure all information is easily accessible.</p>	<ul style="list-style-type: none"> <li>• Prepare information for the community that is relevant, concise and written in plain English.</li> </ul>	<ul style="list-style-type: none"> <li>• Reports, advertisement, public exhibitions and notifications are all written in easily understood terms.</li> <li>• Written notifications issued or advertised clearly indicate what is proposed and details how the community can provide comment.</li> </ul>
<p>Provide the community with early opportunities to participate in strategic planning.</p>	<ul style="list-style-type: none"> <li>• Start community engagement as early as possible and continue this engagement for an appropriate period.</li> <li>• Ensure the community has reasonable time to provide input.</li> </ul>	<ul style="list-style-type: none"> <li>• Draft strategic plans/policies are put on public exhibition.</li> <li>• Exhibition durations are reflective of the size and scope of proposals.</li> <li>• Exhibitions are provided extra time to allow for holiday periods.</li> </ul>
<p>Actively seek views that are representative of the community.</p>	<ul style="list-style-type: none"> <li>• Ensure community engagement accurately captures the relevant views of the community.</li> <li>• Ensure information is accessible and seek input from groups who may find it difficult to participate in standard engagement activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Workshops, surveys and drop-ins are utilised where appropriate to gather community input.</li> <li>• Offer a variety of different ways in which the community can provide comments.</li> </ul>



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Objective	Action	Example
<p>Oversee consultations by proponents and members of the community.</p>	<ul style="list-style-type: none"> <li>• Encourage proponents for major developments to consult with the community early on.</li> </ul>	<ul style="list-style-type: none"> <li>• When appropriate, Council facilitated consultations are held between interested groups and proponents.</li> <li>• Consultations are focused on clarifying or resolving issues before they are escalated.</li> </ul>
<p>Make planning decisions in an open and transparent way.</p>	<ul style="list-style-type: none"> <li>• Explain how community input was taken into consideration, and ensure the response to community input is relevant and proportionate.</li> <li>• Give genuine and proper consideration to community input.</li> </ul>	<ul style="list-style-type: none"> <li>• All post exhibition council reports include how community input was factored into decision making.</li> <li>• Post exhibition assessments are conducted transparently, with reasonable notifications of all parties.</li> </ul>
<p>Use appropriate community participation methods.</p>	<ul style="list-style-type: none"> <li>• Use best practice engagement methods and techniques.</li> <li>• Adjust engagement activities in response to community input.</li> <li>• Regularly review the effectiveness of community engagement.</li> </ul>	<ul style="list-style-type: none"> <li>• Engagement methods are relative to the size and scale of proposals.</li> <li>• Reviews of engagement processes are ongoing where improvements or issues are identified.</li> </ul>

## 4. The community engagement process

Council actively encourages community participation through a five-step process that is applied to planning matters. To assist in achieving fair and just resolutions for all planning matters, Council adheres to the following five (5) step process.

1	Inform	The first step is to inform all relevant parties. This is done through direct written correspondence, exhibitions and public meetings; depending on the needs of a proposal.
2	Consult	This step involves consulting with the community and stakeholders to invite them to provide their insight on a proposal. Details on this written submission process can be found later in this plan. This is by far the most important part of the process, as it allows Council to accurately gauge the concerns and expectations of stakeholders and the community at large.
3	Engage	Through submissions and feedback received through the previous step, we identify key planning issues and concerns that require further consideration prior to determination. In most instances, concerns can be addressed by incorporating minor modifications into the proposal. In circumstances where these issues or concerns are great, Council can seek meetings with the relevant stakeholders and/or the community to discuss options on how to proceed. This may involve repeating this engagement process with an alternate proposal.
4	Determine	This step is where Council determines whether or not the proposal should proceed and subject to what conditions or amendments. In addition to complying with other legislative requirements, Council's <i>Code of Conduct</i> requires that the assessment and determination of all planning matters be conducted in a manner that is fair. The steps leading up to these determinations ensure that the final decision has been considered against both the community views and against the regulatory planning framework. Details of how this

determination has been reached are available to the public, including how community views have been considered.

## 5 Review

This step involves the ongoing review of the planning decision and/or Council's processes in making the determination. For most planning strategies, a review period is specified for when the strategy must be reviewed. For other planning matters such as development applications, the determination and community engagement process can help inform better planning processes.

### 5. Public exhibition periods

Public exhibition periods play an important role in the planning process they are used to encourage community participation and generate interest in current and future projects. The length of the exhibition period reflects the window of time where the community may provide feedback. The duration of the notification period varies depending on the nature of a specific project or planning matter being advertised. Council will utilise a combination of some or all of the following methods:

- Advertising on the Council's website;
- Letters to affected landowners or neighbours;
- Letters sent via email where the email address is known;
- Erecting site notices to advertise the proposed development; and
- Advertising in the Goulburn Post Weekly newspaper.

Minimum exhibition timeframes for certain planning matters are prescribed in Appendix 1 and 2 of this *Community Participation Plan*. Council will exhibit a proposal for the minimum timeframe specified and will consider an extended timeframe for the exhibition period based on the scale and nature of the proposal and the level of community interest. An extended public exhibition period may also be considered to accommodate public holidays or holiday periods. The period between 20 December and 10 January is also excluded from the calculation of public exhibition periods, in accordance with the EP&A Act.

Any written or published notice for an advertised development must contain the information required under section 89 of the *Environmental Planning and Assessment Regulation 2000*.

## 6. Who gets notified about development?

Appendices 1 and 2 set out the minimum requirements for the notification and advertising periods for certain development application types. Where not specified under Appendices 1 or 2, the development type must be publicly exhibited for the minimum period specified under Schedule 1 of the EP&A Act. Advertising and notification activities are always up to the discretion of the assessing officer unless specified in this plan.

Neighbour notification typically includes letters to landowners immediately adjacent to the proposed development. Council acknowledges, however, that there are some instances where the neighbour notification area should be expanded due to the potential impact of the proposed development. In these circumstances, Council will expand the notification area to include those properties it believes are materially affected by the proposed development. Examples of when the notification area may be expanded can include:

- Land in close proximity to the site that may be potentially affected.
- When a recreational facility is proposed.
- When a residential flat building is proposed.
- When a large event is proposed.
- When traffic or other impacts may extend beyond the notification area.
- When the bulk and scale of the development will significantly affect the streetscape.

*The above is not to be taken as an exhaustive list merely a guide.*

It should be noted that if you are not directly notified, the details of the proposal will be publicly available on Council's website. You do not need to be directly notified in order to view the proposal or make a submission.

## 7. Who gets notified about other planning matters?

For other planning matters, including plans, strategies and other non-development related matters in Appendix 1, Council will focus on extensively advertising the matter through a variety of means rather than mailing out individual notification letters. This is done due to the sheer impracticality, inefficiency and waste generation that occurs in sending out individual notification letters to large parts or all of the local government area each time a planning matter is placed on exhibition.

To advertise other planning matters, Council will typically employ the following techniques:

- Advertising in the Goulburn Post Weekly newspaper.
- Regular posts on Council's social media platforms.
- Use of pamphlets or posters at the library, Civic Centre, and Community Centres.
- Use of Council's yoursay webpage.
- Media releases.

Notwithstanding the above, Council will notify key stakeholders if they represent a group of people that are likely to be significantly impacted by the proposal. Some key stakeholder groups that may be contacted can include:

- Chambers of Commerce.
- Local Aboriginal Land Councils.
- Historical Societies.
- Local planning consultants.
- Individuals affected by a planning proposal (where the planning proposal is not a broader review of the Local Environmental Plan).

## 8. Some important notes regarding public exhibitions

In some circumstances, there may be development matters not subject to the mandatory exhibition timeframes put forward in the *Community Participation Plan*. This can include developments that are exempt from approval or simply have no public exhibition requirement. Additionally, there are some occasions where a government priority or administrative requirement demands immediate action on proposals that prevents the implementation of the community participation process.



Photo: Goulburn Local Court

Other notes to consider:

- Due to a combination of State and Commonwealth privacy and copyright legislation, Council may be limited in its ability to provide documentation, reproduce documentation and keep documentation on public record past the public exhibition period. It is your responsibility to ensure you have your own copies of this information.
- Not all planning matters in Goulburn Mulwaree are governed or controlled by Council. Some developments, such as large quarries, can be considered to be State Significant Development and are assessed by the Department of Planning, Industry and Environment (DPIE). When DPIE is responsible for the proposal, the proposal's details will be made available separately on DPIE's major projects website.
- Timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday, Council will 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.
- This document does not prevail over any other legislated requirements for public exhibitions, unless otherwise specified under the EP&A Act.

## 9. How to provide submissions

Submissions can be made in the following ways:

- Handed to the Customer Service Team at the Civic Centre 184-194 Bourke Street, Goulburn. Customer Service is open from 8:30am to 4:30pm Monday to Friday, excluding public holidays.
- Posted to Locked Bag 22 Goulburn NSW 2580.
- By email. The advertisement for the item on public exhibition will specify the email address.

When making a submission towards a development application, it is recommended that you fill in the 'Submission to Development Application' form, available on Council's website. This form will ensure that Council has your contact details and can keep you informed.



*Photo: Old Victoria Inn, Bungonia*

## 10. Guide to making submissions

Submissions can raise local issues and make a positive contribution to the planning process. These guidelines will assist in the processing of your feedback and help to expedite our response. Please consider each point carefully before submitting feedback to Council.

- Please ensure that your submission includes the reference number or title of the proposal you are lodging your submission on and must be addressed to the contact person listed. If you are lodging a submission in relation to a development application, you should include the development application number (e.g. DA/1234/1819) and the property address.
- Please make sure that your submission is lodged by the closing date for public exhibition. The closing date will be on the public exhibition notice, website or notification letter.
- Please clearly state and detail the reasons or grounds for your support or objection to the proposal. Council needs to know the reasons why you object to or support a proposal before taking it into consideration.
- Section 10.4 of the EP&A Act, requires you to disclose reportable political donations and gifts if you are making a relevant public submission to Council. Failure to disclose relevant information is an offence under the EP&A Act. Council is required to make any disclosure made under this section publicly available on its website. Further information about the requirement to disclose any political donations and gifts is outlined in Section 10.4 of the EP&A Act. If disclosure of a political donation or gift is necessary, a Disclosure Statement Form must be completed and included with your submission (available from Council's website).
- If submitting to a development application, Council may forward your submission to the applicant for a response in addition to any government agency that is a referral authority for the development application.
- Council will send you an acknowledgement of your submission, however, Council does not make individual and personalized responses to submissions. If your submission relates to a development application, Council will also notify you of the outcome of the determination or the likely date of any Council meeting determination (whichever is applicable).
- In accordance with the provisions of the *Government Information (Public Access) Act 2009* (GIPA Act), Council may place the public submission you provided on its website in full. Any personal details or contact information, will not be redacted on Council's website. Members of the public are entitled to copies of your submission under the GIPA Act. A copy of your submission may be reproduced and published in the Council reports or in Court proceedings. Refer to Council's Privacy Management Policy.

- It is voluntary for you to provide contact information when making a submission. However, if no name or address is provided, the submission will be set aside. If providing a submission for a development application, the 'Submission to Development Application' form allows you suppress all of your contact details other than your name.
- If a submission is made on behalf of multiple people or it contains a petition, only the designated contact person will be given any subsequent acknowledgement or correspondence. The first person with legible contact details will be used if no designated contact is assigned.
- If you cannot provide a submission by the closing date of the public exhibition period, contact Council to request an extension. Extensions are considered on a case by case basis and are decided on a discretionary basis. If no extension is granted, Council may also decide to consider or disregard the submission on a discretionary basis.
- If you wish to make a presentation at a Council meeting to discuss a matter listed in the meeting agenda, you must contact Council prior to the meeting and register to speak. However you should note that not all planning matters are determined at Council meetings. Council's *Development Assessment and Decision Making Policy* separately identifies when development applications will be determined at a Council meeting rather than being determined by Council staff.



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## Appendix 1: Minimum notification and advertising requirements (plans and other matters)

Proposal	Method	Minimum Period
Draft Community Participation Plans	Council website The Post Weekly	28 days
Draft Local Strategic Planning Statements	Council website The Post Weekly	28 days
Planning Proposals (Amendments to the Local Environmental Plan)	Council website The Post Weekly	28 days unless otherwise specified in the gateway determination
Draft Development Control Plans (including amendments)	Council website The Post Weekly	28 days
Draft Contributions Plans	Council website The Post Weekly	28 days
Designated Development	Council website Notification to neighbours The Post Weekly Site Notice	28 days
Review of Determination	Letter to submitters same methods as used when application originally notified/advertised	14 days



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Proposal	Method	Minimum Period
Development Applications	Advertising and notification discretionary unless otherwise specified in Appendix 2	14 days (unless otherwise specified in Appendix 2)
Integrated Development requiring approval under the Heritage Act 1977 or Water Management Act 2000 or the Protection of the Environment Operations Act 1997.	Council website Notification to neighbours The Post Weekly Site Notice	28 days
All other Integrated Development	Council Website The Post Weekly (unless otherwise specified in Appendix 2)	14 days (unless otherwise specified in Appendix 2)
Modifications made under s4.55(1)	No requirement	No requirement
Modifications made under s4.55(1A)	No requirement, unless the original development was approved by the Court on appeal, where the Court must be notified in addition and the same notification/advertising method being used as for the original development.	No requirement, unless the original development was approved by the Court on appeal, where the Court must be notified in addition and the same notification/advertising method being used as for the original development.
Modifications made under s4.55(2)	Advertising and notification discretionary unless otherwise specified in Appendix 2	14 days (unless a longer period is specified in Appendix 2)



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Proposal	Method	Minimum Period
Modifications made under s4.56	Council Website	14 days (unless a longer period is specified in Appendix 2)
	The Post Weekly	
	The Court	
	Notification to each person who made a submission to the original development application	
	Any other advertising or notification required for the development in accordance with Appendix 2.	
Voluntary Planning Agreements	Council website	28 days
	Notification to neighbours	
	The Post Weekly	
Variations under Clause 4.6 of the Goulburn Mulwaree Local Environmental Plan	Council website	28 days
	Notification to neighbours	
	The Post Weekly	

\* The Department of Planning, Industry and Environment is responsible for the exhibition of these proposals

## Appendix 2: Exhibition requirements for specific development types

**Note:** Refer to Appendix 1 before applying this table. If the development is not listed in the table below, a minimum public exhibition period of 14 days is applied and advertising and notification is made at the development assessment officer’s discretion.

Proposal Type	Method of notification				Min duration
	Council Website	Letters to neighbours	The Post Weekly	Site Notices	
Amusement centres	✓	✓	✓	✓	14 Days
Animal boarding or training establishments	✓	✓			21 Days
Boarding house or hostel	✓	✓			14 Days
Boundary adjustments (only where both lots are owned by the applicant)					No requirement
Caravan parks and camping grounds	✓	✓	✓	✓	21 Days
Cemeteries (other than private burial) crematorium and mortuaries	✓	✓	✓	✓	28 Days
Change of use in B3 Commercial Core zone to commercial premise					No requirement
Change of use to office premises					No requirement
Commercial premises floor area greater than 500m <sup>2</sup>	✓	✓	✓	✓	14 Days
Demolition or work to a local heritage item	✓	✓	✓	✓	14 days
Demolition or work to a state heritage item	✓	✓	✓	✓	28 Days
Educational establishments	✓	✓	✓	✓	28 Days
Entertainment facilities (major, indoor, outdoor)	✓	✓	✓	✓	21 days
Extractive industries	✓	✓	✓	✓	28 Days

Proposal Type	Method of notification				Min duration
	Council Website	Letters to neighbours	The Post Weekly	Site Notices	
Food and drink premises	✓	✓	✓	✓	14 Days
Function centres	✓	✓	✓	✓	21 Days
Health service facilities	✓	✓	✓	✓	14 Days
Haulage routes – all developments with direct access (see footnote) <sup>1</sup>	✓	✓			14 Days
Industries or industrial premises with a floor area greater than 500m <sup>2</sup>	✓	✓	✓		14 days
Intensive livestock & plant agriculture	✓	✓	✓	✓	28 Days
Neighbourhood shop	✓	✓	✓	✓	14 Days
Places of public worship	✓	✓	✓	✓	21 Days
Recreation facility (major, indoor, outdoor)	✓	✓	✓	✓	21 Days
Residential accommodation up to two additional dwellings (excluding single storey dwellings and secondary dwellings)	✓	✓			14 Days
Residential accommodation (three or more additional dwellings including boarding houses, multi dwelling housing, residential flat buildings etc.)	✓	✓	✓	✓	21 Days
Residential – group homes	✓	✓			14 days
Residential – new two storey	✓	✓			14 days
Residential single storey dwellings (not including secondary dwellings)					No requirements
Restricted premises	✓	✓	✓	✓	21 Days
Rural industries	✓	✓	✓	✓	14 days
Service stations	✓	✓			14 Days
Sex services premises	✓	✓	✓	✓	28 Days

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Proposal Type	Method of notification				Min duration
	Council Website	Letters to neighbours	The Post Weekly	Site Notices	
Shop top housing	✓	✓	✓	✓	21 days
Signage	✓	✓			14 Days
Subdivision Strata or Community Title (no new works proposed)					No requirement
Subdivisions of land no more three (3) lots	✓	✓			14 Days
Subdivisions of land four (4) or more lots	✓	✓	✓	✓	21 Days
Telecommunication facility towers	✓	✓	✓	✓	14 Days
Temporary use of Land	✓	✓	✓	✓	14 Days
Tourist and visitor accommodation	✓	✓	✓	✓	21 days

<sup>1</sup>Development proposed on a known haulage route will be notified to the haulage operator/generator