



## **BOURKE SHIRE COUNCIL**

### COMMUNITY PARTICIPATION PLAN

## Introduction

Bourke Shire Council's 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 processes 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 principles of Council's Community Engagement Strategy (CES), but our CPP is specific to development within the Local Government Area.

The purpose of the CPP is to:

- Build community confidence in the planning system,
- Create a shared sense of purpose between Council and the community in regard to understanding the need to manage growth and change while preserving local character, and
- Provide Council with access to community feedback, 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 establishes our community participation objectives which we use to guide our approach to community engagement.

<b>What functions does the CPP apply to?</b>	
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 includes planning proposals for Local Environmental Plans and Development Control Plans.
Assessment	The Council, the General Manager, Manager Environmental Services and other Council officers in the Environmental Services department make decisions on a range of developments. When making decisions on

	development proposals, consideration is given to whether land use proposals are in accordance with the strategic priorities of Council, public interest and comply with relevant policies, legislation and guidelines.
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## Who does this CPP apply to?

Our CPP is a requirement of the EP&A Act (see division 2.6 schedule 1) and applies to the exercise of the planning functions of Council. Planning functions within Council cover many areas including (but not limited to) assessing and determining Development Applications, preparing Local Environmental Plans or Development Control Plans. The General Manager or their delegates administer these functions.

<b>Who administers the planning functions within Council</b>		
<b>Planning Function</b>	<b>Responsibility</b>	<b>Delegation</b>
Strategic documents such as the Local Strategic Planning Statement and CPP	Endorsed by Council following a public exhibition period	Manager Environmental Services
Preparation of Local Environmental Plans and Development Control Plans	Endorsed by Council following a public exhibition period	Manager Environmental Services
Determination of modification of development applications	Manager Environmental Services	Council Assessment Officers

## Our approach to community participation

In line with our community engagement strategy, we encourage open, inclusive, accessible, 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 acknowledgement that the process was fair with proper and genuine consideration given to community views and concerns.

<b>What</b>	<b>When</b>	<b>How</b>
<b>Level One: Inform</b>		
We will review all Development Applications to determine whether	We make this decision as soon as practical after the application is lodged with Council or	May include: <ul style="list-style-type: none"> <li>Public notice advertisements in the local paper</li> </ul>

they should be placed on public exhibition in a timely manner	in the pre-DA Assessment if applicable, and commence public exhibition and neighbour notification where appropriate	<ul style="list-style-type: none"> <li>• Letter mail-outs</li> <li>• Our website</li> <li>• Social media announcements</li> <li>• Emails</li> <li>• Information sessions</li> <li>• Any other actions deemed appropriate</li> </ul>
<b>Level Two: Consult</b>		
We consult with the community and invite them to provide their views and concerns on a development application and other planning proposals	During the public exhibition period, we seek your views and concerns. We welcome feedback on development proposals as a submission, both supporting or concerning issues the public may have	<ul style="list-style-type: none"> <li>• Public exhibition</li> <li>• One-on-one engagement by appointment</li> <li>• Emails</li> <li>• Phone calls</li> </ul>
<b>Level Three: Involve</b>		
We respond to the community's views by addressing concerns raised, ensuring that public concerns and aspirations are consistently understood and considered	In reaching a decision we consider your views and concerns, and outline how we have addressed them in the assessment	<ul style="list-style-type: none"> <li>• Opportunities to speak at Council Meetings</li> <li>• Targeted consultation as appropriate</li> </ul>
<b>Level Four: Collaborate</b>		
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"> <li>• Updates to website</li> <li>• Letters to submitters</li> </ul>

## Exhibitions in relation to the CPP

A key technique to encourage community participation in the planning process is formal exhibition. During an exhibition we make available the relevant documents that may include a draft of the policy, plan, or proposed

development where we are seeking community input. When receiving submissions from the public from a public exhibition, all privacy aspects of the submission are protected.

In reaching decisions on proposals that have been exhibited, the Council, the General Manager, Manager Environmental Services, or another 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 in the exhibition?

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

- Make a formal submission by email ([bourkeshire@bourke.nsw.gov.au](mailto:bourkeshire@bourke.nsw.gov.au)) or post PO Box 21 Bourke NSW 2840
- Connect directly with Council staff who are working on a proposal or policy/strategy
- Submit an online contact form through Council's website <https://bourke.nsw.gov.au/contact-us/>

## 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. Council will always exhibit a proposal for this minimal timeframe and will consider an extended timeframe for exhibition based on the scale and nature of the proposal.

<b>Mandatory exhibition timeframes</b>	
Draft Community Participation Plans	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
Application for Development Consent for Designated Development	28 days
Environmental Impact Statement obtained under Division 5.1	28 days

Some of Council's planning functions do not have minimum exhibition timeframes. However, in line with our community participation objectives, Council does exhibit documents related to planning and these timeframes are outlined below.

<b>Exhibition timeframes for Development Applications</b>	
Notification to all land owners considered by the Manager Environmental Services to be impacted by the Development Application	14 days
Advertisement if deemed to be of significant public interest by the Manager Environmental Services	14 days
Integrated and Advertised Development	28 days
Amendments to Development Applications	In the same manner as the original application, unless varied and at the discretion of the Manager Environmental Services

Key points to note about public exhibitions include the following:

- Council 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, but contrary to the public interest of its confidential nature or for any other reason.
- Timeframes are in calendar days and includes weekends.
- If the exhibition period is due to close on a weekend or a public holiday, we may extend the exhibition timeframe to finish on the first available working day.
- An additional 7 days of exhibition where the period of exhibition coincides with Public School Holidays, or additional day/s for a Public Holiday.
- The period between 24 December and 2 January (inclusive) is excluded from the calculation of a period of public exhibition.

## Making a Submission

It is important that submissions from the community only contain information relevant to the development or planning proposal. Council officers are required to assess proposals on planning grounds identified in relevant legislation. Issues such as a moral objection, commercial competition or personal circumstances of an applicant or objector cannot be given weight in Councils overall assessment of a development proposal.

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.

## Feedback

There are many ways in which the community can provide feedback or raise questions outside a formal exhibition process and Council will always consider and respond to your views and concerns in-line with our CES.

## Contact us

Bourke Shire Council

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P: (02) 6830 8000

Email: [bourkeshire@bourke.nsw.gov.au](mailto:bourkeshire@bourke.nsw.gov.au)

Web: [www.bourke.nsw.gov.au](http://www.bourke.nsw.gov.au)

Postal address:

PO Box 21 Bourke NSW 2840

## Glossary

<b>Planning term</b>	<b>Definition</b>
Contribution Plans	A plan developed by Council 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 new development
Designated Development	Developments that are high-impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area
Development Application	Refers to developments that require consent pursuant to the <i>Environmental Planning &amp; Assessment Act</i>
Development Control Plans	A plan that provides detailed planning and design guidelines to support the planning controls in the Local Environmental Plan
Gateway Determination	Issued following an assessment of the strategic merit of a proposal to amend or create a Local Environmental Plan 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. A LEP sets the planning framework for a Local Government Area
State Environmental Planning Policy (SEPP)	An environmental planning instrument developed by the Department of Planning, Industry & Environment, that relates to planning matters that are state significant or are applicable across the state