



CESSNOCK
CITY COUNCIL

COMMUNITY PARTICIPATION PLAN

STRATEGIC PLANNING

NOVEMBER 2019



Figure 1: Mount Yengo, located in Yengo National Park, holds great significance to local Aboriginal people.

Acknowledgement of Country

Cessnock City Council acknowledges that within its local government area boundaries are the Traditional Lands of the Wonnarua people, the Awabakal people and the Darkinjung people. We acknowledge these Aboriginal peoples as the traditional custodians of the land on which our offices and operations are located, and pay our respects to Elders past and present. We also acknowledge all other Aboriginal and Torres Strait Islander people who now live within the Cessnock Local Government Area.

WARNING: Aboriginal and Torres Strait Islander people are warned that this document may contain images of people who have died.

September 2019

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Disclaimer

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Document History

Revision	Date Approved	Description of Changes
1		Community Participation Plan adopted by Council.

Contents

Our Cessnock	4
1 What is a Community Participation Plan?	5
1.1 Where does the CPP apply?	5
1.2 What does the CPP include?	5
1.3 How did Council develop this CPP?	5
1.4 How is the CPP to be used?	6
1.5 Changes to the NSW Planning Framework – Local Strategic Planning Statements	6
2 What is community participation and why is it important to planning?	7
2.1 What legislation governs the NSW Planning System?	8
2.2 The foundations of public participation	8
2.3 Where do the foundations of community participation come from?	9
2.4 What are the principles of community participation?	10
2.4.1 Council's principles for community participation	10
2.4.2 Legislated principles for community participation	10
2.5 How will the CPP apply principles of community participation?	11
2.6 Why do different scales of development require different levels of participation?	12
3 What are Council's notification and exhibition requirements?	14
3.1 How we engage with our community?	15
3.2 Strategic – plan making	16
3.2.1 Exhibition timeframes and methods - Strategic	16
3.3 Statutory – development assessment	17
3.3.1 Exhibition timeframes and methods - Statutory	17
3.3.2 Development Assessment not requiring exhibition*	18
3.4 What types of exhibition methods Council will use?	19
3.5 Submissions	20
3.5.1 Submission period	20
3.5.2 Anonymous submissions	20
3.5.3 Disclosure of submissions	20

3.5.4 Provision of submissions to the applicant/proponent	20
3.5.5 Acknowledgement of submissions	20
3.5.6 Petitions	20
3.5.7 Notification of the outcome	20
4 Glossary	21
5 References	23

Tables:

Table 1: Application of the IAP2 Public Participation Spectrum	9
Table 2: Principles of community participation	11
Table 3: Categorisation of planning matters and associated participation activities	13
Table 4: Strategic Planning exhibition timeframes - legislated	16
Table 5: Other Strategic Planning matters – best practice guidelines	16
Table 6: Development application classifications and consent authorities	17
Table 7: Statutory Planning exhibition timeframes - legislated	17
Table 8: Types of exhibition to be used for planning matters	19
Table 9: Making a submission	20

Figures

Figure 1: Mount Yengo, located in Yengo National Park, holds great significance to local Aboriginal people.	2
Figure 2: Council's engagement framework	5
Figure 3: Refocusing the NSW planning system	12
Figure 4: Examples of development not requiring exhibition	18

ABBREVIATIONS:

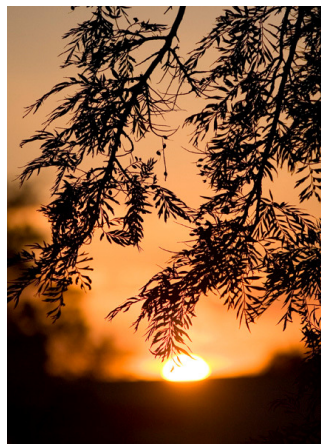
CES	Community Engagement Strategy
CPP	Community Participation Plan
CSP	Community Strategic Plan
DA	Development Application
DCP	Development Control Plan
EP&A Act	Environmental Planning and Assessment Act 1979 No 203
EP&A Reg	Environmental Planning and Assessment Regulation 2000
IAP2	International Association of Public Participation
LEP	Local Environmental Plan
LG Act	Local Government Act 1993 No 30
LSPS	Local Strategic Planning Statement



Our Cessnock

The history of the Cessnock Local Government Area is diverse and intrinsically linked to the environmental setting, our diverse cultural history, and to the agricultural, mining and viticultural sectors on which the area was established and has relied upon for employment and growth.

Cessnock is made up of a number of towns and village nestled amongst picturesque rural and environmental areas. The people of Cessnock take great pride in the village or town they are from and want to see their local community thrive.



1 What is a Community Participation Plan?

Cessnock City Council values the diverse and rich history of the region and the value the community places on the distinctive villages and communities, and the pride and community spirit this creates. The CPP wants to ensure that this sense of pride and spirit is supported through good planning practice.

The intent of CPP is to make it easier for the community to understand how to get involved in planning matters. It provides guidance on how the community can have a say on the different types of planning documents and planning outcomes.

1.1 Where does the CPP apply?

The CPP applies only to activities under the [Environmental Planning and Assessment Act 1979 No 203](#) that are being assessed by Cessnock City Council. All other NSW planning authorities are required to prepare their own CPP.

This CPP repeals Chapter B.2 Public Notification and Advertising of the Cessnock DCP 2010.

1.2 What does the CPP include?

The CPP addresses mandatory and best practice methods to ensure the community can meaningfully participate in planning matter across the Cessnock where Cessnock City Council is the planning authority.

The CPP is Council's formal policy position on submissions relating to planning matters.

1.3 How did Council develop this CPP?

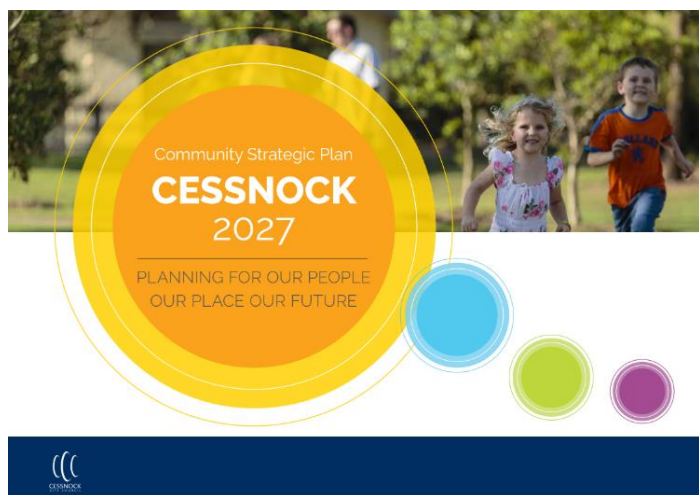
The CPP has been developed in accordance with the requirements of the EP&A Act. Due consideration has been provided to the council charter of the [Local Government Act 1993](#) (and Council's own Community Strategic Plan 2027). A representation of Council's engagement framework is outlined below in Figure 2.

Figure 2: Council's engagement framework



1.4 How is the CPP to be used?

Community input and participation is central to the creation of thriving communities. This CPP is Council's invitation to the community to participate in planning so that we can achieve better social, economic and environmental outcomes for the Cessnock Community today and in the future.



Community Strategic Plan

The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to identify strategies for achieving these goals. The CPP reflects the key themes of the CSP, particularly:

Civic leadership and effective governance which outlines the following objectives:

- 5.1 Fostering and supporting community leadership;
- 5.2 Encouraging more community participation in decision making; and
- 5.3 Making Council more responsive to the community.

Community Engagement Strategy

Council's CES is currently under review.

The CPP has been designed to complement Council's existing engagement framework and be consistent with best practice engagement methods.



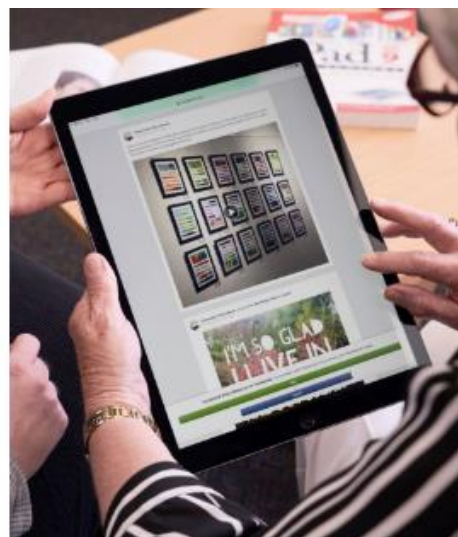
The CPP will be exhibited and adopted as an individual document but is intended to be read as an addendum to the CES when it is finalised and adopted.

1.5 Changes to the NSW Planning Framework – Local Strategic Planning Statements

The Local Strategic Planning Statement will take the vision of the Community Strategic Plan and grow this into a land use planning blueprint to guide the future of Cessnock up to 2036.

The LSPS will provide the framework for development of a new LEP and DCP.

This provides another way of ensuring the voice of the community is considered in the planning system and is a new legislative requirement.



2 *What is community participation and why is it important to planning?*

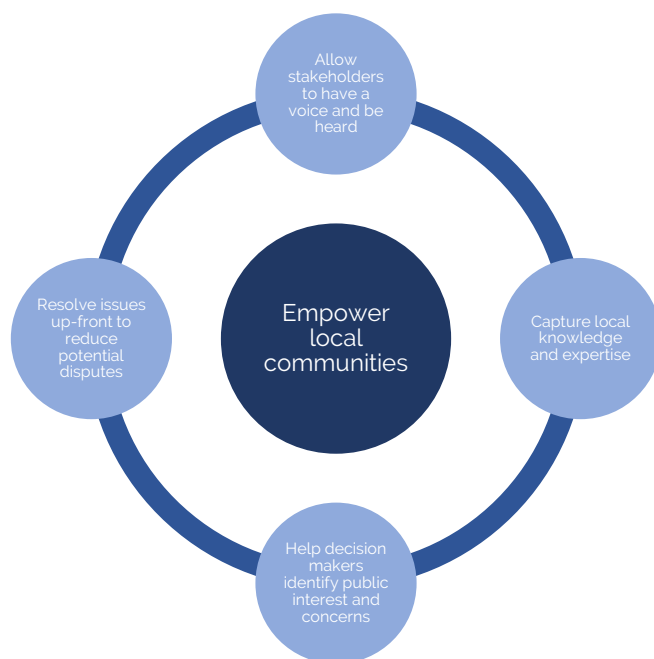
Planning is an important function of Council and plays a part in defining our local communities. Planning influences how people experience the region on a daily basis, whether they be living, working, or visiting the area.

Community participation is an important component of Council's role in serving the community, particularly with regard to our role as the local planning authority. Our approach to community participation is centred on ensuring the community are aware and engaged with planning activities being undertaken by Council and to ensure that we meaningfully engage with our community and stakeholders on planning matters. The level and extent of participation and engagement will depend on the scale of the project.

Council want to draw on local knowledge, ideas and skills to create a shared sense of purpose in delivering better urban spaces while protecting the natural landscape and environmental values of our region

By effectively engaging with our community we gain a better understanding of:

- How residents live in the region;
- How we connect with each other as a community; and
- What we want the future of Our Cessnock to be.



This helps Council to achieve planning outcomes that are in line with our communities, values, concerns and ideas for the area.

Good community participation provides a strong foundation for understanding planning processes and building the communities trust in Council.

By engaging in meaningful community participation we create a sense of purpose and it seeks to protect the local character of Our Cessnock and environment landscape in which it is located.

Encouraging more participation in the planning system has the flow on benefit of reducing confusion within the community and strengthening Council's relationship with our community.

2.1 What legislation governs the NSW Planning System?

The NSW Planning System is governed by two significant pieces of state legislation:

- [Environmental Planning and Assessment Act 1979 No 203](#) (EP&A Act)
- [Environmental Planning and Assessment Regulation 2000](#) (EP&A Regulation)

There are other significant state acts that have relevance to Council's functions as a planning authority, including particular requirements for community participation in planning. These acts and their participation requirements are the:

- [Local Government Act 1993 No 30](#) – *the principal piece of legislation that governs Local Government within NSW. It details the establishment and function of local councils. This Act details consultation requirements for reclassification of Council owned land.*
- [National Parks and Wildlife Act 1974 No 80](#) – *provides functions for conservation and management of land by applying the principles of ecologically sustainable development. This Act provides guidelines on how to consult on matters of Aboriginal heritage.*

2.2 The foundations of public participation

It is important to recognise the role that appropriate engagement and early stakeholder involvement has in the successful delivery of a project or service.

Council applies the principles of the International Association of Public Participation (IAP2) to our engagement and participation practices.

Why does Council engage with the community?

Council engages with the community to help achieve better outcomes and foster an environment of transparency and trust.

When we engage with our community we are seeking to ensure that our community is:

- **Informed** on matters that will influence their lives.
- **Consulted** in a manner that allows a range of voices to be heard.
- **Involved** in decision making that ensures Council practices best meet their needs.
- **Collaborated** with to identify and understand what is important to them.
- **Empowered** to ensure we meet their wants, needs and aspirations.

2.3 Where do the foundations of community participation come from?

The CPP considers the principles of IAP2, as utilised in Council's CES, and those outlined within the EP&A Act as the core principles for community participation in planning matters. In addition, Council has identified four principles that will guide how our Planning and Environment directorate will consult on planning matters under assessment.

Community participation is the process of involving people in the decisions that affect their lives. As the local planning authority this is one of Council's core responsibilities to our community.

IAP2 defines engagement as involving "the public in the problem solving or decision-making and uses public input to make sustainable decisions."

Table 1: Application of the IAP2 Public Participation Spectrum

	Increasing level of public impact				
	Inform	Consult	Involve	Collaborate	Empower
Our promise to the community	We will keep you informed.	We will keep you informed, listen to and acknowledge your concerns and aspirations, and provide feedback on how public input influenced the planning decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the projects development and provide feedback on how public input influenced the decision / outcome.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Frequency of use in planning matters	HIGH	HIGH	MEDIUM	MEDIUM	RARE
Application to planning	Focuses on notification and communication that closes the "feedback loop." E.g. Planning Agreements	Widely used across a range of planning projects. E.g. Development Applications	For targeted use on complex projects. E.g. Development Control Plans.	Applied to strategic planning and place making projects. E.g. Place making, Public Domain Plans and Strategies	Empowerment is difficult to achieve in the planning system due to the stringent and layered legislative framework.

2.4 What are the principles of community participation?

2.4.1 Council's principles for community participation

Council has identified four principles that will guide how our Planning and Environment Directorate will consult on planning matters under assessment.

Community participation should:

- Be facilitated with **integrity**, ensuring the process is transparent and clear in scope and purpose.
- Be designed to be **inclusive** ensuring a range of values and perspectives are captured through use of participation practices that are accessible.
- Promote **dialogue** and encourage open and genuine discussion in an environment where participants feel heard.
- Ensure that the communities **influence** is reflected in the outcomes.

2.4.2 Legislated principles for community participation

The EP&A Act has identified 8 core principles for community participation applicable specifically to the NSW Planning System, these are:

- a) *The community has a right to be informed about planning matters that affect it.*

- b) *Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.*
- c) *Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.*
- d) *The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.*
- e) *Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.*
- f) *Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.*
- g) *Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).*
- h) *Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.*

We are transparent and credible.

Ensuring all our planning processes are underpinned by the community's right to be informed about planning matters that affect them.



2.5 How will the CPP apply principles of community participation?

The following table details of how Council's community participation principles and objectives, outlined in this document, the Draft Community Engagement Strategy and the Cessnock 2020 Community Plan, align with the principles of the EP&A Act; and in turn how these will be translated into the CPP.

Table 2: Principles of community participation

<p>Council's principles for community participation in planning</p> <p><i>Community participation is...</i></p>	<p>Council's objectives for community participation</p> <p><i>Council will...</i></p>	<p>How the CPP implements these objectives and principles?</p> <p><i>The CPP will...</i></p>
<p><i>Inclusive</i> and conducted with <i>integrity</i> and an open <i>dialogue</i> that ensures the <i>influence</i> is meaningful and reflected in planning outcomes.</p>	<p>Encourage more community participation in decision making</p>	<p>Identify and implement inclusive engagement techniques for people of all abilities.</p>
	<p>Be more responsiveness to community.</p>	<ul style="list-style-type: none"> • Communicate in plain English; • Use visual aides were appropriate; • Ensure accessible opportunities are provided; and • Encourage greater digital and electronic engagement methods.
	<p>Improve the efficiency and transparency of Council engagement processes.</p>	<p>Nominate the community participation methodologies that can be used and ensure they are appropriate to scale and level of the planning matter being assessed.</p>
	<p>Inform the community on decision making outcomes.</p>	<ul style="list-style-type: none"> • Ensure planning matters are publicised early; • Provide ongoing opportunities for participation; and • Close the feedback loop at the end of the process.
	<p>Develop and implement strategies to encourage and empower the community to participate in consultation activities</p>	<ul style="list-style-type: none"> • Ensure that: <ul style="list-style-type: none"> • Community participation and consultation is consciously designed and planned for the project. • Our planning teams engage with the community regularly,

2.6 Why do different scales of development require different levels of participation?

The NSW Planning system incorporates a number of different approval pathways. The CPP has been written to reflect the approval pathways in the following three categories:

- **Strategic Planning:**

sets the direction for the area and provides a method for achieving the directions through the development of strategies, planning controls and policy direction. Strategic planning enables development and informs change, and establishes the planning controls that are used in the Statutory planning process.

- **Statutory Planning:**

the process of assessment of development applications. Statutory decision making is informed by the controls developed by Strategic planning.

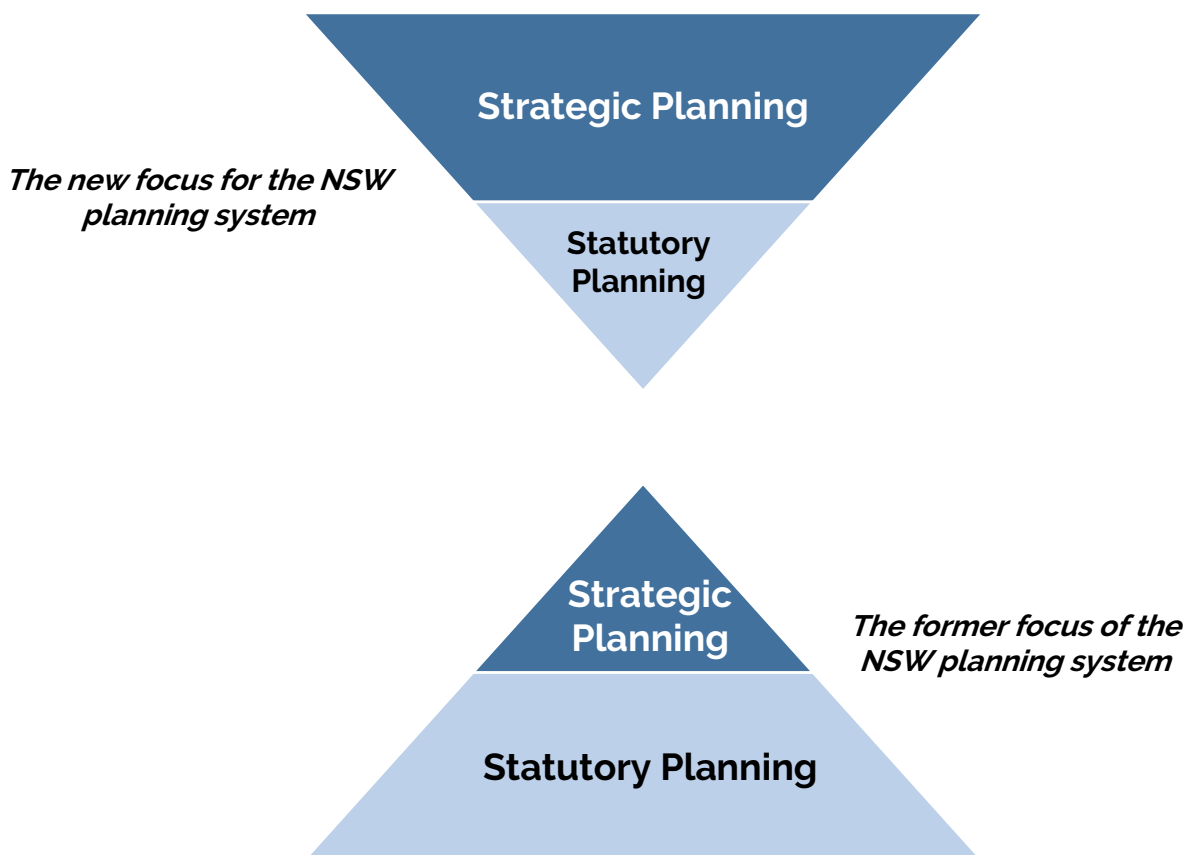
- **Other Matters:**

being matters external to Council.

When applying the principles of community participation to the planning system it is critical to consider the scale of the planning matter, the approvals pathway under which it is being assessed and the associated impact.

The NSW State Government, Council and other planning authorities are working to refocus the hierarchy, shifting the focus will help planning authorities to ensure community participation occurs at the appropriate approval pathway.

Figure 3: Refocusing the NSW planning system



Opportunities to participate in Council's Planning system are made available in line with the legislation and the likelihood of impact of the planning matter. It is important that the *category* and *scale* of a planning matter is known to determine the likelihood of the impact and ensure that the appropriate level of community participation can be determined. Table 3 provides detail on why community participation is important to each category of planning matters, and how and Council will undertake community participation for planning matters within each category.

Table 3: Categorisation of planning matters and associated participation activities

	Strategic planning	Statutory planning	Other matters
	<i>Plan making</i>	<i>Development assessment</i>	<i>external to Council</i>
Why is this important to participation?	<ul style="list-style-type: none"> Opportunities for integrating our community in consultation on or exhibition of Council led projects 	<ul style="list-style-type: none"> Building trust with our community Providing clarity and consistency Generating involvement in local matters 	<ul style="list-style-type: none"> Advocating for our community Opportunity for being innovative in community participation for project's outside of Council's control
When?	Pre, during and post exhibition.	Primarily during exhibition.	During exhibition or as part of ongoing advocacy
How?	Administer a Council managed method for incorporating community feedback into Council plan making.	Decision making in the public interest	<ul style="list-style-type: none"> Notify our community of the opportunity to make a submission and how to do so. Advocate on behalf of our community
Example	Attend a workshop, complete a survey, or participate in a working group to provide feedback on a plan.	Community member makes a submission in response to a DA notification.	<ul style="list-style-type: none"> Make a submission directly to the external agency Report the matter to Council for consideration.



3 *What are Council's notification and exhibition requirements?*

This section of the CPP outlines all notification and exhibition requirements as mandated by the EP&A Act.

Council's Department of Planning and Environment operates with the intention of actively involving our community in the planning for their places and community. Community participation opportunities can include:

- Upfront engagement during the early stages of planning projects;
- Making a submission to a development application;
- Engaging in community consultation sessions on draft strategic plans; and
- Making a submission on draft strategic plans and policies during the formal public exhibition undertaken towards.

The CPP includes mandatory and non-mandatory requirements for public exhibition on planning matters. The mandatory requirements are legislated and exist to safeguard the community's right to comment on planning matters that affect them. The non-mandatory requirements reflect best practice measures and seek to actively involve the community in planning matters that may have a broader community impact.

Important public exhibition information:

- Timeframes for all public exhibition are in calendar days and include weekends.
- If the nominated exhibition period is due to close on a weekend or public holiday Council will extend the exhibition to finish on the first available work day, this will be explained in all correspondence relating to the exhibition.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.
- 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.

HOW WE ENGAGE WITH OUR COMMUNITY



MAILOUT OR LETTERBOX DROP

- Written correspondence to relevant stakeholders
- Letterbox drop
- Attachments to rates notices



INFORMATION IN PUBLIC PLACES

- Copies of exhibition material provided at Council's administration building and libraries
- Interactive displays in public locations such as civic centres, libraries, shopping centres and at community events



COUNCIL'S WEBSITE

- Council's public exhibition web page
- Application Tracker
- Surveys
- Mapping
- Online engagement tools



SOCIAL MEDIA

- Circulate information about planning projects using Council's social media
- Council newsletters



NEWSPAPER NOTICES & DIGITAL ADVERTS

- Newspaper notices and advertisements
- Digital media advertisements



WORKSHOPS & COMMUNITY MEETINGS

- Workshops and community meetings
- Stakeholder meetings and round-tables
- Public seminars
- Creative workshops with children
- Drop-in sessions and pop-up stalls



ADVISORY PANELS & REFERENCE GROUPS

- Interagency forums
- Community and stakeholder reference groups
- Advisory panels and groups.

Note: This is not limiting or all-inclusive list and will evolve with technology advances, time and changes to industry recognised practices.

3.2 Strategic – plan making

3.2.1 Exhibition timeframes and methods - Strategic

Draft planning documents must be reported to Council seeking endorsement for exhibition prior to the commencement of the formal exhibition period. [Schedule 1 Community Participation Plans](#) of the EP&A Act outlines the minimum timeframes for public exhibition of strategic planning documents.

Council will communicate opportunities for public exhibition on Strategic Planning projects through the most appropriate means depending on the scale of the project.

This is not limiting or all-inclusive list and will evolve with technology advances, time and changes to industry recognised practices.

Council has decided to adopt public exhibition timeframes consistent with the EP&A Act; these are detailed in Table 4 below. Table 5 provides exhibition timeframes for documentation not addressed in Schedule 1 of the EP&A Act.

Table 4: Strategic Planning exhibition timeframes - legislated

Application Type	Public Exhibition Timeframe
Draft <i>Community Participation Plans</i>	28 days
Draft <i>Local Strategic Planning Statements</i>	28 days
<i>Planning Proposals</i> for local environmental plans subject to a gateway determination	28 days or a) <i>if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or</i> b) <i>if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition.</i>
Draft <i>Development Control Plans</i>	28 days
Draft <i>contributions plans</i>	28 days
Draft <i>planning agreements</i>	28 days

Table 5: Other Strategic Planning matters – best practice guidelines

Application Type	Public Exhibition Timeframe
Reclassification of land	28 days and <i>a public hearing to occur after the conclusion of the public exhibition</i>
Draft policies or guidelines	28 days
Public Domain Plans, Masterplans and similar plans for urban renewal	28 days
Re-exhibition of any matter referred to above	As per the original exhibition period.

Council may choose to extend the public exhibition period relating to any proposal should the scope of the project be determined to require it, or should the elected representatives resolve to do so.

3.3 Statutory – development assessment

There are different classifications of development that require consent in accordance with the EP&A Act. A DA is a formal application for consent to under the EP&A Act by way of one of the classifications of development listed below and defined within the *Glossary*. DA's consist of standard application forms, supporting technical reports and plans, and associated fees. Council is not always the consent authority for development. The consent authority for each type of development is also identified below:

Table 6: Development application classifications and consent authorities

Development Classification	Consent Authority
<ul style="list-style-type: none"> Local development Integrated development Designated development 	Council
<ul style="list-style-type: none"> Regional development 	Regional Planning Panel
<ul style="list-style-type: none"> State Significant Development State Significant Infrastructure 	This Minister or his delegate

3.3.1 Exhibition timeframes and methods - Statutory

The notification timeframes for development applications are legislated in [Schedule 1 Community Participation Plans](#) of the EP&A Act.

Table 7: Statutory Planning exhibition timeframes - legislated

Application Type	Legislated timeframe
Application for development consent other than for Complying Development Certificate, for Designated Development or for State Significant Development	14 days *
Application for development consent for Designated Development	28 days
Application for development consent for State Significant Development	28 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	Section 4.55 (1A) – not required Section 4.55 (2) – as per the EP&A Regs. Section 8.3 – as per the EP&A Regs.
Environmental Impact Statement obtained under Division 5.1	28 days
Environmental Impact Assessment (EIA) for State Significant Infrastructure under Division 5.2	28 days

Note: In the instance that the development type is not addressed in Table 7: Statutory Planning exhibition timeframes - legislated, Council will defer to [Schedule 1 Community Participation Plans](#) of the EP&A Act and the associated EP&A Regulations.

3.3.2 Development Assessment not requiring exhibition *

[Schedule 1 Community Participation Plans](#) of the EP&A Act stipulates that Council can specify types of development applications that will not require public exhibition.

Notification will not be conducted for the following development types except where the development application is for works on a heritage item or in a heritage conservation area as outlined by the Cessnock LEP 2011.

1. Development is for a new **dwelling houses**, additions to a dwelling house, and/or ancillary development to a dwelling house, excluding sheds exceeding the height of the complying development standard, provided that the development:
 - a) is a maximum of one storey;
 - b) is a maximum height 8.5m from the existing ground level; and
 - c) is setback 900mm from the boundary
2. **Commercial premises** and **shop-top housing** in commercial zones where the site does not directly adjoin land in a residential zone.
3. Industrial development in industrial zones where the site does not directly adjoin land in a residential zone.
4. Development is for **extensive agriculture**, or development that is ancillary to the rural use of the land including but not limited to **farm buildings**, dams etc.
5. Internal works to any building (excluding heritage listed items), where there is no change to the external configuration of the building.

Note: Notwithstanding any other provision of the CPP, Council reserves the right to notify or exhibit any proposed development if, in the opinion of Council, it is in the public interest to do so.

Figure 4: Examples of development not requiring exhibition



3.4 What types of exhibition methods Council will use?

This CPP has outlined that opportunities for community participation are respondent to the scale and category of the planning matter. During public exhibition Council make available relevant documents that we are seeking community input on. Table 8 outlines some of the different methods we may use to seek community input and how they will be applied to particular planning matters.

Table 8: Types of exhibition to be used for planning matters

X : must be undertaken ◆ : may be undertaken. This requirement will be determined at the discretion of Council staff and based on the scale of the planning matter		Notification	Newspaper advertisement	Council website (including Application Tracker)	Site notice	Viewing at other venues
Statutory Planning	Designated Development	X	X	X	X	X
	Integrated development	X		X		
	Local development	X		X		
Strategic Planning	Draft Community Participation Plans		X	X		X
	Draft Contributions Plans	◆	X	X		X
	Draft Development Control Plans	◆	X	X		X
	Draft Local Strategic Planning Statements		X	X		X
	Planning Agreements	X	X	X		X
	Planning Proposals	◆	X	X		X
	Draft Public Domain Plans, Masterplans and other Strategies	◆	X	X		X
	Draft Policies or guidelines					

Note: This table is considered to be a guideline for requirements, Council may choose to conduct other types of community participation if it is consider to be in the public interest to do so.

3.5 Submissions

A person is entitled to make a submission on a planning matter within the public exhibition period. Submissions can object to or support the proposal. Formal submissions must be made in writing, addressed to the General Manager and submitted by one of the following methods:

Table 9: Making a submission

Submission method	Strategic planning <i>plan making</i>	Statutory planning <i>development assessment</i>
Email	council@cessnock.nsw.gov.au	council@cessnock.nsw.gov.au
Post	PO Box 152 CESSNOCK NSW 2325	PO Box 152 CESSNOCK NSW 2325
Application Tracker		http://datracker.cessnock.nsw.gov.au/

3.5.1 Submission period

The submission period is the same as the public exhibition timeframe.

3.5.2 Anonymous submissions

Anonymous submissions will not be considered by Council.

3.5.3 Disclosure of submissions

Submissions are not kept confidential. Council releases submissions when a request is made in accordance with the relevant provisions under the *Government Information (Public Access) Act 2009*. When a submission is released by law, Council routinely withholds contact numbers, email addresses and signatures.

Should you wish for all personal details or any information that may identify you to be withheld from the public, please advise Council of this in your submission.

3.5.4 Provision of submissions to the applicant/proponent

Copies of submissions may be forwarded to the applicant or proponent seeking that they address the issues raised in the submissions, by way of comments or amendments to the proposed application or plan.

3.5.5 Acknowledgement of submissions

All submissions received during public exhibition will be acknowledged as soon as practicable by Council following the conclusion of the exhibition period.

3.5.6 Petitions

Where a petition is received the person who submits the petition to Council will be acknowledged as the point of contact for all future correspondence on the progress of the application/project.

Petitions will not be counted as a submission and will be tabled separately.

3.5.7 Notification of the outcome

Following determination of a development application, or the adoption of a strategic planning document, all persons who made a submission shall be notified in writing of the decision.

4 Glossary

Planning Term	Definition
Community Participation Plan (CPP)	A community participation plan prepared and published under Division 2.6 of the Environmental Planning and Assessment Act 1979 No 203
Contributions 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 the new development. Contributions plans are approved under section 7.18 of the Environmental Planning and Assessment Act 1979 No 203
Designated development	Designated Development refers to developments that are high impact or are located in or near an environmentally sensitive area.
Development Application	An application for consent under Part 4 of the Environmental Planning and Assessment Act 1979 No 203 to carry out development but does not include an application for a complying development certificate.
Development Control Plan (DCP)	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP.
Environmental Planning Instrument	An environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 of the Environmental Planning and Assessment Act 1979 No 203 and in force.
Gateway determination	A gateway determination is issued 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 development	Local development is the most common type of development in NSW, with projects ranging from home extensions to medium sized commercial, retail and industrial developments. A development is considered local development if: <ul style="list-style-type: none"> • a local environmental plan (LEP) or State environmental planning policy (SEPP) states that development consent is required before the development can take place; and • it is not considered to be either Regionally or State significant development.
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.
Planning Authority	<ul style="list-style-type: none"> a) a council, or b) the Minister, or c) the Planning Ministerial Corporation, or d) a development corporation (within the meaning of the Growth Centres (Development Corporations) Act 1974), or e) a public authority declared by the regulations to be a planning authority for the purposes of this Division.

Planning Term	Definition
Planning Agreement	<p>A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer):</p> <ul style="list-style-type: none"> a) who has sought a change to an environmental planning instrument, or b) who has made, or proposes to make, a development application or application for a complying development certificate, or c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies, <p>under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.</p>
Regional development	<p>A regional development needs to be notified and assessed by a council and then determined by the relevant Planning Panel - either a Sydney planning panel for applications within the Greater Sydney Region or the relevant Joint Regional Planning Panel outside of Sydney. Regional development is defined in Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011 and includes:</p> <ul style="list-style-type: none"> • development with a capital investment value (CIV) over \$30 million • development with a CIV over \$5 million which is: <ul style="list-style-type: none"> ○ council related ○ lodged by or on behalf of the Crown (State of NSW) ○ private infrastructure and community facilities ○ eco-tourist facilities. • extractive industries, waste facilities and marinas that are designated development • certain coastal subdivisions • development with a CIV between \$10 million and \$30 million which is referred to the Planning Panel by the applicant after 120 days
Regional strategic plan	<p>20-year plans that address the community's needs for housing, jobs, infrastructure and a healthy environment for a DPIE Region.</p>
State Environmental Planning Policy (SEPP)	<p>An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state.</p>
State significant development (SSD)	<p>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.</p> <p>Development that is State significant development (SSD) is identified in the State and Regional Development SEPP.</p>
State significant infrastructure (SSI)	<p>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.</p>
Urban renewal areas	<ul style="list-style-type: none"> • Growth centres: Land identified in State Environmental Planning Policy (Sydney Region Growth Centres) 2006, earmarked for the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity • Planned precincts: Identified locations across Greater Sydney with good access to existing or planned public transport connections, suitable for rejuvenation with new homes and jobs • State significant precincts: State significant precincts are large areas of predominantly State-owned land, within Greater Sydney, that are identified by the State Government as areas for growth because of their social, economic or environmental characteristics

5 *References*

Department of Planning, Infrastructure and Environment (2018) *Draft Community Participation Plan*

International Association for Public Participation *Foundations of Public Participation*



