

# COMMUNITY PARTICIPATION PLAN 2022



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Kempsey Shire Council acknowledges the land of the Thunggutti/Dunghutti Nation.  
We pay respect to Elders past and present.  
We acknowledge the role of emerging leaders to continue to guide us in the future.  
We acknowledge the Stolen Generations and the need to change practices to be inclusive.  
This land always was and always will be Thunggutti/Dunghutti land.



# Contents

<b>Introduction</b>	4	Development that is prohibited	26
What is our Community Participation Plan and why do we have it?	4	Development permitted with consent.	26
How does this plan work with existing engagement documentation?	4	<b>What Council development assessments can I participate in?</b>	27
What are the objectives of our Community Participation Plan?	5	Local development	27
What subjects does the Community Participation Plan cover?	6	Required and adopted engagement processes	27
<b>When can I have a say in Council strategic planning?</b>	8	<b>When does engagement start on a DA?</b>	27
<b>What strategic planning decisions can I participate in?</b>	9	How can I find out about a DA?	27
What is the public involvement in each phase?	9	<b>Which DAs can I have a say on?</b>	28
<b>Who else does Council engage with on strategic planning?</b>	11	Development Engagement Categories	28
<b>What will engagement look like?</b>	12	Engagement categories for common development applications	28
<b>How long does engagement last?</b>	23	<b>How much can I engage on a DA?</b>	31
<b>What is development assessment?</b>	26	Basic development applications	31
Development permitted without consent	26	Standard development applications	31
		Significant development applications	31
		Designated developments	32
		Nominated integrated developments	32
		Threatened species developments	33

## What happens when Council is the applicant?

Part 5 Development

## How can I hear about a new DA?

Advertising

Notification letters

Wider advertising

How much influence can I have on development assessment?

How can I find out about a decision on a DA?

How will I find out if a development is going to a meeting?

Can I appeal the decision?

Can a developer ask the community directly about a development?

When can I make a submission?

Where can I make a submission?

What do I include in a submission?

How will my submission be considered?

How does Council treat petitions?

Can other people read my submission?

How to stay informed about the decisions Council is making

Acronyms and abbreviations

33

33

34

34

35

35

37

39

39

39

39

42

42

42

43

43

43

44

45





**How can you  
participate?**

# Introduction

Kempsey Shire Council believes that the best outcomes are reached when our community is engaged in the decision-making process at the earliest opportunity.

## WHAT IS A COMMUNITY PARTICIPATION PLAN AND WHY DO WE HAVE IT?

This Community Participation Plan explains why, when, and how Council will engage with the community.

It is designed to be an easy-to-use guide for community members to know when and how they can participate in decisions that could affect their future.

## HOW DOES THIS PLAN WORK WITH EXISTING ENGAGEMENT DOCUMENTATION?

This Plan gives structure to the principles outlined in the Community Engagement Strategy 2022.

In addition to this Plan, Council staff have access to a Community Engagement Toolkit, with detailed resources and templates for planning and delivering engagement programs.

## Why is this so complex

There is a temptation to assume engagement should be simple: Ask everyone what they think?

If we consider the variety of the decisions made by Council, the different ways that different people like to interact with information and the spectrum of values and interests that can influence an opinion it quickly becomes apparent that good engagement requires good processes, planning and resourcing.

By listening to multiple voices and looking from multiple perspectives we set ourselves on course to deliver the best outcomes

*Kempsey Shire Council believes that the best outcomes are reached when our community is engaged in the decision-making process at the earliest opportunity.*

## WHAT ARE THE OBJECTIVES OF OUR COMMUNITY PARTICIPATION PLAN?

The Community Participation Plan has been developed to improve engagement in four key areas.

### TRANSPARENCY AND CLARITY

By clearly and explicitly outlining then blueprint for participation in each aspect of Council's planning process, we aim to increase trust, understanding and involvement.

### EFFICIENCY AND SATISFACTION

By delivering on these three undertakings, Council embraces a process of community-driven decision making and wellbeing.

### ANTICIPATION AND CONSISTENCY

As a result of the increased transparency and clarity, the community will be aware of and be able to anticipate opportunities to be involved in decision making.

### FAIRNESS AND RESPECT

We provide the opportunity for community members to voice their opinions and be heard by the decision makers in good faith, while acknowledging consensus cannot be achieved on all issues.

## WHAT SUBJECTS DOES THE COMMUNITY PARTICIPATION PLAN COVER?

The Community Participation Plan outlines in detail how the principles described in the Community Engagement Strategy are to be implemented.

The focus is community participation in Council's decision-making process.

For the purposes of this Strategy, Council's decision-making can be divided into two streams:

### **Project Planning**

Planning occurs across the range of functions that Council is responsible for. It includes:

- strategic planning
- policy development
- programs
- activities

### **Development Assessment**

Council is the consent authority for a large amount of local development. This involves consideration and assessment of a wide range of development types from subdivisions to large scale commercial, retail and industrial developments.

**PROJECT  
PLANNING**

2022





# When can I have a say in Council planning?

## AS OFTEN AS POSSIBLE

Council will endeavour to carry out community engagement for any project that fulfils any of the following criteria:

Is this a new strategy or plan?

Will the project make changes to an existing policy or procedure?

Will there be a significant impact on residents during the delivery or construction of the project?

Will the project make changes to the level of existing public environment, space, accessibility or convenience?

Will the project make a change to the actual provision of a service to the community?

Can the project include an opportunity for stakeholders to influence a project or outcome of a decision?

Is there a likelihood of significant issues being raised by the community about this project or decision?

Is there a legislative requirement for engagement or public exhibition?

## YES?

Project leaders will use this Community Participation Plan and associated documents to determine the level of influence the community can have on a decision and therefore the process of community engagement.

The level of community participation in the decision-making and the engagement methods used will be determined by the project leader, in consultation with the Engagement team, based on the level of impact, time and resources available for each engagement process.

# What decisions do we engage on?

For the purposes of engagement there are **five phases** in a project.

These phases are defined by **key milestones**.

We **engage** in a different way during each of these phases.

It is not necessary to engage in every phase, however any engagement should promise and deliver different involvement in each phase

## COUNCIL MEETINGS

In many cases the decision made at a council meeting is the milestone to mark the end of a phase.

As councillors are elected by their communities to make decisions on their behalf, it is important that the community can see this decision-making in action and understand how and why decisions are made.

By speaking at public forums, attending council meetings or watching via webcast the community can experience the decision-making process. This **transparency** promotes greater **community confidence** in the **integrity** of meeting practices, and the conduct of their elected representatives.

### 1 Problem or Opportunity

**This is the spark that prompts the need for a decision. It may come from a new opportunity, an identified issue, or a new idea.**

#### ENGAGEMENT

Kempsey Shire Council is always interacting with and listening to the community as a baseline level to ensure we are aware of the needs and opportunities present in, and for, our community.

#### MILESTONE

This phase ends when a project is commenced. This is communicated internally. If there has been public engagement in this phase the results will be communicated and published.

### 2 Research & Preparation

**A need or opportunity has been identified and assigned to a staff member or team**

#### ENGAGEMENT

Project teams may conduct specific engagement and investigation to further understand the situation, history and the community's view of the circumstances and context. Relevant past engagement projects will be analysed.

#### MILESTONE

The phase is complete once the facts of the situation are clear, comprehensive and understood. This will be communicated internally to senior staff and councillors. If there has been public engagement in this phase the results will be communicated and published.

### 3 Options Development

Based on the comprehensive view of the situation the potential solutions or responses are identified, assessed, and prioritised.

#### ENGAGEMENT

This is an ideal opportunity to conduct meaningful community engagement to develop and test options and alternatives relevant to the decision to be made.

#### MILESTONE

The phase ends once a recommendation is ready and communicated to decision makers. If there has been public engagement in this phase the results will be communicated and published.

### 4 Public Exhibition

The recommendation is published for review and feedback.

#### ENGAGEMENT

The preferred option or options should always be presented to the community before final adoption, if possible, to assess the community acceptance for the proposal, to understand any barriers to acceptance and to define the required communications and education.

#### MILESTONE

The decision itself is the key milestone. It will be communicated to all stakeholders. The results of the exhibition will be part of this communication as will an explanation of the way all engagement rounds informed the decision.

### 5 Information & Education

The final decision could prompt immediate action or may lay foundations for future action. Communication tools will be used to make all stakeholders aware of the rationale for the decision, address concerns and misconceptions and inform on the next steps.

#### ENGAGEMENT

The engagement here reflects that at the Problem or Opportunity phase, in addition to informing the community of the decision and any other outcomes Kempsey Shire Council is always interacting with and listening to the community at a baseline level to ensure we are aware of further needs and opportunities in the area.

#### MILESTONE

This is an ongoing process that should last at least as long as required to demonstrate community awareness and understanding.

# Who else does Council engage with on strategic planning?

This document is largely focused on the public participation with the whole community or key stakeholders in the five phases of decision-making.

There are other forms of engagement that may be run in parallel with the public engagement.

## **External engagement**

In many planning projects there are government, regulatory, emergency services or other organisations that Council engages with directly to request their input.

## **Internal engagement**

To ensure the efficient, consistent and cohesive function of Council, projects often include internal engagement with staff from all departments.

## **Councillor engagement**

As elected representatives Councillors play a unique role in the community engagement process prior to their role as ultimate decision makers.

In as much as a project may or may not undertake engagement in each phase, there is a potential role for Councillors in engagement in each phase, as determined by the project leader:

## **PROBLEM OR OPPORTUNITY**

- Councillors are a direct line of communication for residents to Council and are an integral tool for identifying community needs and opportunities and passing these on to relevant staff.



## **RESEARCH & PREPARATION**

- Councillors can be given the opportunity to give feedback at the concept level and recommend potential stakeholders.
- For significant projects this could take the form of a specific Councillor survey.



## **OPTIONS DEVELOPMENT**

- Councillors can play a key role in promoting interest in the community on a project topic and directing stakeholders to the formal engagement tools.
- For some projects this could take the form of a Councillor workshop.



## **PUBLIC EXHIBITION**

- Following a briefing on proposed actions Councillors can use their networks to promote the exhibition and encourage community members to have a say.



## **INFORMATION & EDUCATION**

- After making a formal decision, Councillors become key advocates, able through their networks to promote how the engagement process informed the decision, how the decision was reached and what delivery will look like.



# What will engagement look like?

When a round of engagement is conducted, at any phase of decision making, it involves the following steps.

- STEP ONE: SCOPE THE ENGAGEMENT**
- STEP TWO: ASSESS THE LEVEL OF IMPACT**
- STEP THREE: IDENTIFY THE STAKEHOLDERS**
- STEP FOUR: ASSESS THE LEVEL OF PUBLIC PARTICIPATION**
- STEP FIVE: CHOOSE THE ENGAGEMENT METHODS**
- STEP SIX: ASSESS RESOURCES**
- STEP SEVEN: MAKE A PLAN**
- STEP EIGHT: DELIVER AND ADAPT THE ENGAGEMENT PLAN**
- STEP NINE: ANALYSE THE RESPONSES**
- STEP TEN: EVALUATE THE ENGAGEMENT**
- STEP ELEVEN: REPORT AND CLOSE THE LOOP**

The individual project leaders will determine how formal a given round of engagement, or step within it, will be and the need for key documentation.



# Step one: scope the engagement

This is a crucial first step that helps us define our engagement purpose and set a clear direction.

Below are some questions and checklist that help scope the engagement project.

## **DETERMINE THE NEED FOR COMMUNITY ENGAGEMENT**

While Council will always endeavour to carry out community engagement on decision making, there are three circumstances under which there may be no need for community engagement:

- A decision has already been made on the issue or project by Council or external authorities
- Community feedback cannot be considered in the decision or project due to the impact of other determining factors
- It is an internal Council issue

## **Did we already engage?**

We also identify whether there is relevant existing research or findings from previous community engagements to ensure there is no duplication of effort and that we do not waste stakeholders' time.

We will investigate a process to enable project officers to access an archive of historical customer enquiries and complaints on a given topic.

## **DETERMINE THE IMPORTANCE OF COMMUNITY ENGAGEMENT**

Engagement is always of value, however there are certain circumstances in which engagement is particularly desirable or essential:

- The issue will significantly affect existing levels of service
- The issue is complex or controversial
- The issue will have long term impact on the community
- It is a legislative requirement
- The views of individuals or groups within our community will provide further information valuable to the planning, solution or decision

## **SET THE GOALS OF COMMUNITY ENGAGEMENT**

Finally, in scoping our community engagement, we set SMART (Specific, Measurable, Achievable, Relevant, and Time-bound) objectives for the process.



# Step two: assess the level of impact

Next we assess the impact the project will have on the community. This is really two questions:

1. How big is the impact?
2. How wide spread is the impact?

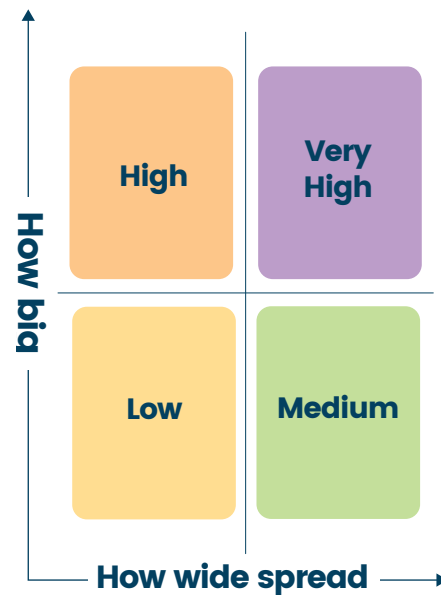
As per IAP2\* (\* [www.iap2.org.au](http://www.iap2.org.au)) standards, the project will be ranked across four levels of impact that measure both the degree (high or low) of impact and the spread (shire wide or localised to an area or group).

A decision that will have a huge impact on the entire community is said to have a Very High Level of Impact (Level 1). Whereas a decision that mildly impacts a small group is said to have a Low Level of Impact (Level 4).

Once determined, the Level of Impact will inform the amount of public participation.

The tables that follow provide the criteria and some possible examples of each Level of Impact.

## LEVEL OF IMPACT



# Step two: assess the level of impact cont.

<b>Level 1 VERY HIGH</b>	A high level of impact across the whole community or a large part of the local government area	<b>Level 2 HIGH</b>	<b>High level of impact of a local nature</b>
<b>Levels of engagement to consider</b>	<ul style="list-style-type: none"> <li>• Inform</li> <li>• Consult</li> <li>• Involve</li> <li>• Collaborate</li> </ul>	<b>Levels of engagement to consider</b>	<ul style="list-style-type: none"> <li>• Inform</li> <li>• Consult</li> <li>• Involve</li> </ul>
<b>Criteria for determining level of impact</b>	<ul style="list-style-type: none"> <li>• High level of impact or risk across the local government area.</li> <li>• Any significant impact on attributes considered to be of high value to the whole local government area such as the natural environment or heritage.</li> <li>• Any impact on the health, safety or wellbeing of the community.</li> <li>• Potential high degree of controversy or conflict.</li> <li>• Likely high level of interest across the local government area.</li> <li>• Potential high impact on state or regional strategies or directions.</li> </ul>	<b>Criteria for determining level of impact</b>	<ul style="list-style-type: none"> <li>• High level of impact on a local area, small community or user group or groups of a specific facility or service.</li> <li>• The loss of, or significant change to, any facility or service to a local community.</li> <li>• Potential high degree of controversy or conflict at the local level.</li> </ul>
<b>Examples</b>	<ul style="list-style-type: none"> <li>• Council's Integrated Planning and Reporting suite of documents EG. Community Strategic Plan, Operational Plan, Delivery Program.</li> <li>• A major strategy or plan subordinate to the Community Strategic Plan – EG. Local Strategic Planning Statements, Biodiversity Strategy, Flood Risk Management</li> <li>• Plan of Management (regional).</li> <li>• A change to land categorisation EG. community to operational land.</li> <li>• Disability Inclusion Action Plan.</li> <li>• Removal of a regional facility or service.</li> <li>• Provision of a regional facility.</li> <li>• Key changes to the local government area.</li> </ul>	<b>Examples</b>	<ul style="list-style-type: none"> <li>• Service delivery change EG. waste management.</li> <li>• Plan of management (local) EG. Crown Lands plan of management.</li> <li>• Local strategic planning (place-specific).</li> <li>• Change to or loss of valued activity or program.</li> <li>• Redevelopment of a sportsground.</li> <li>• Proposed removal or development of a local park.</li> <li>• Increase or removal of car parking in local shopping centre</li> </ul>



<b>Level 3 MEDIUM</b>	<b>Lower level of impact across the whole community or a large part of the local government area</b>
<b>Levels of engagement to consider</b>	<ul style="list-style-type: none"> <li>• Inform</li> <li>• Consult</li> </ul>
<b>Criteria for determining level of impact</b>	<ul style="list-style-type: none"> <li>• Lower, although still some impact or risk across the local government area.</li> <li>• Potential for some controversy or conflict.</li> <li>• Potential for some, although not significant, impact on state or regional strategies or directions.</li> </ul>
<b>Examples</b>	<ul style="list-style-type: none"> <li>• Improvements to a Kempsey wide service EG. emergency services, library services.</li> <li>• Upgrade of a district or regional facility EG. netball courts.</li> <li>• Changes to customer service processes such as payment of rates.</li> <li>• Most changes to fees and charges (unless contentious).</li> <li>• Provision of a community-wide event.</li> <li>• Review of community needs EG. biennial survey, recreation needs assessment.</li> </ul>

<b>Level 4 LOW</b>	<b>Lower level of impact of a local nature</b>
<b>Levels of engagement to consider</b>	<ul style="list-style-type: none"> <li>• Inform</li> <li>• Consult</li> </ul>
<b>Criteria for determining level of impact</b>	<ul style="list-style-type: none"> <li>• Lower level of impact or risk on a local area, small community or user group or groups of a specific facility or service.</li> <li>• Only a small change or improvement to a facility or service at the local level.</li> <li>• Low or no risk of controversy or conflict at the local level.</li> </ul>
<b>Examples</b>	<ul style="list-style-type: none"> <li>• Service delivery change EG. waste management.</li> <li>• Plan of management (local) EG. Crown Lands plan of management.</li> <li>• Local strategic planning (place-specific).</li> <li>• Change to or loss of valued activity or program.</li> <li>• Redevelopment of a sportsground.</li> <li>• Proposed removal or development of a local park.</li> <li>• Increase or removal of car parking in local shopping centre.</li> </ul>



# Step three: identify the stakeholders

Kempsey Shire is made up of diverse stakeholders with varying levels of interest, influence, power, or impact relative to any issue.

Stakeholders are any person, or group, who has or feel they:

- have an interest in an issue or decision; or
- can affect or be affected by an issue or decision

We will conduct a stakeholder assessment to identify groups, members of the community and others to whom this project is relevant. We will then identify the appropriate ways to connect with these stakeholders.

The list of stakeholders will inform the choice of engagement methods. We will choose a variety

of methods that are best suited to the identified stakeholders in line with the project scope, level of impact and practical limitations.

As Kempsey has such a diverse community, with each demographic having different needs and priorities, it will not always be possible to meet every need. Rather we aim for

a sustainable balance of stakeholder needs and priorities.

Below is a guide to some of the stakeholder groups who could be considered depending on the issue being considered.

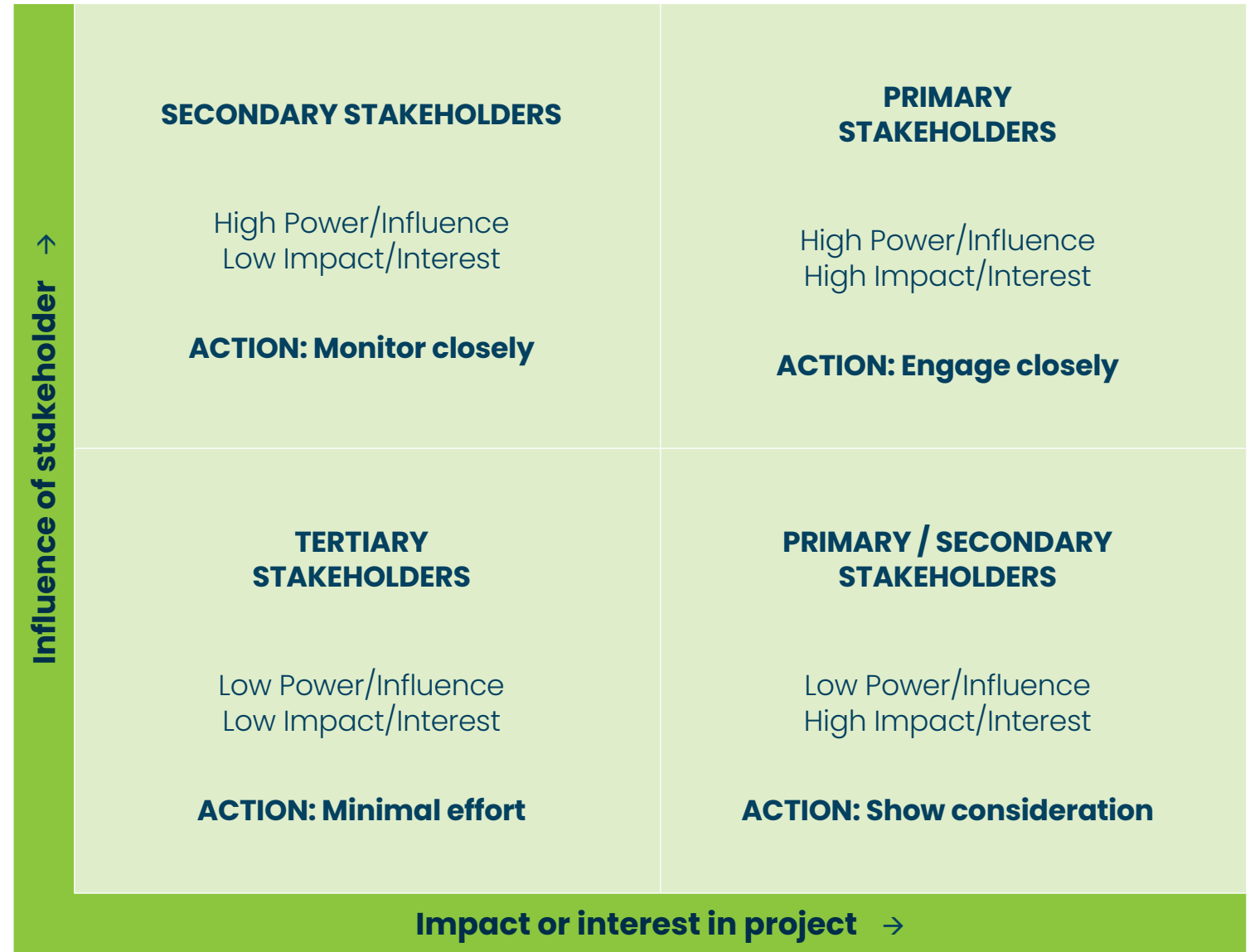
Residents (ratepayers)	Residents (non-ratepayers)	Geographical communities
Business communities	First Nations communities	Ethnic/culturally and linguistically diverse communities
Religious groups	Service providers	Sports clubs
Community or social groups	Environmental groups	People living with disability
Elected representatives	Special interest groups	Council committees
Community advocacy groups	Reference groups	Age-based groups



The list of stakeholders changes with each issue and project under consideration

**The level of influence and interest** of a stakeholder group should be a consideration in shaping their level of participation in the engagement process, timing of engagement and the methodology for the engagement. It is not necessary to engage with groups that have **no interest** in the issue.

Stakeholders are categorised according to the Stakeholder Influence/Interest grid which suggests the appropriate level of action.



# Step four: assess the level of public participation

The level of public participation indicates the role stakeholders need to play during the community engagement process.

We will determine the level of public participation appropriate for the project, using the five levels of the IAP2 Spectrum of Public Participation. This depicts five levels of increasing influence that the public can have on an outcome or decision, the obligations of the organisation undertaking the consultation and the techniques that can be used in the process.

Key factors that determine the level include the engagement purpose, level of impact and degree of complexity of the issue under consideration. While the Level of Impact is a major factor, not all high-impact projects or issues will be appropriate for a high level of community involvement.

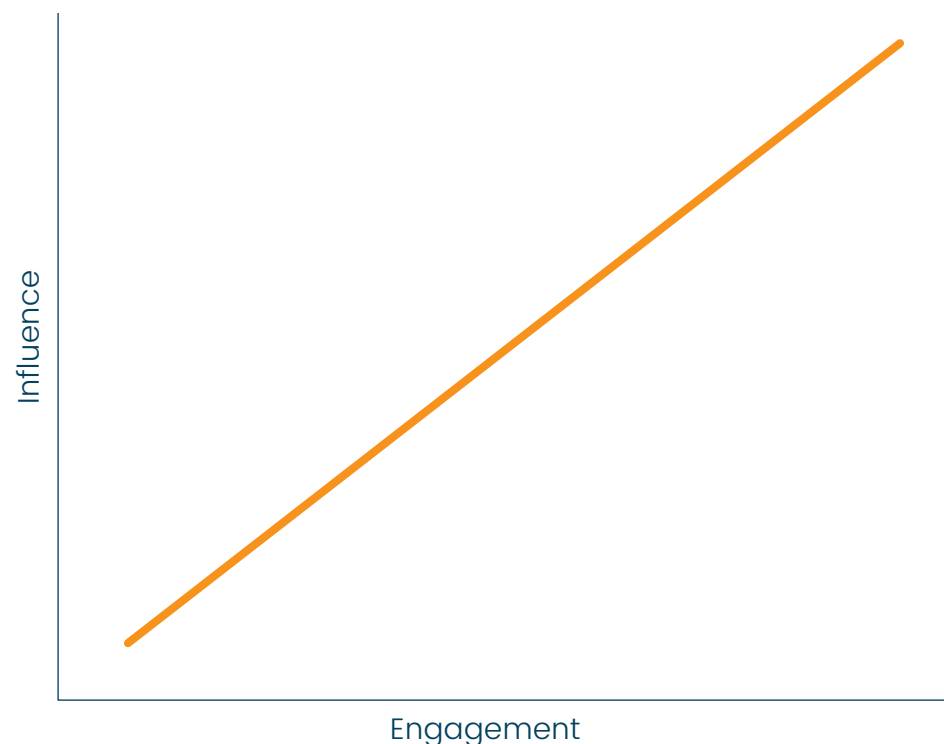
The following will be considered:

- Is it a new issue?
- Is it a complex or sensitive issue?
- Will it have a big impact on residents, stakeholders, and the broader community?
- Is the engagement occurring early in the decision-making process?
- Are the necessary resources for authentic engagement available?
- Is engagement important to communicating the overall project?
- Is there current information from previous engagement on this topic?
- Can the community significantly influence the decision-making process?

The final question is crucial and the hardest. If external factors will limit the influence that any public

participation will have on the final decision, then the participation promised to the community should be correspondingly limited.

## INCREASING ENGAGEMENT WITH INFLUENCE



# Step five: choose the engagement method

The appropriate engagement methods ensure the community engagement is inclusive, transparent and fulfils its aim.

There is a vast array of engagement methods, some commonly used by Council and others rarely or never used.

The table below provides an overview of the most common community engagement methods and how they correspond to the level of engagement.

Increasing level of impact	Public participation	Examples of engagement methods	Increasing level of engagement
	1. Inform	Council website and social media News stories and notices Council newsletters Fact sheets and mail outs Displays in public such as Customer Service, libraries and chatterbox	
	2. Consult	Your Say Macleay website Online or written surveys Public exhibition Call for submissions Pop-up information sessions Briefings, Focus groups and Public meetings	
	3. Involve	Meeting with existing groups One-on-one meetings with key stakeholders Pop-up engagement sessions Workshops Site visits Community forums Deliberative polling	
	4. Collaborate	Internal taskforce or working group Community reference groups and summits Management and advisory committees Working party	
	5. Empower	Legislated voting	

# Step six: assess resources

We will consider if we have the resources necessary to deliver effective engagement.

## Time

- The time for the community to provide meaningful input
- The time for staff to analyse and implement results

## Finances

- The finances to fund the engagement methods
- The finances to fund the options being considered

## Human resources

- The staff capacity and skills to deliver the engagement
- The staff capacity and skills to execute any decision

# Step seven: prepare an engagement plan

We will develop an individual communications plan and if required a separate engagement plan that articulates how the community will be informed about and participate in the project.

These plans will specify the objective for the communication and engagement and how the

success of the engagement will be measured.

The information gathered in steps one to six is used to prepare a community engagement plan based on the templates and methodology in the Community Engagement Toolkit.

## Demographic data

We include standardised demographic questions in surveys to help us ensure we hear from all the stakeholders in the community on any given project. The same questions will be used on all surveys.

This doesn't mean that any one group gets priority or more say in decision

making. Rather we are trying to identify any key groups we have not heard from.

At the same time, we understand that personal identity is just that, personal, so these questions will not be mandatory and not answering them will not change how any submission is dealt with.



# Step eight: deliver and adapt the engagement plan

The community engagement will be delivered as outlined in the engagement plan.

A key aspect of the delivery is to articulate the plan and the logic behind it. It is important to not only abide by the principles articulated in the Community Engagement Strategy but to make the community aware of them.

Good project management includes ongoing monitoring

and evaluation of the engagement performance and making improvements as required.

Mid engagement reviews will take place to determine if the project is delivering on its stated objectives.

At any time, developments in either the overall project or the engagement may require the engagement plan to be altered. It may

be necessary to reassess the scope or requirements of the project and vary the engagement approach accordingly. It may be necessary to reassess the execution of the engagement. This can occur for several reasons, including:

- a change in the situation
- recognition of implications of the project

- analysis of the feedback being received.

Any change to the engagement process will be carried out transparently, identifying the reason for the change and informing the community generally, as well as contacting those who have already responded, where possible.



# Step nine: analyse the responses

We will collate the information received from the community engagement. It will be analysed, reviewed, and considered, to make recommendations.

We will carry out this process objectively, remembering that we control the process but not the outcome.

Responses will be recorded and analysed as quickly as possible and this can commence during the engagement project.

Accurate records of the responses will be maintained in line with Council's information management procedures, including details of attendees.

At all times the engagement will adhere to the privacy policy of Council and the personal information of participants will be appropriately managed.





# Step ten: evaluate the engagement

At the end of the engagement process we will evaluate the engagement process to determine if the agreed objectives have been met. This may be a formal or informal assessment depending on the nature and scale of the project.

Our engagement projects can be evaluated for success using the following measures.



## VISIBILITY AND REACH

What was the level of awareness? What communications and promotional methods were used to inform the community about the opportunity to engage?



## CONVERSION

What was the interest in the project? How many people took action by attending engagement events or clicking on links in websites, newsletters or social media? What was the average session length online or for face-to-face events?



## ACTIVITY

How engaged was the community? How many submissions were made? How active and involved was the community or focus group?



## DEPTH OF ENGAGEMENT

How much did the community educate themselves on the topic? Were factsheets taken? Were project pages viewed? Were draft plans downloaded?



## SENTIMENT

What was the sentiment towards the engagement? Were users grateful or frustrated to be asked? Use sentiment analysis to quantify qualitative data.



## RETENTION

Was the community inspired by the project? How many people asked to be kept informed or used the 'follow this project' features to receive updates?



## EXPLANATION

How well did the community understand the project? How many community members sought a clearer explanation or provided feedback about the quality of the information and activities?



# Step eleven: report and close the loop

Closing the Loop is a crucial step to establishing and maintaining trust in the engagement process. Project officers will ensure that every individual and group that engages with a project at the very least receives a response acknowledging receipt of the engagement and outlining the next steps.

We will communicate about the engagement activities and the feedback received in the context of broader communications about a project's nature, timeline and progress.

The engagement toolkit contains a standard response process for staff to use so that all submissions are responded to in a consistent, complete and timely manner.

When the engagement process has been completed, we will:

**Compile and analyse all responses**

**Determine how the responses will impact the decision-making process**

**Write and publish an engagement report**

**Contact all respondents to outline how community input has been used, the next steps in the decision-making process and whether there is further opportunity for input**

**Publish engagement summary news stories for wider consumption**



# How long does engagement last?



While some projects are required by legislation to place documents on exhibition for mandatory periods, the majority of engagement projects do not have a fixed window of engagement.

This Plan suggests default durations for engagement and for analysis. 28 days is considered best practice for each.

These default timings may be altered in consultation with the engagement team based on the circumstances of each project.

## Engaging before public exhibition

Where the community participation level is rated above the Inform level using the IAP2 spectrum, this should ideally involve at least one additional engagement window, usually in either or both

of the Research or Engagement phases of decision-making.

The recommended minimum engagement window is 28 days.

This enables:

- Promotion of the engagement,
- distribution of materials; and
- facilitation of engagement events

Crucially this is also required to enable the community sufficient time to provide informed, considered engagement.

This is not a mandatory requirement and can be

altered up or down for project requirements.

## Time between multiple engagements

The recommended minimum time left between engagements on the same project is 28 days.

This will enable appropriate analysis, reporting and consideration. This also communicates to the participants in the previous round that their responses had an influence.

This is also not a mandatory requirement and can be altered up or down for project requirements.



## Public Exhibition

The Public Exhibition phase of decision-making involves structured engagement at an inform or consult level.

## Exhibition periods

The timeframe in which the preferred option or options are published for participation is called the exhibition period.

Formal submissions will only be accepted during the exhibition period.

The closing date for submissions will be specified in written and published notices.

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 workday.

The period between 15 December and 14 January (inclusive) is excluded from the calculation of a period of public exhibition. Council will not initiate an exhibition or notification period during this time.

## Mandatory exhibition periods

Some planning documents must be placed on exhibition for a mandatory period as prescribed by legislation.

## Optional exhibition periods

Council have outlined default exhibition periods for planning documents that do not have mandatory exhibition periods. These should be used unless a different period, or no exhibition, is required due to the impact of other determining factors.

Planning document	Mandatory exhibition period
Community Participation Plan	28 days
Community Strategic Plan	28 days
Delivery program (including fees and charges)	28 days
Operational plan	28 days
Special Rate Variations	28 days
Plans of management	28 days of exhibition, and Submissions can be made 42 days from the initial date of exhibition
Local Environmental Plans*	28 days**
Development Control Plans	28 days
Contributions Plans	28 days
Local Strategic Planning Statements	28 days

Some land use planning documents also have a mandatory exhibition period under legislation

\*Also known as planning proposals which are subject to a determination in accordance with the NSW Department of Planning Industry and Environment's 'Gateway'

\*\*Or as specified by the Gateway determination which may find, due to the minor nature of the proposal, that a lesser public exhibition period is required, or that no public exhibition is required



## Default exhibition windows

Remaining Council documents will typically be exhibited according to our principles.

Planning document	Mandatory exhibition period
Draft Policies, Strategies and Guidelines	28 days or 14 days if pre-exhibition engagement conducted
Draft Place Manuals/ Masterplans	28 days
Re-exhibition of any matter or proposal referred to above	Discretionary based on the urgency, scale and nature of the proposal



# DEVELOPMENT ASSESSMENT

# 2022



# What is development assessment?

In this context, Development refers to:

- the use of land
- the subdivision of land
- the erection of a building
- the carrying out of a work
- the demolition of a building or work
- any other act, matter or thing that may be controlled by an environmental planning instrument.

Development falls into one of three categories:

- development permitted **without consent**
- development that is **prohibited**
- development permitted **with consent**

This categorisation is outlined mainly by the Kempsey Local

Environmental Plan, which uses land zoning to group development types in specific locations of the shire, including residential zones, rural zones, commercial zones and industrial zones, to name a few.

## **Development permitted without consent**

Development that is permitted without consent refers to activities or works that may be undertaken without any prior approval in the land zone.

## **Development that is prohibited**

Prohibited development is not allowed within the specified zone or site and approval cannot be obtained.

## **Development permitted with consent.**

Development permitted with consent includes works or activities that can be

undertaken in that zone but only if approval is obtained by Council or another authority.

To obtain development consent, the proponent must lodge a development application (DA) with Council.

## **Development assessment**

is the process whereby Council reviews a DA and determines whether it will permit the applicant to do the proposed works or activity.

# What council development assessments can i participate in?

## LOCAL DEVELOPMENT

Developments that need consent can be broken up based on the scale of the project.

- **State significant development**, where approval is considered by the NSW Minister for Planning or the NSW Independent Planning Commission
- **Regionally significant development**, where approval is considered by a regional planning panel
- **Local development**, where Council is the approval authority.

This plan addresses the community engagement process for **local development** applications where Council is the consent authority.

The plan does not address the community engagement processes for state or regionally significant development. This process is managed by the NSW government.

## REQUIRED AND ADOPTED ENGAGEMENT PROCESSES

Local development is further organised into several categories by the *Environmental Planning and Assessment Act 1979*, including:

- designated development
- integrated development
- threatened species development
- complying development
- other development.

The Act treats these categories differently regarding community engagement.

Where relevant, the Community Participation Plan outlines the engagement process required under the Act, as well as the processes Council has adopted for other local development assessments.





# When does engagement start on a DA?

Community engagement is started soon after Council receives the development application and once the application has been preliminarily processed.

## HOW CAN I FIND OUT ABOUT A DA?

Council will advertise relevant development applications as soon as practicable after a development proposal is lodged.

The choice of how to advertise DAs will be based on the initial assessment of the application. It could include a combination of information on Council's website, social media, newspaper advertising, signage or other methods.

The period during which submissions will be accepted will be specified in any written notice and on the Advertising Register on Council's website.

# Which DAs can I have a say on?

DAs are categorised by Council into one of three Development Engagement Categories based on the anticipated impacts of the proposed development.

1. Basic development application – Negligible adverse impacts

2. Standard development application – Potential for minor adverse impacts to limited properties

3. Significant development application – Potential adverse impacts to wider community

Each category has its own recommended engagement methods. The more significant the impacts, the wider the community engagement.

## DEVELOPMENT ENGAGEMENT CATEGORIES

Council's delegated planning officers assess each development application on its merits in relation to the statutory obligations.

The choice of engagement category is based on the potential for adverse impacts, combined with the scale of the development.

The following matters are taken into consideration:

- building design, siting and bulk
- views to and from the land
- potential overshadowing impacts on adjoining residences
- likely privacy impacts on adjoining and nearby residences

- the ecological values of the site and surrounding area
- environmental hazards posed by the development such as noise, vibration and odour
- the presence of coastal hazards on the site
- likely impacts on a listed heritage item
- the presence of Aboriginal objects or an Aboriginal place of heritage significance on or near the site
- the potential social and/or economic impacts of the proposal
- likely impacts on pedestrian or vehicular access, parking availability and traffic volumes in the locality
- the potential impact on the established streetscape

- and local character
- safety and security issues associated with the development
- the extent of earthworks proposed
- the potential impact of stormwater infrastructure and flows on adjoining or nearby properties
- significant non-compliance with a development standard within Kempsey Local Environmental Plan or development control within Kempsey Development Control Plan.

## ENGAGEMENT CATEGORIES FOR COMMON DEVELOPMENT APPLICATIONS

The table below outlines the likely category for certain development types and how

each development type is treated.

Please note there is no guarantee that any particular application type will fall into a given category.

For example, a minor ancillary structure may have potential adverse impacts and need to be treated as a standard development application. In other cases, there may be no potential adverse impacts for a standard development application – for example, a two-storey urban dwelling that will not affect privacy or views or cause overshadowing – and it will therefore be treated as a basic development application.



### Examples of different types of development application

Development application engagement category	Development type that would typically sit in this category*
<b>Basic development application</b>	<ul style="list-style-type: none"><li>• Ancillary residential structures (e.g. carport, deck, garden shed, garage, pool, patio)</li><li>• rural dwellings on RU1, RU2 and R5 zoned land</li><li>• single-storey urban dwellings</li><li>• secondary dwellings and dual occupancies</li><li>• minor change of use</li><li>• complying development</li><li>• internal alterations and additions</li><li>• minor external alterations or additions</li><li>• boundary adjustments</li><li>• strata subdivision</li><li>• minor commercial or industrial development</li><li>• rural flood mounds</li><li>• modifications of a basic development application under section 4.55 (1) and (1a) and Division 8.2 reviews.</li></ul>



## Standard development application

- Two-storey urban dwelling and dual occupancy
- rural subdivision
- minor residential subdivision ( $\leq 20$  new lots)
- residential or commercial building works that have the potential to impact views, overshadowing or privacy of adjoining residents
- new restaurants, bars or entertainment venues with potential noise or social impacts
- multi-dwelling housing ( $\leq 10$  new dwellings)
- proposals involving variations to LEP or DCP
- large-scale rural industries with potential external impacts
- minor alteration or change of use on heritage-listed site
- minor Council-led development applications
- additional permitted use as per clause 2.5 of the LEP
- modifications or reviews of a standard development application unless the change to a proposal is negligible.



<b>Significant development application</b>	<ul style="list-style-type: none"> <li>• Major residential subdivisions (&gt; 20 new lots)</li> <li>• multi-dwelling housing (&gt; 10 new dwellings)</li> <li>• traffic generating development (as per Transport and Infrastructure SEPP)</li> <li>• new commercial or residential development with the potential to significantly impact scenic character of the locality due to location, height or bulk, proposal with direct impact on public domain or coastal foreshore</li> <li>• major Council-led development applications</li> <li>• major alteration or change of use on heritage-listed site.</li> </ul>
<b>Standard or significant Nominated integrated development</b>	Nominated integrated development
<b>Standard or significant Threatened species development</b>	Threatened species development (assessed under <i>Biodiversity Conservation Act 2016</i> as having a significant impact on biodiversity)
<b>Standard or significant Designated development</b>	Designated development

\* Listed development types are an indicative guide only



# How much can I engage on a DA?

## Basic development applications

These development applications are generally assessed by Council's development compliance staff to be minor in nature and unlikely to cause impacts on neighbouring properties.

They are DAs that:

- comply with development standards and development controls; and
- have limited environmental or planning constraints

### Basic development application – Negligible adverse impacts

<b>Submissions</b>	No opportunity is provided for public submission on these types of development applications.
<b>Engagement</b>	These will not be notified or advertised due to their negligible impacts.
<b>Advertising period</b>	None

## Standard development applications

Standard development applications have the potential for minor to moderate impacts on immediately neighbouring properties. Such impacts might include overshadowing, lack of privacy, acoustic impacts or view-sharing conflicts.

DAs involving variations to the Kempsey Local Environmental Plan or Development Control Plan are usually treated as standard development applications.

### Standard development application – Potential for minor adverse impacts to limited properties

<b>Submissions</b>	Anyone may make a submission on this type of development application during the advertising period.
<b>Engagement</b>	Potentially affected parties are notified in writing about these development applications.
	The application is also advertised on Council's Advertising Register
	The application is included in a weekly summary of advertised applications
<b>Advertising period</b>	The advertising period is 14 days.

## Significant development applications

Significant development applications are larger-scale applications which are expected to attract broader community interest.

These applications may be of interest to the broader community due to the potential impacts on a wider population (for example on traffic, biodiversity, scenic character, or noise). The nature of the development or the location of the development is usually a significant factor.

### Significant development application – Potential for minor adverse impacts to limited properties

#### Submissions

Anyone may make a submission on this type of development application during the advertising period.

#### Engagement

Residents within a project-specific range of the development (for example, every resident within 100m or 1km) will be notified.

These development applications are also individually advertised on Council's website including social media and newspapers.

#### Advertising period

The advertising period is 14 days.



# Additional development categories

The engagement for some DAs is also specified in legislation.

These DAs are still assessed by Council but have mandatory community participation and advertising periods.

Council will categorise these DAs as standard or significant and engage the community using the methods above in addition to the community engagement requirements outlined in the legislation.

## Designated developments

Designated developments are high-impact developments (for example, those likely to generate pollution) or those located in or near an environmentally sensitive area such as a wetland.

There are two ways a development can be categorised as designated development:

- the class of development can be listed in Schedule 3 of the Environmental Planning and Assessment Regulation 2021 as being designated development, or
- a Local Environmental Plan or State Environmental Planning Policy can declare certain types of development to be designated development.

Designated developments require a more detailed impact assessment, known as an Environmental Impact Statement (EIS), to be prepared.

## Designated developments - high-impact developments or located in or near an environmentally sensitive area such as a wetland

### Submissions

Anyone may make a submission on this type of development application during the advertising period.

### Engagement

Notification to adjoining owners is mandated

These developments also require notice to be given to specific public authorities.

### Advertising period

The advertising period is 28 days.



## Nominated integrated developments

Nominated integrated development means integrated development (not being threatened species development or Class 1 aquaculture development) that requires an approval (within the meaning of section 4.45 of the *Environmental Planning and Assessment Act 1979*) under:

- a provision of the Heritage Act 1977, specified in section 4.46 (1) of the Environmental Planning and Assessment Act 1979, or
- a provision of the Water Management Act 2000, specified in section 4.46 (1) of the Environmental Planning and Assessment Act 1979, or
- a provision of the Protection of the Environment Operations Act 1997, specified in section 4.46 (1) of the Environmental Planning and Assessment Act 1979.

## Threatened species developments

Threatened species development is development that significantly impacts on terrestrial or aquatic species or their habitats

This development is defined in section 7.7 (2) of the *Biodiversity Conservation Act 2016* or section 221ZW of the *Fisheries Management Act 1994*.

Development which requires a Biodiversity Development Assessment Report (BDAR) or Species Impact Statement (SIS) is considered threatened species development.

### Nominated integrated development – Integrated development that requires approval under Heritage, Water Management or Environment Operations Act

<b>Submissions</b>	Anyone may make a submission on this type of development application during the advertising period.
<b>Engagement</b>	Notification to adjoining owners is mandated These developments also require notice to be given to specific public authorities.
<b>Advertising period</b>	The advertising period is 28 days.

### Nominated integrated development – significantly impacts on terrestrial or aquatic species or their habitats

<b>Submissions</b>	Anyone may make a submission on this type of development application during the advertising period.
<b>Engagement</b>	Notification to adjoining owners is mandated These developments also require notice to be given to specific public authorities.
<b>Advertising period</b>	The advertising period is 28 days.

## WHAT HAPPENS WHEN COUNCIL IS THE APPLICANT?

Like everyone else, if Council wishes to make a development that would require consent, it must submit a development application.

Where projects that need development consent are undertaken by or on behalf of Council, the development applications may be treated as standard or significant, depending on the scale of the project.

### Part 5 Development

Not all Council projects go through the development application approval process.

Most Council projects are infrastructure based and therefore known as Part 5 Development under the *Environmental Planning and*

*Assessment Act 1979.*

Council-led Part 5 development would fall under the broader strategic and land use planning engagement processes outlined elsewhere in this document.



# How can I hear about a new DA?

There are several key methods Council uses to engage on development assessment.

The table below lists the types of community engagement methods that Council undertakes on development applications.

Communication method	Description
<b>Development Application Register</b>	<p>An online register of all development applications being assessed or determined by Council. This can be found through a link on Kempsey Shire Council's website <a href="http://www.kempsey.nsw.gov.au">www.kempsey.nsw.gov.au</a></p> <p>This register provides information about proposed, pending or completed applications (past and present) that have undergone or are undergoing assessment by Council. This register dates back to 1991.</p>
<b>Advertising Register</b>	<p>An online register of all development applications currently being advertised for public submission. This can be found through a link on Kempsey Shire Council's website <a href="http://www.kempsey.nsw.gov.au">www.kempsey.nsw.gov.au</a></p> <p>Applications only show up on this register during the public submission period.</p> <p>Council will promote development applications on the Advertising Register.</p>
<b>Notification letter</b>	<p>Letters are sent to parties who have the potential to be impacted by the proposal.</p> <p>The letters will advise the recipient of the proposed development, include basic plans of the development and will advise the timeframe for public submissions (advertising period) for the development.</p> <p>Although letters are sent to identified parties who in Council's opinion may be impacted, any person may lodge a submission.</p>
<b>Site notice</b>	<p>In some cases Council may install a physical notice on the site of the proposed development directing readers to the avenues through which information can be found.</p>
<b>Wider advertising</b>	<p>Notification as above, plus individual coverage on Council's website and/or social media.</p>

## **Advertising**

DAs that appear on Council's Advertising Register are open to receive public submissions and will be promoted by Council either individually or as part of a weekly summary.

Council will publish the weekly summary of new development applications on the Advertising Register in notices. This service may be subscribed to by interested parties.

Significant Development Applications on the Advertising Register may also be promoted on social media at the discretion of the delegated development officer.

A link to the Advertising Register is available on Council's website [www.kempsey.nsw.gov.au](http://www.kempsey.nsw.gov.au).

The register will include all the documentation that

the applicant has provided to enable the public to interpret and understand the nature of the proposal and the extent of its impacts. In some cases, sensitive materials such as intellectual property, internal building plans or other information may not be made publicly available if it is not in the public interest to do so.

### **Notification letters**

Letters are sent to owners of relevant land parcels (typically adjoining owners) who have the potential to be impacted by the proposal.

### **Multiple owners**

If land is owned by more than one person, a written notice to one owner is taken to be a written notice to all owners of that land.

### **Strata schemes and community-neighbourhood schemes**

For strata-titled properties,

Council will send a notice to the owners' corporation. Tenants will not be separately notified. For community-neighbourhood schemes, Council will send a notice to the community or neighbourhood association.

### **Properties in other local government areas**

When a development proposal is likely to affect owners of land outside Kempsey Shire boundaries, Council will contact the neighbouring council for contact details so written notices can be sent to the owners.

### **Returned written notices**

Letters and emails notifying owners are sometimes returned to Council for various reasons, including incorrect addresses. In these cases, Council will check its records and, if an address needs correcting, will resend the letter or email.

The public exhibition period will not be formally extended when a written notice is delayed in this manner. Council may, however, give that person an extension of time to make any submission if the person expresses an intent to do so.

### ***I didn't receive a letter directly but would like to make a submission***

Any person may make a valid submission on a development application during the advertising period. The details of development applications and specific information on how to make a submission can be found on Council's Advertising Register on the website.

### **Wider advertising**

For significant development applications, Council will take additional measures to ensure the community is advised of the proposal and

is aware of the opportunity to have a say by making a submission. These additional measures may include:

- individual announcements on Council's website
- social media posts
- newspaper advertisements



### Engagement methods for different development application categories

Development application engagement category	Advertising period	Notification letters	Wider communications	Submissions accepted	Objector appeal rights
<b>Basic development application</b>	None	No	No	No	No
<b>Standard development application</b>	14 days	Yes	No	Yes	No
<b>Significant development application</b>	14 days	Yes	Yes	Yes	No
<b>Standard or significant Nominated integrated development</b>	28 days	Yes	Optional**	Yes	No
<b>Standard or significant Threatened species development</b>	28 days	Yes	Optional**	Yes	No
<b>Standard or significant Designated development</b>	28 days	Yes	Optional**	Yes	Yes

\*\* Site notices are used at the discretion of a delegated development officer

\*\*\* Wider advertising will occur if an application is assessed as a significant development application.



# How much influence can I have on development assessment?

If you wish to speak in favour of or against a development application, you will need to make a submission during the advertising period.

Development Engagement Category	Advertising period	Submissions accepted	Objector appeal rights
Basic development application	None	No	No
Standard development application	14 days	Yes	No
Significant development application	14 days	Yes	No
Standard or significant Nominated integrated development	28 days	Yes	No
Standard or significant Threatened species development	28 days	Yes	No
Standard or significant Designated development	28 days	Yes	Yes

Council sends an acknowledgement letter to confirm it has received the submission.

Community submissions cannot solely determine the outcome of an issue, as Council must take a range of matters into account in making its decision.

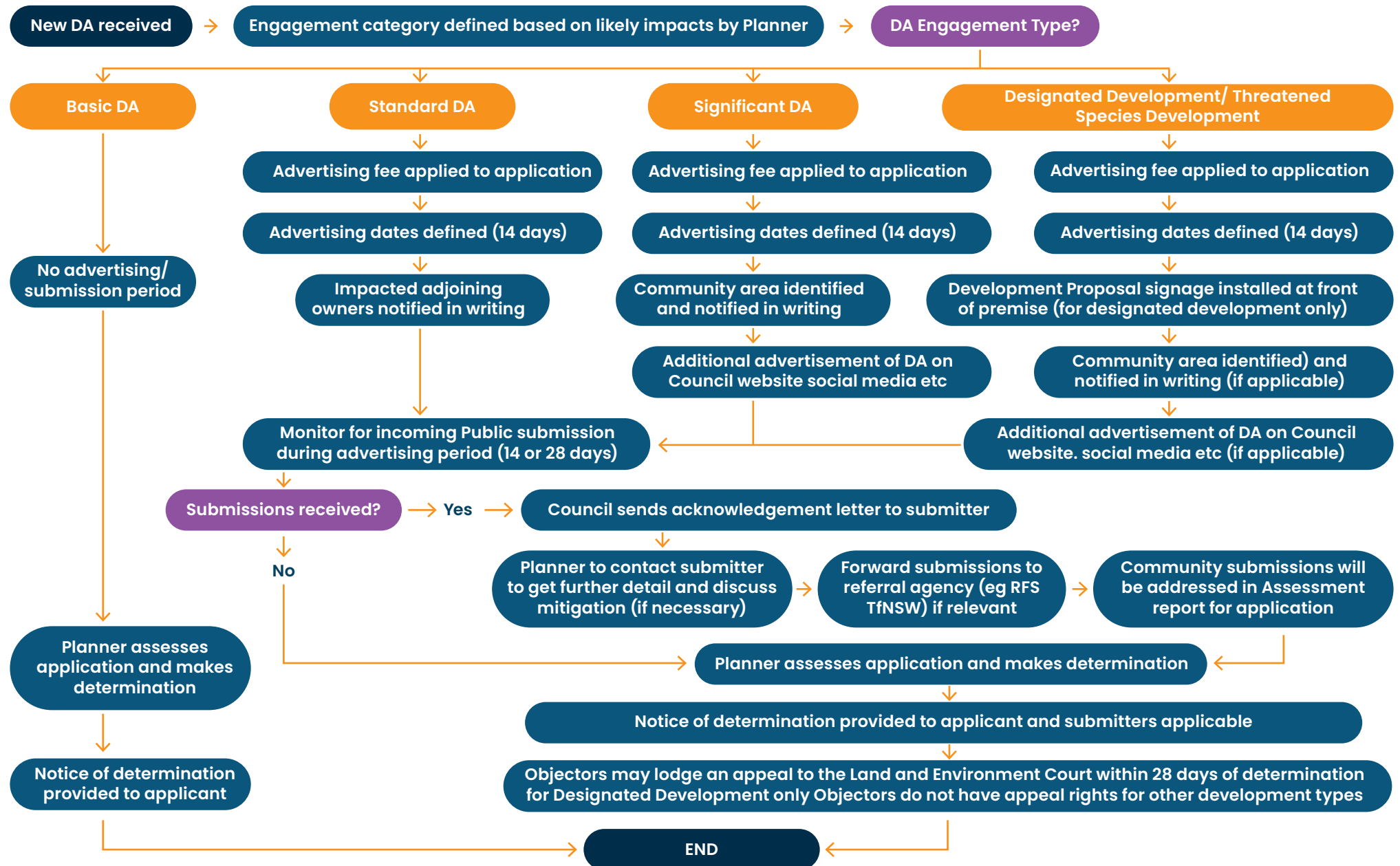
Most development applications are assessed under delegation by a Council officer and do not go to Council for determination.

Where a community member has lodged an objection, the assessing officer may contact that person to discuss the submission in greater detail. The intent of such contact is to obtain additional details about the objection and to see what, if any, mitigation measures may be appropriate. The assessing officer will only contact a person if they have made a valid planning submission that needs further clarification or discussion.

Each submission is considered on its merits. No subjective weighting is given to any submission due to its origin or any other factor to elevate its importance above any other submission.

All valid submissions are addressed in the assessing officer's assessment report for the proposal, regardless of whether the person submitting the proposal is contacted directly by Council.

## Overview of development application community engagement process





# How can I find out about a decision on a DA?

Council will send a letter notifying the determination of a development application to the applicant and each person who made a submission as soon as possible following the determination.

Details of most past and all present or future development application determinations can be found on the Development Application Register on Council's website. The

register includes information on the decision, the date of the decision, the determination (including conditions of approval) and any publicly available approved plans.

In some cases, the online record is incomplete. Members of the public who are looking for information on a specific application can get in touch with Council, and Council can either add the information

to the register free of charge or, in the case of older applications, discuss with them the need to undertake a fee-based archive search or make a request to access information under the *Government Information (Public Access) Act 2009*. The pathway to information depends on the age of the application and the legislation that was relevant at the time of the application's assessment.

Contemporary legislation ensures that Council provides all relevant information about current or future development applications on its Development Application Register.

Council will publish a summary list of development determinations as per the Exhibit level of participation above.

# How will I find out if a development is going to a meeting?

If a development-related matter or planning proposal is placed on the agenda for a Council meeting, the applicant and any person who made a written

submission will be notified of the time and date of the meeting.

At a public forum held before the Council meeting,

one person may speak for and one against each agenda item. More information on public meetings is available from Council's website.

# Can I appeal the decision?

A person who objects to a development application has limited appeal rights under the *Environmental Planning and Assessment Act 1979*.

If the person has lodged a valid objection to a proposal for designated development which has been approved by Council, they may lodge an appeal to the Land and

Environment Court within 28 days of the determination.

Objectors do not have appeal rights against other determinations issued under Part 4 of the Act.

# Can a developer ask the community directly about a development?

Yes. Proponents of major developments are strongly encouraged to consult with members of the community who may be affected by a proposal before lodging any application with Council.

This allows community views to be considered as early as possible in the design stage and will minimise delays in the assessment and determination process.

Although highly beneficial in a project's design, community engagement undertaken by the developer before lodgement of the development application will not avoid the requirements of this plan being implemented after lodgement of the application.

Proponents are encouraged to provide evidence of

community consultation, if they have done this, when lodging their application.





# MAKING SUBMISSIONS

# 2022



# When can I make a submission?

Engagement is most often made through formal submission when:

- a proposal is on exhibition before being submitted to Council for approval (exhibition period)+

- a development application is on the advertising register (advertising period)

Submissions must be made during the exhibition/ advertising period.

The proposal or development will not be finalised until after the exhibition/advertising period has ended and submissions received have been considered.

- The exhibition/advertising period starts a day after the notice is first published.

- The closing date for submissions will be specified in written and published notices.
- The period between 20 December and 10 January (inclusive) will be excluded from the calculation of the exhibition/advertising period.

# Where can I make a submission?

You can make a formal submission to Council by email, in writing or online.

## **Submissions made by email**

When making a submission to Council, the submission should be emailed to [ksc@kempsey.nsw.gov.au](mailto:ksc@kempsey.nsw.gov.au).

## **Submissions made in writing**

Submissions can be sent to PO Box 3078, West Kempsey NSW 2440

Written submissions may also be delivered by hand to the Customer Service Centre.

Council will only acknowledge receipt of a submission if it is emailed to [ksc@kempsey.nsw.gov.au](mailto:ksc@kempsey.nsw.gov.au)

If you need help making a submission in writing please contact Council's engagement team on 6566 3200

## **Submissions made online**

You can make a submission online on Council's website at [www.kempsey.nsw.gov.au](http://www.kempsey.nsw.gov.au) through the project page or planning forms

# What do I include in a submission?

For Council to consider your formal submission valid, it must

- contain your name and legitimate contact details – for example, your name, email, phone number and address
- reference the matter you are making your submission about, such as application number or proposal title, and your reasons for the submission.

Submissions in writing must also contain the signature of each person making the submission.

## ***Disclosure of donations and gifts***

Submissions must be accompanied, where relevant, by a Disclosure Statement of Political Donations and Gifts in accordance with the provisions of the *Local Government and Planning Legislation Amendment (Political Donations) Act*

2008. Disclosure forms are available from Council's Customer Service Centre or on Council's website.

## ***Effective submissions***

While all valid submissions that meet the above requirements will be considered, it is suggested that an effective submission should:

- introduce yourself or the group you represent
- outline your concerns or

issues with the matter or proposal

- make recommendations and clear statements
- use evidence to support your argument
- identify any good aspects of the matter or proposal
- be clear and concise
- not contain emotive, abusive or disrespectful language.

# How will my submission be considered?

Each submission is considered on its merits. Submissions cannot solely determine the outcome of an issue, as Council must take a range of matters into account in making its decision.

No subjective weighting is given to any submission due to its origin or any other factor to elevate its importance above any other submission.

Submissions are forwarded to relevant staff for review, and formally reported to Council or other relevant determining authorities, to assist in the consideration of the issues.

## **Council Meetings**

A foundation stone of transparent community engagement is that members of the community can observe Councillors engaging in the decision-making process during Council meetings.

If a proposal or development is going to a Council meeting for determination, you will receive notification of

the dates of the relevant Council meeting.

Please note most development applications are assessed by a Council officer under delegation and do not go to a Council meeting for determination.

# How does Council treat petitions?

At times members of the community choose to raise a petition and gather multiple signatories to one submission.

Where a submission is received in the form of a petition, all future contact will be sent to the head petitioner or, where not nominated, the first petitioner supplying contact details.

The petition is treated as a single submission. While it is helpful to understand the extent to which the community is supportive of, or opposed to, a proposal, it is important to note that

development assessment is not a democratic process whereby votes decide the outcome. Each unique issue raised in a submission is considered on its merits.



# Can other people read my submission?

Submissions are kept on file and may be accessed by applicants and other members of the public.

The *Government Information (Public Access) Act 2009* requires Council to provide public access to information held unless there are overriding public interest

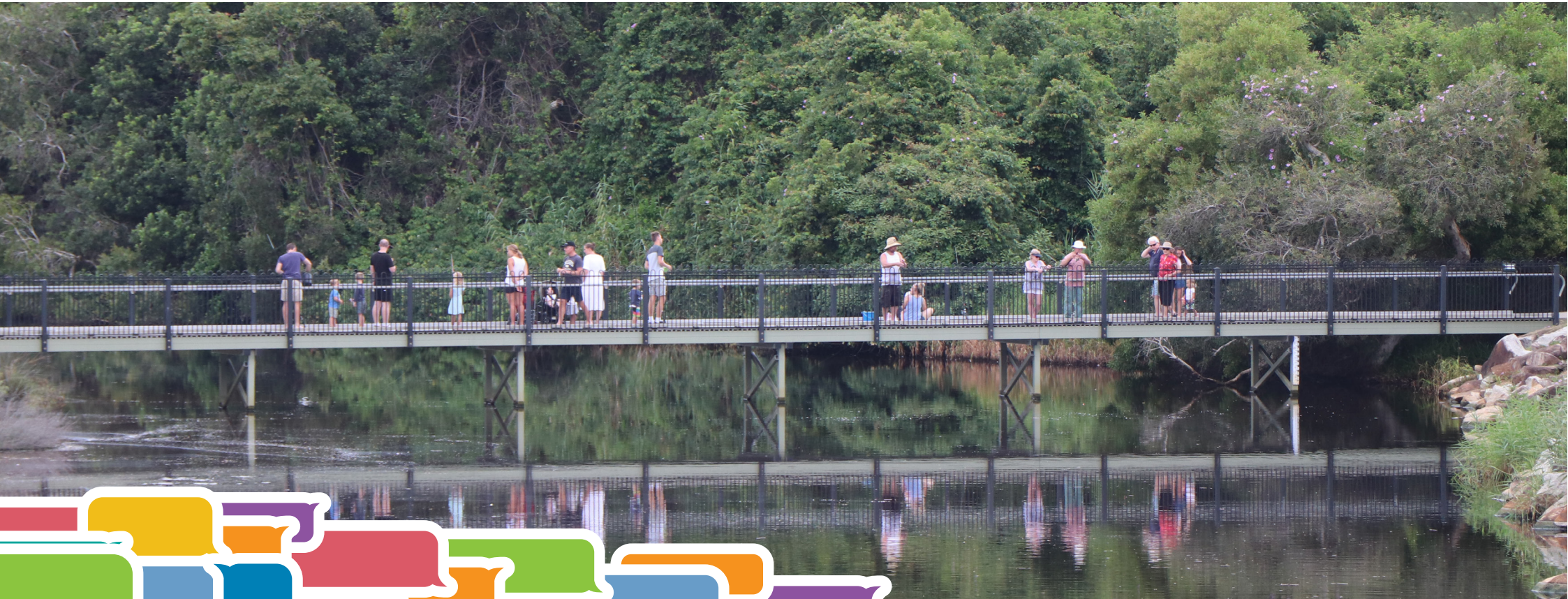
considerations against disclosure.

Any submissions received can be made publicly available unless you can demonstrate that the release of part or all of the information would not be in the public interest. However, Council is obliged to release

information if required by court order or other specific law.

Council is not required to make available for public inspection any part of an Environmental Impact Statement whose publication would, in Council's opinion, be

contrary to the public interest because of its confidential nature or for any other reason. A formal application under the *Government Information (Public Access) Act 2009* would have to be made in this instance.





# How to stay informed about the decisions Council is making

The community can stay informed on Council's decision-making processes both online and in person.

<b>Council meetings</b>	<p>Council notifies the public of the times and places of its meetings and the meetings of committees where all members are Councillors. These meetings are open to the public.</p> <p>Minutes and agendas of Council meetings are available on Council's website. Council meetings are broadcast live using an online streaming service. Links to archives of Council meetings are also available on Council's website.</p>
<b>Public forums</b>	<p>The public may register to address Council, or any of its committees, on matters that are listed on the Council meeting agenda at any Council meeting. The agenda is typically available on the Council website on the Friday before the meeting. Public forums are held the day before a Council meeting.</p>
<b>Community Catch-Ups</b>	<p>Every year Council engages with the community in Community Catch-up meetings held in locations across Kempsey Shire.</p> <p>At each meeting, Councillors and Council staff are available to discuss your community's needs and answer your questions about Council projects and planning.</p>
<b>Kempsey Shire Council website</b>	<p>Council uses its website to inform community members about major Council-related events, services and decisions.</p>
<b>Your Say Macleay</b>	<p>Your Say Macleay is Council's online engagement platform which lists projects that are open for engagement or feedback.</p> <p>While the majority of our community are able to, and enjoy, informing themselves and engaging with Council online, we recognise this is not the case for everyone.</p> <p>Engagement projects will be delivered on and offline. Additionally, Council is always able to provide hard copies of online material through Customer Service on 6566 3200.</p>

**Social media**

Council uses social media to connect with and inform community members about Council-related events, services and decisions. Council also promotes opportunities for the community to participate in formal submissions and feedback processes in social media.

Due to the legislative requirements for formal submissions on public exhibitions, social media platforms are not used as a tool for gathering input on current matters or proposals.

Council is exploring ways to conduct meaningful engagement on social media platforms.

**Public notices**

Council publishes advertisements and public notices to help inform residents of events, programs, road closures, planning matters and other services. These are published on the website on Council's Public Notices page. Public notices may also be published in local media and Council newsletters.

**Public displays**

Current matters and proposals are placed on display, or available for viewing on request, through Council's Customer Service Centre, libraries and the Chatterbox



# Acronyms and abbreviations

BDAR	Biodiversity Development Assessment Report
DA	Development Application
DCP	Development Control Plan
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
LEP	Local Environmental Plan
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement





## MORE INFORMATION

For more information on Council's integrated planning and reporting and engagement processes please consult:

### **2042: Your Future**

Kempsey Shire Council Community Strategic Plan 2022-42

### **Kempsey Shire Council Delivery Program 2022-2024**

### **Kempsey Shire Council Operational Plan 2022-2023**

### **Community Engagement Strategy 2022**

All of these can be found on the Kempsey Shire Council website [www.kempsey.nsw.gov.au](http://www.kempsey.nsw.gov.au)

### **IAP2**

[www.iap2.org.au](http://www.iap2.org.au)



### **Civic Centre**

22 Tozer Street (PO Box 3078)  
West Kempsey NSW 2440

### **Customer Services**

P. 02 6566 3200 F. 02 6566 3205  
[ksc@kempsey.nsw.gov.au](mailto:ksc@kempsey.nsw.gov.au)