

# COUNCIL POLICY

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Cowra Community Participation Plan 2020

Commencement Date	24/02/2020
Council Department	Environmental Services
Contact Officer	Director-Environmental Services
Revision Required	Every 4 years

### Policy Review

This policy shall be reviewed at four (4) yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

### Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
I	24/02/2020	43/2020	Director-Environmental Services



# COWRA

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## COMMUNITY PARTICIPATION PLAN

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2020



**COUNCIL  
ACKNOWLEDGES  
THE WIRADJURI  
PEOPLE AS THE  
TRADITIONAL  
CUSTODIANS OF  
THIS LAND AND  
PAYS RESPECT TO  
THEIR ELDERS  
BOTH PAST AND  
PRESENT**



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# 01

## An introduction to the plan

**Cowra Council recognises that our rural communities are as diverse as our urban communities.**

**Our communities have a unique relationship with, and understanding of, the Cowra Shire. The community's range of experiences, interests and roles are essential in shaping the planning and land use decisions that affect our Shire and it's villages.**

**The Community Participation Plan sets out the processes that Council will use to notify the Community of opportunities to provide feedback on planning matters being considered by the Cowra Shire Council.**

**This document supports the Cowra Community Strategic Plan 2036, to demonstrate leadership, transparency and accountability in decision making.**

**This plan meets the requirements of the Environmental Planning and Assessment act 1979.**

### 1.1 Introduction

The NSW Government requires all Councils in NSW to prepare a Community Participation Plan (CPP) that sets out how and when Council will engage with the community on the planning functions of Council under the Environmental Planning and Assessment Act 1979.

Community participation is an overarching term covering how Council will engage the community in relation to planning functions delegated to Council by the NSW Department of Planning and Environment, including legislative reform, plan making and decisions on proposed developments.

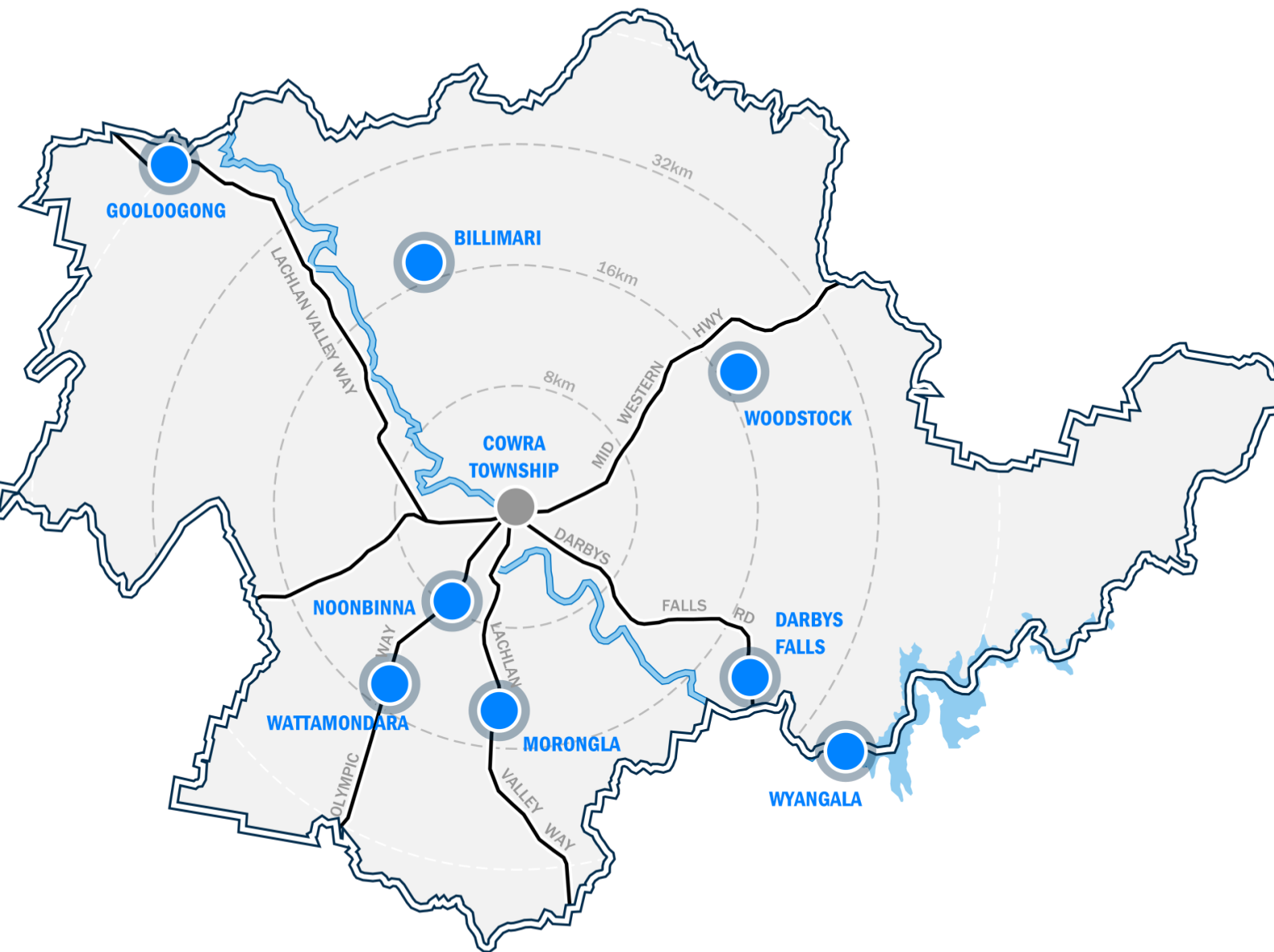
The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision.

### 1.2 Who is the community?

The community is anyone who is affected by the planning system and includes individuals, community groups, Aboriginal communities, peak bodies, stakeholders, businesses and Local, State and Commonwealth Government agencies.

### 1.3 Land to which this Plan applies

The Cowra Community Participation Plan applies to all land within the Cowra Shire Local Government Area (LGA).





## 1.4 What is community engagement?

Community engagement is a planned process with the specific purpose of working with identified groups of people, whether they are connected by geographic location, special interest, or affiliation.

The linking of the term ‘community’ to ‘engagement’ serves to broaden the scope, shifting the focus from the individual to the collective, with the associated implications for inclusiveness to ensure consideration is made of the diversity that exists within any community.

## 1.5 What is a Community Participation Plan?

Community participation is particularly important to successful planning outcomes. The Cowra CPP sets out when and how Council will engage with the Cowra community across all of the planning functions which Council performs.

The Cowra CPP has been prepared in line with Division 2.6 and Schedule 1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Department of Planning and Environment’s guidance material.

This plan outlines the Council’s policy for community participation in planning processes.



# 02

## Why is community participation in planning important?

Planning helps to define the local community. It impacts on the quality of daily experiences for those who live, study and work or visit the Cowra Shire.

Council is committed to ongoing and meaningful engagement with the community and stakeholders to help improve this experience.

### 2.1 What are the aims of community engagement?

- + To enhance opportunities for all members of the community to participate in planning processes and decision making.
- + To ensure planning and decision making processes are carried out in an open, transparent, comprehensive and consistent manner.
- + To ensure the community is well informed about how they can participate in planning and decision making processes.
- + To ensure that planning decisions are made in an efficient manner without compromising opportunities for community participation.
- + To ensure that public submissions made in relation to development assessment and plan making processes are properly considered by Council.
- + To ensure adequate opportunities for community participation in planning and decision making processes, particularly by those who may be impacted.

## 2.2 What are the principles of community participation?

- + The community has a right to be informed about planning matters that affect it.
- + Planning Authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- + Planning information should be in plain language, easily accessible and in a form that facilitates community participation.
- + The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- + Community participation should be inclusive and Planning Authorities should actively seek views that are representative of the community.
- + Members of the community who are affected by a proposed major development should be consulted by the proponent before an application for planning approval is made.
- + 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).

- + 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.

## 2.3 What are the benefits of engaging with our community?

- + Engagement leads to better project and service delivery outcomes.
- + Engagement allows Council to build more resilient relationships with the local community.
- + Engagement provides Council with increased capacity to form partnerships and networks within the community.
- + Engagement can enhance Council's reputation within the local community.
- + Engagement can be used to gauge whether Council is upholding the expectations of the local community.
- + Engagement enables Council to increase its understanding of key issues within the community.
- + Engagement increases the capacity of Council to adequately deal with complex and emerging issues.
- + Engagement provides opportunities for diverse voices to be heard.
- + Engagement empowers the community to identify priorities for themselves and own the solutions.

A top-down view of many people's hands and feet with green nail polish, arranged in a circle on grass. The hands and feet are positioned around the perimeter of a central area, with some hands resting on the grass and others slightly raised. The grass is vibrant green and appears to be a mix of different varieties. The overall composition is circular and symmetrical, suggesting a sense of unity and community.

**COUNCIL IS COMMITTED  
TO ONGOING AND  
MEANINGFUL  
ENGAGEMENT WITH THE  
COMMUNITY**

# 03

## What are Council's planning functions?

Council's planning functions are divided into two streams under the Environmental Planning and Assessment Act 1979: development assessment, and plan making.

### 3.1 Development Assessment

#### Local development

Local development is the most common type of development in NSW, with projects ranging from home extensions to commercial, retail and industrial developments.

Cowra Local Environmental Plan 2012 outlines those developments and land uses which require consent before the development can take place.

#### Nominated integrated development

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 Act) 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.

### **Designated development**

Designated Developments are high-impact developments (e.g. likely to generate pollution) or that are located in or near an environmentally sensitive area (e.g. 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 2000 as being designated development, or
- + a Local Environmental Plan (LEP) or State Environmental Planning Policy (SEPP) can declare certain types of development to be designated.

### **State significant development**

State significant development is development that due to the size, economic value or potential impact is considered to be of State significance.

Development that is State significant development (SSD) is identified in the State and Regional Development SEPP. For all State significant development applications, the Minister for Planning is the consent authority.

### **Modification of development consents**

After development consent has been issued, the applicant or anyone entitled to act on the applicant's behalf can apply to Council, or the approval authority, for approval to modify that development consent.

An application to modify a development consent is made under Section 4.55 of the Environmental Planning and Assessment Act 1979 (the Act) provided that the development is substantially the same.

If Council does not agree that the proposed modifications would result in substantially the same development as was originally approved, a new development application will need to be submitted for assessment.

## 3.2 Plan Making

### Community Participation Plan

The Cowra CPP sets out when and how Council will engage with their communities across all the planning functions they perform and establish the minimum requirements for community participation for each type of document.

### Regional or District Plans

Regional plans have been developed by the NSW Department of Planning and Environment to plan for our future populations needs for housing, jobs, infrastructure and a healthy environment. The Central West and Orana Regional Plan 2036 applies to the Cowra Local Government Area and the region.

### Local Strategic Planning Statements

The Local Strategic Planning Statement will set out the 20-year vision for land-use in the Cowra Region and its 8 villages, the special character and values that are to be preserved, and how change will be managed into the future. The Local Strategic Planning Statement will support Council's Local Land Use Strategies.

The Local Strategic Planning Statement will implement actions from the Central West and Orana Regional Plan, as well as Council's own priorities identified in the Cowra Council Community Strategic Plan, its land use

strategies and other studies that support the growth of the Shire.

The Local Strategic Planning Statement must:

- + identify the planning priorities for an area,
- + explain how these priorities are to be delivered, and
- + demonstrate how Council will monitor and report on how the priorities will be implemented.

The statement will shape how the development controls in the local environmental plan (LEP) evolve over time to meet the community's needs, with the LEP the main planning tool to deliver Council's and the community's plan.

### Strategic Land Use Plans, Strategies and Studies

Council develops a range of long-term plans and strategies for specific areas or development issues. Many of these plans and strategies will become Council policy after community consultation and will be implemented through Council's planning controls. Some Strategies and Plans also require endorsement from Government Agencies and support the Central West and Orana Regional Plan.

## Planning Proposals

The Cowra Local Environmental Plan 2012 (LEP) guides planning decisions for the Cowra Shire. It does this through zoning and development controls, which provide a framework for the way land can be used. The LEP is the main planning tool to shape the future of communities and ensure local development is achieved appropriately.

A Planning Proposal is required to amend the Local Environmental Plan. A Planning Proposal must demonstrate the strategic merit of the proposed LEP amendment. A Planning Proposal is submitted to the NSW Department of Planning and Environment for a Gateway Determination. A Gateway Determination will identify whether there is merit in the proposed amendment proceeding further in the plan making process.

A Gateway Determination is issued by the NSW Department of Planning and Environment and will determine:

- + whether or not to proceed with the Planning Proposal
- + whether or not to impose conditions to the proposal
- + the minimum public exhibition period

## Planning Agreements

Planning Agreements (also commonly referred to as VPAs) are voluntary agreements entered into by the Council and a developer to deliver public benefits.

These include the dedication of land to Council, monetary contributions, public infrastructure, community facilities, affordable housing, any other material public benefit or any combination of these.

Planning Agreements are prepared under the Environmental Planning and Assessment Act 1979 in relation to either a planning proposal or a development application.

## Development Control Plans

The Development Control Plan 2014 (DCP) is prepared by Council and applies to specific types of development or areas of land and provides detailed guidelines and controls. The DCP applies to the Cowra Shire.

Council will periodically amend the DCP to introduce new controls relating to specific development types, to reflect legislative changes, or to clarify the intent of an existing control.

## Developer and Infrastructure Contribution Plans

Section 7.11 of the EP&A Act details the contributions that Council can levy for development. Council's 7.11 and 7.11 A (former 94 and 94A) Contribution Plans 2016 allows Council to levy contributions on development consents issued for land within the Cowra Shire. These contributions assist with the provision of community facilities and / or infrastructure to meet demand created by development.

Council will periodically amend these plans, reflecting revised population growth, rezoning



of additional land, completion of works, or to amend the schedule of works to reflect Council's priorities.

The Local Government Act 1993 allows Council to levy contribution towards water and sewer infrastructure where the anticipated development will or is likely to increase the demand for water or sewer supply services via:

- + The Developer Servicing Plan for Water, and
- + The Developer Servicing Plan for Sewer.

#### **Development excluded from notification under this Community Participation Plan**

Some types of development do not need development consent from Council and therefore there is no pathway for formal community participation. This Plan does not relate to applications that fall within the following categories:

- + Development which is exempt development under the provisions of Clause 3.1 - Exempt Development of the LEP and or any applicable State Environmental Planning Policy.
- + Development which is complying development under the provisions of Clause 3.2 Complying Development of the LEP and or any applicable State Environmental Planning Policy.

### **3.3 Other Council Plans**

#### **Cowra Council Aboriginal Consultation Policy**

Cowra Shire Council's Aboriginal Consultation Policy provides clarity regarding the consultation process for any development activities with the potential to impact on Aboriginal cultural heritage in the Cowra LGA. Section 5.2 of the Aboriginal Consultation Policy identifies the following types of Development Applications, irrespective of the proponent, that will be referred to the Aboriginal community for input:

- + DAs involving the proposed removal/destruction of an Aboriginal site or relic;
- + DAs where there is an identified Aboriginal site or relic either on the subject land or located in close proximity to the land (less than 100 metres from any works associated with the development.
- + DAs involving the proposed disturbance of two hectares or more of land that is within 100 metres of the bank of a river, or creek, or from the crest of a ridgeline or established timbered areas assessed to be more than 100 years old.

# 04

## Development assessment consultation requirements

**This section outlines the notification and exhibition requirements for development assessment processes within Council.**

**This plan supersedes and incorporates the notification and advertising requirements set out in the Cowra Development Control Plan 2014.**

### 4.1 What is notified development?

To ensure a comprehensive, transparent and consistent approach to community consultation, all new Development Applications lodged with Cowra Council will be subject to the neighbour notification process, except for those exempted by Section 4.5 of this Plan.

### 4.2 What is exhibited development?

Exhibited development is development that is subject to notification; however it is development that must also be advertised in a local newspaper in accordance with the requirements of this plan.

### 4.3 Mandatory exhibition timeframes – certain development application types

Section 2.21(2) of the EP&A Act details the types of proposals that must be considered in the CPP and Schedule 1 sets a minimum exhibition timeframe for most of these proposals.

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

The only requirements in this plan that are mandatory are those set out in the table below and these are the same as the mandatory minimum timeframes in Schedule 1 of the EP&A Act:

Development Assessment Type	Timeframe
Application for development consent for designated development	<b>28 days (mandatory)</b>
Application for development consent for state significant development	<b>28 days (mandatory)</b>
Environmental Impact Statement obtained under Division 5.1	<b>28 days (mandatory)</b>
Environmental Impact Statement for state significant infrastructure under Division 5.2	<b>28 days (mandatory)</b>
Environmental Impact Statement for State significant infrastructure under Division 5.2	<b>28 days (mandatory)</b>

## 4.4 Which applications will be notified and / or exhibited?

Notified Development	Exhibited Development
<p>To ensure a comprehensive, transparent and consistent approach to community consultation, all new Development Applications lodged with Cowra Council will be subject to the neighbour notification process, except for those exempted by this Plan.</p>	<p>The following development is exhibited development for the purposes of this Plan:</p> <ul style="list-style-type: none"> <li>+ Boarding houses</li> <li>+ Caravan parks</li> <li>+ Commercial development (in a commercial zone), excluding change of use and minor alterations and additions</li> <li>+ Correctional centres</li> <li>+ Crematoriums</li> <li>+ Eco-tourist facilities</li> <li>+ Entertainment facilities</li> <li>+ Extractive industries</li> <li>+ Freight transport facilities</li> <li>+ Group homes</li> <li>+ Hazardous or offensive industries</li> <li>+ Heavy industrial storage establishments</li> <li>+ Development involving heritage items, including demolition</li> <li>+ Highway service centres</li> <li>+ Hotels / Motels</li> <li>+ Industrial development (in an industrial zone) adjoining a residential zone</li> <li>+ Intensive livestock agriculture</li> <li>+ Applications involving 5 or more dwellings, regardless of whether there is a subdivision proposed.</li> <li>+ Places of public worship</li> <li>+ Registered clubs</li> <li>+ Sex services premises</li> <li>+ Subdivisions involving the creation of 10 or more new allotments</li> </ul> <p>In addition to the developments identified above, where the Council or its delegated officers consider that community interest in a Development Application is wider than the immediate vicinity of the development site, notification may also be given in a local newspaper.</p>



## 4.5 Are there any exemptions to the consultation process?

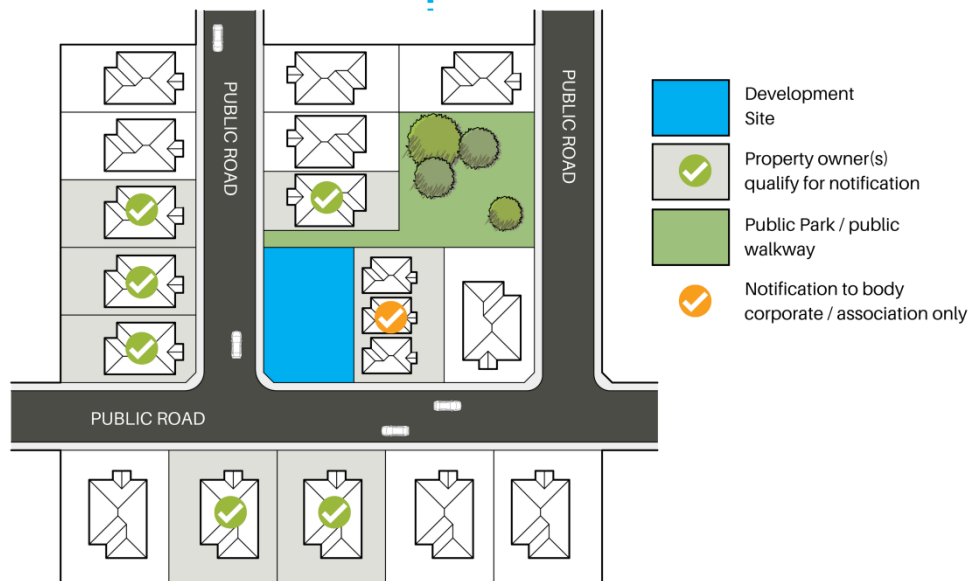
Notified Development	Exhibited Development
<p>Council may decide not to follow the neighbour notification procedure in the following circumstances:</p> <ul style="list-style-type: none"><li>+ The development could have been carried out as exempt development in accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or the latest revision of that policy.</li><li>+ The Development Application is for internal alterations to a building only</li><li>+ The Development Application is for renovation works such as re-cladding of buildings, replacement of windows, doors or shop fronts where the works are contained entirely within the building envelope</li><li>+ The development relates to an amendment that is a result of a condition imposed on an existing Development Application that has previously been notified in accordance with this Plan.</li><li>+ In relation to existing Development Consents, Section 4.55 (1) Modifications involving minor error, misdescription or miscalculation and Section 4.55(1A) Modifications involving minimal environmental impact.</li></ul>	<p>Any development not prescribed in Section 4.4.</p>

## 4.6 How does Council consult?

Notified Development	Exhibited Development
<p>Written letter to any person(s) identified in Section 4.7.</p>	<ul style="list-style-type: none"><li>+ Placement of an advertisement in the local newspaper on at least two occasions.</li><li>+ Exhibition material to be made available for inspection at Council's Customer Service Centre at 116 Kendal Street, Cowra</li><li>+ Exhibition material to be made available for download from Council's website.</li></ul>

## 4.7 Who does Council consult with?

Notified Development	Exhibited Development
<ul style="list-style-type: none"> <li>+ The owner(s) of land immediately adjoining to the side and rear boundaries of the subject land.</li> <li>+ The owner(s) of land adjacent to the subject land, including land that is separated from the subject land by a road, pathway, driveway, railway or similar thoroughfare.</li> <li>+ An association for a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989 or a body corporate for a parcel within the meaning of the Strata Schemes (Freehold Development) Act 1973 and Strata Schemes (Leasehold Development) Act 1986.</li> <li>+ The owner(s) of any other land which may, in the opinion of Council or its delegated officers, be affected by the proposed development, having regard to views, overshadowing, overlooking, noise impacts, visual impacts, drainage or any other relevant for consideration under Section 4.15 of the EP&amp;A Act.</li> <li>+ See Diagram below for a simplistic illustration of properties which may qualify for notification.</li> </ul>	<p>As per notified development, plus any interested person(s) from within the community.</p>



## 4.8 What information is provided as part of consultation?

Notified Development	Exhibited Development
<p>The following information shall be included in the written notification letter to any person(s) entitled to be notified:</p> <ul style="list-style-type: none"> <li>+ The property description and address of the subject land</li> <li>+ A description of development</li> <li>+ The name of the applicant</li> <li>+ An invitation to inspect the Development Application</li> <li>+ Details of where the application can be inspected</li> <li>+ A statement that any person may make a written submission in relation to the application</li> <li>+ The time within which written submissions must be received by Council</li> <li>+ Advice that the content of written submission may be included in a report to Council and / or provided to the applicant.</li> <li>+ Advice that Council is subject to the Government Information (Public Access) Act 2009 legislation and that copies of written submissions may be made available to any persons entitled to lodge an application under this legislation</li> </ul>	<p>During the public exhibition period, Council must make available, upon request, extracts of the Development Application to any interested persons. This information shall include:</p> <ul style="list-style-type: none"> <li>+ Details of the applicant and the land to which the Development Application relates</li> <li>+ Scaled and dimensioned elevations, where building works are proposed</li> <li>+ Scaled and dimensioned site plan, where building works are proposed</li> <li>+ Scaled and dimensioned plan of existing and proposed allotment boundaries, where subdivision works are proposed</li> <li>+ Statement of Environmental Effects</li> <li>+ Where relevant, a copy of the Environmental Impact Statement (EIS) accompanying the Development Application</li> <li>+ Copies of the EIS will be made available for purchase from Council for a price as set by clause 75 of the EP&amp;A Regulation 2000</li> </ul>
<p>The following plans and documentation will accompany the written notification:</p> <ul style="list-style-type: none"> <li>+ Scaled and dimensioned elevations, where building works are proposed</li> <li>+ Scaled and dimensioned site plan, where building works are proposed</li> <li>+ Scaled and dimensioned plan of existing and proposed allotment boundaries, where subdivision works are proposed</li> <li>+ Statement of Environmental Effects</li> </ul>	

## 4.9 What is the period of consultation?

### Notified Development

For Development Applications requiring neighbour notification under this Plan, a neighbour notification period of not less than fourteen (14) days shall be provided by Council.

### Exhibited Development

The Development Application shall be made available for inspection for a period of not less than fourteen (14) days, public holidays excluded, commencing from the date on which the public exhibition notice was placed in the Local Newspaper.

## 4.10 Who is entitled to make a submission?

### Notified Development

A submission may be made by any person whether or not that person has been or is entitled to be, given notification of the Development Application under this Plan.

### Exhibited Development

A submission may be made by any person.

## 4.11 When must a submission be received by Council?

### Notified Development

Submissions in respect of a Development Application that is notified under this Plan must be received by Council:

- + Within fourteen (14) days of the date appearing on the written notification letter, or
- + Alternatively within such additional period as may be deemed appropriate by the Council or its delegated officers.

### Exhibited Development

Submissions in respect of a DA that is publicly exhibited under this Plan must be received by Council:

- + Within fourteen (14) days of the date appearing on the public exhibition notice, or
- + Alternatively within such additional period as may be determined by the Council or its delegated officers.



## 4.12 What happens if an application is amended post consultation but prior to determination?

### Notified Development

For Development Applications that are amended post neighbour notification and at any time prior to determination, the Development Application will be re-notified (in accordance with Sections 4.6 to 4.9 of this plan) when it is considered that there will be an additional likely environmental impact.

If, in the opinion of the Council or its delegated officers, the likely environmental impact is the same or will be reduced as a result of the amendments, the Development Application will not need to be re-notified under this Plan.

### Exhibited Development

For Development Applications that are amended post public exhibition and at any time prior to determination, the Development Application will be re-exhibited in accordance with this Plan when it is considered that there will be an additional likely environmental impact.

If, in the opinion of the Council or its delegated officers, the likely environmental impact is the same or will be reduced as a result of the amendments, the Development Application will not need to be re-exhibited under this Plan.

## 4.13 How does Council deal with applications to modify a consent?

Notified Development	Exhibited Development
<p><b>Section 4.55(1) Modifications</b></p> <p>Applications are not required to be notified.</p>	<p><b>Section 4.55(1) Modifications</b></p> <p>Applications are not required to be exhibited</p>
<p><b>Section 4.55(1A) Modifications</b></p> <p>Applications are not required to be notified.</p>	<p><b>Section 4.55(1A) Modifications</b></p> <p>Applications are not required to be exhibited</p>
<p><b>Section 4.55(2) Other Modifications</b></p> <p>Council is required to follow normal notification procedures in accordance with the requirements of this Plan, but only where the original Development Application was also notified. All persons who made submissions in relation to the original Development Application will be notified.</p> <p>Note: The EP&amp;A Act 1979 and Regulation 2000 specify additional advertising and notification procedures for Section 4.55(2) Modification applications.</p>	<p><b>Section 4.55(2) Other Modifications</b></p> <p>Council is required to follow normal public exhibition procedures in accordance with the requirements of this Plan, but only where the original Development Application was also publicly exhibited. All persons who made submissions in relation to the original Development Application will be notified.</p> <p>Note: The EP&amp;A Act 1979 and Regulation 2000 specify additional advertising and notification procedures for Section 4.55(2) Modification applications.</p>
<p><b>Section 4.55(AA) Court Granted Modifications</b></p> <p>Council is required to follow normal notification procedures in accordance with the requirements of this Plan, but only where the original Development Application was also notified. All persons who made submissions in relation to the original Development Application will be notified.</p>	<p><b>Section 4.55(AA) Court Granted Modifications</b></p> <p>Council is required to follow normal public exhibition procedures in accordance with the requirements of this Plan, but only where the original Development Application was also publicly exhibited. All persons who made submissions in relation to the original Development Application will be notified.</p>

#### 4.14 How will Council deal with petitions?

Notified Development	Exhibited Development
<ul style="list-style-type: none"> <li data-bbox="177 638 794 869">+ Where a petition is received in relation to a Development Application, Section 4.55 Modification Application or Section 82A Review Application, the head petitioner will be acknowledged for the purpose of future contact as to the progress of the Development Application.</li> <li data-bbox="177 878 794 974">+ Where a head petitioner is not nominated, one will be selected by Council or its delegated officers.</li> <li data-bbox="177 983 794 1153">+ Only the head petitioner will be advised of committee meeting times or receive written confirmation of the determination of the Development Application.</li> </ul>	<p data-bbox="801 638 1422 672">As per notified development.</p>

#### 4.15 How will Council deal with applications to review a consent?

Notified Development	Exhibited Development
<ul style="list-style-type: none"> <li data-bbox="177 1330 794 1534">+ Where an applicant requests Council to review a determination of a Development Application in accordance with the requirements of Section 8.3 of the EP&amp;A Act, the review application must be re-notified in the same manner as the original Development Application.</li> <li data-bbox="177 1543 794 1671">+ All persons who made submissions in relation to the original Development Application must also be notified.</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="801 1330 1422 1534">+ Where an applicant requests Council to review a determination of a Development Application in accordance with the requirements of Section 8.3 of the EP&amp;A Act, the review application must be re-exhibited in the same manner as the original Development Application.</li> <li data-bbox="801 1543 1422 1671">+ All persons who made submissions in relation to the original Development Application must also be notified.</li> </ul>

Note: The EP&A Act and Regulation specify additional advertising and notification procedures for Section 8.3 Review Applications.

#### 4.16 Will Council consider an extension to the submission period?

Notified Development	Exhibited Development
<ul style="list-style-type: none"> <li data-bbox="177 629 794 741">+ The submission period may be extended up to 28 days during traditional holiday periods (e.g. December and January).</li> <li data-bbox="177 741 794 996">+ Except for the circumstances described above, and to ensure the efficient processing of Development Applications, Council will not provide an extension of time within which it will be possible to make submissions.</li> </ul>	<p data-bbox="794 629 1423 672">As per notified development.</p>

#### 4.17 What if the adjoining property is located in a different LGA?

Notified Development	Exhibited Development
<p data-bbox="177 1155 794 1361">Where adjoining properties not within the Cowra Local Government Area are considered to be affected by a Development Application made in relation to land in the Cowra Local Government Area, the owner(s) of such properties will be notified in accordance with the provisions of this Plan.</p> <p data-bbox="177 1361 794 1538">Notification of adjoining properties will require the adjoining Local Government Authority to provide Cowra Shire Council with the property details of requested properties within 48 hours of the request</p>	<p data-bbox="794 1155 1423 1198">As per notified development.</p>

# 05

## Plan Making Consultation Requirements

This section outlines how Council will consult with the community in relation to the preparation of draft planning documents, studies and strategies.

### 5.1 Exhibition timeframes

Public exhibition of draft planning documents requires Council endorsement before being released for comment. Exhibition timeframes for the various documents are shown in the table below.

Planning Document	Timeframe
Draft Community Participation Plans	28 days (mandatory)
Draft Regional or District Strategic Plan	45 days (mandatory)
Draft Local Strategic Planning Statement	28 days (mandatory)
Draft Development Control Plan	28 days (mandatory)
Draft Development Contributions Plan	28 days (mandatory)
Planning Proposal subject to a Gateway Determination	28 days or as specified in gateway
Draft Planning Agreement	28 days (mandatory)
Draft Planning Policy / Guideline	28 days (best practice)
Draft Land-use / Planning Strategy	28 days (best practice)
Draft Masterplanning documents	42 days (best practice)
Re-exhibition of any matter referred to above.	As per original exhibition period.

# 06

## How will Council facilitate community consultation?

### 6.1 Facilitating community consultation



#### Direct Invitation

For notified development, Council will write to individual land owner(s) with relevant advice about the application / draft planning document and invite participation in the consultation process. The invitation will be provided to the registered owner(s) of the land as recorded by Council on the day the invitation is made.



#### Public Advertisement

For exhibited development, Council will place a notice in a local newspaper on at least two occasions throughout the prescribed period for exhibition under this plan.



#### Exhibition Centre

For exhibited development, Council will make all consultation material available for inspection at Council's Customer Service Centre, 116 Kendal Street Cowra.

#### Online

For exhibited development, Council will make all consultation material available for download from Council's website - [www.cowracouncil.com.au](http://www.cowracouncil.com.au)



#### Community Workshops / Forums

For exhibited development considered by Council to be of high interest to the broader community, Council will organise one or a number of workshops and invite interested community members to attend.



Council will consult in this way every time for these projects.



Council may consult in this way for projects that are considered to be of high interest to the community.



Council will consult with individual landowners, stakeholders or interest groups where relevant.

	By direct invitation	Public Advertisement	Exhibition Centre	Online	Community Workshops
<b>Planning Document</b>					
Development Application – Notified Development	✓				
Development Application – Exhibited Development	✓	✓	✓	✓	✓
<b>Planning Document</b>					
Draft Community Participation Plans		✓	✓	✓	✓
Draft Regional or District Strategic Plan		✓	✓	✓	✓
Draft Local Strategic Planning Statement		✓	✓	✓	✓
Draft Development Control Plan	✓	✓	✓	✓	✓
Draft Development Contributions Plan	✓	✓	✓	✓	✓
Planning Proposal subject to a Gateway Determination	✓	✓	✓	✓	✓
Draft Planning Agreement	✓	✓	✓	✓	✓
Draft Planning Policy / Guideline	✓	✓	✓	✓	✓
Draft Land-use / Planning Strategy	✓	✓	✓	✓	✓
Draft Masterplanning documents	✓	✓	✓	✓	✓
Re-exhibition of any matter referred to above.	✓	✓	✓	✓	✓
<b>Other Documents</b>					
Aboriginal Consultation Policy	✓	✓	✓	✓	✓







*“ Engagement provides Council with increased capacity to form partnerships and networks within the community. ”*

# 07

## What is the process for making a submission?

### 7.1 Making a Submission

- + Submissions must be made within the prescribed notification / exhibition period.
- + All submissions must clearly indicate the name and address of the person making the submission.
- + All submissions must clearly reference the planning application number / matter to which it relates.
- + The submission should relate directly to the planning application / document and if the submission is by way of objection, it must state the reasons for objection.
- + The submission must be made in writing (via mail, email, or hand delivered).
- + Verbal submissions will not be accepted.

### Posted submissions should be addressed to:

General Manager  
Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794

### Emailed submissions should be sent to:

[council@cowra.nsw.gov.au](mailto:council@cowra.nsw.gov.au)

### Submissions can be hand delivered to:

Cowra Shire Council  
Customer Service Centre  
116 Kendal Street  
Cowra NSW 2794



# 08

## How will Council measure and record community participation?

### 8.1 Recording of Submissions

Council has systems setup to manage hard copy and digital submissions.

At a minimum, Council commits to:

- + Registering each submission (through software or hard copy log)
- + Identifying the core issues and responding to these (as they relate to the DA)
- + Recording the name and contact details (address or email) for submission to be official
- + Sending a written or emailed acknowledgement of receipt of submission.

**Submissions from the same household will be considered as a single submission.**

**A petition or pro-forma letter (including pro-forma letters with the same contextual content) signed or submitted by multiple persons from different households will be treated as a single submission.**

## 8.2 Submission process – development assessment

Submissions that are received in relation to a development assessment process will be treated by Council in the manner described in the graphic to the right of this page.

Submission makers should also note:

- + Council may, but is not obligated to, consider a submission that is received outside of the period allowed for making submissions under this Plan, provided the DA has not already been determined by Council.
- + The content of any submission received by Council in relation to a planning application will be presented in a report at an appropriate monthly meeting of Council. The terms of any submission(s) may be presented in a summarised manner.
- + Council is not bound to adopt or support a submission when making a determination.
- + Any submission received by Council may be referred to the applicant for consideration.
- + Any submission received by Council may be the subject of freedom of information requests under the Government Information (Public Access) Act 2009.

**Submission is made to Council and assigned to the corresponding planning application**

**Submission author or lead petitioners details are recorded, and submission is acknowledged**

**Council officer receives notification of submission**

**The submission is properly considered as part of the assessment and determination of the planning application**

**The submission maker is formally notified of the outcome**

### 8.3 Submission process – plan making

Submissions that are received in relation to the plan making process will be treated by Council in the manner described in the graphic to the right of this page.

Submission makers should also note:

- + To ensure the efficiency of the plan making process, Council will not consider submissions received outside of the prescribed period of exhibition.
- + The content of any submission received by Council in relation to a draft plan will be presented in a report at an appropriate monthly meeting of Council. The terms of any submission(s) may be presented in a summarised manner.
- + Council is not bound to adopt or support a submission when deciding to adopt a draft plan.
- + Any submission received by Council may be the subject of freedom of information requests under the Government Information (Public Access) Act 2009.



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*“ Council is committed to ongoing and meaningful engagement with the community and stakeholders to help improve the planning process and create better outcomes for all who live and visit the Shire ”*

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