

LAKE MACQUARIE CITY





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COMMUNITY PARTICIPATION

in the Lake Macquarie planning system

Lake Macquarie City Council recognises community participation throughout our planning system delivers better planning results for our community.

Our responsibility and objectives under the Environmental Planning and Assessment Act 1979 (EP&A Act) is to ensure the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

The NSW Government requires Council to prepare a Community Participation Plan (CPP), to set out how and when we will engage with our community on the planning functions Council performs under the EP&A Act.

Community participation, in relation to this CPP, is an overarching term covering how we engage the community in our work under the EP&A Act, including legislative reform, plan making and making decisions on proposed development.

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.

The community includes anyone who is affected by the planning system and includes individuals, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses, local government and State and Commonwealth government agencies.

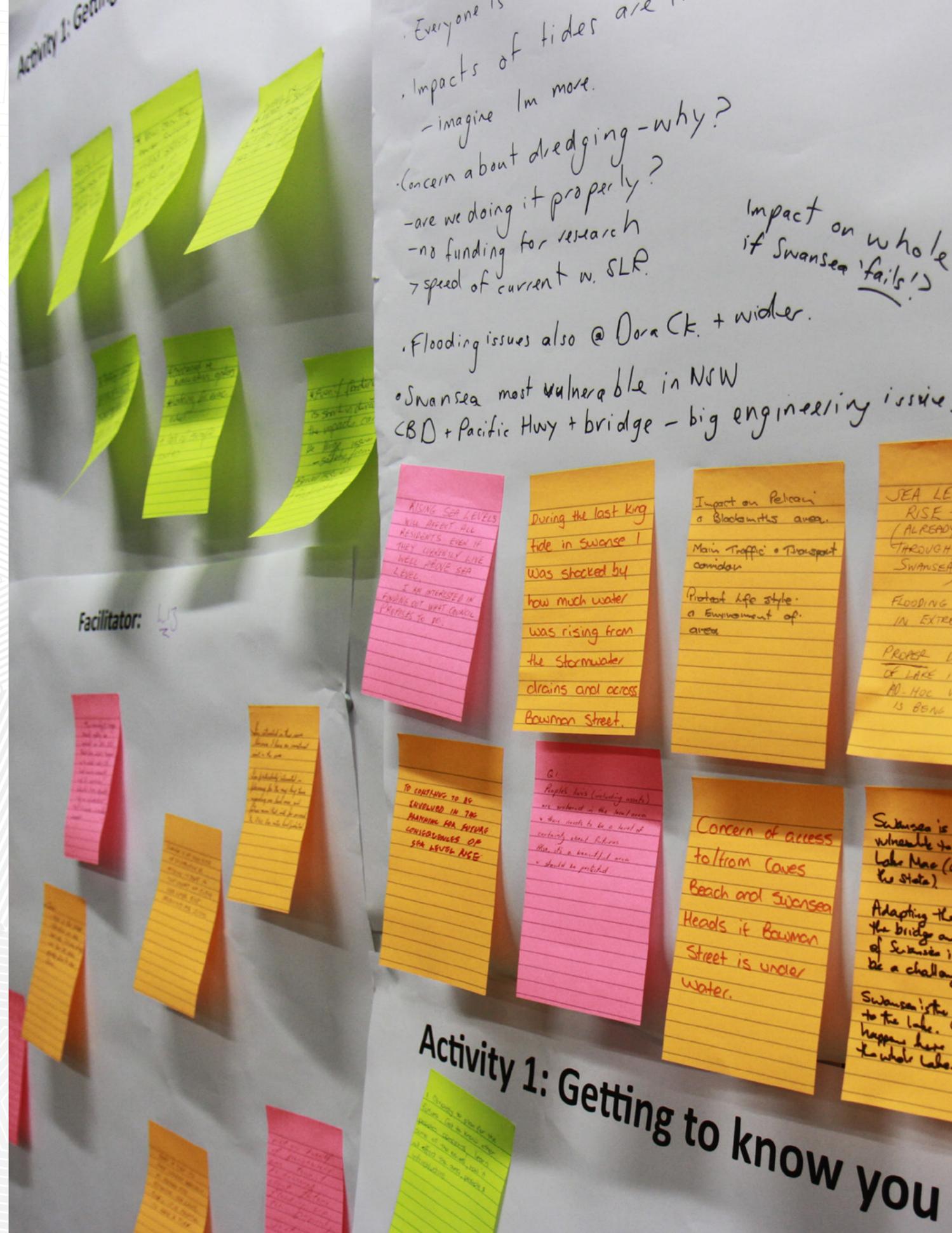
What is our

COMMUNITY PARTICIPATION PLAN?

Our CPP is designed to make participation in planning clearer for the community. It does this by setting out, in one place, how and when the community can participate in the planning system, our functions and different types of proposals.

This CPP also establishes our community participation objectives, which we use to guide our approach to community participation. The plans that this CPP apply to can be found in Table 1.

This CPP does not outline our engagement strategies for the delivery of other Council services, functions or infrastructure. Community engagement of these activities is developed considering the requirements of Council's Community Engagement Strategy, which was adopted by Council in late 2016 as part of the Community Strategic Plan.





Community Participation Plan and INTEGRATED PLANNING AND REPORTING

Council's first rendition of the CPP will be exhibited as an individual strategy. Moving forward, the CPP will be incorporated into Council's

Community Strategic Plan. This will take place during the next update of the Community Strategic Plan. This approach will make for a more

streamlined approach to updating and linking these documents. Figure 1 highlights this proposed framework.



Figure 1 Integrated planning and reporting framework

Principles of the COMMUNITY PARTICIPATION PLAN

The EP&A Act guides Council to ensure that it will be clearer and easier for the community to understand how it can participate in planning decisions. The EP&A Act outlines the principles that underpin Council's CPP. These principles are:

- The community has a right to be informed about planning matters that affect it.
- Council will encourage effective and ongoing partnerships with the community to provide meaningful opportunities for community participation in planning.
- Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- The community will be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Community participation will be inclusive and Council will actively seek views that are representative of the community.
- Members of the community who are affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- Planning decisions will be made in an open and transparent way and the community will 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 will be appropriate, having regard to the significance of likely impact of the proposed development.

What is

COMMUNITY ENGAGEMENT IN LAKE MAC?

Community engagement is the process of involving people in the decisions that affect their lives and environment. It is proactive and ongoing, promoting open discussion and shared responsibilities for decisions.

Community engagement can involve a broad variety of activities. One way to understand the different types of engagement is through a continuum from informing (reflecting a low level of engagement) through to active participation (reflecting a high level of engagement).

Council carries out a variety of engagement activities at different points on this continuum.

Informing takes place when a decision has been made or an action is required, such as a new policy direction or change in services.

Consulting takes place when a project or activity requires some input or feedback before a decision is made, such as a draft plan or design for a community facility.

Active participation takes place when we collaborate with or involve specific groups or community.



Our approach to COMMUNITY ENGAGEMENT

Meaningful engagement helps to shape the strategic direction of our City, as well as informing the various policies and plans that support this vision.

We are committed to providing best practice engagement based on our principles of engagement and guided by the International Association for Public Participation (IAP2).

Council's community engagement principles aim to ensure:

- Community engagement will be inclusive, transparent and ensure fair participation.
- Community engagement is about informed decisions – not necessarily full consensus.
- Communities will be engaged around decisions that are yet to be made.
- Engagement activities aim to build trust and understanding.
- Engagement activities will only occur when there is a real opportunity for people to influence or change decisions or services.
- Engagement will have a clear purpose, objectives and approach.
- Activities will be timely, appropriate and not raise unrealistic expectations.

Our approach reflects the social justice principles of equity, access and participation.

The IAP2 Public Participation Spectrum (Figure 2) helps to determine the scope of our community's input and the role those engaged will have in the decision-making process.

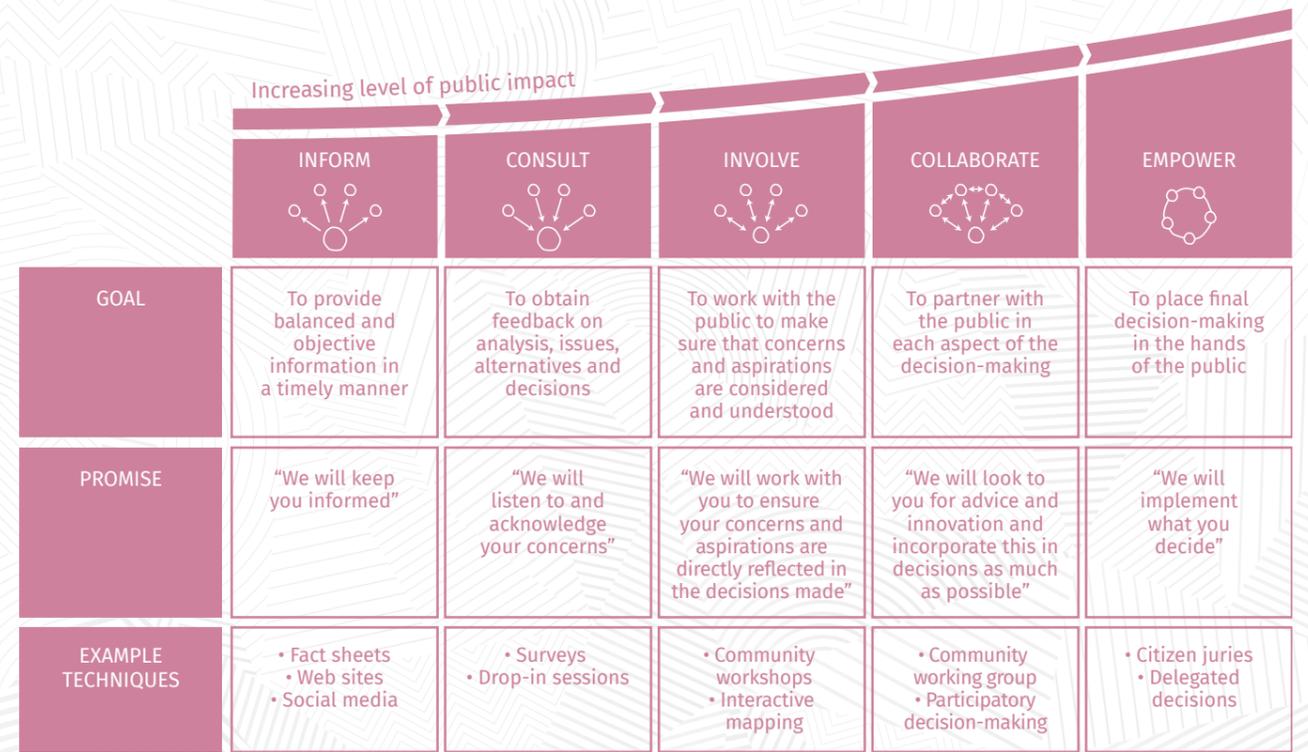


Figure 2 – IAP2 Public Participation Spectrum

OUR ENGAGEMENT AIMS

Through this Plan, we aim to ensure our community knows when and how they can provide feedback on planning decisions that could affect their future. We also aim to:

- be proactive and innovative in our approach to overcome barriers to participation
- strengthen partnerships between Council, the local community and stakeholders
- draw on the knowledge and experience of older generations
- provide a consistent and balanced approach to ensure all engagement activities are focused and effective
- make use of contemporary and traditional engagement tools and social media to reach the broad community
- create opportunities to engage with the harder to reach including young people and families
- deliver engagement activities at various locations across the City.

Community Participation Plan

PLANNING DOCUMENTS

Table 1 highlights the planning functions, strategies and minimum exhibition timeframes that this CPP applies to, as set out in Schedule 1 of the EP&A Act.

Table 1 - Community Participation Exhibition

Scope of Community Participation Plan	Minimum exhibition timeframe
Draft Community Participation Plan (this plan)	28 days
Draft Local Strategic Planning Statement The Local Strategic Planning Statement will set the 20-year vision for land use in the local area, the special character and values that are to be preserved and how change will be managed into the future. Note, Council is currently developing the draft Local Strategic Planning Statement.	28 days
Planning proposals for local environmental plans, subject to a Gateway Determination Planning proposals can be prepared to: <ul style="list-style-type: none"> rezone land to change the uses allowed on the land administrative amendments to the Lake Macquarie Local Environment Plan (LEP) 2014 –i.e. addition of heritage items, changes to permitted land uses in certain zones, updates to clauses and maps 	28 days (or as specified by the Gateway Determination, which may find that due to the minor nature of the proposal that no public exhibition is required or only 14 days exhibition is required)
Reclassification of land Land in Council ownership must be classified for either community or operational use under the Local Government Act 1993. Community land is for land designated for community use such as community halls, libraries and recreational facilities. Operational land serves a commercial or operational function such as offices, work depots or land that is being retained for strategic reasons. When land comes into community ownership, such as new sportsgrounds, they need to be classified correctly. In addition, Council sometimes reclassifies land that it no longer requires for community use to allow leasing or sale of land. Example: Reclassification of community land to operational land at various sites across the City.	28 days and a public hearing scheduled for at least 21 days after the public exhibition occurs
Local Approvals Policy – significant changes – new uses added or significant amendment made The Local Approvals Policy identifies low impact activities that can be undertaken without approval from Council, such as community events, footway dining and mobile vending provided they meet certain criteria.	14 days
Draft development control plans and guidelines The Lake Macquarie Development Control Plan (DCP) and Guidelines provide controls to guide new development, which are considered in the assessment of development applications.	28 days

Planning strategies, structure plans or master plans that may result in changes to LEP and DCP through implementation Examples include strategies such as Imagine Lake Mac, Parking Strategy and Structure Plans for areas.	28 days [^]
Draft contribution plans A plan that levies new development for facilities such as transport, community and recreational facilities required to service new development.	28 days
Draft planning agreements Planning agreements entered into between Council and a developer. The Planning agreement allows contributions for land dedication, recreation, community and transport facilities in lieu of development contributions under section 7.11 of the EP&A Act.	28 days
Development application (DA) – application for development consent (other than for complying development certificate, for designated development or for State significant development) Examples include development applications for new dwellings, commercial, retail and industrial development and modifications to these.	14 days*
DA – application for development consent for designated development Designated developments are higher impact developments that are detailed in Schedule 3 of the Environmental Planning and Assessment Regulation 2000 and includes activities such as aquaculture, coalmines, chemical storage facilities, extractive industries, electricity generating stations and marinas. These developments need to be supported by an Environmental Impact Statement.	28 days
DA – application for development consent for State significant development Some types of development are deemed to have State significance due to the size, economic value or potential impacts that a development may have. Development that is State significant development (SSD) is identified in the State and Regional Development State Environmental Planning Policy (SEPP) and includes development such as new education establishments, hospitals and correction centres, mining and extraction operations, tourist and port facilities.	28 days
Environmental Impact Statement (EIS) – obtained under Division 5.1 An EIS prepared for development under Part 5 of the EP&A Act for certain development such as state significant development.	28 days
Environmental Impact Assessment (EIA) – for State significant infrastructure under Division 5.2 State significant infrastructure includes major transport and services development such as rail and road infrastructure, pipelines and development in National Parks.	28 days

*In certain circumstances, Council may dispense with notification. Notification may be dispensed with, except in relation to heritage items or heritage conservation areas nominated within Lake Macquarie Local Environmental Plan 2014, when:

1. Council is of the opinion an amended or substituted application (including applications under s4.55 or s8.2 of the Environmental Planning and Assessment Act) varies in a minor respect from the original application that was previously notified
2. Council is of the opinion the development is of a minor nature that will not adversely affect the amenity of adjoining land or the locality
3. The application is for a temporary use as detailed in Lake Macquarie Local Environmental Plan 2014 and in the opinion of Council will not adversely affect the amenity of the locality
4. Development is for a new residential dwelling house and/or ancillary development to a house, provided the development:
 - a) is a maximum of two storey and
 - b) has a maximum height of 8.5m measured from the existing ground level and
 - c) the external wall of the building is not built to the lot boundary.
5. Development is for additions to a residential dwelling house and/or ancillary development to a dwelling house, provided the development:
 - a) is a maximum of two storey and
 - b) has a maximum height of 8.5m measured from the existing ground level and
 - c) the external wall of the building is not built to the lot boundary

^ The updates to the NSW Environmental Planning and Assessment Act do not mandate these documents to be part of the Community Participation Plan. However as they relate to planning matters and for transparency, Council is including them.

Exempt and Complying Development

Some development, such as exempt and complying development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, does not allow opportunities for community engagement.

Land to which this Community Participation Plan applies

The Community Participation Plan applies to all land within Lake Macquarie City other than land on which exempt and complying development is proposed.



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