

Northern Beaches  
Community Participation Plan  
(Plan Making and Development Assessment)



northern  
beaches  
council



## Community Participation In The Planning System

Good planning is all about looking ahead and ensuring we have the housing, employment, infrastructure, services and environment to support our lives now, and for the future. Our aim is to do this while protecting and enriching the characteristics that make living in the Northern Beaches so special.

Community participation is a crucial part of good planning as it seeks to gather local knowledge, ideas and expertise to create better urban environments while protecting our natural environment and preserving local character.

Community participation is an overarching term, covering how we engage the community in our work under the Environmental Planning and Assessment Act 1979 (EP&A Act), including plan making and making decisions on proposed development. The level and extent of community participation will vary depending on the community, 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 and resident groups, special interest groups, peak bodies, businesses and governments and non-government agencies.

### What is our Community Participation Plan?

Our Community Participation Plan (CPP) is designed to make participation in planning clearer for the community of the Northern Beaches. It does this by setting out how and when you can participate in the planning system, our planning functions and different types of planning proposals.

The CPP also establishes our community participation objectives which we use to guide our approach to community engagement.

The CPP applies to our Plan Making and Development Assessment functions.

Our broader approach to community and stakeholder engagement is detailed separately in the Northern Beaches Community Engagement Framework.

The CPP replaces the Exhibition, Advertisement and Notification of Applications provisions within all Development Control Plans.

### Who does this Community Participation Plan apply to?

The CPP is a requirement of the EP&A Act (division 2.6 and Schedule 1) and applies to the exercise of planning functions by Northern Beaches Council, as well as the

Northern Beaches Local Planning Panel and Sydney North Planning Panel.

This CPP will be reviewed on a periodic basis.

## Our Community Participation Objectives

Table 1 illustrates the types of actions that we will undertake to deliver our community participation objectives. These objectives have been developed having regard to the community participation objectives set out

in Section 2.23(2) of the EP&A Act. These objectives will be supported by measurable actions that we will use to develop, implement and evaluate community engagement.

**Table 1:** Community participation objectives

Community Participation Objectives	Council's Engagement Principles <sup>1</sup>	How we meet the objectives
The community has a right to be informed about planning matters that affect it.	<ul style="list-style-type: none"> <li>• Considered</li> <li>• Transparent</li> </ul>	<ul style="list-style-type: none"> <li>• We administer community engagement processes that are underpinned by the community's right to be informed.</li> <li>• We provide information to the community in an objective and balanced manner.</li> <li>• We encourage community participation by promoting participation opportunities as widely as possible.</li> </ul>
Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.	<ul style="list-style-type: none"> <li>• Committed</li> <li>• Transparent</li> <li>• Engaging</li> </ul>	<ul style="list-style-type: none"> <li>• We build strong, proactive partnerships with the community.</li> <li>• We ensure community engagement accurately captures the relevant views of the community.</li> </ul>
Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.	<ul style="list-style-type: none"> <li>• Inclusive</li> <li>• Transparent</li> </ul>	<ul style="list-style-type: none"> <li>• We communicate planning matters in plain English and with visual aids while identifying diverse and accessible opportunities for participation.</li> <li>• We keep content simple and concise.</li> <li>• We encourage the use of digital and electronic engagement to reach harder to reach groups.</li> </ul>
The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.	<ul style="list-style-type: none"> <li>• Timely</li> <li>• Considered</li> </ul>	<ul style="list-style-type: none"> <li>• We start community engagement as early as possible to ensure the community has reasonable time to provide input.</li> </ul>

Community Participation Objectives	Council's Engagement Principles <sup>1</sup>	How we meet the objectives
Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.	<ul style="list-style-type: none"> <li>• Inclusive</li> <li>• Engaging</li> <li>• Considered</li> </ul>	<ul style="list-style-type: none"> <li>• We identify and implement inclusive engagement techniques for people of all abilities.</li> <li>• We seek input from groups who may find it difficult to participate in standard engagement activities (e.g. young and older people; people with disabilities; Aboriginal and Torres Strait Islander people; people from a culturally and linguistically diverse background).</li> <li>• We conduct community engagement events in safe and discrimination-free environments.</li> <li>• We provide tailored and innovative engagement techniques to encourage and enhance participation of the wider community.</li> </ul>
Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.	<ul style="list-style-type: none"> <li>• Timely</li> <li>• Planned</li> <li>• Considered</li> </ul>	<ul style="list-style-type: none"> <li>• We encourage the proponent to engage with the local community prior to lodging an application.</li> </ul>
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).	<ul style="list-style-type: none"> <li>• Transparent</li> <li>• Considered</li> </ul>	<ul style="list-style-type: none"> <li>• We explain how community input was taken into consideration and ensure the response to community input is relevant and proportionate.</li> <li>• We keep accurate records of community input.</li> <li>• We regularly review the effectiveness of community engagement.</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Engaging</li> <li>• Timely</li> </ul>	<ul style="list-style-type: none"> <li>• Engagement timing and methods are determined based on community interest and possible impact.</li> </ul>

<sup>1</sup> Taken from Northern Beaches Community Engagement Matrix

## Our Approach To Community Participation

We will tailor community participation methods for our plan-making and development assessment functions to achieve the benefits of community engagement across the planning system. We use a mix of engagement and participation techniques that cater to a broad audience as well as different requirements based on the nature, scale and likely impact of the proposal being considered or assessed.

Our approach to community engagement is broadly informed by the internationally recognised 'Public Participation Spectrum' developed by the International Association for Public Participation (IAP2) which outlines 5 levels of public participation.

**Figure 1:** International Association for Public Participation Spectrum

Inform	Consult	Involve	Collaborate	Empower
Public participation Goal:	Public participation Goal:	Public participation Goal:	Public participation Goal:	Public participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and identification of the preferred solution	To place final decision-making in the hands of the public

Development Assessment matters will usually fall within the 'inform' and 'consult' engagement levels. Strategic Planning matters may also fall within the 'involve' and collaborate'

engagement levels. We will adjust our approach to suit the scale and nature of individual proposals and the level of community interest.

**Table 2:** Community participation approach

<b>What</b>	<b>When</b>	<b>Examples</b>
<p><b>Inform</b></p> <p>We will tell you about plans/proposals and give you accurate and relevant information as they progress through the planning system.</p>	<p>As soon as possible following their lodgement, with updates at key milestones accurately captured.</p>	<p>Online Application Tracker tool; media releases, council website, Your Say website, information sessions, discussion papers and technical reports.</p>
<p><b>Consult</b></p> <p>We will keep you informed, listen to and acknowledge your concerns and aspirations, and provide feedback on how your input influenced the decision.</p>	<p>Once plans or policies reach draft stage we will exhibit them and ask for your feedback.</p>	<p>Public exhibition, drop-in sessions, online surveys, meetings, council website, Your Say.</p>
<p><b>Involve and Collaborate</b></p> <p>We respond to the community's views by conducting targeted engagement to seek specific input reflecting the scale, nature and likely impact of the proposal.</p>	<p>Through submissions and feedback, we identify your key issues and concerns and conduct targeted engagement activities to find solutions to determine the way forward.</p>	<p>Public meetings, pop up events, community reference groups, strategic reference groups, feedback sessions and workshops.</p>
<p><b>Determination</b></p> <p>We will let you know the decisions regarding proposals and how your views were considered in reaching the decision.</p>	<p>In reaching a decision we consider your views and concerns, notify you of the decision and how community views were considered.</p>	<p>Online updates, letters to submitters, post exhibition reports, determination notices and notices of decisions on Council's website.</p>

## The Role Of Exhibitions In The Planning System

Opportunities to participate in the planning system will respond to the nature, scale and likely impact of the proposal being considered or assessed.

A regular and valuable way for communities to participate in the planning system is by making a submission on a proposal during exhibition.

### Exhibitions

A key technique we use to encourage community participation is formal exhibitions. During an exhibition we make available relevant documents that may include a draft policy, plan or proposed development that we are seeking community feedback on.

In reaching decisions on proposals that have been exhibited, Council balances a wide range of factors to ensure that decisions are in the public interest. This includes considering the objects of the EP&A Act, the strategic priorities of Council, the community’s input, land use priorities identified in our strategic plan and applicable polices and guidelines.

### How to get involved in a public exhibition

There are a number of ways you can get involved in a public exhibition:

- To make a formal submission you can:
  - write to Council, addressed to the attention of the CEO
  - email Council@northernbeaches.nsw.gov.au
  - complete an online submissions form.
- To obtain more information you can:
  - visit a Council Customer Service Centre
  - visit Council’s website or ‘Have Your Say’ platform
  - attend a face to face session<sup>2</sup> such as a drop-in to discuss plans/ proposals with Council staff
  - phone Council on 1300 434 434.

<sup>2</sup> Face to face sessions are not mandated and may not be available for all consultations.





**Exhibition timeframes**

Section 2.21(2) of the EP&A Act details the types of proposals that must be considered in the CPP and Schedule 1 sets out a minimum exhibition timeframe for most of these proposals. We will always exhibit a proposal for this minimum timeframe (except where

the CPP specifies a different period) and will consider extended timeframes for exhibition based on the scale and nature of the proposal.

The minimum mandatory and non-mandatory timeframes are shown in the following tables.

**Plan Making**

**Table 3:** Plan making minimum mandatory and non-mandatory exhibition timeframes

**Minimum Mandatory Exhibition Timeframes**

<i>Draft community participation plan</i>	28 days
<i>Draft development control plans (DCP)</i>	28 days
<i>Draft contribution plans</i>	28 days
<i>Draft local strategic planning statements (LSPS)</i>	28 days

**Non Mandatory Exhibition Timeframes**

<i>Planning Agreement</i>	28 days
<i>Place Plans</i>	28 days
<i>Planning proposals for local environmental plans</i>	14 days for preliminary notification 28 days for exhibition or as specified by the gateway determination

**Development Assessment**

**Table 4:** Development assessment minimum mandatory and non-mandatory exhibition timeframes

**Minimum Mandatory Exhibition Timeframes**

Development Application	14 days unless otherwise specified in this document
Designated Development	28 days
Nominated Integrated Development	28 days
Environmental Impact Statement (which includes Fauna Impact Statement and Species Impact Statement) under Part 5 of the EPA Act (division 5.1 or 5.2)	28 days

**Minimum Non Mandatory Exhibition Timeframes**

Development Application	21 days for applications that will be determined by the Sydney North Planning Panel
Modification of development consent that is required to be publicly exhibited by regulation	14 days
Re-exhibition of any amended application	14 days
Planning Agreement	28 days

Key points to note about public exhibitions include the following:

- Timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday we may extend the exhibition to finish on the first available work day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a public exhibition period. A public exhibition will not commence during these dates.
- erection of signs in commercial and industrial zoned land (unless adjoining residential zoned land)
- internal alterations to an existing dwelling house (not a heritage item) with no external changes
- strata subdivision
- subdivisions to adjust property boundaries where no additional lots are created
- modification of consent to correct a minor error, misdescription, miscalculation (e.g. section 4.55(1) applications); or where, in the opinion of Council, such changes would not unreasonably cause an environmental impact, or which result in a lesser or reduction of, environmental impacts (e.g section 4.55(1A) applications)
- amended applications (received during the DA process) where in the opinion of Council, such changes would result in a lesser or reduction of environmental impacts.

### **Circumstances where DA exhibition is not required**

Some minor development is of a scale and nature that does not require exhibition. DAs where there will be no public exhibition include:

- internal fit-outs of commercial and industrial uses (unless adjoining residential zoned land)
- change of use in commercial and industrial zones (unless adjoining residential zoned land)



## Community Participation Methods

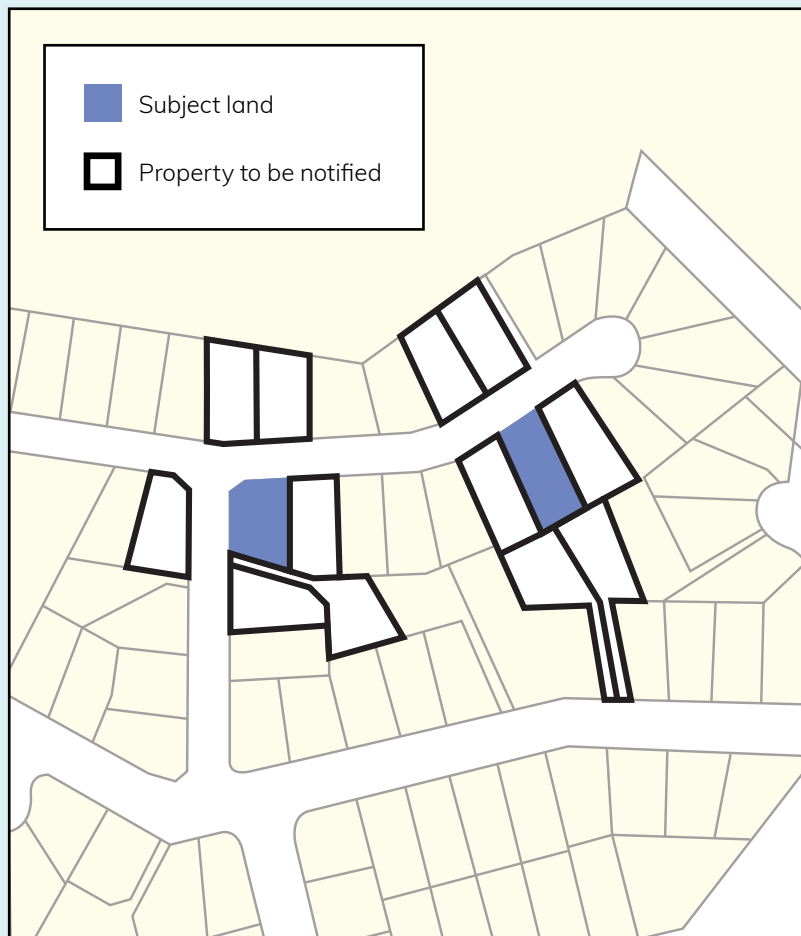
### Plan Making

How is a strategic planning document exhibited?

Planning Proposals:

- Preliminary Non-Statutory Notification will be for a minimum of 14 days and will include the following:
  - Placement of a sign on the main frontage of the site.
  - Notification to adjoining property owners and occupiers and property owners and occupiers across a street or road from the subject site (refer to Figure 2).
  - Notification on Council's website.
  - Electronic alerts will be sent to any person or group that has registered to receive information on the notification of any planning proposal based on their nominated interest.

Figure 2 - Notified development



**Note** - Notification may be amended if Council considers that additional properties are affected by the proposal

Where a Planning Proposal is not site specific but instead applies to an entire zone, or involves changes to a clause in a Local Environmental Plan (that may apply to many properties), notification will include the following:

- Notification on Council's website.
- Electronic alerts will be sent to any person or group that has registered to receive information on the notification of any planning proposal based on their nominated interest.

Statutory Exhibition - upon receipt of the Gateway Determination from the Department of Planning, Industry & Environment (DPI&E), the Planning Proposal will again be exhibited for a minimum of 28 days or as specified by the Gateway Determination.

The exhibition will include:

- Placement of a sign on the main frontage of the site.
- Notification to adjoining property owners and occupiers and property owners and occupiers across a street or road from the subject site (refer to Figure 2).
- Notification on Council's website.
- Electronic alerts will be sent to any person or group that has registered to receive information on the notification of any planning proposal based on their nominated interest.

Council will hold a Public Hearing (as defined in s29(2) of the Local Government Act) for amendments to a Local Environmental Plan (LEP) that involves the reclassification of land from Community to Operational. Council will also hold a Public Hearing in relation to other LEP matters if the relevant Gateway Determination advises that one is required.

**Local Strategic Planning Statement, Place Plans, Development Control Plans, Contribution Plans, Planning Agreements**

As a minimum, the following strategic planning documents will be exhibited for at least 28 days:

- Local Strategic Planning Statement.
- Place Plan.
- Development Control Plan.
- Contributions Plan.
- Planning Agreement.

In addition to the above, the preparation of documents such as the Local Strategic Planning Statement and Place Plans may include the following:

- Social media posts.
- Community surveys.
- Discussion Papers.
- Workshops and/or focus groups.
- Community Reference Groups.
- Community engagement/drop-in sessions.



## Development Assessment

How is a development application exhibited?

Northern Beaches will inform the community of the exhibition of development applications in following three ways:

1. Notified development: sending exhibition letters to adjoining property owners and occupiers across a street or road from the subject notice and the placement of a site sign on the main frontage of the development site (refer to Figure 2).
2. Advertised development: sending exhibition letters to adjoining property owners and occupiers across a street or road from the subject site (refer to Figure 2) plus the placement of a site notice on the main frontage of the development site and the placement of a notice on Council's website.
3. Electronic Alerts: In addition to the above, electronic alerts will be sent to any person or group that has registered to receive information on the exhibition of development applications.

Northern Beaches Council will exhibit all relevant information on every development application on Council's website. All development is considered notified development excluding:

- minor development (not required to be exhibited)
- advertised development (as provided below).

For the purpose of the CPP the following development applications will be advertised development:

- Shop top housing.
- Multi-unit dwellings.
- Seniors housing.
- Boarding houses.
- Residential Flat Buildings.
- Sex service premises.
- Child care centres located in residential zones.
- Subdivision of land (where 5 or more additional allotments are proposed).
- Demolition of a building or tree identified as an item of environmental heritage.
- Development that is prohibited in a local LEP, but permissible under a SEPP, with a construction cost of more than \$1 million.
- Hazardous or offensive industries.
- Hospitals.
- Hotel and motel accommodation.
- All development identified in clause 23 of Warringah LEP 2000 (for land under WLEP 2000 only).
- All applications to be determined by the Sydney North Planning Panel.

Alterations and additions to the above development types may be excluded from advertising due to the minor nature and impact of the proposal.

**Consideration of submissions**

All submissions must be made in writing to Council and must reasonably and relevantly relate to the subject of the application, proposal or project.

All submissions will be publicly available on Council's website and may be disclosed to any person requesting information under the Government Information (Public Access) Act 2009. Personal information (e.g. phone number, address, name, email address) will be redacted upon request.

Council will consider requests for a whole submission to be confidential. These requests must include reasons as to why the submission should not be released online.

Submissions that contain potentially defamatory content will be withheld from Council's webpage.

Anonymous correspondence will not be counted as a submission.

Persons who lodge a submission will be notified of Council's determination of the application, proposal or project.

Submissions received after the end of the notification period will be considered in the assessment of the proposal, prior to determination of the application.

All submissions received from the same person will be considered as a single submission.

All submissions received by or on behalf of the same dwelling will be considered as a single submission.

Irrespective of the number of signatories, petitions will be considered as a single submission. Only the organiser of the petition will be notified of Council's determination of the application.



## Glossary

### 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.

### Development consent

A development consent is the formal notice of approval for a specified development proposal. It establishes the date from which the approval operates and when it lapses.

### Contributions Plans

A plan developed by Council for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities or services required by the new development.

### Designated Development

Development that are high-impact developments significant (such as environmental impacts) and require additional consideration.

### Integrated Development

Development that requires development consent from Council as well as at least one approval or licence from another government agency (specified in Part 4 Division 4.8 Section 4.46 of the EP&A Act). This does not include State significant development or complying development.

### Development Control Plan

A plan that provides detailed planning and design guidelines to support the planning controls in a Local Environmental Plan (LEP).

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.

### Modification of development consents

After a development consent has been issued, the applicant or anyone entitled to act on the applicant's behalf can apply to Council, or 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 the development is substantially the same.

### Gateway determination

A gateway determination is issued by the NSW Department of Planning, Industry and Environment following an assessment of the strategic merit of a proposal to amend or create an LEP. It allows the proposal to proceed to public exhibition.

### State significant development (SSD)

Some types of development have state significance due to their size, cost or potential impacts. Examples include schools and hospitals. For all state significant development applications, the Minister for Planning is the consent authority.

**Urban renewal areas**

Land which is identified for the establishment of vibrant, sustainable and liveable neighbourhoods, including refurbishment of public areas.

**Voluntary Planning Agreements**

A voluntary planning agreement is an offer by a developer to Council to dedicate land, make monetary contributions, or provide any other material public benefit, to be used for or applied toward a public purpose.

**Local strategic planning statements**

The Local Strategic Planning Statement will set out the 20-year vision for land-use, 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 must:

- identify the planning priorities for an area
- explain how these priorities are to be delivered
- 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.

**Local Environmental Plan (LEP)**

The environmental planning instrument developed by Council, which sets the planning framework for our Local Government Area.

**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.

## Revision History

Revision	Date	Change
1	13 February 2020	Administrative update to correct the reference to 'nominated integrated development'. Also a minor update to include 'nominated integrated development' within minimum mandatory exhibition timeframes.
2	28 May 2020	Updates in line with legislative changes regarding public notices in local newspapers. Also, administrative amendments clarifying signage, modifications and amended plans received during the Development Application process.



