

# Community Participation Plan

How to get involved in Council's planning functions



**RESPECT**



**INNOVATION**



**INTEGRITY**



**TEAMWORK**



**EXCELLENCE**

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# Kiama Municipal Council's Community Participation Plan

## 1. General Manager message

Kiama Council is committed to creating great places to live, work and enjoy for the local community.

A driving principle behind this commitment is that the best planning outcomes are reached when communities are engaged in the planning process at the earliest possible opportunity.

Our Community Participation Plan (CPP) outlines how we will ensure that residents and property owners are given the chance to have their say on development assessments, plan making, policies and other important strategic planning projects.

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

The Community Participation Plan will be regularly reviewed and we look forward to receiving your thoughts and suggestions on how we can make further improvements to the way we engage with our community in local planning processes and decisions.

## 2. Community participation in local planning

Council has a responsibility to undertake local planning processes consistent with the requirements of the Environmental Planning and Assessment Act 1979 (the Act). The objectives of the Act include:

- properly managing natural resources
- integrating economic, environmental and social considerations in decisions
- promoting the orderly and economic use and development of land
- delivering affordable housing
- protecting the environment
- managing heritage
- promoting good design and amenity
- ensuring safe and proper construction of buildings
- working with other levels of government
- **providing opportunities for community participation.**

The Act includes many legal requirements that ensure planning processes and outcomes support these objectives, including specific requirements for community participation as appropriate to the planning matter being considered. The sections of the Act that specifically apply to this CPP and community participation in planning processes are division 2.6 and Schedule 1.

Community participation is an overarching term covering how we engage the community in our work under the Act. The level and extent of community participation will vary depending on the type and nature 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.

### 2.1. What is the Community Participation Plan and who does it apply to?

Our Community Participation Plan is designed to make participation in local planning clearer for the Kiama community. It does this by setting out in one place how and when you can get involved in the full range of Council planning functions.

This CPP also references Council's broader community participation objectives which guide the right approach to community engagement for different Council activities.

The CPP applies to all land within the Kiama Local Government Area and provides opportunities for members of the community to participate in planning decision as, how and when appropriate.

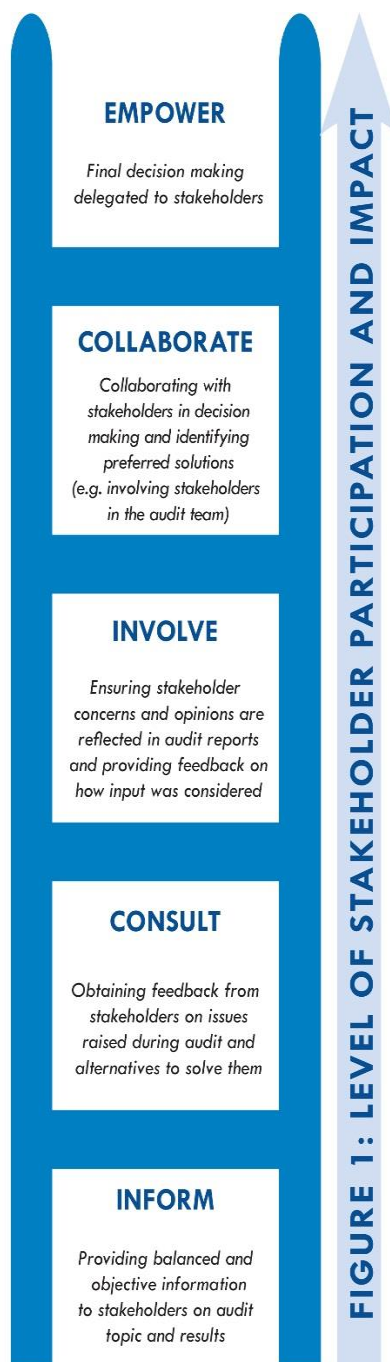
Our CPP will be reviewed on a periodic basis.

### **3. Planning functions that community participation applies to**

<b>Strategic Planning</b>	Council undertakes strategic planning that is not regulated by legislation from time to time. Examples of this include the Kiama Town Centre Study, Kiama Urban Strategy, Kiama Town Centre Charrette and the Gerringong Charrette. Strategic projects guide plan making, assessments and program areas of Council. The Local Strategic Planning Statement (LSPS) is Council's primary strategic planning instrument. Uniquely, the LSPS is a strategic planning function that is regulated by legislation.
<b>Plan Making</b>	Plan making is an essential aspect of our work which integrates social, environmental and economic factors within the local planning system. This work includes planning proposals to change the Kiama local environmental plan and the development control plan which provides detailed requirements for development proposals.
<b>Contributions</b>	Council levies contributions for public amenities and services required to support growth. Council's contribution plans outline when contributions are levied, the amount of the levy and what public amenities and services the contributions are levied for.
<b>Assessments</b>	Council makes planning decisions on a range of developments. When making decisions on these developments, consideration is given to whether land use proposals are in accordance with strategic priorities, public interest and applicable policies and guidelines.



## 4. Community participation objectives and approaches



There are five broad categories encompassing different levels of engagement and the corresponding types of involvement being sought. These levels create a spectrum of engagement.

Participation in Council's planning functions are primarily guided by legislative requirements and are designed to either inform, consult and/or involve the local community. Some of Council's strategic planning activities are not regulated by legislation and often allow for collaboration between Council and the community. Council's planning functions do not facilitate the 'empower' category of the engagement spectrum.

<b>Collaborate</b>	Collaborate with stakeholders in decision making and identifying preferred solutions. The Kiama Town Centre Study process is an example of collaborating with the community.
<b>Involve</b>	Work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered. Our Local Strategic Planning Statement process is an example of involving the community
<b>Consult</b>	Obtain public feedback on analysis, alternatives and/or decisions. Our development application notification process is an example of consulting the community.
<b>Inform</b>	Provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions. Our post-approvals information is an example of informing the community.

Section 2.23 of the Environmental Planning and Assessment Act, 1979 required Council to consider the following when preparing this Community Participation Plan:

### 4.1. The community has a right to be informed about planning matters that affect it.

Council shares information about planning matters through a range of mediums including:

- Notification letters written communication addressed directly to affected parties outlining the matter/issue, inviting comment and stating where how submissions can be made.

- Public notices where required, Council advertises planning matters in the public notices and community news sections of local newspapers.
- DA Tracker Council's Development Application (DA) Tracker allows the community to view details of development applications, activity applications and complying development applications which have been lodged with or received by Council since 1 January 2015.
- Kimunico Council's main community newsletter which contains articles about events, policies, issues, programs and services and is used to keep the community up-to-date with community engagement projects.
- Media releases A traditional way of informing the community of important matters through print and broadcast media.
- Mayoral Column Along with other editorial features, provides down to earth opinion pieces and interviews about current issues relating to Council business and the community.
- Social media Council uses its website, Facebook page and other platforms to keep the community up to date with important information.
- Marketing materials for larger community engagements, Council may produce brochures, posters, postcards, flyers and the like to distribute to the community.
- Business reports Official reports to Council on particular matters that contain recommendations for the elected Council to adopt. Reports for Information included at the end of Council's Business Papers provide the opportunity to educate, update and promote information to the Councillors and community.
- Surveys Can be undertaken for larger projects to discover a range of relevant attitudes, beliefs or information. Council conducts a significant community satisfaction survey every two years which provides information about the community's priorities.
- Public meetings Provide a forum to present and discuss larger planning initiatives directly with the community.
- Workshops Focus groups and/or community workshops are able to be used to exchange information and discuss larger strategic planning initiatives directly with targeted stakeholders.
- Precinct committees and ratepayer associations A number of precinct committees and ratepayer associations operate across the local government area which support a process of two way information exchange between staff and the precinct communities about important planning matters.
- Planning Committee A formal committee that brings together a range of expertise and viewpoints, including community members, which will benefit sound strategic planning. Minutes of the Planning Committee are reported to Council.

#### 4.2. Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.

Council is the local planning authority in the Kiama Municipality and has on-going partnerships with Precinct Committees and Ratepayer Associations that operate across the Municipality and the Planning Committee.

The Precinct Committees and Ratepayer Associations operate as a forum for residents to advise Council of issues of community concern, through formal and informal means. The Precinct Committees and Ratepayer Associations also provide a platform for residents and ratepayers to be informed about significant development applications and projects that may affect their community.

Council values the understandings it gains of local community needs and concerns through its precinct system and encourages community members to be involved in their local precincts and ratepayer associations.

Council's Planning Committee brings together a range of expertise and viewpoints that benefit sound strategic planning. The Planning Committee provides a forum for communication between Council officers, Councillor representatives and community representatives about strategic programs that will influence planning, economic, and community outcomes for the Municipality. The membership of the Planning Committee includes the Mayor, Deputy Mayor and three (3) Councillors, four (4) representatives from the community, and appropriate members of staff.

#### 4.3. Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.

Council's Disability Inclusion Action Plan provides disability access support as part of enabling the community to participate in planning processes. Council is committed to making sure all of our consultations are accessible to all residents. If you have any support requirements to participate, e.g. Auslan interpreters, then please contact Council to let us know and we will make arrangements to support your participation.

The different mediums Council uses to share information about planning matters will determine the type of language used. Some public notices need to comply with legislative requirements. Whereas social media enables Council to share information about planning matters in plain, easily accessible language.

#### 4.4. The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.

Recent amendments to the Act have provided greater emphasis on strategic planning. Strategic planning, including the Local Strategic Planning Statement and significant strategic projects, will often be supported by a specific engagement plan that uses staged engagement, community events, surveys, information on our website etc. to encourage community involvement.

Good strategic planning sets out a vision for the area, town or place which can be achieved by having the right Local Environmental Plan, development control plan and infrastructure plans in place to manage growth and change.

A strategic led, outcomes focused planning system is better able to respond to change and make sure that the local vision continues to guide planning outcomes. Early engagement in the strategic planning process enables the community and Council to begin to work towards a shared vision and make it a reality.

Council has committed to provide responsible civic leadership that is transparent, innovative and accessible as part of the Community Strategic Plan (CSP) 2017-2027. This commitment is reinforced by the CPP.



4.5. Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.

Council's ongoing partnership with the Precinct Committees, Ratepayers Associations and the Planning Committee ensures that views that are representative of the community are actively being sought.

Council has committed to the Social Justice Principles, established in the NSW Division of Local Government Social Justice Framework 2008-2012, of:

1. Equity: There should be fairness in decision making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interest of people in vulnerable circumstances.
2. Access: All people should have fair access to services, resources and opportunities to improve their quality of life.
3. Participation: Everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives.
4. Rights: Equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

The notification and engagement, which forms the core of this plan, reinforces these principles.

4.6. 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.

Council will be responsible for statutory notifications and exhibition's as required.

To complement Council's statutory notifications, proponents of major developments are encouraged to engage early in concept development so that community outcomes can be considered and incorporated into development plans.

4.7. 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).

Planning assessments and decisions are undertaken within the requirements and expectations of the legislative framework including due diligence and procedural fairness. As outlined in this plan, early engagement with the community is highly desirable. Planning decisions will be made in an open and transparent way.

The way Council will notify the community of a planning decision will vary between the four (4) types of planning functions. Decisions associated with the Strategic Planning, Plan Making and Contribution planning functions will be made by the elected Council at the monthly Council meetings. These meetings are generally open to the public and are streamed live online, with the recordings, including video recordings and official minutes, made available after the meetings.

Decisions associated with the Assessment planning functions are advertised on Council's DA Tracker. Copies of the assessment reports, including how the views of the community, as identified in public submissions, were taken into account, will be available on Council's DA Tracker.

4.8. 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.

This Plan contains different participation methods for Council's four (4) planning functions.

## 5. How the community can participate in strategic planning functions

Early engagement in the strategic planning process enables the community and Council to begin to work towards a shared vision and make it a reality. Good strategic planning should clearly outline how the agreed vision will be achieved. Council's strategic planning functions enable Council to **collaborate, involve, consult** and **inform** the community.

As most strategic planning projects are not regulated by legislation, individual engagement plans will be prepared for significant strategic planning projects. Uniquely, the LSPS is a strategic planning function that is regulated by legislation. The LSPS has both non-statutory and statutory components to its engagement approach, for this reason it has also been referred to in Section 6 of this Plan. The two (2) case studies below provide examples of how the community have participated in strategic planning functions.

As a minimum Council will engage, where appropriate, with the Precinct Committees and Community/Ratepayers Associations on strategic planning functions as early as possible.

#### 5.1.1. CASE STUDY 1 - Local Strategic Planning Statement

Kiama Council has started the process of developing a local strategic planning statement (LSPS) that will set out:

- a 20 year vision for land use in the local area
- the special characteristics which contribute to local identity
- shared community values to be maintained and enhanced
- how growth and change will be managed into the future.

Engaging with the community and stakeholders about their values and priorities for Kiama will be a key input into the development of the LSPS.

##### Phase One – Community Scoping and Vision

The purpose of Phase One was to **collaborate** with the community to ensure we have a clear understanding of the key community issues and values for land-use in the area and the special character that should be preserved and how the community wants these issues to be managed into the future.

Engagement events:

- Councillor and Planning Committee workshop
- Three (3) community workshops
- Development industry workshop
- Economic & Tourism industry workshop
- High School workshop
- Primary Schools workshop

##### Phase Two – Community Testing

Council will again **involve** and **consult** with the community to talk about the options to address themes such as housing, employment, environment and agriculture. Technical papers will be prepared to guide the discussions with the community around the identified themes.

During this phase of the process, Council will go out to Gerringong, Jamberoo, Kiama and North Kiama/Minnamurra to talk about local character and local priorities.

Engagement events:

- Online surveys
- community information sessions
- targeted information sessions
- Engagement with State agencies and peak groups, coordinated across the four local government areas by the Illawarra Shoalhaven Joint Organisation

##### Phase Three – Finalising Draft

The formal adoption process of the LSPS will involve Council endorsement of a draft. Council will **inform** the community by the draft LSPS in the Council business paper.

##### Phase Four – Statutory Exhibition

The statutory exhibition of the draft LSPS will occur after Council has resolved to adopt the draft. Council will again **consult** with the community by placing the draft LSPS on public exhibition in accordance with the legislative requirements of the CPP.

#### Phase Five – Submit to NSW Government

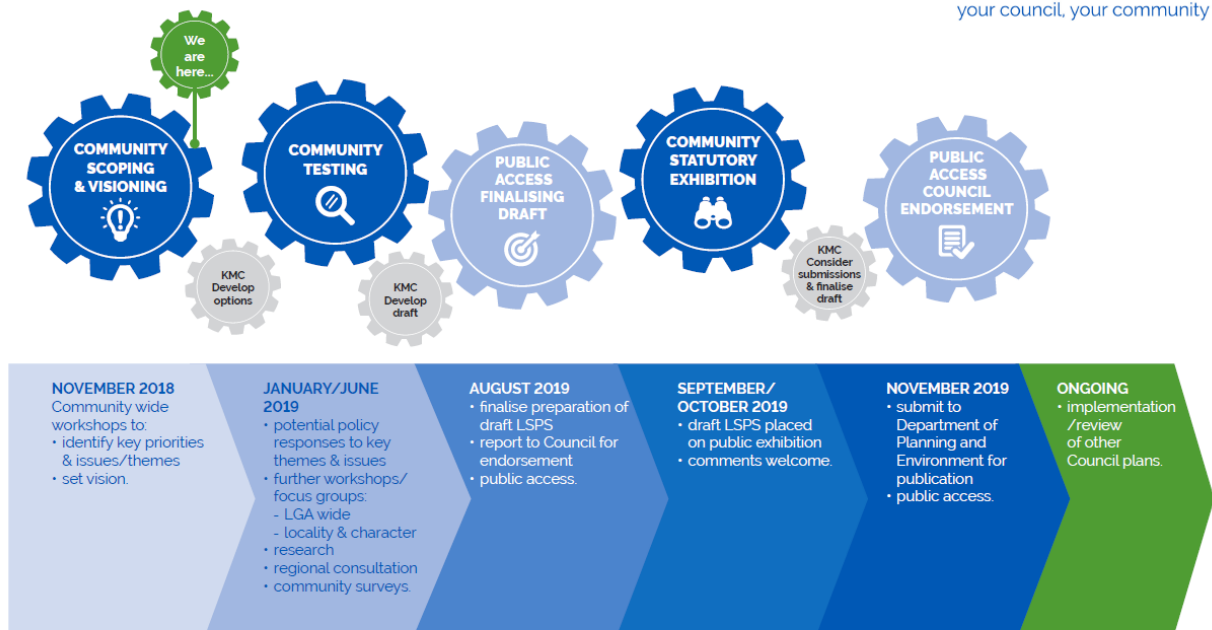
Following the statutory exhibition of the draft LSPS and final adoption by Council the LSPS will be submitted to the NSW Government as part of statutory requirements.

Communication methods utilised in case study

- Specific LSPS page on Council's website
- Media release
- Newspaper editorial
- Online registration portal for community workshops
- Social media posts
- Notice at the customer service counter in Council's Administration Building
- Direct approach to student council and school principals
- Direct approach to relevant Precinct committees
- Direct approach to Councillors and Planning Committee
- Targeted direct contact via Council's Economic Development Committee & Tourism Advisory Committee
- Targeted direct contact local industry groups
- Postcards and flyers distributed to Council facilities and local businesses.
- Workshops
- Online surveys
- Statutory exhibition/notification in newspaper
- Council Business papers

## Local strategic planning statement | ways to get involved

Shaping our planning vision for the next 20 years, together.



Last updated 30 October 2018



### 5.1.2. CASE STUDY 2 – Kiama Town Centre Study

Kiama Council sought to **collaborate** with the community regarding the future of Kiama's town centre. The Kiama Town Centre Study will provide a clear understanding of the community's ideas and needs for the town centre.

The engagement for the preparation of the draft Kiama Town Centre Study included workshops, a drop-in session and online engagement.

The following community engagement events were held:

- Councillor, Council staff and Planning Committee workshop
- Local businesses workshop
- Community and stakeholders workshop
- Community drop-in session at Kiama Farmers Market
- Online engagement - Social Pinpoint

The formal adoption process of the draft Study involved Council's endorsement and subsequent exhibition of the draft. Council **informed** the community of the draft Study in the Council business paper and consulted with the community by placing the draft Study on public exhibition

Communication methods utilised in case study

- Specific Town Centre Study page on Council's website
- Media release
- Newspaper editorial
- Online registration portal for community workshops
- Social media posts
- Notice at the customer service counter in Council's Administration Building
- Direct approach to Central Precinct Committee
- Direct approach to Councillors and Planning Committee
- Targeted direct contact via Council's Economic Development Committee
- Postcards and flyers distributed to Council facilities and local businesses.
- Workshops
- Online surveys
- Exhibition/notification in newspaper
- Council Business papers



## 6. How the community can participate in plan making functions

Plan making processes involve the legislative implementation of the visions established through the strategic planning processes. Council's plan making functions enable Council to **involve**, **consult** and **inform** the community.

### 6.1. What plans will be notified?

Council will notify the community of all plan making projects, including:

- Local Strategic Planning Statements
- Local Environmental Plans/Planning Proposals
- Development Control Plans
- Community Participation Plans

The Gateway determination sets out the minimum engagement requirements for a Planning Proposal and will always be consistent with legislative requirements. Pre-Gateway consultation will only be carried out for plan making functions relating to projects that have not been identified by the Kiama Local Strategic Planning Statement 2020.

Otherwise, Council will not notify planning proposals that have not received a Gateway determination (i.e. approval from the Department of Planning, Industry and Environment to commence the Local Environmental Plans/Planning Proposals process).

### 6.2. Who will be notified?

Council will endeavour to notify the entire community of plan making projects.

Individual property owners may be notified if, in the opinion of Council or as directed by the State Government, the enjoyment of land for those properties may be detrimentally affected by the development proposal.

### 6.3. How will people be notified?

Council will actively inform the community of plan making projects by placing notices in a range of media platforms, such as:

- Council's social media platforms,

- Kimunico, and
- the public notices and community news sections of local newspapers.

Council will also notify the Precinct Committees, Community/Ratepayers Associations and the Planning Committee of all plan making projects.

If Council or the Gateway determination determines that individual property owners need to be notified of a plan they will receive a written notice from Council which provides information about the proposed plan and how they may make a submission in relation to the application.

#### 6.4. How long will plans be notified for?

Type of application	Minimum exhibition period
Draft community participation plans	28 days
Draft local strategic planning statements	28 days
Planning proposals for local environmental plans that have not received a gateway determination	14 days
Planning proposals for local environmental plans subject to a gateway determination	28 days Or The period specified in the gateway determination.
Draft development control plans	28 days

The period between 20 December and 10 January (inclusive) is excluded from the calculations of a period of public exhibition.

If a particular matter has different exhibition or notification periods that apply under this Part, the longer period applies.

#### 6.5. What information will be made available?

All information, including state agency comments, relating to plan making projects will be made available on Council's website for the extent of the exhibition period. The information is also available for inspection at Council's Administration Building. Some of the information relating to plan making projects is covered by Copyright laws. Once the exhibition period has closed Council is unable to make such information publicly available.

### 7. How the community can participate in contributions functions

Council's contribution plans outline when contributions are levied, the amount of the levy and what public amenities and services the contributions are levied for. Council's contribution plans ensure that Council can provide the necessary services to facilitate the visions established through the strategic planning processes. Council's contributions functions enable Council to **involve**, **consult** and **inform** the community.

### 7.1. What plans will be notified?

Council will notify the community of all contribution plans, including new or amended plans.

### 7.2. Who will be notified?

Council will endeavour to notify the entire community of contribution plans.

### 7.3. How will people be notified?

Council will actively inform the community of contribution plan projects by placing notices in a range of media platforms, such as:

- Council's social media platforms,
- Kimunico, and
- the public notices and community news sections of local newspapers.

Council will also notify the Precinct Committees, Community/Ratepayers Associations and the Planning Committee of all draft contribution plans.

### 7.4. How long will contribution plans be notified for?

Draft contribution plans will be publicly exhibited for a minimum period of 28 days.

The period between 20 December and 10 January (inclusive) is excluded from the calculations of a period of public exhibition.

If a particular matter has different exhibition or notification periods that apply under this Part, the longer period applies.

### 7.5. What information will be made available?

All information relating to draft contribution plans will be made available on Council's website for the extent of the exhibition period. The information is also available for inspection at Council's Administration Building. Some of the information relating to contribution plans is covered by Copyright laws. Once the exhibition period has closed Council is unable to make such information publically available.

## 8. How the community can participate in planning assessment functions

As part of Council's planning assessment functions Council determines, by way of approval or refusal, a range of development applications. Council's planning assessment functions enable Council to **consult** and **inform** the community.

### 8.1. What applications will be notified?

Council will publicly exhibit the following development types:

- a) All development applications (including designated) with the exception of the following:
  - Single storey residential outbuildings that comply with:
    - i. the relevant maximum building height and floor space ratio development standards, as prescribed by the [Kiama Local Environmental Plan \(LEP\) 2011](#), and
    - ii. the relevant building lines and earthwork development controls, as prescribed by the [Kiama Development Control Plan \(DCP\) 2020](#)
  - Internal and external additions and alterations to single storey dwellings that comply with:

- i. the relevant maximum building height and floor space ratio development standards, as prescribed by the [Kiama LEP 2011](#), and
  - ii. the relevant building lines and earthwork development controls, as prescribed by the [Kiama DCP 2020](#)
- Earthworks and retaining walls that comply with the relevant earthwork development controls, as prescribed by the [Kiama DCP 2020](#)
  - Demolition of where no other work is proposed
  - Subdivision of existing buildings (i.e. the subdivision of an existing dual occupancy etc.)
  - Changes from one commercial use to another, excluding changes for licensed premises.
- b) Amendments to undetermined applications (including designated) - where the revised proposal is likely to have, in the opinion of Council, effect on the enjoyment of adjoining land. When determining the enjoyment of land Council will consider the following:
- Public interest
  - Prominent/key site
  - Contentious proposal
  - Requests to vary environmental planning instrument development standards
  - Requests to vary local policies
- If the revised plans are considered by Council to have a lesser or similar effect, then the submission on the original application will be considered in Council's assessment.
- c) Modifications of development consent, where the original application was notified, with the exception of the following:
- Modification fixing minor error (i.e. wrong plan numbers, error in approval etc.)
  - Modification involving minor environmental impact where no public submission/s was received to the original development application.
- d) Review of planning decision only where a public submission/s was received to the original development application.

All applications on land that is, or that is within the vicinity of, a heritage item or heritage conservation area, as listed in [Schedule 5](#) of the Kiama LEP 2011 or on land containing an existing buildings over 50 years old will be publicly exhibited.

**Notes:**

1. For the purpose of this Plan, a single storey building has a maximum building height no greater than five (5) metres measured as the vertical distance from ground level (existing) to the highest point of the building.
2. For the purpose of this Plan an outbuilding means any of the following class 10a buildings under the Building Code of Australia—
  - a. balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,
  - b. cabana, cubby house, fernery, garden shed, gazebo or greenhouse,
  - c. carport that is detached from a dwelling house,
  - d. garage that is detached from a dwelling house,
  - e. rainwater tank (above ground) that is detached from a dwelling house,



- f. shade structure that is detached from a dwelling house,
- g. shed.

### 8.2. Who will be notified?

When publicly exhibiting applications, described in Section 8.1 above, Council will notify affected property owners of development applications. Affected property owners are those that own land that is directly adjoining the land for which an application has been lodged. Adjoining land means land which abuts an application site or is separated from it only by a rail or road corridor, pathway, driveway or similar thoroughfare.

Where adjoining or neighbouring land comprises a strata titled or community titled development Council will notify the individual property owners within the relevant Owners' Corporation or Association.

Additional property owners may be notified if, in the opinion of Council's assessing officer, the enjoyment of land for those properties may be detrimentally affected by the development proposal.

For Modifications and Reviews of Planning decisions where a submission/s was received to the original development application Council will only notify the individual/s who lodged the public submission.

### 8.3. How will people be notified?

Affected property owners will receive a written notice from Council which provides information about the proposal and how they may make a submission in relation to the applications, described in Section 8.1 above.

Other member of the community will have access to development application information through:

- a) Council's DA Tracker
- b) periodic notice in either a local newspaper, Council's social media platforms or Kimunico of development applications that have been received
- c) specific notice in a newspaper in compliance with the Regulation for designated development, State significant development
- d) a sign shall be erected on the proposed development site during the notification period for:
  - designated developments
  - proposals with a value of works in excess of \$2,000,000
  - subdivision in excess of 10 lots

The sign shall be installed at the site boundary at the commencement of the notification period

- e) Significant and major development applications that are likely to attract significant public interest and/or are situated on prominent sites will also be referred to the relevant Precinct Committee or Community/Ratepayers Association

### 8.4. How long will development proposals be notified for?

Type of application	Min exhibition period
All applications, described in Section 8.1 above (excluding those listed below)	14 days
Applications for designated development	28 days
Environmental Impact Statements obtained under Division 5.1	28 days

The period between 20 December and 10 January (inclusive) is excluded from the calculations of a period of public exhibition.

If a particular matter has different exhibition or notification periods that apply under this Part, the longer period applies.

#### **8.5. What information will be made available?**

All information relating to an application will be made available, except for information relating to the application which is covered by Copyright and/or Privacy laws, on Council's DA Tracker from the date it is notified until 3 months after development consent has been granted. The information may also be available for inspection at Council's Administration Building. Once the exhibition period has closed Council is unable to make such information publicly available.

Council is not required to make available for public inspection any part of an environmental impact statement whose publication would, in the opinion of the public authority, be contrary to the public interest because of its confidential nature or for any other reason.

### **9. Public Submissions**

Public submissions may be made to the General Manager and received by Council within the exhibition period nominated above or in the notification. For development applications public submissions may also be made through Council's DA Tracker.

Council makes public submissions publicly available. If you do not want any part of your public submission or your personal details released, because of copyright or other cogent reasons, you need to clearly indicate this in your public submission together with an explanation. However, you should be aware that even if you request that you do not wish information to be published, there may be circumstances in which we are required by law to release that information (for example, in accordance with the requirements of the Government Information (Public Access) Act 2009).

A person who makes a public submission to Council in relation to a plan making, contribution or assessment planning function is required to disclose if they have made any political donations or gifts to minimise any perception of undue influence.

Political donations or gifts are those made by the person making the public submission or any associate of that person within the period commencing 2 years before the public submission is made and ending when the application is determined:

- a) all reportable political donations made to any local councillor of that council,
- b) all gifts made to any local councillor or employee of that council.

Correspondence received, in relation to a planning function, outside of the exhibition period nominated above or in the notification are not considered to be a public submission for the purpose of this plan. Such correspondence will not be given weight as part of the relevant planning function and will be responded to in the same fashion as any other piece of correspondence received by Council.

### **10. Can extensions of time be granted to make submission?**

Members of the community may seek an extension of time to make a submission in respect to any planning function. The extended timeframe for such a request would be assessed on their individual merits.

### **11. How will people be notified of the outcome of a planning decision?**

The way Council will notify the community of a planning decision will vary between the four (4) types of planning functions. Decisions associated with the Strategic Planning, Plan Making and

Contribution planning functions will be made by the elected Council at the monthly Council meetings. These meetings are generally open to the public and are streamed live online, with the recordings made available after the meetings. Minutes of the monthly Council meeting are recorded and made available on Council's website after each meeting.

Decisions associated with the Assessment planning functions are advertised on Council's DA Tracker. Copies of the assessment reports, including how the views of the community were taken into account, will be available on Council's DA Tracker. Community members who have made submissions will receive notification of the outcome of the Council meeting. Where appropriate the assessing officer may directly contact the author of the submission as part of the assessment process.

In some instances development applications are reported to the elected Council for formal endorsement as part of their monthly meetings. These meetings are generally open to the public and are streamed live online, with the recordings made available after the meetings. Copies of the Business reports are also available on Council's website. The Business reports will contain information regarding submissions and how the views of the community were taking into consideration. Minutes of the Council meeting are also published on Council's website.

Community members who have made individual submissions will be notified of the date of the Council meeting and will be provided with an opportunity to address the public access meeting. Community members who have made submissions will also receive notification of the outcome of the Council meeting.

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## ***Safety***


To achieve the best planning results, we must ensure everyone can participate in a safe and open manner. All community members, stakeholders and our staff have the right to participate in a respectful environment and behave in a manner that supports everyone's right to present their point of view.

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## 12. Document control

Date reviewed	Date adopted	Amendment
19/5/2020	21 July 2020	Amendment No 1
N/A	22 October 2019	Endorsed by Council with amendment to remove the word “dwelling” from 8.1a)

## 13. Signature

<b>Name:</b> Kerry McMurray   General Manager	<b>Date:</b> 21 July 2020
Signature: 	

## How to contact Council

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Website: [www.kiama.nsw.gov.au](http://www.kiama.nsw.gov.au)

### Office hours

Our Administration Building located at  
11 Manning Street Kiama is open 8.45 am to 4.15 pm  
Monday to Friday (excluding public holidays)



**KIAMA MUNICIPAL COUNCIL**  
your council, your community