

# COUNCIL POLICY



<b>Capital Works Community Engagement</b>	Document No:	SCS-025
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Responsible Officer: Manager Program Management Office	Trim Reference:	D15/65172
Authorising Officer: Chief Executive Officer		

## 1. Purpose

To outline an engagement process that ensures the community is consulted about Council capital works under \$1,000,000 in value that are exempt from a Planning Permit, that if the exemption did not exist would have triggered requirement for a Planning Permit under relevant planning schemes.

To guide engagement activities to consult with the community for capital works of any value that do not trigger a requirement for a Planning Permit under relevant planning schemes.

## 2. Scope

In March 2009, the Minister for Planning amended all planning schemes (Amendment VC53) to introduce an additional permit 'exemption' (to Clause 62.02-1) for 'buildings or works with an estimate cost of \$1,000,000 or less carried out by or on behalf of a municipal council'. Prior to this change, the planning permit process provided a process for obtaining internal comments on capital works projects (for example, heritage advice), and for notifying the community in immediate vicinity of proposals.

This policy outlines the alternative process Council has put in place to ensure appropriate community consultation and internal referrals are still undertaken for capital works with Expansion Expenditure (new or upgraded assets) with an estimate cost of \$1,000,000 or less.

This Policy is specific to capital works that would have triggered requirement for a Planning Permit under relevant planning schemes if the exemption did not exist.

Community engagement for other capital works projects is planned on a case-by-case basis relative to the complexity, risk and community interest in the project. This planning is based on the International Association for Public Participation IAP2 spectrum from inform to empower in accordance with the Surf Coast Shire Council Communications and Community Engagement Strategy 2015 – 2018 and the Project Delivery Framework.

The Policy does not apply to works which are deemed either 'Routine Maintenance' or 'Renewal Expenditure'.

## 3. Application

The Policy applies to all capital works being undertaken by Council, on Council owned or managed land that would have triggered requirement for a Planning Permit under relevant planning schemes if the exemption did not exist.

## 4. Definitions

**Routine Maintenance** Regular ongoing day to day work that is required to keep assets functioning at a specific standard, and to prevent early failure or deterioration. It is expenditure on an asset, which maintains the asset in use, but does not increase its service potential or life.

**Renewal Expenditure** Major work that does not increase the assets design capacity, but restores, rehabilitates, replaces or renews an existing asset to its original capacity. Work over and above restoring an asset to its original capacity is new work expenditure.

Expansion Expenditure	Works that create a new asset that did not previously exist, or works, which upgrade or improve an existing asset beyond its current capacity. They may result from growth, social and environmental needs.
Sponsor	The officer nominated to direct the project and be accountable for a successful outcome
Project Manager	The officer nominated to manage the temporary organization created to deliver the project and manage associated resources and activities

## 5. Policy

5.1 The Project Manager will prepare information about the proposed project for consideration by stakeholders (internal and external) including whether or not the works would have triggered a requirement for planning permit under relevant planning schemes if the exemption did not exist.

This information will refer to all prior engagement undertaken related to the project i.e. extensive engagement may have been undertaken with the community to develop a reserve master plan or urban design framework that identifies the project and it's priority for the community.

5.2 The Project Manager will refer this information to Internal stakeholders for advice prior to finalizing the information and will seek assistance from the Community Relations Department regarding proposed activities for community engagement. The Sponsor will approve the information and activities for community engagement.

5.4 Engagement Activities

5.4.1 The following community engagement activities apply for projects that would have triggered a requirement for planning permit under relevant planning schemes if the exemption did not exist.

### **Mandatory**

- Send correspondence to inform the adjacent land-owners (email preferred, post or letter-box drop if email not available)
- Send correspondence to inform known stakeholder or resident groups associated with the project location via letter (email preferred, post or letter-box drop if email not available)

### **Optional (if the proposed project is likely to have broader interest)**

- Erect signs on site
- Send correspondence to inform broader area (beyond adjacent landowners via selected address group (email preferred, post or letter box drop if email not available)
- Place an advertisement in the local press
- Conduct information sessions at the proposed project location, or another location, held at a time that is convenient to the community of interest

5.4.2 The engagement activities in 5.4.1 are not required for works that do not trigger a requirement for a Planning Permit under relevant planning schemes however may be considered as part of developing a communications and engagement plan for each project.

5.5 Information provided to community must include:

- an explanation of the rationale and process to consult
- information about the proposed project
- instructions that written submissions should be directed to the appropriate Project Sponsor with a closing date that is a minimum of 14 days' after the date information is provided (delivered, advertised and/or displayed)
- a requirement for submissions to include:
  - name
  - address
  - email
  - telephone number
- that email is the preferred method of contact and, if email is provided, this will be the default method of contact from Council to submitters.

5.6 If opposition to the proposed project is received, the Project Sponsor (with support of the Project Manager) is to convene a mediation meeting with the ward Councilor/s , submitters Council staff and

other experts, as appropriate. Other Councilors and community members may also choose to attend. The purpose of this meeting is to aim to hear concerns and benefits to determine if changes should be made. Both the supporters and objectors to the proposal should be involved in the discussions.

A minimum of 5 working days' notice is required for this mediation meeting and it must be held at the proposed project location, or another location, and time that is convenient to the majority of the submitters.

The outcomes possible from this meeting are:

- Opposition withdrawn - submitter should withdraw their objection in writing. In this instance the project should proceed.
- Negotiated solution – the proposed project is modified to satisfy both the resident/stakeholders and Council. In this instance the proposed project should proceed.
- Maintained opposition – no resolution can be reached. In this instance, the proposed project should be reported to Council for a decision.

5.7 Council will decide on the project where opposition remains following consultation. The Sponsor (or delegate) will write a report to detail the objections that have not been withdrawn or negotiated. The Sponsor (or delegate) will arrange a Hearing of Submissions meeting with Council and invite all submitters to address Council at this meeting. Following consideration of the submissions Council can approve, amend or abandon the proposed project.

5.8 The Sponsor (or delegate) will advise all submitters of Council's decision using contact details provided on their submission (email delivery preferred, post if email not available)

5.9 The estimated timeframes for this process to be considered in project planning and scheduling are:

Activity	Duration	Cumulative duration
Preparation of project information and a communications and engagement plan, internal referral and sponsor approval	Two weeks	Two weeks
Distribution of project information to community / implementation of the communications and engagement plan	One to two weeks	Three to four weeks
Community submission period	Two weeks	Five to six weeks
Assessment of submissions	One week	Six to seven weeks
Notification of mediation meeting (if required)	One week	Seven to eight weeks
Notification of mediation outcome or notification of Hearing of Submissions (HOS)	One week	Eight to nine weeks
HOS notification period	Four weeks	Twelve to thirteen weeks
Notification of HOS outcome	One week	Thirteen to fourteen weeks

Grant applications and project planning should allow for these timeframes.

## 6. Records

Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
Records documenting liaison activities undertaken with professional associations, private sector organisations and community groups.	Project Manager	5 Years	TRIM

## 7. Attachments

N/A

## 8. References

Surf Coast Shire Council Project Delivery Framework  
SCS017 Community Engagement Policy  
Guideline – Presentations to the Hearing of Submissions Committee

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<b>Amendment/Review 1:</b>	27 June 2017	<b>Approved by:</b>	Council
<b>Amendment/Review 2:</b>		<b>Approved by:</b>	