

2025-2028

COMMUNITY ENGAGEMENT & PARTICIPATION STRATEGY

The background features several stylized line art figures of people in various poses, rendered in a light blue color. These figures are scattered across the upper and middle portions of the page, behind the main title text.

ACKNOWLEDGEMENT OF COUNTRY

Kempsey Shire Council acknowledges the land of the Thunggutti/Dunghutti Nation.
We pay respect to Elders past and present.
We acknowledge the role of emerging leaders to continue to guide us in the future.
We acknowledge the Stolen Generations and the need to change practices to be inclusive.
This land always was and always will be Thunggutti/Dunghutti land.



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INTRODUCTION

This Strategy sets out a whole-of-Council commitment to how we will engage with and encourage participation from our community to contribute to Council decision making.

We outline the key principles which define our approach to engagement and how we decide when and on what we engage. We recognise that we need to engage with a broad range of people in our diverse community.

While community opinion is a vital part of decision making, we also recognise that it is not the only consideration in our decisions.

Council also must consider things like cost, environmental implications, legal requirements, and risk factors. Our commitment is to engage as effectively as possible and to continuously improve our engagement practices. We strive to ensure that every voice is heard and considered, even if the final decision may not align with every individual's preference.

WHY IS THIS ENGAGEMENT AND PARTICIPATION STRATEGY IMPORTANT?

We recognise that engagement and participation involve a dynamic two-way conversation between Council and the community,

and these conversations are vital to ensuring good decisions and the best outcomes for our community.

By undertaking timely and effective community engagement and participation, Council will better understand and be able to genuinely consider community views and feedback. Engagement does not necessarily aim to achieve consensus among all participants, nor does it mean everyone who engages will get what they want. It does, however, provide an opportunity to understand the critical issues and attitudes associated with projects, before a decision is made.

It should also be recognised, that the best decisions do not always reflect the majority or consensus feedback. Sometimes, community opinion is only one element to be considered as part of Council's decision making. Other factors may include cost, environmental issues, on-going maintenance, risk or other legislative requirements.

Effective engagement and participation promote transparency, foster relationships with community members and stakeholders, and can enhance the sense of ownership for residents participating in Council planning, ultimately leading to better outcomes for all.

THE KEY PRINCIPLES ON HOW WE ENGAGE

Our approach to community engagement and participation aims to align with several key principles, so our community know what to expect from us. These are:



We are **AUTHENTIC** in our intentions – we will be open and honest in our interactions.



We are **INCLUSIVE** – we encourage participation from all community members who are affected or interested.



We are **TIMELY** in our engagement – we will aim to engage in advance and provide sufficient time for our community to respond.



We **CLOSE THE LOOP** on engagement outcomes – we will acknowledge feedback from the community in writing, ensure the next steps are explained and the community can remain informed of subsequent decisions or actions taken by Council.



We are **GENUINE** in the value we place on community feedback and consider it important in our decision-making process. We recognise we have limited resources and cannot engage on all Council business. Our commitment to continuous improvement means we are always striving to enhance our engagement practices and to be open and honest in all our interactions. We acknowledge that community feedback is sometimes not the only matter considered in Council decision making but that it plays a key role in shaping Council's direction.

THE LEGISLATIVE FRAMEWORK THAT GOVERNS ENGAGEMENT AND PARTICIPATION

This Community Engagement and Participation Strategy meets Kempsey Shire Council's obligation under section 402 of the Local Government Act 1993 in which the NSW Government requires each council "establish and implement a strategy... for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters)".

This Strategy has also been prepared to meet the requirements outlined in section 2.23 of the

Environmental Planning and Assessment Act 1979 which requires Councils "to prepare a community participation plan about how and when it will undertake community participation when exercising relevant planning functions".

The Strategy will be reviewed at the start of each new Council term (every four years at a minimum) and made available on council's website.

PRIVACY AND PERSONAL INFORMATION

In engaging with our community under this Strategy, council will manage personal information under the Privacy and Personal Information Protection Act 1998 (NSW). This includes the collection, storage, use, disclosure and amendment of personal information that Council holds.

COMMUNITY IS ABOUT DOING SOMETHING TOGETHER



WHO DO WE ENGAGE WITH?

When Council engages with our community, we are mindful we are engaging with a diverse range of stakeholders.

Our Shire is home to a great mix of people, demonstrating a vast range of interests, characteristics and geographical locations. Reflecting this diversity is essential in shaping the decisions that affect our Shire, its towns and villages.

Our community comprises the people who live within the towns and villages of the Kempsey Shire, including rural areas and seaside townships and those who live, work, visit or invest in the area.

The community includes residents, ratepayers, landowners and members of the general public (including individuals, groups, organisations, all forms of industry, business and government) who have an interest in the Kempsey Shire.

In accordance with our principles for engagement and participation, we will actively encourage involvement from individuals who may have difficulty participating in traditional engagement activities.

Where council resources and budget allow, we will explore flexible and suitable options for our community. We will also consider language, literacy, cultural barriers, and accessibility considerations.

COMMUNITY ENGAGEMENT



WHAT WILL WE ENGAGE ABOUT AND HOW WILL WE ENGAGE?

We will seek community feedback and submissions in the development and setting of Council priorities, as well as for some policies, strategies, plans and activities.

Ultimately, all the work we do and invite community participation on is linked to our 2045 Your Future Community Strategic Plan (CSP), which articulates the 20-year vision for our community. In developing our CSP, we sought community opinion about priorities to establish our strategic directions. The CSP helps us achieve our community's aspiration and guides everything we do. It outlines four key categories that decision making will sit under for engagement and participation purposes. We will engage with you on a broad range of projects, plans and activities,

aligned to these strategic directions and focus areas. These are outlined in our four-year Delivery Program (which turns the strategy goals of the CSP into actions) and annual Operational Plan (the actions to be undertaken each year).

In addition, Council engages extensively with our community on development assessment matters.

Council is the consent authority for a large amount of local development. This involves consideration and assessment of a wide range of development types from subdivisions to large scale commercial, retail and industrial developments. In general, development approvals have prescriptive requirements on how we must engage with our community.

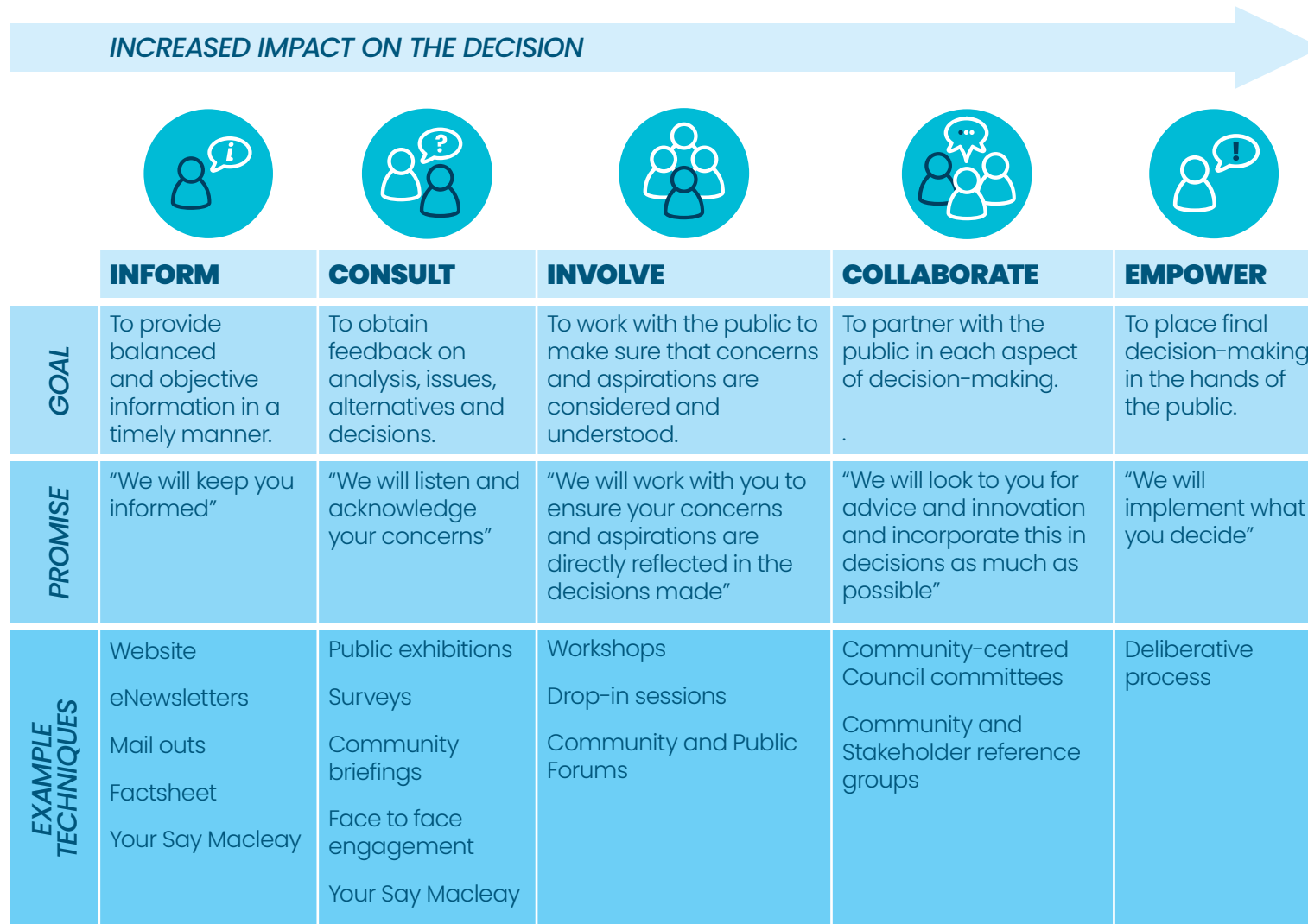
For all other engagements, we will use this strategy and associated documents to determine the process of community engagement and participation, based on the level of impact, time and resources available. We do this using the International Association for Public Participation (IAP2) Spectrum of public participation. The IAP2 approach helps us ensure the community and stakeholders are appropriately involved on projects or matters that affect them the most.

The IAP2 approach is widely considered the best practice benchmark for community engagement. It is used internationally and is found in engagement/public participation plans around the world.

The role of the community and stakeholders in influencing decision making under IAP2 is shown in the chart below.

There are five levels of engagement outline in the IAP2 spectrum. Each level outlines how you can be involved in community engagement and the level of impact your involvement will have on the outcomes.

IAP2 SPECTRUM – LEVELS OF IMPACT



For more detail on the engagement process, as defined by IAP2, refer Appendix A.

Engagement and participation relating to development matters, in particular, development assessment, are far more prescriptive. If you are planning a development and wanting to understand how the community will be able to provide feedback, or you are interested in understanding how you can provide feedback on a development, please refer Appendix B.

HOW YOU CAN PARTICIPATE AND **MAXIMISE YOUR VOICE**

When we engage with you, we will make it clear how you can participate in this engagement and have your say. There are typically several common ways in which you can participate:

1. SUBMISSIONS

Formal written submissions are most commonly invited when:

- A planning matter, project or other proposal is on exhibition before being submitted to Council for approval (the 'exhibition period').
- A development application is on the advertising register (the 'advertising period').

WILL MY SUBMISSION OR FEEDBACK BE MADE PUBLIC?

You should be aware that any submissions received can be made publicly available unless you can demonstrate that the release of part or all the information would not be in the public interest.

This requirement stems from Councils' obligation under the Government Information (Public Access) Act 2009 which requires Council to provide public access to information held unless there are overriding public interest considerations against disclosure. Council is also obliged to release information if required by court order or other specific law.

Council is not required to make available for public inspection any part of an Environmental Impact Statement whose publication would, in Council's opinion, be contrary to the public interest because of its confidential nature or for any other reason. A formal application under the Government Information (Public Access) Act 2009 would have to be made in this instance.

DISCLOSURE OF DONATIONS AND GIFTS

Submissions must be accompanied, where relevant, by a Disclosure Statement of Political Donations and Gifts in accordance with the provisions of the Local Government and Planning Legislation Amendment (Political Donations) Act 2008. Disclosure forms are available from Council's Customer Service Centre or on Council's website.

HOW TO ENSURE YOUR SUBMISSION IS EFFECTIVE

Council values diversity of opinions and encourages individuals to share their views when making a submission.

For Council to consider your submission valid, it must

- Be made during the exhibition/advertising period.
- Contain your name and legitimate contact details – for example, your name, email, phone number and address.

- Reference the matter you are making your submission about, such as application number or proposal title, and your reasons for the submission.
- Submissions in writing must also contain the signature or electronic signature of each person making the submission.

While all submissions that meet the formal requirements will be considered, we suggest that an effective submission should:

- Introduce yourself or the group you represent.
- Outline your concerns or issues regarding the matter or proposal.

- Ensure your response is individual (unique).
- Make recommendations and clear statements.
- Use evidence to support your argument.
- Identify any positive aspects of the matter or proposal.
- Be clear and concise.
- Avoid emotive, abusive, or disrespectful language.

The proposal or development will not be finalised until after the exhibition/advertising period has ended and submissions received have been considered.

- The exhibition/advertising period starts a day after the notice is first published.

- The closing date for submissions will be specified in written and published notices.
- The period between 20 December and 10 January (inclusive) will be excluded from the calculation of exhibition/advertising period. i.e. any matters on public exhibition over this time will be extended to ensure the mandatory exhibition period does not overlap with this important holiday period.

Submissions can be emailed to ksc@kempsey.nsw.gov.au or mailed directly to the General Manager.

2. FEEDBACK VIA OUR YOUR SAY MACLEAY WEBSITE

Your Say Macleay (www.yoursay.macleay.nsw.gov.au) is Council's online engagement platform which lists projects that are open for engagement or participation. Typically, a project page on this website will contain information on the project and directions on how to participate or provide feedback. This may include an on-line survey and/or ability to lodge a written submission by uploading via this website.

All submission received are provided an email notification and acknowledgement.

3. PUBLIC MEETINGS, BRIEFINGS OR 'POP-UP' ENGAGEMENT SESSIONS

Public meetings or briefings on engagement matters provide a forum in which the community can listen and understand Council projects or planning and ask questions. At 'pop-up' engagement sessions (which are typically advertised at a range of locations across the region), community members are encouraged to drop by and speak with Council staff on projects/planning matters, ask questions and provide feedback.

4. ORGANISED 'FORM' LETTERS, PRO-FORMAS OR PETITIONS

Council is open to receiving organised 'form' letters, pro-formas or petitions on relevant matters as part of community participation. Please note, however, that an individual letter outlining your specific opinions is a better way to help Council get a clear understanding of the issues. Further, the issues raised in 'form' letters, pro forma responses or petitions do not carry additional weight simply because of the volume of submissions.

Where a petition is received, all future contact will be sent to the head petitioner or, where not nominated, the first petitioner supplying contact details. The petition is treated as a single submission. While it is helpful to understand the extent to which the community is supportive of, or opposed to, a proposal, it is important to note that engagement (including on development assessment matters) is not a democratic process whereby votes/submission numbers decide the outcome. Each unique issue raised in a submission is considered on its merits and along with other factors which may impact on the decision.

HOW BIG IS THE WINDOW FOR YOU TO PARTICIPATE?

The timeframe in which the Council publishes information, drafts or options for participation is called the exhibition period. It is important to note that:

- Formal submissions will only be accepted during the exhibition period.
- The closing date for submissions will be specified in written and published notices.

- Timeframes are in calendar days and include weekends. If the exhibition period is due to close on a weekend or a public holiday, Council will extend the exhibition to finish on the first available workday.
- The period between 20 December and 10 January is excluded from the calculation of a period of public exhibition. Council will not initiate an exhibition or notification period during this time.

While some projects, planning and development matters are required by legislation to place documents on exhibition for mandatory periods, the majority of engagement projects do not have a fixed window of engagement.

Generally a minimum of 28 days is considered appropriate for most engagements which have no legislative mandate. This enables promotion/communication to the community and stakeholders, distribution of materials and facilitation of engagement events. That said, Council will consider the circumstances of each project when deciding on engagement timelines and they may be altered up or down depending on project requirements.

**KEMPSEY SHIRE COUNCIL
DEFAULT EXHIBITION PERIOD**

PLANNING DOCUMENT	MANDATORY EXHIBITION PERIOD
Engagement Strategy / Community Participation Plan	28 days
Community Strategic Plan	28 days
Delivery program and associated documents	28 days
Operational plan and associated documents	28 days
Special Rate Variations	28 days
Plans of management	28 days of exhibition, and submissions can be made 42 days from the initial date of exhibition
Local Environmental Plans*	28 days**
Development Control Plans	28 days
Contributions Plans	28 days
Local Strategic Planning Statements	28 days
Draft Policies, Strategies and Guidelines	28 days or 14 days if pre-exhibition engagement conducted
Draft Place Manuals/ Masterplans	28 days
Re-exhibition of any matter or proposal referred to above	Discretionary based on the urgency, scale and nature of the proposal

*Also known as planning proposals which are subject to a determination in accordance with the NSW Department of Planning Industry and Environment "Gateway"

**Or as specified by the Gateway determination which may find, due to the minor nature of the proposal, that a lesser public exhibition period is required, or that no public exhibition is required.

HOW TO STAY IN THE LOOP ON DECISIONS THAT ARE BEING MADE

The community can stay informed on Council's decision-making processes both online and in person.

COUNCIL MEETINGS	Council notifies the public of the times and places of its meetings and the meetings of committees where all members are Councillors. These meetings are open to the public. Minutes and agendas of Council meetings are available on Council's website. Council meetings are broadcast live using an online streaming service. Links to archives of Council meetings are also available on Council's website.
PUBLIC FORUMS	The public may register to address Council, or any of its committees, on matters that are listed on the Council meeting agenda at any Council meeting. The agenda is typically available on the Council website on the Friday before the meeting. Public forums are held the day before a Council meeting.
KEMPSEY SHIRE COUNCIL WEBSITE	Council uses its website to inform community members about major Council-related news, events, services and decisions. See www.kempsey.nsw.gov.au
YOUR SAY MACLEAY	Your Say Macleay is Council's online engagement platform which lists projects that are open for engagement or feedback: www.yoursay.macleay.nsw.gov.au
SOCIAL MEDIA	Council uses social media to connect with and inform community members about Council-related events, services and decisions. Council also promotes opportunities for the community to participate in formal submissions and feedback processes in social media. Due to the legislative requirements for formal submissions on public exhibitions, social media platforms are not used as a tool for gathering input on current matters or proposals. Council is exploring ways to conduct meaningful engagement on social media platforms.
E-NEWS	Council delivers a range of electronic newsletters, direct to community inboxes, on a regular basis. These include our community news, Library News, Tourism news, Sustainability news, business and agribusiness news. To subscribe, visit www.ksc.pub/subscribe
PUBLIC NOTICES	Council publishes advertisements and public notices to help inform residents of events, programs, road closures, planning matters and other services. These are published on the website on Council's Public Notices page. Public notices may also be published in local media and Council newsletters.
CUSTOMER SERVICE AND PUBLIC DISPLAYS	While the majority of our community are able to, and enjoy, informing themselves and engaging with Council online, we recognise this is not the case for everyone. Council is always able to provide hard copies of online material through Customer Service on 6566 3200. Current matters and proposals are placed on display, or available for viewing on request, through Council's Customer Service Centre and libraries.

APPENDIX A – THE IAP2 APPROACH

Engagement planned under the IAP2 approach follows eleven key steps:

- STEP 01** Scope the engagement
- STEP 02** Assess the level of impact
- STEP 03** Identify the stakeholders
- STEP 04** Assess the level of public participation
- STEP 05** Choose the engagement methods
- STEP 06** Assess resources
- STEP 07** Make a plan
- STEP 08** Deliver and adapt the engagement plan
- STEP 09** Analyse the responses
- STEP 10** Evaluate the engagement
- STEP 11** Report and close the loop



WHAT IS ENGAGEMENT

Community engagement is how Council informs and involves individuals, businesses, community groups and other government organisations based in the local area, in decisions relating to Council plans, policies, procedures, service delivery and development applications.

Effective community engagement is inclusive, open, easy, meaningful, relevant and timely; it involves a two-way conversation between Council and the community.

STEP 01: SCOPE THE ENGAGEMENT

This is a crucial first step that helps us define our engagement purpose and set a clear direction.

While Council will always endeavour to carry out community engagement on decision making, there are three circumstances under which there may be no need for community engagement:

- A decision has already been made on the matter or project by Council or external authorities
- Community feedback cannot be considered in the decision or project due to the impact of other determining factors
- It is an internal Council matter.

We also identify whether there is relevant existing research or findings from previous community engagements to ensure there is no duplication of effort and that we do not waste stakeholders' time.

We will investigate a process to enable project officers to access an archive of historical customer enquiries and complaints on a given topic.

Engagement is always of value, however there are certain circumstances in which engagement is particularly desirable or essential.

- The matter will significantly affect existing levels of service

- The matter is complex or controversial
- The matter will have long term impact on the community
- It is a legislative requirement
- The views of individuals or groups within our community will provide further information valuable to the planning, solution or decision.

Finally in scoping our community engagement we set SMART (Specific, Measurable, Achievable, Relevant and time-bound) objectives of the process.

STEP 02: ASSESS THE LEVEL OF IMPACT

Impact is defined as the effect of an action or change on the community. Levels of impact typically range, such as from low, medium, and high, to very high. For the purposes of the Council’s community engagement processes, these levels of impact do not imply varying degrees of importance; for example, level one is not necessarily less important than level four.

The purpose of assessing the levels of impact is to guide the selection of appropriate engagement methods for specific projects and to determine the necessary resources. The level of impact is based on the location and population affected. Keep in mind that the level of impact may change at any point during a project or issue’s lifecycle. Therefore, we will need to reassess and adjust our engagement plans and activities accordingly.

LEVEL 1: VERY HIGH	A high level of impact across the whole community or a large part of the local government area
LEVEL 2: HIGH	High level of impact of a local nature
LEVEL 3: MEDIUM	Lower level of impact across the whole community or a large part of the local government area
LEVEL 4: LOW	Lower level of impact of a local nature

LEVEL 1: VERY HIGH	A high level of impact across the whole community or a large part of the local government area
LEVELS OF ENGAGEMENT TO CONSIDER	• Inform • Consult • Involve • Collaborate
CRITERIA FOR DETERMINING LEVEL OF IMPACT	• High level of impact or risk across the local government area. • Any significant impact on attributes considered to be of high value to the whole local government area such as the natural environment or heritage. • Any impact on the health, safety or wellbeing of the community. • Potential high degree of controversy or conflict. • Likely high level of interest across the local government area. • Potential high impact on state or regional strategies or directions.
EXAMPLES – MUST GO ON PUBLIC EXHIBITION	• Council's Integrated Planning and Reporting suite of documents EG. Community Strategic Plan, Operational Plan, Delivery Program. • A major strategy or plan subordinate to the Community Strategic Plan – EG. Local Strategic Planning Statements, Biodiversity Strategy, Flood Risk Management. • Plan of Management (regional). • A change to land categorisation EG. community to operational land. • Disability Inclusion Action Plan. • Removal of a regional facility or service. • Provision of a regional facility. • Key changes to the local government area.

LEVEL 2: HIGH	High level of impact of a local nature
LEVELS OF ENGAGEMENT TO CONSIDER	• Inform • Consult • Involve
CRITERIA FOR DETERMINING LEVEL OF IMPACT	• High level of impact on a local area, small community or user group or groups of a specific facility or service. • The loss of, or significant change to, any facility or service to a local community. • Potential high degree of controversy or conflict at the local level.
EXAMPLES	• Service delivery change EG. waste management. • Plan of management (local) EG. Crown Lands plan of management. • Local strategic planning (place- specific). • Change to or loss of valued activity or program. • Redevelopment of a sportsground. • Proposed removal or development of a local park. • Increase or removal of car parking in local shopping centre

LEVEL 3: MEDIUM	Lower level of impact across the whole community or a large part of the local government area
LEVELS OF ENGAGEMENT TO CONSIDER	• Inform • Consult
CRITERIA FOR DETERMINING LEVEL OF IMPACT	• Lower, although still some impact or risk across the local government area. • Potential for some controversy or conflict. • Potential for some, although not significant, impact on state or regional strategies or directions.
EXAMPLES	• Improvements to a Kempsey wide service EG. emergency services, library services. • Upgrade of a district or regional facility EG. netball courts. • Changes to customer service processes such as payment of rates. • Most changes to fees and charges (unless contentious). • Provision of a community-wide event. • Review of community needs EG. biennial survey, recreation needs assessment.

LEVEL 4: LOW	Lower level of impact of a local nature
LEVELS OF ENGAGEMENT TO CONSIDER	• Inform • Consult
CRITERIA FOR DETERMINING LEVEL OF IMPACT	• Lower level of impact or risk on a local area, small community or user group or groups of a specific facility or service. • Only a small change or improvement to a facility or service at the local level. • Low or no risk of controversy or conflict at the local level.
EXAMPLES	• Service delivery change EG. waste management. • Plan of management (local) EG. Crown Lands plan of management. • Local strategic planning (place-specific). • Change to or loss of valued activity or program. • Redevelopment of a sportsground. • Proposed removal or development of a local park. • Increase or removal of car parking in local shopping centre.

STEP 03: IDENTIFY THE STAKEHOLDERS

Kempsey Shire is made up of diverse stakeholders with varying levels of interest, influence, power, or impact relative to any issue.

Stakeholders are any person, or group, who has or feel they have an interest in an issue or decision; or can affect or be affected by an issue or decision.

We will conduct a stakeholder assessment to identify groups, members of the community and others to whom this project is relevant. We will then identify the appropriate ways to connect with these stakeholders.

The list of stakeholders will inform the choice of engagement methods. We will choose a variety of methods that are best suited to the identified stakeholders in line with the project scope, level of impact and practical limitations.

As Kempsey has such a diverse community, with each demographic having different needs and priorities, it will not always be possible to meet every need. Rather we aim for a sustainable balance of stakeholder needs and priorities.

Following is a guide to some of the stakeholder groups who could be considered depending on the issue being considered.

Residents (ratepayers)	Residents (non-ratepayers)	Geographical communities
Local industries and business community	First Nations communities	Ethnic/culturally and linguistically diverse communities
Religious groups	Service providers	Sports clubs
Community or social groups	Environmental groups	People living with disability
Elected representatives	Special interest groups	Council committees
Community advocacy groups	Reference groups	Age-based groups

STEP 04: ASSESS THE LEVEL OF PUBLIC PARTICIPATION

The level of participation indicates the role stakeholders need to play during the community engagement process.

We will determine the level of public participation appropriate for the project, using the five levels of the IAP2 Spectrum of Public Participation. This depicts five levels of increasing influence that the public can have on an outcome or decision, the obligations of the organisation undertaking the consultation and the techniques that can be used in the process.

Key factors that determine the level include the engagement purpose, level of impact and degree of complexity of the issue under consideration.

While the Level of Impact is a major factor, not all high-impact projects or issues will be appropriate for a high level of community involvement

The final question is crucial and the hardest. If the external factors will limit the influence that any public participation will have on the final decision, then the participation promised to the community should be correspondingly limited.

Is it a new issue?

Is it a complex or sensitive issue?

Will it have a big impact on residents, stakeholders, and the broader community?

Is the engagement occurring early in the decision-making process?

Are the necessary resources for authentic engagement available?

Is engagement important to communicating the overall project?

Is there recorded information from previous engagement on this topic?

Can the community significantly influence the decision-making process?

STEP 05: CHOOSE THE ENGAGEMENT METHOD

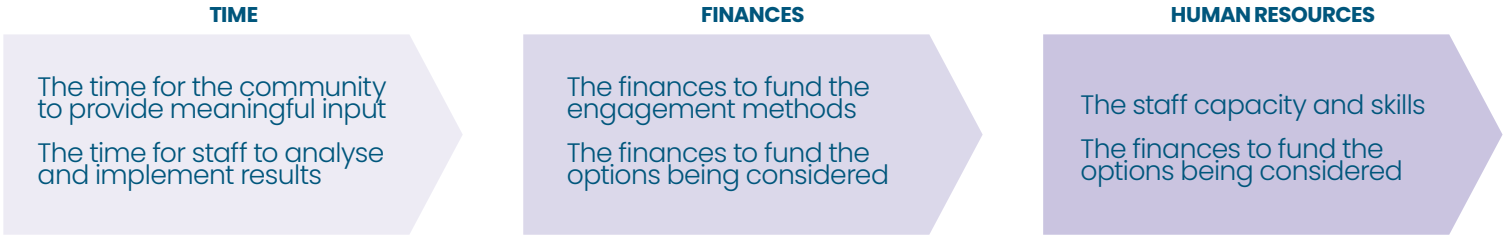
The appropriate engagement methods ensure the community engagement is inclusive, transparent and fulfills its aim.

There is a vast array of engagement methods, some commonly used by Council and others rarely used. The accompanying table provides an overview of the most common community engagement methods and how they correspond to the level of engagement.

INCREASING LEVEL OF IMPACT	PUBLIC PARTICIPATION	EXAMPLES OF ENGAGEMENT METHODS	INCREASING LEVEL OF IMPACT
	1. INFORM	Council website and social media News stories and notices Council newsletters Fact sheets and mail outs Displays in public such as Customer Service, libraries and chatterbox	
	2. CONSULT	Your Say Macleay website Online or written surveys Public exhibition Call for submissions Pop-up information sessions Briefings, focus groups and public meetings	
	3. INVOLVE	Meeting with existing groups One-on-one meetings with key stakeholders Pop-up engagement sessions Workshops Site visits Community/public forums Deliberative polling	
	4. COLLABORATE	Internal taskforce or working group Community reference groups and summits Management and advisory committees Working party	
	5. EMPOWER	Legislated voting	

STEP 06: ASSESS RESOURCES

We will consider if we have the resources necessary to deliver effective engagement.



STEP 07: PREPARE AN ENGAGEMENT PLAN

We will develop an individual communications plan and if required a separate engagement plan that articulates how the community will be informed about and participate in the project.

These plans will specify the objective for the communication and

engagement and how the success of the engagement will be measured.

The information gathered in steps one to six is used to prepare a community engagement plan based on the templates and methodology in the Community Engagement Toolkit.

STEP 08: DELIVER THE ADOPTED ENGAGEMENT PLAN

A key aspect of the delivery is to articulate the plan and the logic behind it. It is important to not only to abide by the principles articulated in the Community Engagement and Participation Strategy but to make the community aware of them.

Good project management includes ongoing monitoring and

evaluation of the engagement performance and making improvements as required.

Mid-engagement reviews will take place to determine if the project is delivering on its stated objectives.

At any time, developments in either the overall project or the engagement may require the engagement plan to be

altered. It may be necessary to reassess the scope or requirements of the project and vary the engagement approach accordingly. It may be necessary to reassess the execution of the engagement. This can occur for several reasons, including: a change in the situation, recognition of implications of the project or

analysis of the feedback being received.

Any change to the engagement process will be carried out transparently, identifying the reason for the change and informing the community generally, as well as contacting those who have already responded, where possible.

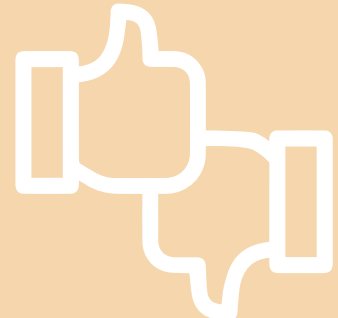
STEP 09: ANALYSE THE RESPONSES

We will collate the information received from the community engagement. It will be analysed, reviewed, and considered, to make recommendations.	We will carry out this process objectively, remembering that we control the process but not the outcome. Responses will be recorded and analysed as quickly as possible, and this can	commence during the engagement project. Accurate records of the responses will be maintained in line with Council's information management procedures, including details of attendees.	At all times the engagement will adhere to the privacy policy of Council and the personal information of participants will be appropriately managed.
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STEP 10: EVALUATE THE ENGAGEMENT

At the end of the engagement process we will evaluate engagement undertaken to determine if the agreed objectives have been met. This may be a formal or informal assessment depending on the nature and scale of the project.	Our engagement projects can be evaluated for success using the measures pictured to the right.
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VISIBILITY AND REACH
CONVERSATION
ACTIVITY
DEPTH OF ENGAGEMENT
SENTIMENT
RETENTION
EXPLANATION



STEP 11: REPORT AND CLOSE THE LOOP

Closing the loop is a critical step to establishing and maintaining trust in the engagement process.

Project officers will ensure that every individual and group that engages with a project at the very least receives a response acknowledging receipt of the engagement and outlining the next steps.

We will communicate about the engagement activities and the feedback received in the context of broader communications about a project's nature, timeline and progress.

A response process for staff is used so that all submissions are responded to in a consistent, complete and timely manner. When the engagement process has been completed, we will do the following:

COMPILE AND ANALYSE ALL RESPONSES

DETERMINE HOW THE RESPONSES WILL IMPACT THE DECISION

DRAFT ENGAGEMENT SUMMARY

REPORTS TO COUNCILLORS VIA COUNCIL MEETING

CONTACT ALL RESPONDENTS TO OUTLINE HOW COMMUNITY INPUT HAS BEEN USED, THE NEXT STEPS IN THE DECISION MAKING PROCESS AND WHETHER THERE IS FURTHER OPPORTUNITY FOR INPUT

PUBLISH ENGAGEMENT SUMMARY NEWS STORIES, IF APPROPRIATE

APPENDIX B – DEVELOPMENT ASSESSMENT ENGAGEMENT AND PARTICIPATION

WHAT IS DEVELOPMENT ASSESSMENT?

Development Assessment is the process whereby Council reviews a Development Application (DA) and determines whether it will permit the applicant to do the proposed works or activity.

In this context, Development refers to:

- The subdivision of land
- The use of land
- The erection of a building
- The carrying out of work
- The demolition of a building or work
- Any other act, matter or thing that may be controlled by an environmental planning instrument.

Development falls into one of three categories.

1. Development permitted without consent.

Development that is permitted without consent refers to activities or works that may be undertaken without any prior approval in the land zone.

2. Development that is prohibited.

Prohibited development is not allowed within the specified zone or site and approval cannot be obtained.

3. Development permitted with consent.

Development permitted with consent includes works or activities that can be undertaken in that zone but only if approval is obtained by Council or another authority

This categorisation is outlined mainly by the Kempsey Local Environmental Plan, which uses land zoning to group development types in specific locations of the shire, including residential zones, rural zones, commercial zones and industrial zones, to name a few.

To obtain development consent, the proponent must lodge a development application with the Council.

WHAT COUNCIL DEVELOPMENT ASSESSMENT CAN I PARTICIPATE IN?

LOCAL DEVELOPMENT

Developments that need consent can be broken up based on the scale of the project.

- State significant development, where approval is considered by the NSW Minister for Planning or the NSW Independent Planning Commission.
- Regionally significant development, where approval is considered by a regional planning panel.
- Local development, where Council is the approval authority.

This document addresses the community engagement process for local development applications where Council is the consent authority.

It does not address the community engagement processes for state or regionally significant development. This process is managed by the NSW government.

REQUIRED AND ADOPTED ENGAGEMENT PROCESS

Local development is further organised into several categories by the Environmental Planning and Assessment Act 1979, including:

- designated development
- integrated development

- threatened species development
- development
- other development.

The Act treats these categories differently regarding community engagement. Where relevant, the Community Engagement and Participation Strategy outlines the engagement process required under the Act, as well as the processes Council has adopted for other local development assessments.

WHEN DOES ENGAGEMENT START ON A DA?

Community engagement is started soon after Council receives the development application and once the application has been preliminarily processed.

Council will advertise relevant development applications as soon as practicable after a development proposal is lodged.

DA's are advertised based on the initial assessment of the application. It could include a combination of information on Council's website, social media, newspaper advertising, signage or other methods.

The period during which submissions will be accepted will be specified in any written notice and on the Advertising Register on Council's website.

WHICH DAs CAN I HAVE A SAY ON?

1. Basic development application – Negligible adverse impacts.
2. Standard development application – Potential for minor adverse impacts to limited properties.
3. Significant development application – Potential adverse impacts to wider community.

Each category has its own recommended engagement.

ENGAGEMENT CATEGORIES FOR COMMON DAs

The table to the right and overleaf outlines the likely category for certain development types and how each development type is treated.

Please note there is no guarantee that any particular application type will fall into a given category. For example, a minor ancillary structure may have potential adverse impacts and need to be treated as a standard development application. In other cases, there may be no potential adverse impacts for a standard development application – for example, a development that will not affect privacy or views or cause overshadowing – and it will therefore be treated as a basic development application.

DEVELOPMENT APPLICATION ENGAGEMENT CATEGORY	DEVELOPMENT TYPE THAT WOULD TYPICALLY SIT IN THIS CATEGORY*
BASIC DEVELOPMENT APPLICATION	- Ancillary residential structures (e.g. carport, deck, garden shed, garage, pool, patio) - Rural dwellings on RU1, RU2 and R5 zoned land - Single-storey urban dwellings - Secondary dwellings and dual occupancies - Minor change of use - Complying development - Internal alterations and additions - Minor external alterations or additions - Boundary adjustments - Strata subdivision - Minor commercial or industrial development - Rural flood mounds - Modifications of a basic development application under section 4.55 (1) and (1a) and Division 8.2 reviews.

DEVELOPMENT APPLICATION ENGAGEMENT CATEGORY	DEVELOPMENT TYPE THAT WOULD TYPICALLY SIT IN THIS CATEGORY*
STANDARD DEVELOPMENT APPLICATION	• Two-storey urban dwelling and dual occupancy • Rural subdivision • Minor residential subdivision (<= 20 new lots) • Residential or commercial building works that have the potential to impact views, overshadowing or privacy of adjoining residents • New restaurants, bars or entertainment venues with potential noise or social impacts • Multi-dwelling housing (<= 10 new dwellings) • Proposals involving variations to LEP or DCP • Large-scale rural industries with potential external impacts • Minor alteration or change of use on heritage-listed site • Minor Council-led development applications • Additional permitted use as per clause 2.5 of the LEP • Modifications or reviews of a standard development application unless the change to a proposal is negligible.

DEVELOPMENT APPLICATION ENGAGEMENT CATEGORY	DEVELOPMENT TYPE THAT WOULD TYPICALLY SIT IN THIS CATEGORY*
SIGNIFICANT DEVELOPMENT APPLICATION	• Major residential subdivisions (> 20 new lots) • Multi-dwelling housing (> 10 new dwellings) • traffic generating development (as per Transport and Infrastructure SEPP) • New commercial or residential development with the potential to significantly impact scenic character of the locality due to location, height or bulk, proposal with direct impact on public domain or coastal foreshore • Major Council-led development applications • Major alteration or change of use on heritage-listed site.
STANDARD OR SIGNIFICANT NOMINATED INTEGRATED DEVELOPMENT	Nominated integrated development
STANDARD OR SIGNIFICANT THREATENED SPECIES DEVELOPMENT	Threatened species development (assessed under Biodiversity Conservation Act 2016 as having a significant impact on biodiversity)
STANDARD OR SIGNIFICANT DESIGNATED DEVELOPMENT	Designated development

*listed development types are an indicative guide only

HOW MUCH CAN I
ENGAGE ON A DA?

BASIC DEVELOPMENT
APPLICATIONS

These development applications are generally assessed by Council's development compliance staff to be minor in nature

and unlikely to cause impacts on neighbouring properties.

They are DAs that:

- Comply with development standards and development controls; and
- Have limited environmental or planning constraints.

BASIC DEVELOPMENT APPLICATION – NEGLIGIBLE ADVERSE IMPACTS

SUBMISSIONS	• No opportunity is provided for public submission on these types of development applications.
ENGAGEMENT	• These will not be notified or advertised due to their negligible impacts.
ADVERTISING PERIOD	• None

EVERYDAY
IS YOUR
CHANCE
TO MAKE
THIS SHIRE
A BETTER
PLACE



STANDARD DEVELOPMENT APPLICATIONS

Standard development applications have the potential for minor to moderate impacts on immediately neighbouring properties. Such impacts might include overshadowing, lack

of privacy, acoustic impacts or view-sharing conflicts

DAs involving variations to the Kempsey Local Environmental Plan or Development Control Plan are usually treated as standard development applications.

SIGNIFICANT DEVELOPMENT APPLICATIONS

Significant development applications are larger-scale applications which are expected to attract broader community interest.

These applications may be

of interest to the broader community do to the potential impacts on a wider population (for example on traffic, biodiversity scenic character or noise). The nature of the development or the location of the development is usually a significant factor.

STANDARD DEVELOPMENT APPLICATION – POTENTIAL FOR MINOR ADVERSE IMPACTS TO LIMITED PROPERTIES

SUBMISSIONS	• Anyone may make a submission on this type of development application during the advertising period
ENGAGEMENT	• Potentially affected parties are notified in writing about these development applications • The application is also advertised on Council’s Advertising Register • The application is included in a weekly summary of advertised applications
ADVERTISING PERIOD	• The advertising period is 14 days.

SIGNIFICANT DEVELOPMENT APPLICATION – POTENTIAL FOR MINOR ADVERSE IMPACTS TO LIMITED PROPERTIES

SUBMISSIONS	• Anyone may make a submission on this type of development application during the advertising period
ENGAGEMENT	• Residents within a project-specific range of the development (for example, every resident within 100m or 1km) will be notified • These development applications are also individually advertised on Council’s website, including social media and newspapers
ADVERTISING PERIOD	• The advertising period is 14 days

ADDITIONAL DEVELOPMENT CATEGORIES

The engagement for some DAs is also specified in legislation.

These DAs are still assessed by Council but have mandatory community participation and advertising periods.

Council will categorise these DAs as a significant development and engage the using the methods above in addition to the community engagement requirements outlined in the legislation.

DESIGNATED DEVELOPMENTS

Designated developments are high impact developments or those located in or near an environmentally sensitive area such as a wetland.

There are two ways a development can be categorised as designated development:

- The class of development can be listed in schedule 3 of the Environmental Planning assessment regulation 2021 as being designated development, or
- A Local Environmental Plan or State Environmental

Planning Policy can declare certain types of development to be designated development.

Designated developments require a more detailed impact assessment, known as an Environmental Impact Statement (EIS), to be prepared.

DESIGNATED DEVELOPMENTS – HIGH-IMPACT DEVELOPMENTS OR LOCATED IN OR NEAR AN ENVIRONMENTALLY SENSITIVE AREA SUCH AS A WETLAND	
SUBMISSIONS	• Anyone may make a submission on this type of development application during the advertising period
ENGAGEMENT	• Notification to adjoining owners is mandated • These developments also require notice to be given to specific public authorities
ADVERTISING PERIOD	• The advertising period is 28 days

NOMINATED INTEGRATED DEVELOPMENTS

Nominated integrated development means integrated development (not being threatened species development or Class 1 aquaculture development) that requires an approval (within the meaning of section 4.45 of the Environmental Planning and Assessment Act 1979) under:

- A provision of the Heritage Act 1977, specified in section 4.46 (1) of the Environmental Planning and Assessment Act 1979, or

- A provision of the Water Management Act 2000, specified in section 4.46 (1) of the Environmental Planning and Assessment Act 1979, or
- A provision of the Protection of the Environment Operations Act 1997, specified in section 4.46 (1) of the Environmental Planning and Assessment Act 1979.

NOMINATED INTEGRATED DEVELOPMENT – INTEGRATED DEVELOPMENT THAT REQUIRES APPROVAL UNDER HERITAGE, WATER MANAGEMENT OR ENVIRONMENT OPERATIONS ACT	
SUBMISSIONS	• Anyone may make a submission on this type of development application during the advertising period
ENGAGEMENT	• Notification to adjoining owners is mandated • These developments also require notice to be given to specific public authorities
ADVERTISING PERIOD	• The advertising period is 28 days

THREATENED SPECIES DEVELOPMENTS

Threatened species development is development that significantly impacts on terrestrial or aquatic species or their habitats.

This development is defined in section 7.7 (2) of the Biodiversity

Conservation Act 2016 or section 22IZW of the Fisheries Management Act 1994.

Development which requires a Biodiversity Development Assessment Report (BDAR) or Species Impact Statement (SIS) is considered threatened species development.

NOMINATED INTEGRATED DEVELOPMENT – SIGNIFICANTLY IMPACTS ON TERRESTRIAL OR AQUATIC SPECIES OR THEIR HABITATS

SUBMISSIONS	• Anyone may make a submission on this type of development application during the advertising period
ENGAGEMENT	• Notification to adjoining owners is mandated • These developments also require notice to be given to specific public authorities
ADVERTISING PERIOD	• The advertising period is 28 days

I ALONE CAN NOT CHANGE THE WORLD



WHAT HAPPENS WHEN COUNCIL IS THE APPLICANT?

Like everyone else, if Council wishes to make a development that would require consent, it must submit a development application.

Where projects that need development consent are undertaken by or on behalf of Council, the development applications may be treated as standard or significant, depending on the scale of the project.

PART 5 DEVELOPMENT

Not all Council projects go through the development application approval process.

Most Council projects are infrastructure based and therefore known as Part 5 Development under the Environmental Planning and Assessment Act 1979.

COUNCIL-LED PART 5 DEVELOPMENT

Would fall under the broader strategic and land use planning engagement processes outlined elsewhere in this document.

HOW CAN I HEAR ABOUT A NEW DA?

There are several key methods council uses to engage on development assessment. These are explained in the following table.

COMMUNICATIONS METHOD	DESCRIPTION
DEVELOPMENT APPLICATION REGISTER	An online register of all development applications being assessed or determined by Council. This can be found through a link on Kempsey Shire Council's website www.kempsey.nsw.gov.au This register provides information about proposed, pending or completed applications (past and present) that have undergone or are undergoing assessment by Council. This register dates back to 1991
ADVERTISING REGISTER	An online register of all development applications currently being advertised for public submission. This can be found through a link on Kempsey Shire Council's website www.kempsey.nsw.gov.au Applications only show up on this register during the public submission period. Council will promote development applications on the Advertising Register.
NOTIFICATION LETTER	Letters are sent to parties who have the potential to be impacted by the proposal. The letters will advise the recipient of the proposed development, include basic plans of the development and will advise the timeframe for public submissions (advertising period) for the development. Although letters are sent to identified parties who in Council's opinion may be impacted, any person may lodge a submission.
SITE NOTICE	In some cases Council may install a physical notice on the site of the proposed development directing readers to the avenues through which information can be found.
WIDER ADVERTISING	Notification as above, plus individual coverage on Council's website and/or social media.
ADVERTISING PERIOD	The advertising period is 28 days

DAs that appear on Council's Advertising Register are open to receive public submissions and will be promoted by Council either individually or as part of a weekly summary. Council will publish the weekly summary of new development applications on the Advertising Register in notices. This service may be subscribed to by interested parties.

Significant Development Applications on the Advertising Register may also be promoted on social media at the discretion of the delegated development officer.

A link to the Advertising Register is available on Council's website www.kempsey.nsw.gov.au.

The register will include all the documentation that the applicant has provided to enable the public to interpret and understand the nature of the proposal and the extent of its impacts. In some cases, sensitive materials

such as intellectual property, internal building plans or other information may not be made publicly available if it is not in the public interest to do so.

NOTIFICATION LETTERS

Letters are sent to owners of relevant land parcels (typically adjoining owners) who have the potential to be impacted by the proposal.

MULTIPLE OWNERS

If land is owned by more than one person, a written notice to one owner is taken to be a written notice to all owners of that land.

STRATA SCHEMES AND COMMUNITY-NEIGHBOURHOOD SCHEMES

For strata-titled properties, Council will send a notice to the owners' corporation. Tenants will not be separately notified. For community-neighbourhood schemes, Council will send a notice to the community or neighbourhood association.

PROPERTIES IN OTHER LOCAL GOVERNMENT AREAS

When a development proposal is likely to affect owners of land outside Kempsey Shire boundaries, Council will contact the neighbouring council for contact details so written notices can be sent to the owners.

RETURNED WRITTEN NOTICES

Letters and emails notifying owners are sometimes returned to Council for various reasons, including incorrect addresses. In these cases, Council will check its records and, if an address needs correcting, will resend the letter or email.

The public exhibition period will not be formally extended when a written notice is delayed in this manner.

Council may, however, give that person an extension of time to make any submission if the person expresses an intent to do so.

I DIDN'T RECEIVE A LETTER DIRECTLY BUT WOULD LIKE TO MAKE A SUBMISSION

Any person may make a valid submission on a development application during the advertising period. The details of development applications and specific information on how to make a submission can be found on Council's Advertising Register on the website.

WIDER ADVERTISING

For significant development applications, Council will take additional measures to ensure the community is advised of the proposal and is aware of the opportunity to have a say by making a submission. These additional measures may include, Individual announcements on Council's website, social posts or Newspaper advertisements.

ENGAGEMENT METHODS FOR DIFFERENT DEVELOPMENT APPLICATION CATEGORIES

DEVELOPMENT APPLICATION ENGAGEMENT CATEGORY	ADVERTISING PERIOD	NOTIFICATION LETTERS	WIDER COMMUNICATIONS	SUBMISSIONS ACCEPTED	OBJECTOR APPEAL RIGHTS
BASIC DEVELOPMENT APPLICATION	None	No	No	No	No
STANDARD DEVELOPMENT APPLICATION	14 days	Yes	No	Yes	No
SIGNIFICANT DEVELOPMENT APPLICATION	14 days	Yes	Yes	Yes	No
STANDARD OR SIGNIFICANT NOMINATED INTEGRATED DEVELOPMENT	28 days	Yes	Optional**	Yes	No
STANDARD OR SIGNIFICANT THREATENED SPECIES DEVELOPMENT	28 days	Yes	Optional**	Yes	No
STANDARD OR SIGNIFICANT DESIGNATED DEVELOPMENT	28 days	Yes	Optional**	Yes	Yes

** Site notices are used at the discretion of a delegated development officer

*** Wider advertising will occur if an application is assessed as a significant development application

HOW MUCH INFLUENCE CAN I HAVE ON A DEVELOPMENT ASSESSMENT?

If you wish to speak in favour of or against a development application, you will need to make a submission during the advertising period.

Council sends an acknowledgement letter to confirm it has received the submission.

Community submissions cannot solely determine the outcome of an issue, as Council must take a range of matters into account in making its decision.

Most development applications are assessed under delegation by a Council officer and do not go to Council for determination.

DEVELOPMENT APPLICATION ENGAGEMENT CATEGORY	ADVERTISING PERIOD	SUBMISSIONS ACCEPTED	OBJECTOR APPEAL RIGHTS
BASIC DEVELOPMENT APPLICATION	None	No	No
STANDARD DEVELOPMENT APPLICATION	14 days	Yes	No
SIGNIFICANT DEVELOPMENT APPLICATION	14 days	Yes	No
STANDARD OR SIGNIFICANT NOMINATED INTEGRATED DEVELOPMENT	28 days	Yes	No
STANDARD OR SIGNIFICANT THREATENED SPECIES DEVELOPMENT	28 days	Yes	No
STANDARD OR SIGNIFICANT DESIGNATED DEVELOPMENT	28 days	Yes	Yes

Where a community member has lodged an objection, the assessing officer may contact that person to discuss the submission in greater detail. The intent of such contact is to obtain additional details about the objection and to see what, if any, mitigation measures may be appropriate.

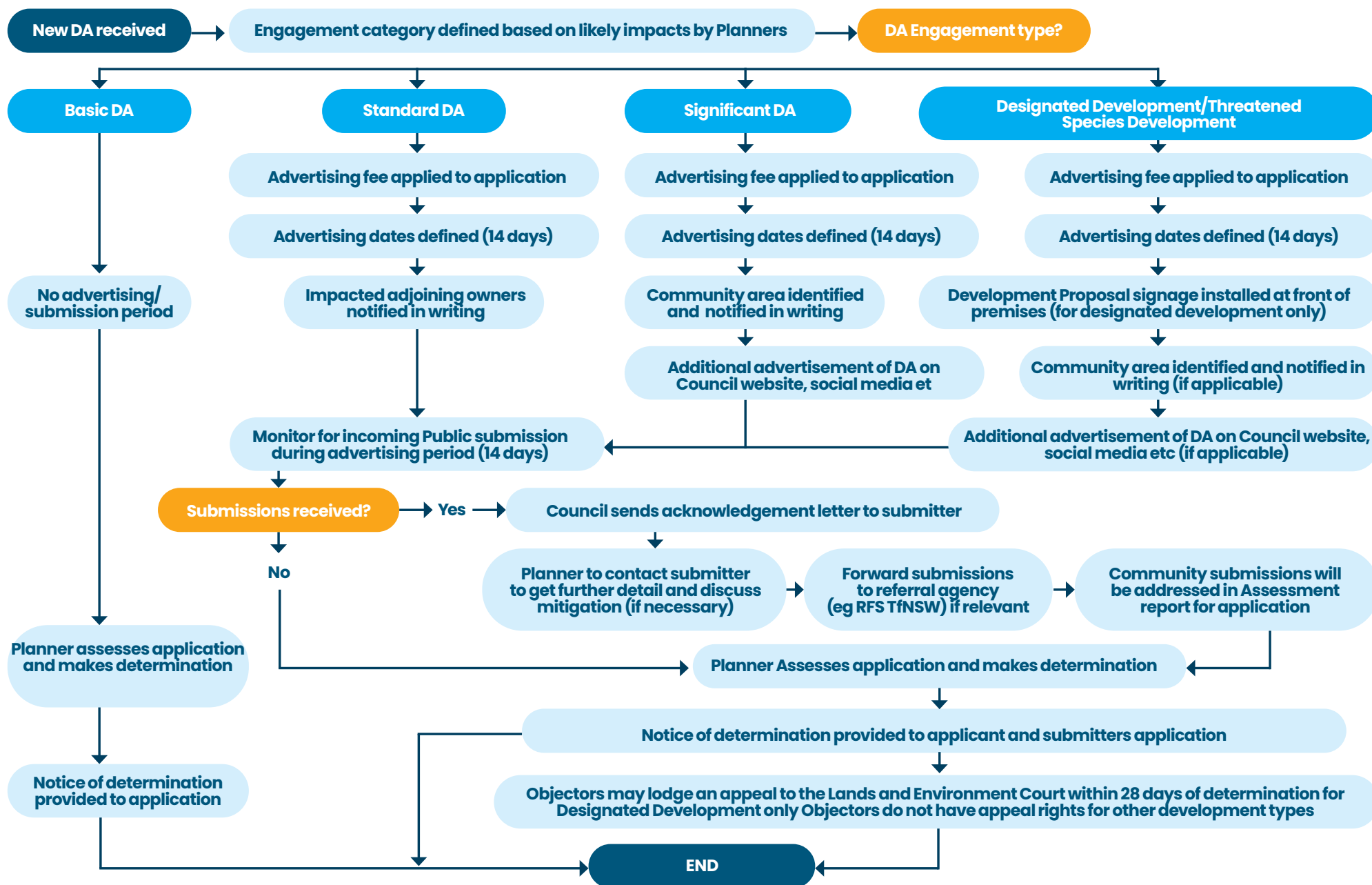
The assessing officer will only contact a person if they have made a valid planning submission that needs further clarification or discussion.

Each submission is considered on its merits. No subjective weighting is given to any submission due to its origin or any other factor to

elevate its importance above any other submission.

All valid submissions are addressed in the assessing officer's assessment report for the proposal, regardless of whether the person submitting the proposal is contacted directly by Council.

OVERVIEW OF DEVELOPMENT APPLICATION COMMUNITY ENGAGEMENT PROCESS



HOW CAN I FIND OUT THE DECISION ON A DA?

Council will send a letter notifying the determination of a development application to the applicant and each person who made a submission as soon as possible following the determination.

Details of most past and all present or future development application determinations can be found on the Development Application Register on Council's website. The register includes information on the decision, the date of the decision, the determination (including conditions of approval) and any publicly available approved plans.

In some cases, the online record is incomplete. Members of the public who are looking for information on a specific application can get in touch with Council, and Council can either add the information to the register free of charge or, in the case of older applications, discuss with them the need to undertake a fee-based archive search or make a request to access information under the Government Information (Public Access) Act 2009. The pathway to information depends on the age of the application and the legislation that was relevant at the time of the application's assessment.

Contemporary legislation ensures that Council provides all relevant information about current or future development applications on its Development Application Register.

Council will publish a summary list of development determinations as per the Exhibit level of participation above.

HOW WILL I FIND OUT IF A DEVELOPMENT IS GOING TO A COUNCIL MEETING?

If a development-related matter or planning proposal is placed on the agenda for a Council meeting, the applicant and any person who made a written submission will be notified of the time and date of the meeting.

At a public forum held before the Council meeting, one person may speak for and one against each agenda item. More information on public meetings is available from Council's website.

CAN I APPEAL THE DECISION?

A person who objects to a development application has limited appeal rights under the Environmental Planning and Assessment Act 1979.

If the person has lodged a valid objection to a proposal for designated development which has been approved by Council, they may lodge an appeal to the Land and Environment Court within 28 days of the determination.

Objectors do not have appeal rights against other determinations issued under Part 4 of the Act.

CAN A DEVELOPER
ASK THE COMMUNITY
DIRECTLY ABOUT A
DEVELOPMENT?

Yes. Proponents of major developments are strongly encouraged to consult with members of the community who may be affected by a proposal before lodging any application with Council.

This allows community views to be considered as early as possible in the design stage and will minimise delays in the assessment and determination process.

Although highly beneficial in a project’s design, community engagement undertaken by the developer before lodgment of the development application will not avoid the requirements of this plan being implemented after lodgment of the application.

Proponents are encouraged to provide evidence of community consultation, if they have done this, when lodging their application.

ACRONYMS &
ABBREVIATIONS

CSP	Community Strategic Plan
DA	Development Application
DCP	Development Control Plan
EIS	Environmental Impact Statement
EP&A	Environmental Planning and Assessment Act 1979
IAP2	International Association for Public Participation
LEP	Local Environmental Plan
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement

MORE INFORMATION

For more information on Council’s integrated planning and reporting and engagement processes please consult:

2045: Your Future Community Strategic Plan

Kempsey Shire Council Delivery Program 2022-2026

Kempsey Shire Council Operational Plan 2024-2025

All of these can be found on the Kempsey Shire Council website www.kempsey.nsw.gov.au

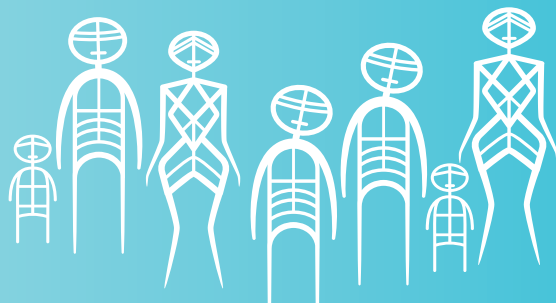


Civic Centre

22 Tozer Street (PO Box 3078)
West Kempsey NSW 2440

Customer Services

P. 02 6566 3200 F. 02 6566 3205
ksc@kempsey.nsw.gov.au



2025-2028CE&PS