



Australian Government
National Capital Authority

COMMITMENT TO COMMUNITY ENGAGEMENT



AUGUST 2015

www.nationalcapital.gov.au

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THE AUTHORITY OF THE NATIONAL CAPITAL AUTHORITY (NCA) REAFFIRMS ITS STRONG COMMITMENT TO ENGAGING WITH THE COMMUNITY, AS PART OF ITS DECISION MAKING. THE NCA RECOGNISES THAT INCLUSION AND ENGAGEMENT, PARTICULARLY AT THE EARLY AND FORMATIVE STAGES OF PROJECTS AND PROPOSALS, ARE VITAL TO BUILDING AND MAINTAINING COMMUNITY TRUST.

The NCA is established under the *Australian Capital Territory (Planning and Land Management) Act 1988 (the Act)*. The roles and responsibility of the NCA can be summarised in three broad areas:

- » **Planning and design of nationally significant parts of Canberra** — Areas for which the NCA has planning responsibility include Anzac Parade, the Parliamentary Zone, Defence and security areas, the foreshores of Lake Burley Griffin and the diplomatic precinct. It provides an action plan for community engagement programs and activities; and
- » **Informing and educating** — The NCA manages programs to inform and educate all Australians of the unique characteristics and importance of Canberra as their National Capital. The NCA manages the National Capital Exhibition, travels a touring exhibition program, prepares teacher education packs linked to the National Curriculum and is harnessing digital technologies to provide cost effective communication strategies.
- » **Enhancing and managing the National Estate** — The NCA manages Commonwealth assets with a combined value of over \$800 million on behalf of the Australian Government. Assets managed by the NCA include Anzac Parade and its memorials, the Parliamentary Zone, the Diplomatic Estate (including managing leases with foreign missions), roads, bridges, Scrivener Dam and Lake Burley Griffin. Through the process of delivering new capital works, opportunities are enhanced for ceremonial events and a wide variety of community activities reflecting Australia's history, spirit, culture and aspirations.

The NCA believes meaningful community engagement and the opportunity for third party contribution is essential to its decision-making process. The NCA has adopted the International Association for Public Participation (IAP2) model of best practice of engaging with the community. This includes our 'Commitment to Community Engagement' which serves four purposes. These are to:

- » express the NCA's commitment to better connections with the people of Canberra and the nation
- » provide an action plan for community engagement programs and activities
- » formalise consultation requirements
- » outline the NCA Service Charter for planning and development approvals, and provides an overview of the feedback and complaint handling procedures.

The NCA 'Commitment to Community Engagement' is comprised of four parts including the National Capital Plan; amending or issuing an instrument under the National Capital Plan; assessing applications for works; and notifying the public of NCA projects and proposals. Each part can operate as a stand-alone protocol.

The document is intended to be an evolving statement about the way the NCA communicates with, and relates to people and organisations with an interest in the National Capital. The 'Commitment to Community Engagement' will be reviewed and updated every three years, or whenever there is a material change to the planning arrangements within the Act.

Mr Malcolm Snow, Chief Executive

Mr Terry Weber, Chair

August 2015

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1. PUBLIC INFORMATION

1.1 Introduction

Canberra, the National Capital, belongs to all Australians. It has immeasurable symbolic importance to the nation. Therefore, the city and its environs must be nurtured, protected and developed in the national interest.

The roles and responsibilities of the National Capital Authority (NCA) and its Authority are important in maintaining and enhancing Canberra as Australia's capital city. The work of the NCA must be widely accessible so that any interested Australian can gain information about, and make contributions to, the future of 'their capital city.'

1.2 General Approach

The NCA makes information about its works and decisions publicly available wherever it can. Where a question arises about the appropriateness of releasing particular information, the NCA will apply a public interest test.

The NCA must, however, withhold specific information from public view where it is exempt under legislation such as the *Privacy Act 1988* and *Freedom of Information Act 1982*.

1.3 Adoption of New Technology

The NCA is committed to exploring and embracing new means and technology to reach stakeholders and other interested parties. Collaborative online innovations offer an unprecedented opportunity to achieve more open, accountable and responsive service delivery.

The NCA currently utilises two primary forums for public participation, including:

- » Online – The NCA's website accommodates for public consultation feedback
- » Twitter – The NCA engages with the public and its stakeholders via its Twitter account, @nca_media, to allow for open and two way informal communications.

The NCA will continue to monitor innovations in communication technology with the intent of adopting those most appropriate to its need and its stakeholders.

1.4 Public Forum

The NCA will host an annual Public Forum to provide an opportunity for open engagement between itself, its stakeholders and the wider community. The Public Forum provides a framework to initiate discussion on matters relevant to the role of the NCA. It will be timed for the April-June period each year to enable the NCA to consider the matters discussed at the forum for inclusion in the forthcoming financial year's business plan.

The NCA will endeavour to focus the agenda on strategic matters of interest to stakeholders and relevant to the future of the National Capital. The NCA may identify alternative mechanisms for stakeholders to raise individual issues.

1.5 Public Record of Authority Meetings

The Authority is the primary decision making body and provides the NCA's strategic direction. The Authority seeks to discharge its responsibilities with transparency and accountability. With this in mind, the Authority will publish a record of each meeting on the NCA website.

1.6 Key Issues Dialogue

To promote dialogue about the National Capital, the NCA may identify a number of key issues, to be the subject of separate consultations. Outcomes from these consultations may be posted on the NCA's consultation pages on the website and will be listed in the NCA's Annual Report.

Topics proposed for the Key Issues Dialogue will be of a strategic nature, providing opportunity to analyse and debate emerging and/or challenging issues in the National Capital.

The Key Issues Dialogue must seek the broadest range of views. Formal assistance may be sought from representatives of key stakeholders – including residents, community and special interest groups, the wider public, industry, professional bodies and the ACT and Australian Governments. The Key Issues Dialogue will strive to increase collective knowledge and promote community debate to achieve best possible outcomes.

The process for conducting the Key Issues Dialogue will be tailored to the needs of the topic. A topic which suits open and free flowing debate might be discussed via the dedicated consultation pages of the website, while a more significant topic might require a formal structured process such as the example at Attachment A: Protocol for Key Issues Dialogue.

1.7 Stakeholder Representation

The NCA is committed to seeking the views of stakeholders on key projects and proposals. When seeking the views of key stakeholders, the NCA will ensure that representatives of stakeholder groups are included.

The inclusion of a stakeholder group representative is not intended to replace open consultation but to bring a stakeholders perspective on key projects. It will provide an opportunity to exchange ideas, seek information on related issues and discuss matters of interest. Examples of where the NCA consults with stakeholder groups include:

- » reviewing the National Capital Plan
- » ongoing management of Lake Burley Griffin which includes convening regular Lake User Group meetings with national institutions, ACT directorates and Australian Government Departments in relation to matters of mutual interest
- » with peak bodies and community groups such as:
 - » cycling groups, in respect of any issues with potential (directly or indirectly) to impact cycling amenity, whether positively or negatively
 - » participating in community forums
 - » regarding conservation management matters about grasslands and open woodlands.

In this regard, it is not essential that the representatives be able to raise all the views that stakeholder bodies might hold, but rather that they are able to identify those issues on which stakeholders are likely to have views. The obligation would then fall back to the NCA to ensure that the broadest group of stakeholders had a chance to express their views (through open public consultation for example).

Appointing a stakeholder representative provides an additional mechanism to have a say, without replacing any other mechanism. To be credible, any stakeholder representative needs to be genuinely representative, and able to bring a range of widely held ideas forward.

In terms of a stakeholder group, there is merit in having such representatives nominated by the community and the NCA will assist the community in making such a nomination. For example by convening a meeting of local residents' groups or a stakeholder group for the purposes of selecting someone to speak on their behalf.

2. CONSULTATION

2.1 Introduction

Public consultation provides an opportunity for the community and stakeholders to express ideas and share comment, knowledge and experience with the NCA. The NCA will also endeavour to work with the ACT directorates to undertake joint consultations where appropriate.

This 'Commitment to Community Engagement' outlines how the NCA will:

- » inform the community and stakeholders
- » listen to the community and stakeholders
- » acknowledge submissions
- » consider submissions
- » provide feedback on how submissions have contributed to decision-making.


2.2 Consultation Protocol

The International Association for Public Participation (IAP2) has developed a Public Participation Spectrum to demonstrate the possible types of engagement with stakeholders and communities. The spectrum also shows the increasing level of public impacts as you progress from 'inform' through to 'empower.' The NCA has adopted this spectrum to guide the expectations of the community. For major projects, key issue dialogues, for issuing a draft amendment or Development Control Panel under the National Capital Plan, and for Works Approval, the NCA will nominate the level at which public participation will occur (inform, consult, involve, collaborate or empower). The NCA will advise the public of this at the commencement of any public participation process and will honour the corresponding promise to the public.

The purpose of the NCA consultation protocol is to formalise arrangements for when and how the NCA conducts consultations. The protocol aims to provide guidance for the community and stakeholders and to ensure consistency in the application of consultation as required by the Act and the National Capital Plan. It also articulates opportunities for public and stakeholder engagement on capital works projects and management of the National Capital Estate.

The consultation protocol sets out minimum requirements only. Additional community engagement activities may be adopted for complex issues, and when these actions would demonstrably improve the effectiveness of community engagement and the potential outcome for the community. Where appropriate, the NCA will seek to conduct consultation activities in conjunction with relevant ACT Government Directorates.

PUBLIC PARTICIPATION SPECTRUM | DEVELOPED BY THE INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION

INCREASING LEVEL OF PUBLIC IMPACT 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	» Fact sheets » Websites » Open houses	» Public comment » Focus groups » Surveys » Public meetings	» Workshops » Deliberate polling	» Citizen Advisory committees » Consensus-building » Participatory decision-making	» Citizen juries » Ballots » Delegated decisions

Source: International Association for Public Participation website, accessed 3 July 2014 www.iap2.org.au/documents/item/84

2.3 Consultation Exemptions

The protocol will be applied as a principle in all situations and exemptions will be kept to a minimum.

The NCA will always consider the potential for limited consultation in preference to exemption from any form of consultation.

In situations where it provides a limited form of consultation or an exemption, the NCA will state the grounds on which this decision has been made. Examples include cases where consultation might compromise national security or undermine the Commonwealth's fulfilment of international treaty obligations, such as the Vienna Convention on Diplomatic Relations.

The following categories of capital works will typically be exempt from consultation:

- » maintenance or 'like for like' replacement capital works
- » capital works as assessed as non-sensitive by the NCA.

Works in this category refer to NCA works undertaken by the NCA on National Land. NCA 'non-sensitive' works include examples, such as:

- » works that have no obvious or immediate stakeholders that may be, in practical terms, directly or indirectly impacted by the works

- » works that may be relatively small in scale or value by construction industry standards
- » routine works including like for like replacement or replacement which has, in practical terms, no substantive visual and/or functional difference for example footpath or lighting replacement works across the estate. If the NCA considers that works are 'non-sensitive' in nature, but it is still in the communities interest to be aware of the proposed works, then the NCA may choose to inform the community prior to works commencing.

The NCA will maintain a list of all anticipated upcoming 'non-sensitive' capital works on its website. The list will be updated at quarterly intervals with a brief descriptor of each proposed project.

The NCA may set aside the requirement to undertake full public consultation on an application for works where:

- a. previous consultation has been undertaken on the proposal
- b. minor amendments to previously approved works are required
- c. the NCA determines no stakeholders will be affected
- d. proposals are given exemption as outlined above.

2.4 Register of Key Stakeholders

The NCA has established, and will maintain a register of key stakeholders. Having a formal means of communicating with key stakeholders will allow the NCA to efficiently and effectively seek a broad range of views on a particular topic or topics.

The NCA will contact stakeholder groups and individuals known to have an interest or expertise in the work of the NCA and invite them to join the stakeholder register. The NCA will also accept and encourage registration by new stakeholders and parties of interest as they emerge or are identified.

Engagement with key stakeholders is typically conducted in the early stage of a proposal and does not replace full and open community engagement at latter stages. The NCA will seek to engage with a range of stakeholders representing a broad variety of interests at the early stages of consultation to understand the multiple interests impacted by a proposal.

The NCA register of key stakeholders will be the primary point for early engagement on matters of interest, such as proposed changes to the planning framework, major NCA projects, or major development projects.

2.5 Reviewing the National Capital Plan

Reviews of the National Capital Plan, whether in part or in total, will be treated in the same manner as Key Issue Dialogue (see Clause 1.6).

In proposing a review, the NCA will:

- » identify a topic or subject for the review
- » propose a range of issues to be considered
- » seek community views on the proposed process for the review
- » closely involve representatives of a broad range of key stakeholders.

2.6 Amending, or Issuing an Instrument under the National Capital Plan

The protocol for amending the National Capital Plan or issuing an instrument (such as a Development Control Plan) under the National Capital Plan is set out in Attachment B: Protocol for amending, or issuing an instrument under the National Capital Plan.

2.7 Works Applications

The NCA website will provide a public notification process for all applications for works, irrespective of their proposed capital expenditure.

The NCA will make an assessment of whether a proposal is consistent with the National Capital Plan and if it requires public consultation. An assessment will be made in relation to adverse impacts on:

- » public space and community amenity
- » environment, heritage or landscape values
- » amenity of the locality in terms of materials, finishes, scale, massing, design and quality
- » consistency with an existing Heritage Management Plan.

When an application for works is lodged and consultation is required, consultation with the community and stakeholders will be undertaken by either the applicant, the NCA, or both. Where consultation is undertaken by the applicant, the NCA may choose to stipulate specific requirements that the applicant is required to implement.

Some examples of the types of developments which might require public consultation include:

- » multi unit development
- » site servicing works
- » works affecting a heritage place
- » works in public open space.

The NCA may set aside the requirement to undertake full public consultation on application for works where proposals are given exemption as outlined under Clause 2.3.

The protocol for applications for works which require consultation under the National Capital Plan is set out in Attachment B: Protocol for application for works which require consultation under the National Capital Plan.

2.8 NCA Projects

The public spaces throughout Canberra's Central National Area help foster and reinforce the special meaning of the National Capital for all Australians. Through the process of delivering new capital works, opportunities are enhanced for ceremonial events and a wide variety of other community activities reflecting Australia's history, spirit, culture and aspirations.

The NCA continually strives to ensure that the capital works assets and the places it creates and maintains are of a standard appropriate to the National Capital.

Effective community, intergovernmental and other stakeholder consultation helps to guide outcomes for the NCA's capital works projects.

The NCA Business Plan and Capital Works Program outline proposed works across the current financial year. This will be published on the NCA website, providing public notification for key NCA projects and proposals.

An example of the types of projects which might require public consultation include:

- » building developments (third party and NCA)
- » other strategic plans or documents
- » special projects such as artworks and commemorative works
- » landscape precincts
- » public infrastructure replacement or upgrades.

The NCA will seek, where appropriate, to undertake public consultation about its proposed projects.

Public consultation on NCA projects and proposals will be notified on the NCA website, via a media release and by direct notice to registered key stakeholders and subscribers to the relevant NCA information subscription service.

The NCA may set aside the requirement to undertake full public consultation on capital works and projects where proposals are given exemption as outlined under Clause 2.3.

2.9 Estate and Asset Management

In the maintenance and management of assets on National Land, consultation and liaison occurs with relevant stakeholders, including resident's and visitors, depending on the nature, scope and location of the maintenance or asset works programs.

Examples include:

- » the maintenance of Lake Burley Griffin, where the Lake User Group is consulted on water quality, maintenance priorities, lake safety and replacement of jetties, pontoons and lake infrastructure proposals
- » the maintenance and management of the conservation grasslands, where specialist community groups are actively engaged and involved
- » event applicants are required to consult with any organisations that could be potentially impacted by an event held on National Land
- » selected stakeholders are consulted in the maintenance of national memorials and monuments to support commemorative activities
- » tree management strategies
- » early notification and advertising of temporary traffic arrangements arising from works or events is undertaken
- » applications for Section 33 Agreements to conduct a commercial business on the Lake are assessed against impact on other lake users.

3. COMMEMORATIVE WORKS

National Memorials are an important way to mark the contribution and sacrifice made by extraordinary Australians to their country and to their fellow citizens.

The Canberra National Memorials Committee (CNMC) is empowered by the *National Memorials Ordinance 1928* to approve the location and character of national memorials.

Decisions of the CNMC are made after consideration of proposals put forward by members of the community. In considering the proposals for memorials, the CNMC relies on a range of professional, administrative and stakeholder advice. Since 2011, the NCA, as secretariat to the CNMC, has sought community feedback on proposed national memorials and monuments' location and character.

Commemorative works within the Parliamentary Zone will be subject to the usual consultation and planning requirements for proposed works in the Parliamentary Zone (see clause 2.8).

All other commemorative works will be subject to the standard application for works consultation provisions and any guidelines for commemorative works published by the NCA.

4. NCA SERVICE CHARTER

This Service Charter outlines the standards of service you can expect from us.

4.1 Our Service Standards

We will:

- » observe the Australian Public Service Values and Code of Conduct, which can be viewed at www.apsc.gov.au
- » monitor and report on all feedback and take this into account when reviewing and improving our services
- » answer telephone enquiries within one working day noting that the NCA is committed to a diverse working environment and has some part time officers
- » respond to enquiries, feedback or complaints within 15 working days; complex matters may require longer. In such cases, you will be advised of the estimated time required for the response
- » refer you to the relevant organisation if we are unable to provide the specific advice or service
- » publish and make available information about our activities
- » strive to provide information in accessible formats
- » provide correspondence and publications in English. Upon request, provide an interpreter when meeting with us, endeavour to provide information in other formats for people with disabilities or arrange a suitable alternative
- » abide by legislative, senate continuing orders and other government policies
- » deliver the business objectives of the Commonwealth Government to agreed performance measures and targets
- » maintain a current copy of the National Capital Plan for public review on our website and at our office
- » provide advice on the policies of the National Capital Plan
- » provide clear and detailed information about the statutory processes involved in amending the National Capital Plan.

For applications for works, we will provide applicants with:

- » information about how to lodge applications and the processes involved in consideration of applications
- » advice on relevant planning requirements
- » an opportunity to discuss applications before they are formally submitted for approval
- » a register of applications and confirmation of receipt, in writing, within three working days of lodging
- » the name and contact details of the person assessing the application
- » prompt advice of the result of an application, most frequently within 15 working days of lodging (stop-clock provisions apply)
- » notification if a proposal must be or has been referred to an external agency, or where circumstances outside the NCA's control may cause delay.

For parliamentary approvals, we will provide applicants with:

- » information about the procedures involved in seeking Parliamentary approval of works
- » advice as to the likely timeframe for approval
- » prompt advice as to the result of such approval when it is received.

For lease and development conditions, we will advise applicants:

- » of the procedures involved with the preparation of lease and development conditions, and aim to finalise preparation of lease and development conditions within 40 working days of receipt
- » about the relevant provisions of the National Capital Plan that will apply
- » if the NCA has to refer draft lease and development conditions to any external agency, or where circumstances outside its control might cause delay.

For Development Control Plans, we will advise applicants:

- » of the procedures involved with the preparation and approval of Development Control Plans, and estimate the time required to finalise the preparation and approval of a Development Control Plan
- » hold a copy of the approved Development Control Plan on its website, with hard copies available to any party making such a request about the relevant provisions of the National Capital Plan and Territory Plan that will apply
- » if the NCA has to refer the draft Development Control Plan to any external agency or where circumstances outside our control might cause delay
- » The NCA will maintain copies of all approved Development Control Plans on its website. Hard copies of the information will be made available on request.

4.2 Your Rights and Responsibilities

As a stakeholder you may:

- » access our services by telephone, online via the website, in writing, or in person
- » be provided with information under the *Freedom of Information Act 1982*
- » comment on the quality of our service to you.

To facilitate a successful ongoing relationship between the NCA and our stakeholders, we request that you:

- » treat our staff with courtesy
- » attend scheduled meetings punctually
- » respond to requests for information by us in an accurate and timely manner
- » abide by any legal requirements and other obligations relating to the services provided by us to which you seek access. For example, if you seek approval to carry out certain activities on land managed by the NCA, you must abide by any terms and conditions of that approval.

4.3 Feedback on Our Performance

We welcome feedback to assist us to monitor and improve our services. Comments on our performance against the Service Charter will be published in our Annual Report. We would like to know if you:

- » have received outstanding service
- » have ideas on how we can improve our services
- » feel we are not meeting our service commitments.

If you would like any information relating to the functions of the NCA or if you have an enquiry, compliment, suggestion or complaint you can:

- » telephone our reception on 02 6271 2888 who will put you through to the appropriate person
- » send an email to natcap@natcap.gov.au
- » write to us at: National Capital Authority, GPO Box 373, Canberra ACT 2601.

We will ensure you receive a response within 15 working days. If the matter is complex and we are unable to provide a response within 15 working days, we will advise you of the expected time of the response.

If you consider you have suffered detriment because of our unreasonable actions, omissions or decisions you may be able to receive assistance through the Australian Government's Scheme for Compensation for Detriment. Information on the Scheme can be found at www.finance.gov.au/financial-framework/discretionary-compensation/cdda-scheme.html

The NCA believes a clear and fair process for receiving and responding to feedback and complaints is essential.

4.5 Feedback and Complaint Handling

Overview

A complaint is an expression of dissatisfaction about the standard of service, a particular action, or a lack of action by the NCA, its staff or its contractors.

Complaints are not requests for services, requests for information or explanations or objections to matters which are, or were, the subject of formal consultation process.

Principles

The NCA willingly receives feedback about the way it discharges its statutory responsibility, and is receptive to complaints.

Complaints will be received in good faith, and dealt with in a timely and respectful manner.

Responses to complaints must be accurate, comprehensive and deal with all the issues raised within the complaint.

NCA officers accept responsibility for addressing complaints. This does not necessarily mean that the officer who first receives a complaint becomes the action officer for responding to it, but it does mean this person is responsible for ensuring the complaint enters the formal complaint handling process.

Complaints will be handled in a manner that enables serious or unresolved matters to be quickly considered by senior officers of the NCA.

Procedures

All officers of the NCA will act within their powers to resolve complaints at first contact wherever possible.

All formal feedback and complaints will be acknowledged and registered in the NCA record-keeping system.

The feedback and complaint register will record:

- » details about the nature of the feedback or complaint
- » the date on which the feedback or complaint was received
- » how the feedback or complaint was received (e.g. in person/telephone/facsimile/email/letter/tweet).
- » details of the person, group or organisation providing the feedback or making the complaint (this is optional)
- » the name and title of the first contact officer
- » the name and title of the action officer
- » the outcome of the complaint
- » details of when the complainant was advised of the outcome of the complaint (if the complainant provided his or her name and contact details)
- » details of any escalation or review of the complaint.

If a complaint cannot be resolved at first contact, the complaint will be referred to an action officer. The complainant will be advised of the name of the action officer, and that a response should come within 15 working days.

For complex complaints, the NCA will estimate the time required to assess the complaint and will advise the complainant. Further updates will be provided during the assessment of the complaint.

If, at any time, complainants are dissatisfied, they may ask for the complaint to be brought to the attention of a senior officer (normally an Executive Director or Chief Executive).

After assessing a complaint, the NCA will provide a written statement to the complainant explaining how the complaint was assessed and the outcome.

When complainants are unsatisfied by the outcome of a complaint, they may seek a review by a more senior officer of the NCA, the Chief Executive or one of the Authority Members.

A review of a complaint outcome will usually be completed within 15 working days. Complex reviews may take longer. In such cases, the complainant will be advised of the estimated time required for the review.

If a complainant remains unsatisfied after the completion of a review, the NCA will advise the complainant about options (if any) for external review.

ATTACHMENTS

ATTACHMENT A | PROTOCOL FOR KEY ISSUES DIALOGUE

ATTACHMENT B | PROTOCOL FOR AMENDING, OR ISSUING AN INSTRUMENT* UNDER THE NATIONAL CAPITAL PLAN

ATTACHMENT C | PROTOCOL FOR APPLICATIONS FOR WORKS WHICH REQUIRE CONSULTATION UNDER THE NATIONAL CAPITAL PLAN

**Instruments include Development Control Plans*

ATTACHMENT A | PROTOCOL FOR KEY-ISSUE DIALOGUE

PROCESS

The Preliminary Stage is standard for all key-issue dialogue.

PRELIMINARY STAGE

- » proposal by the Authority for a key-issue Dialogue
- » develop and consult on proposed review process
- » call for nominations for Stakeholder Advisory Group
- » form Stakeholder Advisory Group
- » develop scope of review in consultation with Stakeholder Advisory Group
- » establish an information subscription service for interested parties
- » call for initial comments

The detailed process is developed during the preliminary stage of each individual key-issue dialogue.

This process is an example only.

STAGE 1: EVALUATE CURRENT CONDITIONS

- » call for initial comments
- » gather information
- » draft Discussion Paper #1
- » release paper for public review and comment
- » public roundtable
- » finalise Discussion Paper #1

STAGE 2: DEFINE A VISION FOR THE FUTURE

- » call for initial comments
- » gather information
- » draft Discussion Paper #2
- » release paper for public review and comment
- » public roundtable
- » finalise Discussion Paper #2

STAGE 3: DEVELOP AN IMPLEMENTATION PLAN

- » call for initial comments
- » gather information
- » draft Implementation Plan
- » release plan for public review and comment
- » public roundtable
- » finalise Implementation Plan

CONSULTATION / PUBLIC PARTICIPATION

- » identified at annual Public Forum or via major communication campaign
- » seek and consider views from interested parties
- » preference will be given to stakeholders who represent the broadest interest base
- » subscribed interested parties will receive regular updates about progress of the dialogue

- » An example Stakeholder Advisory Group, convened and chaired by the NCA might comprise:
- » one representative of local residents;
- » one representative of community interest groups (eg. heritage);
- » one representative of business and industry;
- » one representative of professional bodies; and
- » one representative of the ACT Government.

- » seek and consider views from interested parties
- » Stakeholder Advisory Group members free to discuss proceedings with their constituencies
- » regular updates to subscribed interested parties

- » direct communication (eg email) to subscribed interested parties and known stakeholders
- » generate prominent print media article or place print advertisement
- » initial views – 20 business day consultation period;
- » draft Discussion Paper – 30 business day consultation period
- » public roundtable to occur in the first 10 days of draft discussion paper consultation period

- » seek and consider views from interested parties
- » Stakeholder Steering Group members free to discuss proceedings with their constituencies
- » regular updates to subscribed interested parties

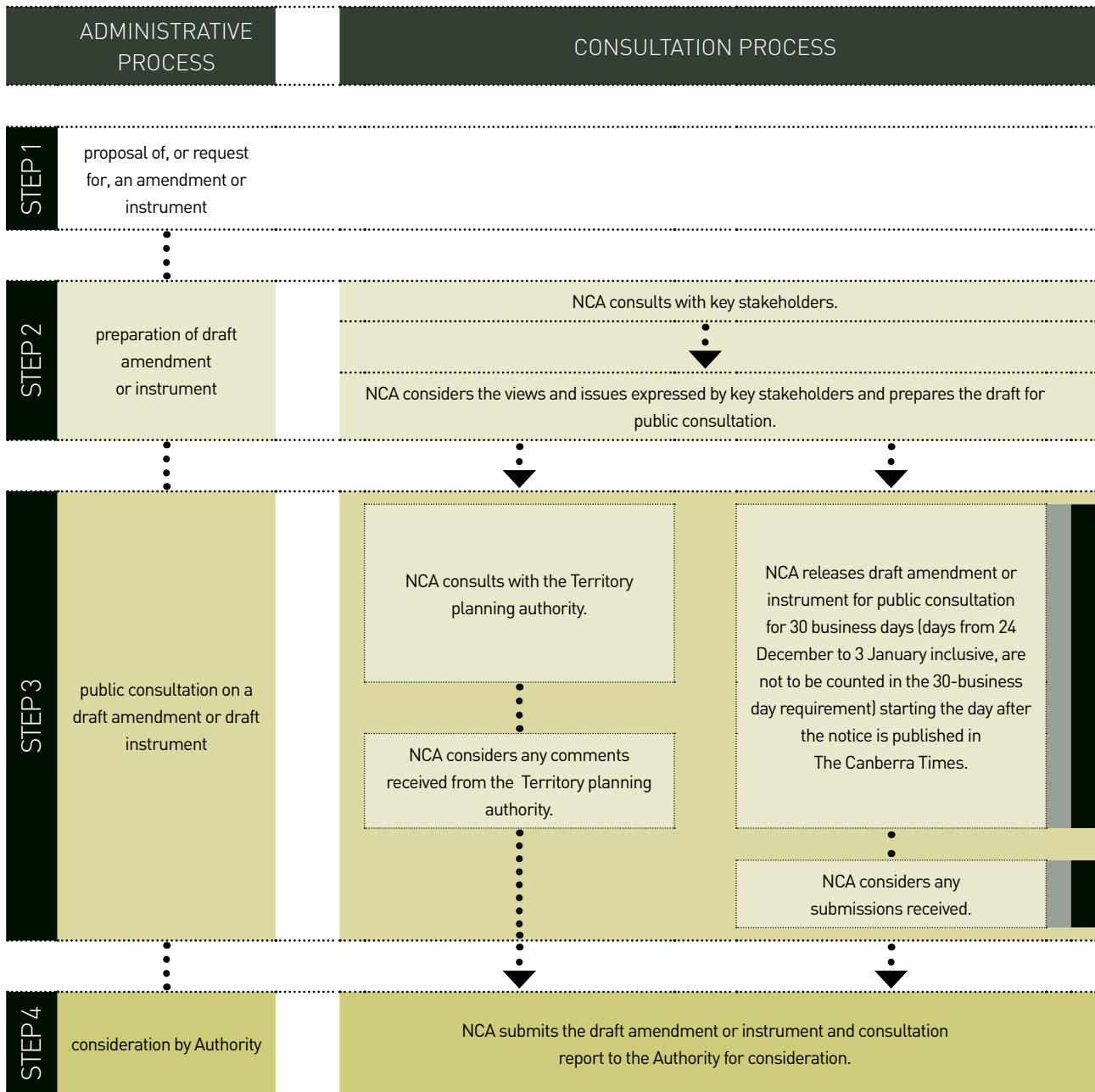
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- » draft Implementation Plan – 30 business day consultation period
- » public roundtable to occur in the first 10 days of draft discussion paper consultation period.

EXAMPLE PROCESS: REVIEW OF BUILDING HEIGHTS AND NATIONAL CAPITAL OPEN SPACE SYSTEM

ATTACHMENT B | PROTOCOL FOR AMENDING, OR ISSUING AN INSTRUMENT* UNDER THE NATIONAL CAPITAL PLAN



* Instruments include Development Control Plans

ACTIONS TAKEN AFTER CONSIDERATION BY THE AUTHORITY

AMENDMENT TO THE PLAN

Submitted to the Minister with a copy of the Consultation report.

- » If approved by the Minister:
 - » a copy of the amendment is lodged with the Federal Register of Legislative Instruments (FRLI) www.comlaw.gov.au;
 - » a copy of the amendment and consultation report is made available at NCA offices and on the NCA website; and
 - » the NCA notifies each party who made a submission of the decision and provides a copy of the consultation report.
- » The amendment is subject of Parliamentary scrutiny until the expiration of the disallowance period.

ACTIONS TAKEN AFTER CONSIDERATION BY THE AUTHORITY (CONT.)

INSTRUMENTS UNDER THE PLAN

- » The NCA will publish a notice on the NCA website:
 - » when the instrument was approved or not approved;
 - » how the approved instrument can be inspected or obtained; and
 - » how the consultation report can be inspected or obtained.
- » The NCA will then:
 - » publish the consultation report on its website;
 - » notify each party who made a submission of the decision and provide a copy of the consultation report; and
 - » ensure that all approved instruments will be accessible on the National Capital Authority website.

An advertisement is published in media relevant to the context of the proposal (eg.: The Canberra Times, national print or electronic media). The advertisement is to state:

- a. that a draft amendment to, or instrument under, the Plan has been prepared;
- b. a brief description of the draft amendment or instrument;
- c. the places, time and period a copy of the draft amendment or instrument may be inspected;
- d. the place and time a public information session is to be held;
- e. invite made submissions to be made to the NCA;
- f. the period to make submissions; and
- g. where submissions may be forwarded within the consultation period specified in the notice;

Note: Publication of a notice in the Commonwealth Gazette is only required for draft amendments to the National Capital Plan, as required under the *ACT (Planning and Land Management) Act 1988*.

A media release is issued.

The draft amendment or instrument and supporting information is made available on the NCA website in electronic form throughout the consultation period. Hard copies of the information will be made available on request.

At least one public information session is held in the consultation period.

Copies of submissions may be made available on request.

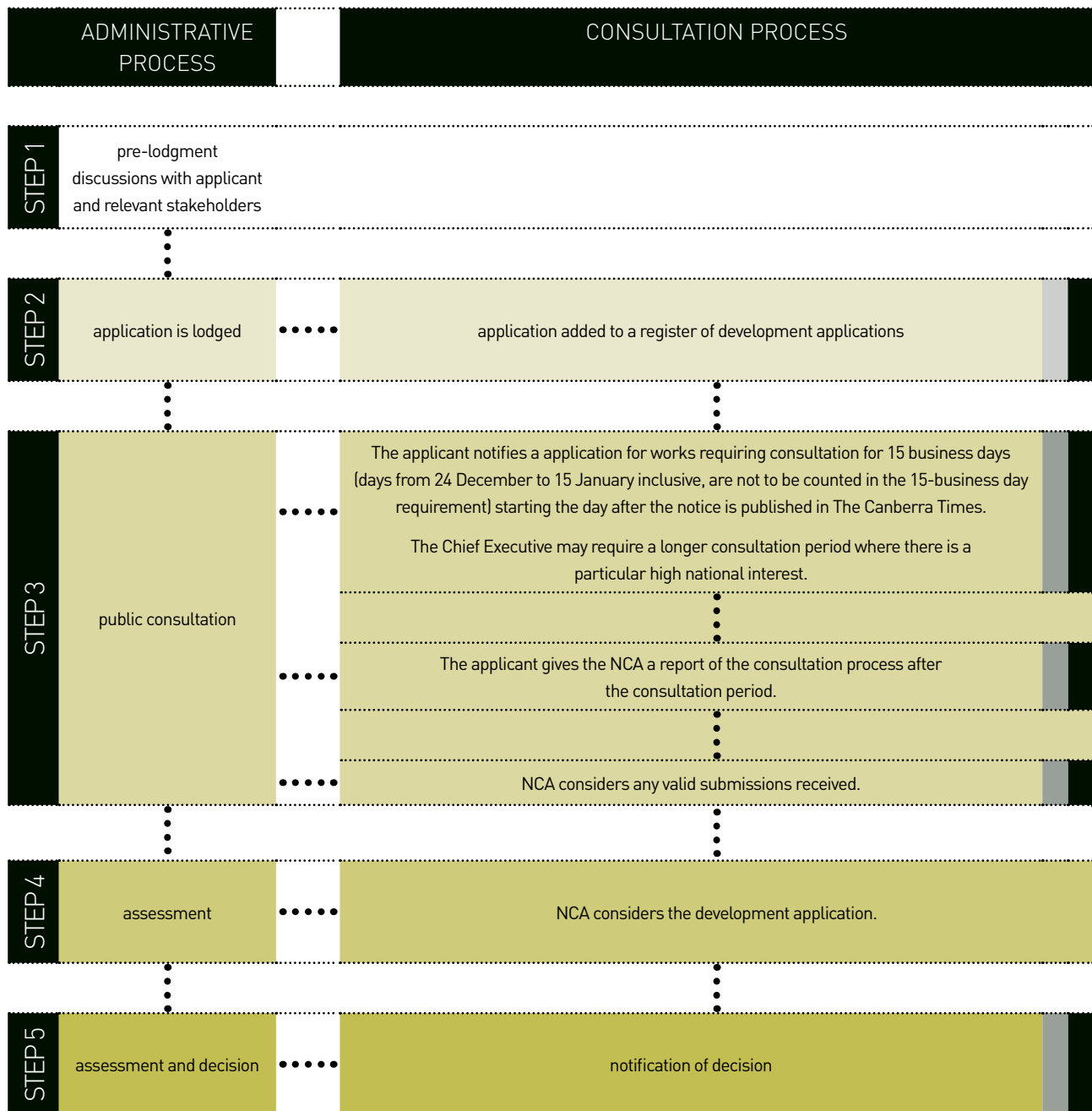
The names of submitters in relation to a draft amendment or instrument will be made available publicly through the Consultation Report. Submitters may request that their name be withheld, however the NCA cannot guarantee confidentiality.

An acknowledgement notice is given to each submitter within 5 business days of receipt by the NCA.

A consultation report is prepared and published on the NCA website, including a detailed analysis of issues raised in submissions and what, if any, changes have been made.

STEP 3

ATTACHMENT C | PROTOCOL FOR DEVELOPMENT APPLICATIONS FOR WORKS WHICH REQUIRE CONSULTATION UNDER
THE NATIONAL CAPITAL PLAN



A list of all applications for works is available for public inspection on the NCA website.

STEP 2

An advertisement is published in media relevant to the context of the proposal (eg.: The Canberra Times, national print or electronic media).

Note: NCA publish newspaper advertisements at expense of applicant.

For developments other than telecommunications facilities, throughout the entire consultation period a notice on a sign may be required (at the discretion of the NCA). If necessary, a sign will be:

- » placed on all road frontages of the site;
- » positioned so that it is clearly visible from a public place;
- » displayed on a signpost or board; and
- » photos taken of signs on road frontages submitted to NCA.

Notice is given to the lessees of all adjoining land (where adjoining land has been strata-titled a copy of the notice is to be given to the body corporate).

APPLICANTS
RESPONSIBILITY

For telecommunications facilities, a letterbox drop is undertaken in the immediate vicinity (to a minimum of 400 metres radius) of the proposed facility/s. Applicant to provide evidence of letterbox drop to NCA.

All notices excluding newspaper adverts, will state:

- » the address, and block and section details;
- » the name of the applicant;
- » what is proposed;
- » the places, time and period the application may be inspected and where information may be obtained;
- » invite submissions to be made to the NCA;
- » the period to make submissions;
- » where submissions may be forwarded to within the consultation period specified in the notice; and
- » the names of submitters in relation to a draft amendment or instrument will be made available publicly through the consultation report. Submitters may request that their name be withheld, however the NCA cannot guarantee confidentiality.

The report will include:

- » a summary of the consultation process that was carried out, including dates;
- » a copy of the notice published in The Canberra Times;
- » a photograph of the notice placed on the site, if applicable; and
- » a copy of the notice that went to the lessees of all adjoining land including each addresses or through the letterbox drop – as applicable.

The NCA will insure that:

- » copies of submissions may be made available on request;
- » an acknowledgement notice is given to each submitter within 5 business days of receipt by the NCA; and
- » a consultation report is prepared.

The NCA will insure that:

- » the consultation report is made publicly available at the NCA office for 20 business days and on the NCA website;
- » the applicant and each submitter is notified of the decision, how submissions were considered and the availability of the consultation report; and
- » a list of decisions for the financial year will be made available on the NCA website for public inspection.

STEP 3

STEP 5

NATIONAL CAPITAL AUTHORITY

COMMITMENT TO COMMUNITY ENGAGEMENT



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