

LAND USE PLANNING

# Draft Community Participation Plan

June 2019





**The City of Canterbury Bankstown acknowledges the traditional country of the Daruk (Darag, Dharug, Daruk, Dharuk) and the Eora People.**

**We recognise and respect their cultural heritage, beliefs and relationship with the land.**

**We acknowledge they are of continuing importance to Aboriginal and Torres Strait Islander people living today.**

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# 01 What is a Community Participation Plan?

**The City of Canterbury Bankstown recognises the uniqueness of its diverse and vibrant community. This Community Participation Plan (CPP) wants to make sure that the area continues to support and enable a rich culture and inclusive community spirit through great urban design.**

**Community input and participation is crucial for creating great places and thriving communities across the City of Canterbury Bankstown in the face of growth and change. This CPP is an invitation to the community to participate in planning so better economic, social and environmental outcomes can be achieved for today's community and future generations.**

**There are many pathways for planning approval depending on the size and scale of development, and just as many opportunities for community participation. The CPP provides guidance on how the community can have a say on different types of planning documents on a general level (for example Local Environment Plan) to a specific level (e.g. development assessments).**

**This CPP provides transparency and clarity for the community to clearly understand its role in the development assessment and plan making process.**

## **1.1 Where does this CPP apply?**

- This CPP applies only to the City of Canterbury Bankstown Local Government Area (LGA) and the exercise of its planning functions under the EP&A Act 1979
- This CPP has been developed in accordance with the requirements of the EP&A Act, and the planning framework for Greater Sydney, the South District Plan, Council's Community Strategic Plan and Council's Community Engagement Framework.



## How did Council develop this CPP?

City of Canterbury Bankstown has undertaken a thorough review of planning related legislative requirements to public participation as well as a review of Council specific guidelines on participation and engagement from the new Council and each of the former Councils (namely their Development Control Plans).

This review has resulted in the development of a consolidated process for engaging with the community on planning matters.

The development of this CPP is in accordance with the legislative requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the council charter in the *Local Government Act 1993* (LG Act), and Council's own Community Engagement Policy and Framework, as outlined in the figure below.

Figure 1: Council's engagement framework



## 1.2 What is included in the CPP?

The CPP provides detail on both mandatory and best practice approaches to ensuring meaningful and timely participation in planning across the Canterbury Bankstown LGA for developments and plans where Council is the delegated authority. It also explores opportunities for participation in matters external to Council but recognises this as optional and where the external agency is undertaking sufficient engagement, it would not require Council to take any further action.

This CPP also forms Council's approved 'Submissions Policy' as referenced under Council's Local Planning Panel delegations. This allows Council (as the delegated authority) to direct certain DAs to the local planning panel based on number of submissions. Referrals to the Local Planning Panel remain as per Council's delegations unless otherwise specified in this document.

## 1.3 How will the CPP be used?

The CPP will provide the community with certainty over the level of engagement for particular types of development and planning projects. It will ensure transparency and accountability on planning and development decisions through an appropriate and consistent engagement method and timeframe.

The CPP integrates Council's planning and community engagement functions. Council's new Planning Framework, Community Strategic Plan (CBCity 2028) as well as the Community Engagement Policy and Framework are described below.

While these documents provide general guidance and principles for engaging the community, this CPP specifically focuses on community participation in urban planning as there are a range of particularly engagement and notification requirements that apply to planning under the EP&A Act.

## 1.4 New Planning Framework

The Local Strategic Planning Statement (LSPS) will interpret the vision captured in CBCity 2028 (Community Strategic Plan), and turn this into a land use planning blueprint to guide the future of Canterbury Bankstown up to 2036.

The LSPS will provide the framework for developing a new Local Environmental Plan (LEP) and Development Control Plan (DCP).

This provides another way of ensuring the voice of the community is heard and considered in the planning system.





### **The Community Strategic Plan (CBCity 2028)**

CBCity 2028 is the Community Strategic Plan for the City of Canterbury Bankstown and forms the roadmap and primary reference document for all other plans developed by the Council. The CPP reflects the aspirations of CBCity 2028 and in particular, the community's desire for ongoing participation in decision making.

The CPP ensures that everyone has a chance to be heard on planning matters. Engagement will have particular regard to transcending language, culture, age, mobility or other barriers to active participation (as per the Community Engagement Policy and Framework).

### **Community Engagement Policy and Framework**

The City of Canterbury Bankstown's Community Engagement Policy and Framework ensures Council delivers a consistent and best practice approach to engagement with the diverse community of Canterbury Bankstown.

The Community Engagement Policy outlines when and how community engagement should occur; who should be engaged; and how outcomes that Council is responsible for should be reported.

The CPP has been designed to complement the Framework and guide a consistent, best-practice engagement in the planning process.



# 02 Why is community participation in planning important?

**Planning helps to define Council's local communities. It impacts on the quality of daily experiences for those who live, study, work or visit Canterbury-Bankstown. Council is committed to ongoing and meaningful engagement with the community and stakeholders to help improve this experience.**

The planning system seeks to effectively leverage local knowledge, ideas and expertise to create better urban environments while protecting the natural landscape and environmental values. By engaging with the community and seeking to better understand how we live in the city, how we connect with each other and what we want the future to be like, we can achieve planning outcomes that are better attuned to community values, concerns, dreams and hopes. Meaningful and authentic community participation creates a shared sense of purpose and understanding of the need to manage growth and embrace change while protecting the natural environment and preserving local character.

The encouragement of greater participation in the planning system will also reduce confusion and ensure a more consistent approach to how people interact (at various levels) with planning matters across the Canterbury-Bankstown. Council wants to strengthen its relationships and increase engagement within the community, local businesses, community groups and other stakeholders, with a particular emphasis on communities that may be challenged by language, mobility or socio-economic issues that may prevent them from actively participating and being heard. Council also wants to promote shared ownership and strengthen pride within and between neighbourhoods.

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The planning system seeks to effectively leverage local knowledge, ideas and expertise







## Why does Council engage with the community?

On a broad level Council engages with the community to help build trust and achieve better outcomes. As identified in the Community Engagement Framework, the objectives of good engagement are to:

- Identify and understand what is important to the community - their needs, priorities and aspirations;
- Ensure that Council's services best meet the range of community needs - inclusive of cultural and social backgrounds;
- Allow a range of voices to be heard, not just those people who are articulate, angry, loud or powerful;
- Identify shared values, benefits and outcomes and how Council and community can work together to realise Council's goals; and
- Manage risks by understanding and anticipating issues before they escalate.

### 2.1 What legislation governs planning in NSW?

Planning in NSW is largely governed by the following two pieces of state legislation:

- *Environmental Planning and Assessment Act 1979* (EP&A Act)
- *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

Other legislation of relevance to Council's planning functions and community participation in planning are:

- *Local Government Act 1993* (LG Act). - the principal legislation in NSW governing the establishment and operation of councils
- *The National Parks and Wildlife Act 1974* - Provides clarity on Aboriginal heritage consultation requirements).

## 2.2 What are the principles of community participation?

The CPP considers the principles outlined in the EP&A Act; objectives provided in the Department of Planning and Environment's CPP; and CBCity's Community Engagement Framework.

**Table 1: Principles of community participation**

Department of Planning and Environment objectives (developed from EP&A Act Principles)	CBCity Engagement Policy Principles (developed from IAP2 core values)	CPP implementation of objectives and principles
Open and inclusive	Collaborative Respectful	Explore opportunities in planning where participation is sought and diverse community groups and people of all backgrounds can contribute. Identify and implement inclusive engagement techniques for people of all abilities.
Easy	Embedded Flexible	Prioritise the importance of communicating planning matters in plain English and with visual aids while identifying diverse and accessible opportunities for participation. This CPP also encourages greater digital and electronic engagement.
Relevant	Credible	Identify participation techniques that are relevant to the appropriate planning function and are guided by purpose. This CPP also aims to target participation opportunities based on geography and where residents reside across the Council area.
Timely	Consistent	Ensure planning matters are communicated early with opportunities for ongoing participation or closing of feedback loop.
Meaningful	Evaluated Educational	Consider all community feedback and support ongoing planning education of Council staff and general community through tools, processes and expertise.
Transparent	Credible	Ensure all planning processes are underpinned by the community's right to be informed about the planning matters that affect it.

## 2.3 How can we understand different levels of participation?

The International Association for Public Participation (IAP2) defines engagement as “any process that involves the public in problem solving or decision-making and uses public input to make sustainable decisions”.

Engagement, or public participation as IAP2 terms the practice, “includes all aspects of identifying problems and opportunities, developing alternatives and making decisions” (IAP2, 2016: 2). Table 2 below outlines the IAP2 spectrum for engagement that has been considered and applied to this CPP.

Table 2: Application of IAP2 spectrum to the CPP

Increasing level of public impact					
	Inform	Consult	Involve	Collaborate	Empower
<b>Promise to the public</b>	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed, and provide feedback on.	We will look to you for 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.
<b>Frequency of use across planning projects</b>	HIGH	HIGH	MEDIUM	LOW	RARE
<b>Application to planning</b>	Focuses on communications, notifications and closing of feedback loop.	Widely used across a variety of projects.	Focused use on complex projects.	Applied to more strategic and ‘place making’ projects.	This is difficult to achieve within a planning system that has a multi-layered policy framework.



## 2.4 Why do we need to apply different levels of participation to different scales of development?

Council has identified various scales of development to assist with the application of appropriate participation opportunities. It is important that Council understands the 'scale' of development to appropriately determine the IAP2 level of community participation required. The three primary scales used in this CPP are development assessment, plan making and other matters external to Council are shown in Table 3 below.

**Table 3: Primary scales for determining participation levels**

	<b>STATUTORY</b> Development assessment	<b>STRATEGIC</b> Plan making	<b>Other matters</b> external to council
<b>Why is this important to participation?</b>	<ul style="list-style-type: none"> <li>Improving efficiencies - enhancing systems Council has control over</li> <li>Building trust with the community</li> <li>Providing clarity and consistency</li> <li>Involvement in local matters</li> </ul>	<ul style="list-style-type: none"> <li>Opportunities for embedding community in submissions or exhibition of Council led projects.</li> </ul>	<ul style="list-style-type: none"> <li>Advocating for the community</li> <li>Opportunity for innovation in community participation for project's outside Council's control</li> </ul>
<b>When?</b>	Primarily during exhibition. In some circumstances, Council will undertake 'post' determination notification.	Pre, during and post exhibition	During exhibition as part of ongoing advocacy
<b>How ?</b>	Decision making in the public interest	Provide a Council managed platform for consolidating community feedback and incorporating into Council reporting.	<ul style="list-style-type: none"> <li>Notify the community of the opportunity to submit</li> <li>Informing the community on how to make submissions</li> <li>Council to advocate on behalf of the community</li> </ul>
<b>Example</b>	Submit a response to a DA notification.	Attend a workshop or participate in a survey to provide feedback on a plan or design-led process.	Make a submission directly to the external agency or provide feedback to Council for consideration in their formal submission.

# 03 What are the exhibition timeframe and notification requirements?

**This section outlines all exhibition and notification requirements under the EP&A Act. It Supersedes and incorporates the notification and advertising requirements set out in both the Canterbury DCP and the Bankstown DCP.**

**Where there are discrepancies between the Canterbury DCP and the Bankstown DCP, the more extensive and/or best practice approach has been adopted in this CPP as the minimum requirement.**

On all levels of government - Commonwealth, state and local - there is an intention to actively involve the community in planning for their places and communities. Participation opportunities include early and upfront engagement during the initial stages of planning, as well as opportunities to provide feedback and input on development assessments and draft plans or policies during formal public exhibition towards the finalisation of the project.

There are both mandatory and non-mandatory requirements that apply to public exhibition of a development application or plan. The mandatory requirements legally safeguard the community's right to comment on planning that affects them. Non-mandatory requirements reflect best practice in ensuring that the intention to actively involve the community in planning is honoured (for example, it may be worthwhile for Council to extend the notification distribution and/or exhibition timelines for projects of a sensitive or controversial nature to make sure everyone has a chance to be heard).

**On all levels of government – Commonwealth, state and local – there is an intention to actively involve the community in planning for their places and communities.**



### **3.1 What are the requirements for exhibition?**

Public exhibition of a draft planning documents and development applications requires Council endorsement before being released for comment. Exhibition requirements are shown in tables 4 to 8 below.

Engagement for these planning documents will include (and will not be limited to):

- Public exhibition at Council service centres and libraries;
- notice on Council's website;
- notification via letters to neighbours and adjoining property owners and occupiers and;
- a sign exhibited on the land and displayed on signpost or board, visible from public space (certain development applications).

In addition, Council is also required to notify the public via an advertisement in the local paper for all planning documents except for smaller scale DAs as well as those plans listed in Table 7, though it is considered good practice to do so for key planning and policy documents.

### **3.2 Can Council extend the engagement for Development Applications?**

For assessment of Development Applications, there may be exceptional circumstances that require an extension of the notification distribution area for engagement and/or the time frames.

Council's discretion is required for elevating a project if more consultation is considered appropriate in particular circumstances. In most cases, additional engagement means a wider distribution of advertising and notification rather than longer exhibition timeframes, however this is subject to discretion on a case by case basis.

The officer with delegated authority will take the following into consideration:

- Significant public interest demonstrated through the number of submissions, petitions or interactions between Council and the community;
- formal requests for extension with sound justification for the extension;
- the scale of development and;
- the scale and scope of impact of development being greater than the immediately surrounding properties.

If the exhibition period is due to close on a weekend or a public holiday, Council may extend the exhibition to finish on the first available work day. The Christmas period (between 20 December and 10 January, inclusive) is excluded from the calculation of the public exhibition. Other significant religious or cultural festivities may warrant extended consultation where deemed necessary or appropriate.

**Table 4: Plan making exhibition timeframes - mandatory**

Planning document	Mandatory timeframes
Draft Community Participation Plan (CPP)	28 days
Planning proposals for local environmental plans subject to a gateway determination	28 days - unless otherwise specified in the gateway determination
Draft Development Control Plan (DCP)	28 days
Draft contributions plans (including growth centres and planned precincts)	28 days
Local Strategic Planning Statement (LSPS)	28 days
Planning Agreement	28 days

**Table 5: Exhibition timeframes - mandatory/best practice**

Planning document	Mandatory timeframes
Application for development consent for designated development	28 days
Application for development consent for State significant development	28 days
Application for development consent that is required to be publicly exhibited by regulation but not covered Tables 7 and 8 (including modifications)	28 days
Integrated Development	28 days
Environmental Impact Statement (under division 5.1 or 5.2)	28 days

**Table 6: Other planning matters exhibition timeframes - best practice guidelines**

Planning document	Best practice guidelines
Policy or guidelines	28 days
Plans for urban renewal areas and masterplans	42 days
Re-exhibition of any matter referred to above	As per the original exhibition period
Development Exempt from notification	As a guide, development not subject to Type A or B procedures (see below) will be exempt from notification.



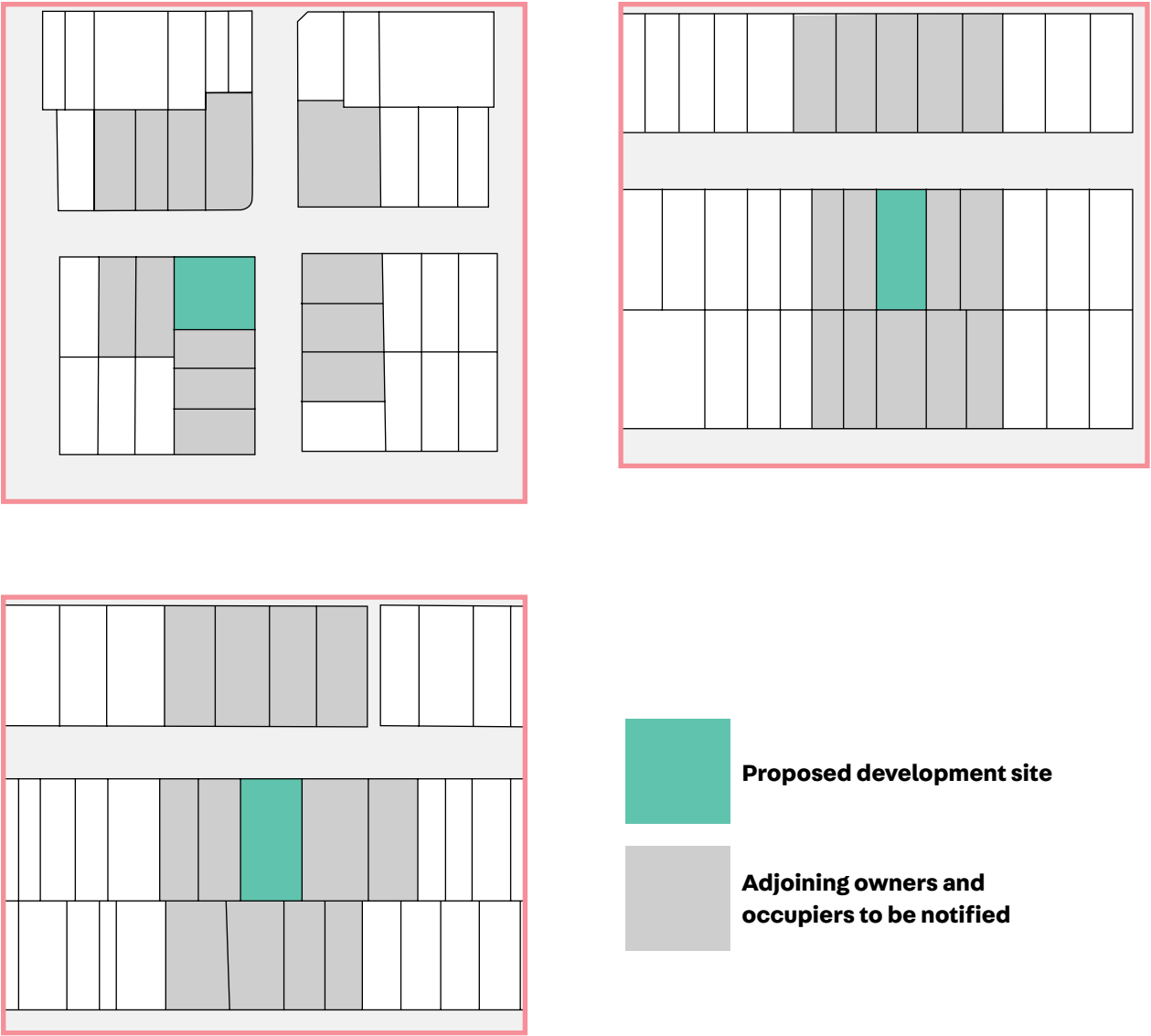
**Table 7: Development Assessment (DA) exhibition timeframes - TYPE A**

Planning document	Minimum timeframes	Advertising and exhibition requirements
<p><b>Type A developments</b></p> <p>This applies to applications for development consent of relatively small scaled developments (compared to Type B below) for which Council is the delegated authority - and other than for complying development certificate, for designated development, or for State significant development. Type A development includes modification of existing development and is defined as:</p> <ul style="list-style-type: none"> <li>• Dwelling houses, alteration and additions or ancillary structures two storeys or greater in height;</li> <li>• Secondary dwellings;</li> <li>• Dual occupancies;</li> <li>• Attached dwellings (less than 10 dwellings);</li> <li>• Boarding houses (less than 12 lodgers);</li> <li>• Group Homes (less than 12 lodgers);</li> <li>• Hostels (less than 10 lodgers);</li> <li>• Multi dwelling housing (less than 10 dwellings);</li> <li>• Residential flat buildings (less than 10 dwellings);</li> <li>• Seniors housing (less than 10 beds and/or less than 10 dwellings);</li> <li>• Shop top housing (less than 10 dwellings);</li> <li>• Change of uses that may result in impacts to adjoining properties; and</li> <li>• Any other development not subject to larger scaled development notification and advertising (as per below) and where, in the opinion of the relevant Council Officer, it is likely to have an impact on residential properties.</li> </ul> <p>See further detail below regarding viewing of applications, lodgement of submissions and issuing a notice of determination.</p>	<p><b>14 days</b></p>	<p><b>Notification via letters to owners &amp; occupiers of neighbouring properties or authorities deemed affected by Council (as shown in Figure 2)</b></p> <p>The notification must include:</p> <ul style="list-style-type: none"> <li>(a) a clear and legible A4 sized plan of the proposed development that depicts its height, external configuration and siting;</li> <li>(b) a description of the proposed development;</li> <li>(c) the address of the development site;</li> <li>(d) the name of the applicant to carry out the proposed development;</li> <li>(e) advice that the plans may be inspected at Council during business hours (free of charge); and</li> <li>(f) the closing date for written submissions being 14 days from the date of the notice.</li> </ul> <p>As a guiding principle, Council will limit neighbour notification to those adjoining properties affected by a proposal as well as the owners of properties separated by only a walkway, driveway or laneway. The officer with delegated authority may extend the notification distribution or period at their discretion.</p>

**Table 8: Development Assessment (DA) exhibition timeframes - TYPE B**

Planning document	Minimum timeframes	Advertising and exhibition requirements
<p><b>Type B Developments</b></p> <p>This applies to applications for development where a proposal is likely to have a potential impact on a broader scale than Type A above and other than for complying development certificate, for designated development, or for State significant development. Type B development is defined as:</p> <ul style="list-style-type: none"> <li>• Attached dwellings (10 or more dwellings);</li> <li>• Boarding houses (12 lodgers or more);</li> <li>• The complete or substantial demolition of a heritage item</li> <li>• The complete or substantial demolition of any significant feature of a heritage item.</li> <li>• Group Homes (12 lodgers or more);</li> <li>• Hostels (10 lodgers or more);</li> <li>• Multi dwelling housing (10 or more dwellings);</li> <li>• Residential flat buildings and shop top housing (10 or more dwellings);</li> <li>• Seniors Housing (10 or more beds and/or 10 or more dwelling);</li> <li>• Hotel or motel accommodation</li> <li>• Serviced apartments;</li> <li>• Public entertainment facilities;</li> <li>• Registered clubs;</li> <li>• Pubs;</li> <li>• Restricted premises;</li> <li>• Sex services premises;</li> <li>• Massage parlours;</li> <li>• Educational establishments;</li> <li>• Hospitals;</li> <li>• Community facilities;</li> <li>• Places of public worship;</li> <li>• Recreational areas and major recreational facilities;</li> <li>• Amusement centres;</li> <li>• Child care centres;</li> <li>• Funeral homes;</li> <li>• Methadone clinics;</li> <li>• Non-residential development in the residential zones requiring a DA (except demolition or strata subdivision or subdivision of an approved dual occupancy or modification of minimal environmental impact);</li> <li>• New building in industrial or business zones;</li> <li>• Development in the industrial zone that is adjoining or opposite residential zoned land where the hours of operation extend outside the hours of 7.00am-7.00pm (except demolition, subdivision, modification of minor environmental impact or where development is located inside a retail shopping complex);</li> <li>• Development subject to SEPP 33;</li> <li>• Any other development not subject to Type A notification, where in the opinion of the relevant Council Officer is likely to have a significant impact on residential properties.</li> </ul> <p>See further detail below regarding viewing of applications, lodgement of submissions and issuing a notice of determination.</p>	<p><b>21 days</b> from the date of the advertisement in the local newspaper.</p>	<p><b>Notification letter sent to all owners and occupiers of adjoining and surrounding properties (as shown in Figure 2) and any other individual, group, organisation, public authority or similar deemed by Council to have, or likely to have, an interest in the proposed development</b></p> <p>Notification Letters will include the following information:</p> <ul style="list-style-type: none"> <li>• Address of the proposed development;</li> <li>• Name of the applicant and the name of the consent authority;</li> <li>• Description of the proposed development;</li> <li>• Name and contact number of the relevant Development Assessment Officer;</li> <li>• Advice that the plans may be inspected during opening hours at Council's office, and at Council's Branch Library for the Ward in which the subject site is located, during normal business hours;</li> <li>• A statement that any person may make a submission during the notification period;</li> <li>• The closing date for written submissions, method of delivery of submissions; and</li> <li>• Reference to political donations form if relevant</li> </ul> <p>As a guiding principle, Council will limit neighbour notification to those adjoining properties affected by a proposal as well as the owners of properties separated by only a walkway, driveway or laneway. The officer with delegated authority may extend the notification distribution area based on the extent of impact considered appropriate for the size and scale of development, and the time of notification if deemed appropriate.</p>

Figure 2: Notification of owners and occupiers of properties adjoining a proposed development



### 3.3 How can Development Applications be viewed by the public?

All plans and information lodged with an application that is notified in accordance with this CPP will be available for inspection at Council's Customer Service Centres. This will include all forms, architectural plans, consultant reports and supplementary documentation submitted with the application.

Should a model(s) or an artist's impression(s) of the development be lodged with the application, these will only be available for viewing at Council's Customer Service Centre in Bankstown (66 - 72 Rickard Road).

For development being determined by local and regional planning panels, a full set of the DA plans will also be available for inspection in the closest Council library to the subject site during library opening hours. Council is required by legislation to make available extracts of applications. Note that this is subject to written consent of the applicant's architect or design professional as per the Commonwealth Copyright Act 1968.

Applications can also be viewed on Council's website via the following link: [cb.city/DAttrack](http://cb.city/DAttrack)

### 3.4 How can the public lodge submissions?

The submissions period is the same as the notification period. Submissions are letters, petitions or similar written representations from individuals or groups of people regarding a particular application.

### 3.5 How will submissions be considered?

All submissions received within the nominated time frame will be considered when determining an application. Submissions received after the nominated time frame will be considered where possible. Applications will not be determined prior to the expiry of the nominated notification period.

#### When making a submission to Council, the submission should:

- Be received by Council on or before the last day of the exhibition timeframe (unless otherwise specified)
- Be in writing (via mail, email, fax or hand delivered) and addressed to the General Manager, City of Canterbury Bankstown;

PO Box 8  
Bankstown 1885, NSW

- Contain the following essential information: the name and address of the person making the submission; the application number and address of the property that is the subject of the development proposal; and detail all reasons for the submission.

### 3.6 Is Council obligated to notify the public of outcomes from the assessment?

In addition to the requirements to exhibit development applications, plans and other planning documents, it is also a mandatory requirement that Council - as consent authority - formally notify the public of the outcomes from the assessment of the application for development consent (or modification of a development consent that was publicly exhibited). Council will give notice of the determination of an application to each person who makes a written submission. For a petition, the instigator will be advised.

This notification must include (directly or by reference to another document):

- The decision
- The date of the decision
- The reasons behind the determination
- How community views were considered in making the decision



Upon assessment of the DA and all submissions received, Council will issue a notice of determination. The notice of determination or Council's assessment report will specifically address matters of concern raised in submissions and give reasons for the determination.

Where a matter is referred to an applicable Planning Panel, every effort will be made to advise applicants and objectors of the time and date of the meeting.

The terms of any objection will be summarised in Council's development assessment reporting process. The name and address of the objectors will be withheld in the report, however, persons making submissions should be made aware that details of their submission will be kept on file and may be accessed by other members of the public under the Government Information (Public Access) Act 2009.

### **3.7 How should the community be kept informed of outcomes from the engagement?**

While the legislation only makes it mandatory to report back to the community on development application determinations, it is good practice to make sure that the community is properly informed of any outcomes from their engagement through clear addressing of their concerns in the assessment process. This helps build trust and may also contribute to better participation in the future as the community can see they are being heard and that their investment of time has been meaningful.

Closing the feedback loop can involve a range of techniques. People who have been actively involved and are directly affected by the plan should be notified of decisions to the relevant matter. For more significant matters, Council may publicise a submissions report, outlining the scope and issues raised in submissions and how issues have been addressed. This is more likely to occur on plan-making projects.

### **3.8 How will consent modifications or reviews be notified?**

Requests for a modification or review of determination will be notified in the same manner as the original application. If in the opinion of the relevant Council officer a modification application under Section 4.55 of the EP&A Act will have no additional impact on any adjoining or nearby properties, no notification will be required.

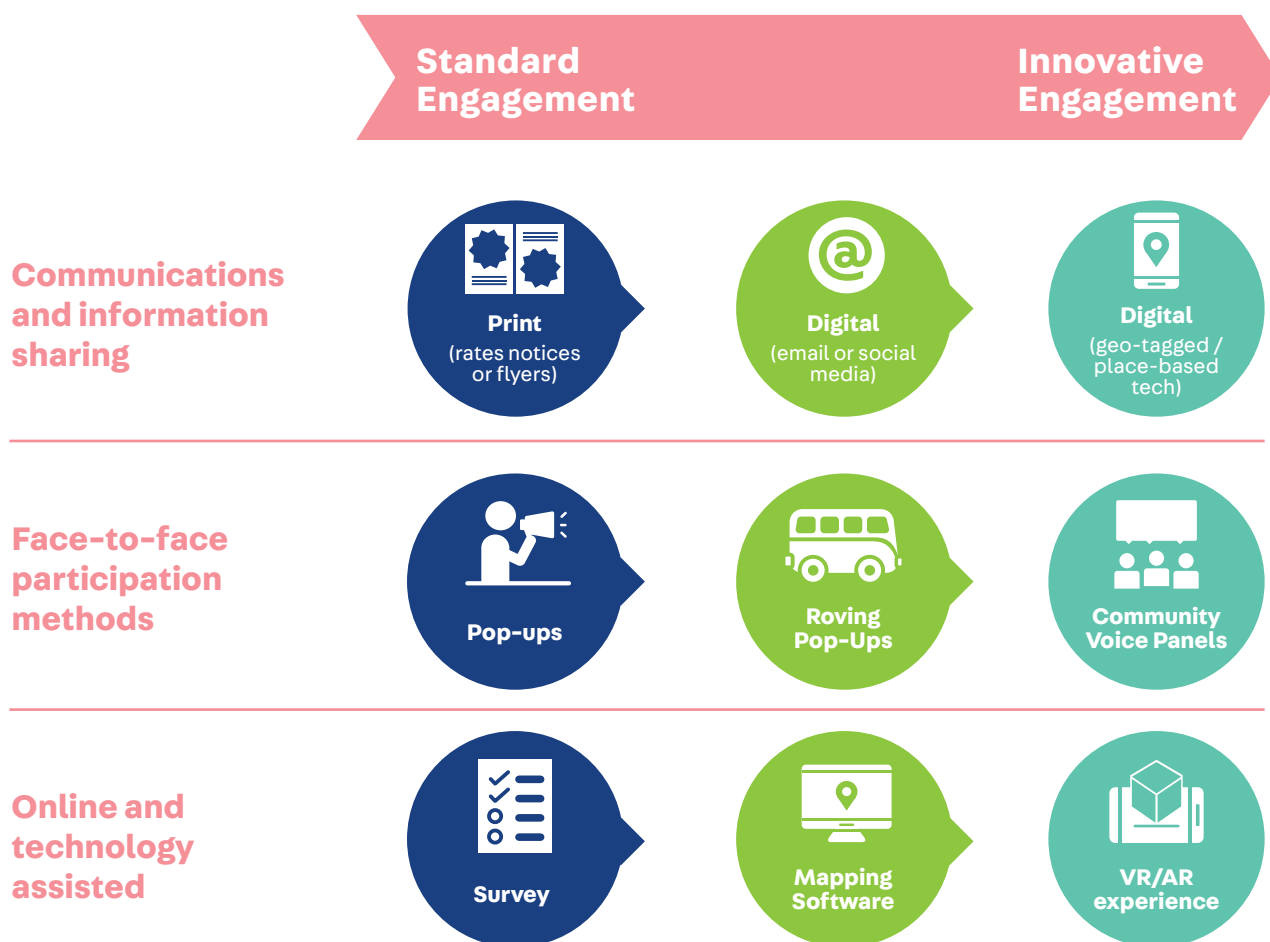
### **3.9 Will Council notify owners and occupiers in neighbouring LGA's?**

In the instance that a property adjoins the boundary of a neighbouring Council, a notification letter will be sent to the adjoining Council requesting that Council inform its residents/ratepayers of the proposed development. Alternatively a letterbox drop to the affected occupiers will be undertaken and the adjoining Council notified.

# 04 How can the community participate in the planning process?

We will tailor community participation approaches for Council's planning functions to achieve the benefits of community engagement across the planning system. It's also important for Council to have a mix of techniques that cater for a broad audience as well as different information requirements or degrees of project complexity. This section is a guide for engaging on planning matters

## 4.1 What are the different types of engagement?



## 4.2 What are the different pathways for planning?

There are many different planning approval pathways in NSW. The size, scale and nature of the development will determine which of the assessment pathways is appropriate. For the purposes of this CPP, these pathways have been identified as either Statutory or Strategic.

- **Statutory planning:** manages the assessment of Development Applications (DAs) (i.e. can I get approval for my new house design, apartment block, urban renewal site?). The statutory platforms are informed by controls outlined in the strategic platforms.
- **Strategic planning:** sets the desired outcomes and provides direction on how to achieve them (i.e. where are we now and where do we want to be?). The strategic platforms enable development and help manage change. This includes planning proposals, preparing planning controls, contributions plans and plans for urban renewal sites.



Find out more and check to see if a development requires approval, visit [planning.nsw.gov.au](https://planning.nsw.gov.au)



## Case study: Tasmanian state government multicultural guide

A toolkit resource for Culturally and Linguistically Diverse Communities (CALD) communities and organisations across Tasmania. This guide assists Government entities to engage with increasingly diverse populations, and could serve as a guide and example for engaging with diverse communities.

### The Guide covers:

- Challenges for engagement
- Toolkit and methods for engagement
- How to plan effective engagement methods
- Relevant policy for consideration
- Contact details of relevant



## PART A : STATUTORY

The planning system in New South Wales is supported by legislation, namely the Environmental Planning and Assessment Act 1979 (or “the EP&A Act”), and the Environmental Planning and Assessment Regulation 2000 (or “the EP&A Regulation”). The EP&A Act identifies if Council or another authority, such as a panel of experts or the State Government, will assess the development depending on its scale and nature.

The following participation opportunities have been identified based on:

- **Minor Development** (Council as delegated Authority) - Type A and Type B (different types being determined by scale and use - see Table 9 below)
- **Medium and Major Development** (Local Planning Panel and Regional Planning Panel)

### Minor Development - Council as delegated authority

Local development is the most common type of development in NSW, with projects ranging from home extensions to medium sized commercial, retail and industrial developments. Council planning officers determine the majority of local DAs under delegated authority of Council. Council may also assess master planning to inform capital works. An overview of different engagement techniques and their timing is provided in Table 4 below and explained in more detail in Section 5 below (in regards to exhibition timelines and notification processes for different types of development).

N.B. DAs for significant development are determined by the Local Planning Panel, or development identified as being regional significant are assessed by the Regional Planning Panel.

Table 9: Overview of engagement techniques and timing - **Minor Development**

Level of participation	When	How pre exhibition	How during exhibition	How post exhibition	Regulatory considerations
<b>INFORM</b>	Notifications during and following exhibition phase (or signage once complying development certificate issued by certifier)	n/a	Letters to adjacent properties.  Advertising in the local paper and online.  Not all DAs are advertised.	Advertising in paper and online. Notification of outcome to submissions received.	Neighbours (adjacent to the site) are to be notified of the DA in print. It is good practice for all DAs to have a sign placed on site (and this is a requirement for some types of DAs that also would require advertisement in local media.)  See further detail in section 3.
<b>CONSULT</b>	At exhibition phase for DAs.	n/a	Online submissions and letters received.	As above.	14 days minimum exhibition period for low impact DAs and 28 days minimum for designated development (potential high impact DAs).
	At exhibition phase for master plans.	Advertising of engagement opportunities (i.e. workshops, focus groups etc).	Face to face methods such as workshops or focus groups.  Online survey.	As above.	See further detail in section 3.



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**"WE NEED TO INVOLVE  
OUR COMMUNITIES IN  
A MEANINGFUL WAY IN  
OUR OPERATIONS AND  
ACTIVITIES TO BUILD  
COMMUNITY TRUST"**

**- CBCity Community  
Engagement Framework**



## **An Aspiration: Development Assessment to go digital**

City of Canterbury Bankstown has an ambition for an entirely digital Development Assessment process. While the process will still comprise of traditional elements such as the posting of letters and advertising in newspapers, digitisation will significantly improve the DA process for Council, developers, applicants and community members.

Digitising this process will lead to time and process efficiencies, while also maximising opportunities for the community to engage in the DA process. By making the process easier and more accessible for submitters, participation in the planning process becomes more timely, open, transparent and easy.

This ambition is consistent with the NSW Department of Planning's Development Assessment Best Practice Guide.



### Medium and major development - local planning panel and regional planning panel

Local Planning Panels (formerly known as Independent Hearing and Assessment Panels) will determine the most sensitive and complex development applications. All LPP meetings are held in public and are recorded. Matters are referred LPP under an instrument of delegation. Certain matters specified in that delegation require that the particular DA be determined by the LPP.

Sydney Planning Panels and Regional Planning Panels (formerly known as Joint Regional Planning Panels) operate to provide independent, merit-based decision making on regionally significant development. The Panels may also have a role in planning proposals, to undertake rezoning reviews or to act as the responsible proposal authority (RPA) when directed. Similar to local planning panels, certain matters are referred to the Regional Planning Panels that are deemed regionally significant or have a certain capital investment value. Such DAs are determined by the Panel.

Table 10: Overview of engagement techniques and timing - Medium or major development

Level of participation	When	How pre exhibition	How during exhibition	How post exhibition	Regulatory considerations
<b>INFORM</b>	Advertised on Council's website and local paper.	Council to advertise and promote the opportunity for participation through submissions or public hearing.	n/a	Closing the feedback loop for participants in the process.	The panel must give reasonable notice to the public of the times and places of its meetings.
<b>CONSULT</b>	Consult at any time with Council to assist with LPP deliberations.	n/a	LPP may consult with Council directly requested additional information or to discuss specific impacts of proposed development.	n/a	LPP must consult with Council for a development that may have a significantly adverse impact on the council.
	Written submission or verbal submissions (at the public hearing)	An information session (or public hearing) to discuss the proposed development with the public.	A member of the public can register to speak to the LPP at the public meeting;  A written submission can be sent to Council and will be recorded.	n/a	Permitted at the panel's discretion.

## **PART B : STRATEGIC**

### **Plan Making**

Plan making can be undertaken by Council or by another delegated Authority (Department or Panel). A common policy used in plan making is the Local Environmental Plan (LEP) prepared by Councils. A Development Control Plan (DCP) provides detailed planning and design guidelines to support the planning controls (outlined in the LEP) and is prepared and adopted by councils. Other plan making processes may include plans for urban renewal areas, contribution plans, masterplans, Local Strategic Planning Statements (LSPS) and planning proposals.



**Table 11: Overview of engagement techniques and timing - Strategic planning (Council)**

Level of participation	When	How pre exhibition	How during exhibition	How post exhibition	Regulatory considerations
<b>INFORM</b>	Across the entire project timeframe but focused and targeted for participation opportunities.	Factsheets, letters, Have Your Say website and media releases;  Information about the project and its purpose. Education about the planning process and issues relating to the project;  Advertisement of participation opportunities.	Project updated on website and promotion of participation opportunities.	Provide feedback to participants and wider community. Distribution of participation outcomes, through a report or 'Community Statement';  Communication on next steps.	Publicly exhibit and give public notice in a local newspaper.
<b>CONSULT</b>	At a specific stage or across a series of project stages.	Workshops.	Online survey and opportunities for written submission.	Notification of outcomes from exhibition.	Provide opportunity for written submissions as a minimum participation opportunity.
<b>INVOLVE</b>	A series of project stages that seek feedback and explain evolving outcomes.	Deliberative workshops.	Online survey and opportunities for written submission.	Notification of outcomes from exhibition (and if relevant seeking participation on final issues for clarification).	
<b>COLLABORATE</b>	Multiple opportunities across the project.	Co-design workshops. Advisory committees and participatory decision-making.	Online survey and opportunities for written submission.	Workshops or focus groups that seek participation on finalising the plan.	
<b>EMPOWER</b> (not commonly used)	From the inception of the project to its delivery (and where applicable, continuing after adoption of plan)	Citizen juries, ballots and delegated decisions.	Online survey and opportunities for written submission.	Ongoing involvement from participants through the establishment of a place making group.	Projects are bound and informed by regulatory frameworks.







## **Case study: Inclusive engagement through advocates**

Everyone Can Play is a best practice resource for councils, community leaders, landscape architects and local residents. It is a reference guide for creating world-class playspaces, designed to include everyone in the community.

The Guideline was developed through a collaborative process that involved extensive stakeholder engagement and consultation with advocacy and advisory groups representing over 50 stakeholders from local government, landscape architecture, disability advocates, industry representatives, parents and educators. Feedback on the guideline was provided through a six-week exhibition period and a series of 11 workshops run across NSW with councils and industry representatives.

Visit [everyonecanplay.nsw.gov.au](http://everyonecanplay.nsw.gov.au)



### **External to Council**

The State Government and other government agencies develop policies that may affect or relate to planning matters in Canterbury-Bankstown. These policies include major projects like airports and legislation such as State Environmental Planning Policies (SEPPs).

For these types of development, there are no requirements that Council undertake engagement, though Council may choose to inform the community of any project it deems of particular interest and importance to the community. This can take the form of simply providing a link to the relevant external webpage on Council's own website. Where the external agency is undertaking sufficient engagement, it would not require Council to take any further action.

Some types of development and infrastructure are deemed to have State significance due to the size, economic value or potential impacts that a development may have. Development that is State significant development (SSD) is identified in the State and Regional Development State Environmental Planning Policy 2011.

Council's advisory groups represent community interests and provide feedback on matters external to Council.

**Examples of matters external to Council include:**

- Urban renewal strategies and corridors
- Precinct plans and collaboration areas
- Metropolitan and district plans
- State significant development applications
- State significant infrastructure applications
- Critical state significant infrastructure
- Bankstown airport master plans
- State environmental planning policy (SEPPs)
- State-wide planning and design controls
- Metropolitan strategic plans (new and updates)
- District plans (new and updates)

**Table 12: Overview of engagement techniques and timing - Strategic planning (external to Council)**

Level of participation	When	How pre exhibition	How during exhibition	How post exhibition	Regulatory considerations
<b>INFORM</b>	Advertise or recruit participation opportunities	Promotion of Council-led participation opportunities.	Promotion of external opportunities.	Report back and keep participants informed.	No legislative requirements
<b>CONSULT</b>	Prior to exhibition to help inform Council's submission or encourage individual submissions.	Workshops or Community voice panels.	Formal written submissions.	n/a	No legislative requirements
	During exhibition or ongoing over the life of the project through advocacy.	n/a	Council's Advisory Groups provide feedback on behalf of the community, particularly when there is a short exhibition window from external agency.	n/a	No legislative requirements





## **Case study: Community voice panels**

City of Canterbury-Bankstown's award winning Community Voice Panel in 2018 gave community members a unique opportunity to learn, deliberate, form and share opinions on a number of significant planning projects that could affect their local community for decades to come.

The Panel came about as there had been a low level of consultation on a number of major urban renewal projects being led by the state government in the area, including the Sydenham to Bankstown Urban Renewal Corridor Strategy, the Sydney Metro South West Project and Planned Precincts. The corridor strategy affects 11 railway station precincts, eight of which are in the Canterbury-Bankstown local government area. .

In response to concern about minimal consultation, the elected Council resolved in November 2017 and April 2018 to establish a series of community panels and interest groups to guide Council's advocacy on the projects. The Community Voice Panel is one of the new initiatives that makes up Council's broader engagement strategy for these projects and is representative of the Canterbury Bankstown diverse community.

**"[THE  
WORKSHOPS]  
GAVE A  
PLATFORM FOR  
THE PEOPLE."**

*- Panel member feedback*

### 4.3 What type of engagement techniques can be used for different Canterbury Bankstown communities?

**This CPP recognises the fast-growing and culturally diverse network of communities that call Canterbury-Bankstown home. It aims to apply the place, story and community values to the planning system to identify participation opportunities and engagement ideas to explore when engaging with the varied communities.**

The fact the community is diverse and non-homogenous means Canterbury-Bankstown is not driven by one viewpoint but many views from around the world. The CPP recognises the importance in understanding this uniqueness in order to effectively engage with people in the planning system.

The map below shows engagement techniques that can be explored for the different communities across the city in order to tailor engagement to the needs of the community.





## Below is a description of the icons representing the different ways to engage



### **Translations**

Translating material into appropriate language/s, tone and message is essential for engaging with a diverse community.



### **Maildrops**

Flyer mail drops or newspaper inserts with translated text are efficient in areas of lower density.



### **Outreach in family friendly locations**

Undertaking outreach activities in places that are popular and accessible for families such as parks and playgrounds, is a great way to reach parents, grandparents and children.



### **Events in High Density areas**

Undertaking highly visual activities in places such as nearby open spaces, parks and town centres is effective in attracting those who live in high density areas.



### **Outreach at train stations**

Undertaking activities at train stations during morning peak hours is effective in communicating with commuters.



### **Outreach at community centres**

Utilising community centres that are significant for specific communities is a great way to engage target communities.



### **Present clear options for consideration**

Presenting clear and tangible options for feedback will likely be effective for many members of this community.



### **Primary schools**

Undertaking engagement with local primary schools is a mechanism to gather insights from young members of the community.



### **High Schools**

Connecting with local high schools is effective in gathering youth insights and buy-in.



### **Pre-schools**

Establishing partnerships with pre-schools is effective in connecting with parents of very young children.

# 05 How should council measure and record participation?

## 5.1 Evaluation

The Community Engagement Policy and Framework provide an extensive set of evaluation tools to determine the effectiveness of participation. Evaluation should be undertaken throughout the engagement period, to ensure that improvements to the engagement plan can be implemented throughout the process.

Refer to the Community Engagement Policy and Framework for an example of an evaluation framework.

## 5.2 Submissions

Council has systems setup to manage hard copy and digital submissions. At a minimum, Council commits to:

- Registering each submission (through software or hard copy log)
- Identifying the core issues and responding to these (as they relate to the DA)

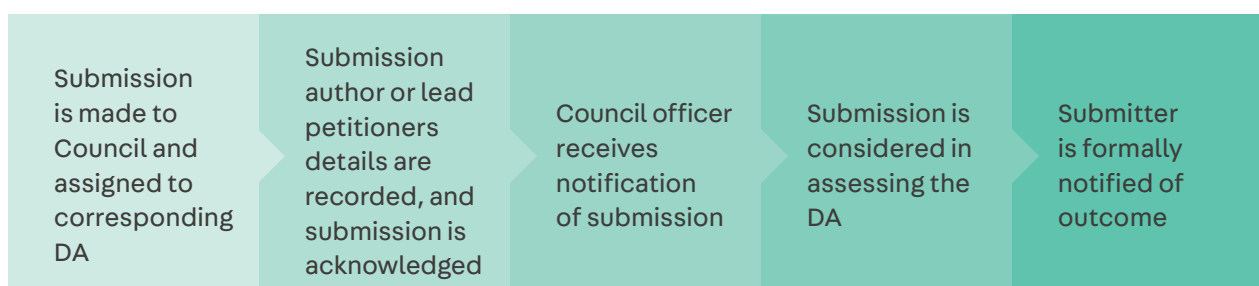
- Recording the name and contact details (address or email) for submission to be official
- Sending an acknowledgement of receipt of submission
- Outlining how submissions have been considered in the assessment and evaluation of DAs

See Figure 4 for the DA Submission process.

The below constitutes a 'unique submission':

- A written submission from an individual household. Submissions from the same household will be considered as a single submission.
- A petition or pro-forma letter (including pro-forma letters with the same contextual content) signed or submitted by multiple persons from different households will be treated as a single submission.

Figure 3: Submission Process



# APPENDIX

## Appendix 1 - Regulatory Assurance Checklist

EP&A Reference	Checklist	Compliance	CPP Chapter
Part 2, Div 2.6, Section 2.22(1)	A key function of the CPP is to set out the public exhibition timeframes	Yes	Chapter 3
Part 2, Div 2.6, Section 2.22(1)	Councils must list the minimum mandatory timeframes for the planning functions that apply to them in Schedule 1 (Councils should only provide timeframes for planning functions they perform)	Yes	Chapter 3
Part 2, Div 2.6, Section 2.22(1)	It is essential to clearly differentiate between mandatory and non mandatory timeframes	Yes	Chapter 3
Part 2, Div 2.6, Section 2.22(1)	Reinforce that a reason for the decisions are given for DA determinations as per Schedule 1 of the EP&A Act	Yes	Chapter 4
Part 2, Div 2.6, Section 2.23(2)	Have regard to the community participation principles in section 2.23 (2) of the EP&A Act	Yes	Chapter 2
Part 2, Div 2.6, Section 2.22(1)	Detail how and when a planning authority will undertake community participation when exercising relevant planning functions in section 2.21 (2) of the EP&A Act	Yes	Chapter 4
Part 2, Div 2.6, Section 2.23	Clearly state who it applies to and where	Yes	Chapter 1
Part 2, Div 2.6, Section 2.22(1)	Clearly note that the document relates to planning only	Yes	Chapter 1
Part 2, Div 2.6, Section 2.23(2)	Information should be presented in plain English	Yes	Chapter 2
Schedule 1 and Part 2, Div 2.6, Section 2.24(1)	Be publicly exhibited for a minimum of 28 days and published on the NSW planning portal by 1 December 2019	Subsequent to Council adoption	Chapter 1

# GLOSSARY

The below definitions have been sourced from Council's Community Engagement Policy:

Term	Definition
Community	Community refers to the people who have a stake and interest in the Canterbury-Bankstown Local Government Area (LGA) and includes people who: live, work, study or conduct business in the LGA, visit, use or enjoy the services, facilities and public places located within the LGA.
Community engagement	The involvement of the community in the decision making process of Council, where the community is encouraged to provide feedback on a range of issues that effect them.
Stakeholder	Individuals or groups who have an interest or are impacted by the decisions of Council, these may include business representatives, professional associations, local community groups, or other levels of Government and Government agencies.
International Association for Public Participation (IAP2)	IAP2 is an international association which seeks to promote and improve the practice of public participation or community engagement, incorporating individuals, governments, institutions and other entities that affect the public interest throughout the world.



The below definitions have been sourced from Community Participation Plan Template:

Term	Definition
Contribution plans	A plan developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development
Designated development	Designated Development refers to developments that are high impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area (e.g. a coastal wetland)
Development control plans	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP
Gateway determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local environmental plan (LEP)	An environmental planning instrument developed by a local planning authority, generally a council. An LEP sets the planning framework for a Local Government Area
Regional strategic plan	20-year plans that address the community's needs for housing, jobs, infrastructure and a healthy environment for a DPE Region
State Environmental Planning Policy (SEPP)	An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state
State significant development (SSD)	Some types of development are deemed to have State significance due to the size, economic value or potential impacts that a development may have. Examples of possible SSD include: new educational establishments, hospitals and energy generating facilities
State significant infrastructure (SSI)	SSI includes major transport and services development that have a wider significance and impact than on just the local area. Examples of possible SSI include: rail infrastructure, road infrastructure and water storage and treatment plants
Urban renewal areas	Includes: <ul style="list-style-type: none"> <li>• Growth centres: Land identified in State Environmental Planning Policy (Sydney Region Growth Centres) 2006, earmarked for the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity</li> <li>• Planned precincts: Identified locations across Greater Sydney with good access to existing or planned public transport connections, suitable for rejuvenation with new homes and jobs</li> <li>• State significant precincts: State significant precincts are large areas of predominantly State-owned land, within Greater Sydney, that are identified by the State Government as areas for growth because of their social, economic or environmental characteristics</li> </ul>



**WHERE  
INTERESTING  
HAPPENS**