

ITEM 5.4 Draft Housekeeping Amendments to the Community Participation Plan

AUTHOR Planning

PURPOSE AND BACKGROUND

This report proposes to exhibit draft housekeeping amendments to the Community Participation Plan, with a further report to Council following the exhibition period.

ISSUE

The Environmental Planning and Assessment Act 1979 (the Act) requires all councils to prepare a Community Participation Plan (CPP). Council adopted its CPP in 2019.

The CPP establishes how Council engages with the community in carrying out its land use planning functions such as the assessment and determination of development applications, planning proposals, development control plan amendments and contributions plans.

The Act also requires Council to periodically review the CPP. Following a review, this report proposes draft housekeeping amendments which have been identified through the day-to-day operation and use of the CPP. The intended outcomes of the draft amendments are to update the requirements to be consistent with recent changes to State legislation and guidelines, to provide additional guidance on certain planning matters and to streamline the document to make it easier to read and understand.

Should Council decide to exhibit the draft housekeeping amendments, the matter would be reported to Council following the exhibition.

RECOMMENDATION That -

1. Council exhibit the draft amendments to the Community Participation Plan for a minimum 28 days, as provided in Attachment A.
2. The matter be reported to Council following the exhibition period.

ATTACHMENTS

- A. Draft Community Participation Plan
- B. Summary of the Draft Housekeeping Amendments

POLICY IMPACT

Since the adoption of the CPP, there has been changes to State legislation to allow exhibition requirements to be met through electronic communication methods. This matter is consistent with the Department of Planning and Environment's ePlanning program, which is increasing the use of electronic communication methods in planning.

This matter is also consistent with the Act, namely section 2.24 which requires Council to periodically review its CPP. The review would ensure Council's development assessment and strategic planning processes make use of advances in technology and the changing communication preferences of residents.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

This matter is consistent with Council's *Connective City 2036* and Community Engagement Policy as an intended outcome of the draft amendments is to make it easier for the community to understand how they can participate in the planning process. The draft amendments will also ensure Council's exhibition requirements remain contemporary and relevant to successfully manage development and planning matters across Canterbury Bankstown.

It is also important to point out that the CPP sets a baseline for the level of engagement Council will undertake with the community on planning matters. Depending on the scale and complexity of the planning matter, Council can undertake additional forms of engagement to increase its community reach on particular planning matters. Council routinely engages with the community beyond the expectations of the CPP including community voice panels, webinars and pop-up events, and these will continue to take place as a matter of good practice rather than mandatory minimum standards. This discretion will continue to be open to Council under the updated CPP.

DETAILED INFORMATION

Key Draft Housekeeping Amendments to the Community Participation Plan

A summary of the draft housekeeping amendments to the Community Participation Plan is provided in Attachment B. The key draft housekeeping amendments include:

Issue 1: To streamline the document to make it easier to read and understand

Existing Requirement	Draft Amendments (Attachment A)	Reason
<u>Section 1.1 (page 4)</u> This section describes how the CPP was prepared.	Delete this detail.	The text duplicates section 1.3, which also describes the development of the CPP.
<u>Section 1.4 (page 6)</u> This section describes Council's policy framework.	Delete this detail	The text duplicates section 1.3, which also describes Council's policy framework.
The CPP refers to case studies as examples of engagement techniques.	Transfer the case studies to Council's website.	There are no policy implications in transferring the case studies to Council's website. This amendment streamlines the document to make it easier to read and allows Council to update the case studies without the need to amend the CPP each time.

Issue 2: To be consistent with recent changes to State legislation and guidelines

Existing Requirement	Draft Amendments (Attachment A)	Reason
<u>Section 3 (page 15)</u> The CPP applies the same exhibition requirements for Council's statutory and strategic planning functions.	<u>Section 2 (page 6)</u> Customise the exhibition requirements for Council's statutory and strategic planning functions.	The issue is the day-to-day use of the CPP has found it impractical and resource intensive to implement the same exhibition requirements for Council's statutory and strategic planning functions. For example, the CPP requires a sign to be displayed on the subject land. Whilst this is relevant for development applications, it is impractical to apply the same requirement to citywide strategic planning projects. To address this issue, it is proposed to customise the exhibition requirements by: <ul style="list-style-type: none">Aligning the statutory requirements with changes to State legislation, which allow exhibition requirements to be met through electronic communication methods.Aligning the strategic requirements with the Department's publication '<i>Local Environmental Plan Making Guideline</i>' (December 2021).

Existing Requirement	Draft Amendments (Attachment A)	Reason
<u>Section 3 (page 15)</u> The CPP requires Council to endorse draft planning documents and development applications prior to public exhibition.	<u>Section 2 (pages 6 and 15)</u> Delete this requirement.	State legislation does not permit Council to endorse (i.e. approve) draft planning documents and development applications prior to public exhibition.
<u>Section 3 (page 16)</u> The CPP does not provide minimum exhibition periods for development applications that propose threatened species development and remediation work.	<u>Section 2 (page 7)</u> Add this requirement.	This amendment is consistent with the Act, which provides mandatory exhibition periods for these types of development applications.
<u>Section 3 (pages 17–18)</u> The CPP does not provide minimum exhibition periods for development applications that propose build-to-rent housing, co-living housing or manor houses.	<u>Section 2 (pages 7–8)</u> Add this requirement.	This amendment is consistent with the SEPP (Housing) 2021, which introduces these new types of residential development.
<u>Section 3 (pages 17–18) and Section 4 (page 28)</u> In relation to development applications, notification letters are not required to advise that plans may be inspected on Council's website.	<u>Section 2 (pages 8–9) and Section 4 (page 28)</u> Add this requirement.	This amendment is consistent with changes to State legislation, which allow exhibition requirements to be met through electronic communication methods.

Issue 3: To provide additional guidance on certain planning matters

Existing Requirement	Draft Amendments (Attachment A)	Reason
<u>Section 3 (page 15)</u> The CPP requires notification letters to property owners and occupiers.	<u>Section 2 (pages 8–9 and 15)</u> No change to require notification to property owners. Maintain notification letters to occupiers as an option for Council to consider if deemed appropriate. Expand the option for Council to notify any other individual, group, organisation, public authority or similar deemed	The issue is the day-to-day use of the CPP has found it impractical and resource intensive to mandate this requirement, particularly as it results in residents receiving two notification letters as both the property owner and occupier. In addition, it is important to acknowledge the importance of notifying other key stakeholders such as community organisations, authorities and others who may have an interest in particular matters.

Existing Requirement	Draft Amendments (Attachment A)	Reason
	by Council to have, or likely to have, an interest in the proposed development or strategic planning project.	
The CPP does not contain requirements for the notification of amended plans to development applications under assessment.	<u>Section 2 (page 13)</u> Add this requirement.	This amendment clarifies the notification requirements for amended plans.
The CPP does not set a minimum notice period for public hearings in relation to strategic planning projects.	<u>Section 2 (page 15)</u> Add this requirement.	This amendment clarifies the minimum notice period for public hearings, consistent with State guidelines.

The proposed housekeeping amendments maintain Council's aspiration to continue to ensure engagement reflects the scale of each project and the need to ensure engagement activities are appropriately tailored to meet the needs of our diverse community.

Next Steps

Should Council support the recommendations of this report, the next step is to exhibit the draft housekeeping amendments for public comment for a period of at least 28 days. Council will receive a further report following the exhibition period.