

18 December 2018

NSW Department of
Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

Strathfield Council Submission – Exhibition of draft Community Participation Plan – Department of Planning & Environment

Thank you for providing Council with the opportunity to provide comments on the NSW Department of Planning & Environment's draft Community Participation Plan.

Council makes the following comments with respect to the documentation:

Discussion	Draft Recommendation for Consideration
<p>The Act does not mandate that draft legislation, regulation, policies and guidelines be exhibited. The draft CPP identifies that DPE will aim to undertake exhibition of draft legislation, regulation, policies and guidelines for <i>28 days based on the urgency, scale and nature of the proposal</i>.</p> <p>Generally, the exhibition of draft legislation, regulation, policies and guidelines will have an impact on the community and as such it is important that there is sufficient time given for both the community and Council officers to review and report on such changes. A key objective of the Act around community participation <i>is that community participation is open and inclusive</i>. Such changes should be identified as having mandatory exhibition timeframes.</p> <p>All draft legislation, regulation, policies and guidelines are considered to be important and sufficient time should be provided to ensure that all stakeholders have the opportunity to provide meaningful comment.</p>	<p><i>That Schedule 1 of the Act be amended to mandate the exhibition of all draft legislation, regulation, policies and guidelines and that it be mandated that they <u>all</u> be placed on public exhibition for a minimum 42 days, particularly for "significant" to ensure that community participation is open and inclusive</i></p>

Discussion

Draft Recommendation for Consideration

Should the DPE consider that there may be differences in the *scale and nature* of the exhibition of draft legislation, regulation, policies and guidelines, then it should provide clarification by identifying changes as “significant” or “non-significant”

For “significant” changes it would be considered appropriate to require a minimum exhibition period of 6 weeks (42 days) and for “non-significant” changes a 28 day exhibition period.

The Act does not mandate that a SEPP be publicly exhibited and the non-mandatory exhibition timeframes identify that the exhibition of a SEPP will be *discretionary, based on the urgency, scale and nature of the proposal*

Given that DPE is currently undertaking an extensive review of all SEPPs, as well as looking to introduce new SEPPs it is considered reasonable that the exhibition of SEPPs be mandated and that they all be placed on public exhibition for a minimum 6 weeks (42 days).

This extended timeframe would be to allow Council officers to undertake a review of the SEPP and where necessary, report the SEPP and or its amendments to Council. As most Councils operate on a monthly meeting timeframe, a 28 day timeframe would not allow for reporting to a Council meeting, should this be required

That Schedule 1 of the Act be amended to mandate the exhibition of all SEPPs, including amendments to SEPPs and that it be mandated that they all be placed on public exhibition for a minimum 42 days to ensure that community participation is open and inclusive

The Act does not mandate that a plan for urban renewal areas (such as a Planned Precinct) be publicly exhibited. As such the exhibition of any such plan will be at the discretion of the DPE.

Should the DPE exhibit such a plan the non-mandatory exhibition is listed as *commonly six weeks*

Given that DPE is currently undertaken a number of plans related to urban renewal areas across metro Sydney, which will impact on local communities and the character of these communities it is considered reasonable that the exhibition of any plan relating to urban renewal areas be mandated and that they be placed on exhibition for a minimum 8 weeks (56

That Schedule 1 of the Act be amended to mandate the exhibition of any plan for an urban renewal area and that it be mandated that they be placed on public exhibition for a minimum 56 days to ensure that community participation is open and inclusive

Discussion	Draft Recommendation for Consideration
<p>days) for the reasons outlined above with respect to Council's reporting deadlines</p>	
<p>The exclusion period for the public exhibition for any mandated plan making (as identified in Table 4 of the draft CPP) should be amended to exclude all of December and January.</p> <p>The exhibition of any of the "plans" identified in Table 4 will generally have some impact on the community and potentially the character of areas.</p> <p>This time of the year also makes it difficult to report the information to Council (if required) as Council's Meeting Schedule generally includes a meeting in early December and late January.</p> <p>If the DPE is serious about being open and transparent and allowing for meaningful engagement, then no major plan change should be exhibited in December or January.</p>	<p><i>That the exclusion period for the public exhibition for any mandated plan making (as identified in Table 4 of the draft CPP) should be amended to exclude all of December and January.</i></p>

Should you wish to discuss the matters raised in this letter please do not hesitate to contact Council's Manager – Strategic Planning, Ms Rita Vella on 9748 9995.

Yours faithfully,



Stephen Clements
Deputy CEO, General Manager Planning,
Environment and Urban Services