

Item No:	R2 Recommendation to Council
Subject:	DRAFT WOOLLAHRA COMMUNITY PARTICIPATION PLAN
Author:	Kelly McKellar, Senior Strategic Planner
Approvers:	Anne White, Team Leader - Strategic Planning Allan Coker, Director - Planning & Development
File No:	19/141521
Reason for Report:	To obtain Council's approval to publicly exhibit the Draft Woollahra Community Participation Plan and a corresponding amendment to the Woollahra Development Control Plan 2015.

Recommendation:

- A. THAT the report on the *Draft Woollahra Community Participation Plan* be received and noted.
- B. THAT Council resolve to publicly exhibit the *Draft Woollahra Community Participation Plan* consistent with the text only version contained in **Annexure 1** and the corresponding amendment to the *Woollahra Development Control Plan 2015* contained in **Annexure 2** of the report to the Environmental Planning Committee of 16 September 2019.
- C. THAT staff report on submissions received during the public exhibition to a future meeting of the Environmental Planning Committee.

1. Summary

A community participation plan must be prepared by all NSW councils and published on the NSW planning Portal by 1 December 2019. This requirement was introduced as part of updates to the *Environmental Planning and Assessment Act 1979* (the EP&A Act) made in March 2018.

The community participation plan must set out how and when council will undertake community engagement for development applications and other planning matters. It applies only to Council's planning functions under the EP&A Act.

Staff have prepared a *Draft Woollahra Community Participation Plan* to meet the legislative requirements. **Annexure 1** contains a text only version of the *Draft Woollahra Community Participation Plan*. Graphic design will be undertaken before the document is publicly exhibited should Council resolve to support the draft plan.

This report provides a brief overview of the *Draft Woollahra Community Participation Plan* and the corresponding amendment to the *Woollahra Development Control Plan (DCP) 2015* and seeks Council's endorsement for public exhibition.

2. Background

Community engagement allows us to receive the views, concerns and aspirations of our community and help make decisions that are informed, representative and in the best interest of the whole community.

Council endeavours to undertake comprehensive community engagement and consultation, relating to both strategic planning projects and statutory notification of development applications.

Currently, our community participation requirements for planning functions can be found in several locations including, Chapter A2 Advertising and Notification of the *Woollahra DCP 2015*, on our public website, in the EP&A Act and in the *Environmental Planning and Assessment Regulation 2000*.

The *Draft Woollahra Community Participation Plan* will provide a single document that sets out how and when we will engage with our community on all our planning functions exercised under the EP&A Act.

3. Statutory deadline for community participation plan is 1 December 2019

Division 2.6 of the EP&A Act requires each Council to prepare a community participation plan. This is a new requirement that came into effect in March 2018. It aims to increase community participation and transparency in the NSW planning system.

The purpose of a community participation plan is to make it easier for our community to understand how and when we will engage with them in relation to our planning functions, including the minimum public exhibition timeframes set out in Schedule 1 of the EP&A Act.

The Department of Planning, Industry and Environment (DPIE) expects councils to transfer all community participation requirements (sometimes referred to as notification, advertising or submission periods) from development control plans to the community participation plan.

Its purpose is not to substantially change our engagement processes, but rather to:

- consolidate in a single plan our community engagement approach and processes for planning functions in a clear and practical format
- satisfy all legislative requirements and provide consistency with the EP&A Act.

Under the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* the community participation plan must be exhibited, finalised, and in effect by 1 December 2019.

All community participation plans must be published on the NSW Planning Portal which is administered by the DPIE.

4. Draft Woollahra Community Participation Plan

Our *Draft Woollahra Community Participation Plan* sets out our community participation principles and objectives, methodology, and statutory timeframes to guide how we will engage with our community on different types of planning matters such as:

- assessment of development applications
- proposals to rezone land under the *Woollahra Local Environmental Plan 2014*
- amendments to the *Woollahra Local Strategic Planning Statement*
- amendments to the *Woollahra DCP 2015*
- a development contributions plan
- a local housing strategy.

As discussed in Section 3 above, the plan provides guidance to our community on how and when they can have a say on different types of planning matters or make a submission on a development application. It also explains how community feedback will inform decisions about these matters and at what stages in the process they will be notified.

The plan applies only to Council's planning functions under the EP&A Act. It does not apply to:

- the community strategic plan or documents in Council's Integrated Planning and Reporting framework
- delivery of Council services, functions, or infrastructure
- planning matters under the EP&A Act which are not within the jurisdiction of Council
- general communications between Council and the community
- routine administrative and operational duties
- emergencies and situations that impact public safety.

The plan was developed in consultation with staff from our Development Control, Governance, and Communications departments.

It should be noted that to bring our participation requirements in-line with the mandatory minimum requirements under the EP&A Act the minimum public notification period for development applications will change to 14 days. Currently, under the Woollahra DCP 2015 it is a minimum of 15 days. The change will bring us into alignment with the Act and standard practice.

Annexure 1 contains a text only version of the *Draft Woollahra Community Participation Plan*. Images and graphic design will be undertaken before the document goes on public exhibition should Council resolve to support the draft plan.

5. Amendments to Woollahra Development Control Plan 2015

Chapter A2 Advertising and Notification of the *Woollahra DCP 2015* is currently the main document which sets out our community participation requirements.

As discussed in Section 3 above, the DPIE expects Council to transfer all the notification and advertising requirements from our DCP into our new community participation plan.

Accordingly, a concurrent amendment to the *Woollahra DCP 2015*, contained in *Annexure 2*, will:

- Amend 'Chapter A1 Introduction' to remove references to Chapter A2 Advertising and Notification and insert references to the *Woollahra Community Participation Plan*
- Repeal Chapter A2 Advertising and Notification.

The Amendment will be timed to come into effect after the *Draft Woollahra Community Participation Plan* is finalised and published on the NSW Planning Portal.

6. Public exhibition

The *Draft Woollahra Community Participation Plan* will be exhibited together with the amendment to the *Woollahra DCP 2015* should Council resolve to support the draft plan.

Under Schedule 1 of the EP&A Act the minimum public exhibition period is 28 days. A longer exhibition period is not recommended due to the imminent statutory deadlines for finalisation of the plan and publication by 1 December 2019.

The outcome of the public exhibition will be reported to a future meeting of the Environmental Planning Committee.

7. Conclusion

The EP&A Act requires all councils in NSW to prepare a community participation plan that sets out how and when council will undertake community participation when exercising relevant planning functions. It must be published on the NSW Planning Portal by 1 December 2019.

Additionally, the DPIE expects councils to transfer all community participation requirements (sometimes referred to as notification, advertising or submission periods) from development control plans and into the community participation plan.


Staff have prepared a *Draft Woollahra Community Participation Plan* to meet the legislative requirements. **Annexure 1** contains a text only version. Images and graphic design will be added before the document goes on public exhibition should Council resolve to support the draft plan.

A corresponding amendment to the *Woollahra DCP 2015* contained in **Annexure 2** will be concurrently exhibited to:

- Amend 'Chapter A1 Introduction' to remove references to Chapter A2 Advertising and Notification and insert references to the Woollahra Community Participation Plan
- Repeal Chapter A2 Advertising and Notification.

It is recommended that Council publicly exhibit the *Draft Woollahra Community Participation Plan* and corresponding amendments to the *Woollahra DCP 2015* for 28 days. The outcome of the public exhibition will be reported to a future meeting of the Environmental Planning Committee.

Annexures

1. Draft Woollahra Community Participation Plan - text only version [↓](#) 
2. Draft Woollahra DCP 2015 Amendment 10 [↓](#) 