

Kiersten Fishburn
Secretary
NSW Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

01 July 2026

Ref No: F2026/00269

Dear Kiersten Fishburn,

RE: Proposed statewide Community Participation Plan – Randwick City Council Submission

Council welcomes the opportunity to provide feedback on the draft Statewide Community Participation Plan (the draft CPP). At Randwick City Council's Ordinary Meeting of 30 June 2026, Council resolved to endorse this submission and provided approval for it to be submitted to DPHI. I note that, in its resolution (Appendix 1), Council requested minor amendments to the submission, which have now been incorporated.

Council notes that the draft CPP will override existing Council development application/planning notification requirements. While Council acknowledges the merit of establishing a consistent approach to minimum exhibition and notification requirements across NSW, it does not support the transition to a single statewide CPP in its current form.

Council raises the following concerns:

- The disproportionate concentration of engagement at the strategic planning stage, where meaningful consultation on site-specific impacts is inherently limited. This reduces opportunities for engagement at the development assessment stage where site-specific impacts are more clearly understood. This approach is intended to support early engagement; however, it assumes that strategic processes can fully anticipate site-specific impacts, which is not practical.
- The replacement of the current 7–14 day written notification period for complying development certificates with a 7-day pre-commencement notification requirement. This reduces the opportunity for community awareness and informal feedback to owners and certifiers prior to development proceeding.
- The removal of public exhibition requirements for a broad range of development types, including dwelling houses, commercial development, residential flat buildings and shop top housing, where proposals are compliant with applicable planning controls. This approach limits opportunities for community input on development that may have direct local impacts, such as view loss.
- The draft CPP seeks to reduce unnecessary consultation for low-risk development and support faster assessments; however, the proposed framework applies this principle too broadly and without sufficient regard to site-specific impacts.

- The draft CPP adopts a rigid, one-size-fits-all framework that does not adequately respond to local context or align with other elements of the planning system.

Overall, the proposed framework curtails meaningful community participation, erodes public trust, and undermines the legitimacy, transparency and effectiveness of the planning system.

STRATEGIC PLANNING

Exhibition timeframes

The draft CPP sets out mandatory minimum (Table 5) and non-legislated minimum public exhibition timeframes for Strategic Planning matters. Council supports the approach of minimum exhibition timeframes.

Recommendation:

Council should have autonomy to extend exhibition periods beyond minimums prescribed in the CPP where Council determines this is justified and reasonable.

The Local Environmental Plan Making Guideline (August 2023) (the Guideline) establishes maximum benchmark timeframes to guide the preparation and assessment of planning proposals and the making of local environmental plans. Table 2 (page 17) of the Guideline sets out maximum timeframes (in working days), with Stage 5 – Public Exhibition and Assessment ranging from 70 days for basic proposals to 115 days for complex proposals.

The establishment of maximum timeframes in the Guideline is inconsistent with the approach outlined in the draft CPP and does not provide sufficient flexibility for councils to extend exhibition periods where justified.

Recommendation:

Benchmark timeframes outlined in the Local Environmental Plan Making Guideline (August 2023) should be reframed as minimum timeframes to ensure alignment with the approach in the draft statewide CPP. The Guideline should also clearly provide for councils to determine longer exhibition periods where justified and reasonable.

Council notes the proposed 45-day minimum exhibition timeframe for regional and district strategic plans and supports its extension to 60 days. However, Council considers that the 60-day timeframe should be established as the mandatory minimum to ensure effective consultation across all stakeholder groups and enable meaningful feedback.

If the intent of the draft CPP is to provide additional time for community and stakeholder input, this should be formalised as a legislated minimum. As outlined in the draft CPP, a longer exhibition period supports more targeted engagement and allows sufficient time for stakeholders and the community to consider and respond to proposals in a meaningful way.

This approach better aligns with the strategic significance of these plans and the intent of the CPP to provide proportionate exhibition timeframes. The draft CPP does not provide a clear justification for retaining a shorter minimum period.

Recommendation:

The draft CPP should be amended to establish a legislated minimum exhibition period of 60 days for regional and district strategic plans.

Master plans and informing documents

Council supports the 42-day exhibition period for master plans. However, Council does not support the intent of the draft CPP to shorten or remove public exhibition requirements for master plans at the planning proposal stage.

Master plans are often prepared and exhibited well in advance of a planning proposal. As a result, the community and stakeholder cohort may change over time, and the broader planning context may also evolve. This can alter how the master plan is understood and assessed through the engagement process. For example, recent low- and mid-rise housing reforms have influenced planning outcomes and provided a different contextual framework for the Randwick Junction Town Centre Planning Proposal, for which a master plan was prepared as a supporting document.

To ensure transparency and meaningful engagement, all informing documents, including master plans, should be exhibited alongside the relevant planning proposal, unless there are legitimate reasons, such as commercial sensitivity, to limit disclosure.

Recommendation:

The CPP should provide flexibility for Councils to determine whether a master plan, or equivalent supporting document, should be exhibited at planning proposal stage, having regard to changes in context, stakeholder composition, and relevance.

Front-loading of engagement and risk in strategic planning

The draft CPP places a heightened emphasis on strategic planning processes to undertake comprehensive community engagement on planning outcomes, while exempting compliant development from consultation at the development assessment stage. In doing so, it effectively shifts the burden of engagement to the front end of the planning process and reduces opportunities for community input at the stage where site-specific impacts are more fully understood.

This approach creates an expectation that strategic planning processes will identify and communicate the full range of potential impacts on residents, including matters that may not become apparent until the development application stage. This is particularly relevant for non-numerical planning considerations, such as local character, design quality, views and amenity outcomes, which are often refined through detailed design and assessment.

The consequence of this approach is that councils may be compelled to adopt a more conservative and risk-averse approach to strategic planning. This may include presenting worst-case development scenarios during community consultation or introducing more prescriptive and restrictive development controls within planning instruments, such as Development Control Plans (DCPs), to mitigate potential impacts that cannot be fully anticipated at the strategic stage.

Such outcomes risk undermining the intended flexibility of the planning framework and may lead to overly cautious planning settings that do not appropriately balance development feasibility with community expectations.

Recommendation:

The CPP should be revised to ensure a more balanced approach to community engagement across both the strategic planning and development assessment stages.

In particular, consideration should be given to:

- **Retaining appropriate opportunities for community consultation at the development application stage, particularly where proposals, while compliant with numerical standards, raise site-specific or non-numerical planning considerations**
- **Recognising the limitations of strategic planning processes in identifying all potential impacts, particularly those emerging through detailed design**
- **Avoiding over-reliance on strategic engagement to resolve matters more appropriately addressed at development assessment stage.**

This would support a more proportionate, transparent, and effective engagement framework, while reducing the risk of overly conservative strategic planning outcomes.

Inconsistency between strategic planning outcomes and state led development processes

Recent NSW Government housing reforms have resulted in situations where local strategic planning outcomes developed and consulted on through the planning proposal process are subsequently overridden or disregarded through parallel State-led processes, including those facilitated by the Housing Delivery Authority (HDA) and the State Significant Development (SSD) pathway.

The draft CPP does not acknowledge these concurrent processes or provide mechanisms to address conflicting outcomes arising from separate planning and engagement processes operating simultaneously.

For example, Randwick Council has recently undertaken extensive community consultation in relation to the Randwick Junction Town Centre Planning Proposal. This process, endorsed by the Minister through a Gateway Determination, established a clear framework for engaging with the community on the strategic vision and built form outcomes for the precinct.

However, during this same period, the NSW Government, through the HDA, has been progressing expressions of interest from developers for sites within the same planning proposal area that propose development outcomes inconsistent with those being consulted on through the planning proposal.

This parallel approach creates a significant disconnect between State-led initiatives and Council-led strategic planning processes, particularly given that planning proposal outcomes are formally endorsed by the Minister for Planning and Public Spaces. It risks creating confusion and undermining community trust, especially when stakeholders are asked to engage on one set of outcomes while alternative outcomes are concurrently advanced through separate processes. This is particularly concerning given the draft CPP's clear intent to front-load community and stakeholder engagement within the strategic planning framework.

Accordingly, the effectiveness and credibility of community engagement are diminished, as stakeholders cannot be confident that the outcomes they are consulted on will ultimately inform decision-making.

Ultimately, this outcome is inconsistent with the justification provided by DPHI that early engagement builds community confidence in the planning system, enhances transparency in

decision-making, and ensures that potential concerns and priorities are addressed proactively rather than reactively.

Council's recent experience in undertaking community engagement, while concurrently managing alternative outcomes progressed through separate State-led planning processes, demonstrates a clear divergence from these objectives. Rather than strengthening meaningful upfront consultation, this approach risks eroding the effectiveness of the engagement process and undermining trust among councils and the communities.

Recommendation:

The CPP should establish clear requirements to ensure alignment between strategic planning processes and State-led development pathways, including the Housing Delivery Authority and SSD processes, to prevent conflicting or inconsistent outcomes and maintain the integrity and credibility of community engagement.

Any such alignment must not undermine, or override community and stakeholder feedback generated through strategic planning processes, nor diminish the weight given to that engagement where alternative outcomes are pursued concurrently through the Housing Delivery Authority or SSD pathways.

DEVELOPMENT ASSESSMENT

Proportionality and Blanket Exemptions

The draft CPP adopts a principle that community engagement should be proportionate to the scale and impact of development. Council supports this principle and acknowledges the benefit of exempting genuinely low-risk and low-impact development from public exhibition.

However, the proposed blanket exemption framework, particularly as set out in Table 6, represents a significant departure from Council's existing impact-based and discretionary notification framework and fails to adequately account for the diversity of site conditions across NSW. Development that may be considered "low scale" or compliant with planning controls can still result in significant adverse impacts depending on site-specific factors such as lot size, topography, proximity to adjoining properties or sensitive locations (e.g. waterfront sites).

Further, certain development types proposed for exemption, such as residential flat buildings and shop top housing, cannot reasonably be characterised as low-impact development, even where they meet numerical planning controls.

Accordingly, the proposed framework risks under-notification of development with genuine local impacts and reduces Council's ability to respond to site-specific circumstances.

Recommendation:

The draft CPP should ensure that exemptions from public exhibition are genuinely limited to low-impact development and incorporate discretion for councils to require notification where site-specific impacts are likely, regardless of compliance with planning controls.

Appropriate Scope of Exempt Development

Council supports the exemption of genuinely minor development from public exhibition, including:

- internal alterations (non-heritage)
- strata and stratum subdivision

- s4.55(1) and (1A) modifications

However, Council considers that beyond these categories, notification should not be automatically removed and that councils must retain discretion to require notification where adverse impacts are likely.

A discretionary, impact-based approach is critical to ensuring that community participation is proportionate while still responsive to local conditions.

Recommendation:

The draft CPP should distinguish between:

- ***development that is appropriate for full exemption; and***
- ***development that may be exempt in principle but subject to council discretion where site-specific impacts warrant notification.***

Inconsistency with Other Planning Frameworks

The draft CPP introduces inconsistency with existing planning and governance frameworks, particularly in relation to Local Planning Panels (LPPs).

Development types such as residential flat buildings and shop-top housing are recognised under the Local Planning Panel Direction as sensitive or potentially contentious development, often requiring LPP determination (e.g. where 10 or more objections are received). However, the draft CPP proposes to exempt these same development types from public exhibition where compliant with planning controls.

This creates a disconnect whereby development is:

- categorised as “low impact” for the purpose of consultation; but
- considered sensitive or high-risk in the determination framework.

Further, exempting these developments from exhibition may prevent submissions from being formally recognised under the EP&A Act, potentially limiting referral triggers to the LPP despite strong community concern.

Recommendation:

The draft CPP should ensure consistency with existing legislative and policy frameworks, including the Local Planning Panel Direction, by retaining public exhibition requirements for development types identified as sensitive or potentially contentious.

Interpretation of “Compliance” with Planning Controls

The draft CPP relies on whether a development “meets the relevant planning controls” as a basis for exemption from notification and exhibition. However, this concept is unclear and open to interpretation.

Compliance cannot be determined solely by numerical standards. Many planning controls, particularly within DCPs, are qualitative or merit-based, including design quality, amenity, view sharing, and contextual fit. Additionally:

- maximum standards (e.g. height and FSR) are not entitlements
- differing interpretations of controls are common
- Land and Environment Court decisions demonstrate variability in how standards are applied

There is also ambiguity as to whether compliance is assessed:

- by the applicant at lodgement; or
- by Council during assessment

This creates a risk that applications may initially be treated as exempt, but later require notification if non-compliance is identified—resulting in delays and increased administrative burden.

Recommendation:

The draft CPP should clearly define what constitutes “compliance” with planning controls and ensure that any exemptions from public exhibition are based on a robust and consistent assessment by the consent authority, incorporating both numerical and merit-based considerations.

Implications for Assessment Timeframes and Resourcing

While the draft CPP seeks to streamline assessment processes, it may inadvertently increase administrative complexity and extend assessment timeframes.

The proposed approach requires councils to undertake a detailed preliminary review at lodgement to determine whether notification is required. This introduces:

- additional front-end assessment requirements
- increased resourcing demands
- risk of re-notification during assessment if issues arise

If an application is initially treated as exempt but later requires notification, this will:

- delay determination
- create uncertainty for applicants
- undermine the stated objective of faster assessments

Recommendation:

The draft CPP should minimise upfront administrative complexity and avoid processes that may trigger re-notification during assessment, ensuring that reforms genuinely support efficient and timely determination of applications.

Risk of Legal Challenge and Litigation

Public exhibition plays a critical role in identifying site-specific impacts that may not be readily apparent through technical assessment alone, particularly in relation to:

- view loss
- privacy impacts
- solar access
- local amenity

In the absence of notification:

- councils may not be aware of these impacts
- affected landowners may have limited opportunity to raise concerns
- decisions may be vulnerable to Class 4 proceedings challenging validity

Additionally, failure to correctly apply notification requirements may expose councils to legal risk.

Recommendation:

The draft CPP should retain mechanisms that enable councils to identify and consider site-specific amenity impacts through community input, reducing the risk of legal challenge and ensuring robust decision-making.

Notification Methodology

The draft CPP lacks clarity regarding the methods of notification (e.g. written notice, site signage, online exhibition). This creates uncertainty for both councils and the community and may affect the effectiveness of engagement.

A clear and consistent framework is required to ensure:

- transparency
- accessibility
- appropriateness of engagement methods relative to development type

Recommendation:

The draft CPP should clearly define acceptable methods of notification and public exhibition, ensuring consistency across NSW while allowing flexibility to respond to local circumstances.

Notification Extent and Identification of Affected Properties

The draft CPP does not provide guidance on the spatial extent of notification including how affected properties are to be identified (i.e. by applying a defined notification radius).

Under Council's current Community Engagement Strategy, notification for development applications is undertaken using a clearly defined and consistent methodology including written notice to affected landowners and occupants within a specified radius of the site (typically 40 metres), with flexibility to expand or reduce this area based on the nature and likely impacts of the proposal.

This approach ensures that notification is both predictable and responsive to site-specific circumstances and provides clarity to applicants, the community and decision-makers regarding who will be notified and why.

In contrast, the absence of an equivalent framework in the draft CPP introduces uncertainty regarding:

- how affected parties are to be identified.
- the spatial extent of notification.
- the consistency of notification practices across councils.

While the draft CPP seeks to standardise community participation requirements across NSW, the lack of direction on notification extent risks inconsistent application between jurisdictions, undermining the objective of a clear and transparent statewide framework.

It may also result in:

- notification that is either insufficient (excluding affected properties); or
- overly broad, creating unnecessary administrative burden.

Both outcomes have implications for procedural fairness, community confidence and the efficiency of the development assessment process.

The Draft CPP is also unclear on renotification requirements as well as the role of the CPP with respect to development applications in the NSW Land and Environment Court, including the area of notification.

Recommendation:

A consistent and clearly articulated approach to defining the extent of notification including guidance on the identification of affected landowners and occupants is, therefore, critical to ensuring that community participation is:

- ***proportionate to likely impacts.***
- ***equitable and transparent.***
- ***capable of consistent implementation across NSW.***

COMPLYING DEVELOPMENT

The intent of the draft CPP to replace the 7-14 day written notice requirements before a complying certificate is determined with a 7-day pre-commencement of work notification for new buildings, additions and demolition is generally not supported by Council in its current format.

While Council acknowledges reduced notification requirements may be appropriate for minor development, it does not support their application to all complying development given the increasing scale and complexity of development permitted under this pathway.

Although the current framework provides limited opportunity for residents to formally object or influence design outcomes, it plays an important role in notifying neighbouring properties of impending works and allowing them to understand what is being built, the scale, the location and timing, and plan for construction impacts.

Furthermore, removal of the notification of a CDC at determination stage may jeopardise legal reviews of invalid CDCs, which must be commenced within 3 months of the date of issue. It is not uncommon that community members will identify that mandatory conditions and standards under the Codes SEPP have not been complied with when notified of the CDC. The notification provides an informal check by neighbours on certifiers assessments. It also encourages accountability for applicants to comply with standards and reduces inappropriate developments slipping through unchecked.

The replacement of the notification at pre-commencement stage may be out with the 3-month timeframe, removing Council's ability to challenge the CDC. A 7-day pre-commencement notification period is not considered proportionate for development with more significant impacts.

Recommendation:

Notification requirements should be proportionate to the scale and impact of development, with extended notification timeframes retained for larger/higher-impact complying development.

CONCLUSION

In summary, Randwick City Council supports efforts to streamline and standardise community engagement and consultation across NSW. However, these reforms should not result in reduced community participation, as this risks undermining public trust in the planning system and may not deliver the intended improvements to assessment timeframes.

Randwick Council has a proven track record of achieving development assessment timeframes well within NSW Government targets, while maintaining robust exhibition and consultation processes.

On this basis, Council does not support the draft Statewide Community Participation Plan in its current form and recommends that the NSW Government consider the critical issues raised in this submission to ensure that efficiency gains are not achieved at the expense of faster assessments, community participation and trust in the planning process.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Meryl Bishop', written in a cursive style.

Meryl Bishop
Director City Planning

Appendix 1 – Council Resolution relating to Draft Statewide Community Participation Plan from Randwick Council's Ordinary Meeting of 30th June 2026

CP21/26

Director City Planning Report - Draft Statewide Community Participation Plan - Randwick City Council Submission (F2026/00269)

RESOLUTION: (Veitch/Gordon) that Council:

- a) note this report on the draft Statewide Community Participation Plan prepared by the Department of Planning, Housing and Infrastructure;
- b) endorse the draft submission at Attachment 3 prepared in response to the draft Statewide Community Participation Plan for final submission to the Department of Planning, Housing and Infrastructure; and
- c) delete the following from its submission as exempt development:
 - boundary adjustments and minor tree removal (non-heritage).

MOTION: (Veitch/Gordon) CARRIED - SEE RESOLUTION.

English If you need help to understand this letter, please come to Council's Customer Service Centre and ask for assistance in your language or you can contact the Telephone Interpreter Service (TIS) on 131 450 and ask them to contact Council on 1300 722 542.	Greek Αν χρειάζεστε βοήθεια για να καταλάβετε αυτή την επιστολή, παρακαλείστε να έρθετε στο Κέντρο Εξυπηρέτησης Πελατών της Δημαρχίας (Council Customer Service Centre) και να ζητήσετε βοήθεια στη γλώσσα σας ή τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων (Telephone Interpreter Service — TIS) τηλ. 131 450 και να ζητήσετε να επικοινωνήσουν με τη Δημαρχία τηλ. 1300 722 542.	Italian Se avete bisogno di aiuto per capire il contenuto di questa lettera, recatevi presso il Customer Service Centre del Municipio dove potrete chiedere di essere assistiti nella vostra lingua; oppure mettetevi in contatto con il Servizio Telefonico Interpreti (TIS) al 131 450 e chiedete loro di mettersi in contatto col Municipio al 1300 722 542.
Croatian Ako vam je potrebna pomoć da biste razumjeli ovo pismo, molimo dođite u Općinski služni centar za klijente (Council's Customer Service Centre) i zatražite pomoć na svom jeziku, ili možete nazvati Telefonsku službu tumača (TIS) na 131 450 i zamoliti njih da nazovu Općinu na 1300 722 542.	Spanish A la persona que necesite ayuda para entender esta carta se le ruega venir al Centro de Servicios para Clientes [Customer Service Centre] de la Municipalidad y pedir asistencia en su propio idioma, o bien ponerse en contacto con el Servicio Telefónico de Intérpretes [“TIS”], número 131 450, para pedir que le comuniquen con la Municipalidad, cuyo teléfono es 1300 722 542.	Vietnamese Nếu quý vị không hiểu lá thư này và cần sự giúp đỡ, mời quý vị đến Trung Tâm Dịch Vụ Hướng Dẫn Khách Hàng của Hội Đồng Thành Phố (Council's Customer Service Centre) để có người nói ngôn ngữ của quý vị giúp hay quý vị có thể liên lạc Dịch Vụ Thông Dịch qua Điện Thoại (TIS) ở số 131 450 và yêu cầu họ liên lạc với Hội Đồng Thành Phố (Council) ở số 1300 722 542.
Polish Jeśli potrzebujesz pomocy w zrozumieniu treści tego pisma, przyjdź do punktu obsługi klientów (Customer Service Centre) przy Radzie Miejskiej i poproś o pomoc w języku polskim, albo zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service — TIS) pod numer 131 450 i poproś o skontaktowanie się z Radą Miejską (Council) pod numerem 1300 722 542.	Indonesian Jika Anda memerlukan bantuan untuk memahami surat ini, silakan datang ke Pusat Pelayanan Pelanggan (Customer Service Centre) Pemerintah Kotamadya (Council) dan mintalah untuk bantuan dalam bahasa Anda, atau Anda dapat menghubungi Jasa Juru Bahasa Telepon (Telephone Interpreter Service - TIS) pada nomor 131 450 dan meminta supaya mereka menghubungi Pemerintah Kotamadya pada nomor 1300 722 542.	Turkish Bu mektubu anlamak için yardima ihtiyaciniz varsa, lütfen Belediye'nin Müşteri Hizmetleri Merkezi'ne gelip kendi dilinizde yardım isteyiniz veya 131 450'den Telefonla Tercüme Servisi'ni (TIS) arayarak onlardan 1300 722 542 numaradan Belediye ile ilişkiye geçmelerini isteyiniz.
Hungarian Amennyiben a levél tartalmát nem érti és segítségre van szüksége, kérjük látogassa meg a Tanácsház Ügyfél Szolgálatát (Customer Service Centre), ahol magyar nyelven kaphat felvilágosítást, vagy hívja a Telefon Tolmás Szolgálatot (TIS) a 131 450 telefonszámon és kérje, hogy kapesolják a Tanácsházat a 1300 722 542 telefonszámon.	Czech Jestliže potřebujete pomoc při porozumění tohoto dopisu, navštivte prosím naše Středisko služeb pro veřejnost (Council's Customer Service Centre) a požádejte o poskytnutí pomoci ve vaší řeči anebo zavolejte Telefonní tlumočnickou službu (TIS) na tel. číslo 131 450 a požádejte je, aby oni zavolali Městský úřad Randwick na tel. číslo 1300 722 542.	Arabic إذا أردت مُساعدة لفهم هذه الرسالة، نرجوك الحضور إلى مركز خدمة عملاء المجلس واطلب المساعدة في لغتك، أو يمكنك الاتصال بخدمة الترجمة الهاتفية (TIS) على هاتف رقم 131 450 واطلب منهم الاتصال بالمجلس على رقم 1300 722 542.
Chinese 如果你需要人幫助你了解這封信的內容，請來市政會顧客服務中心要求翻譯服務，或者與電話傳譯服務（TIS）聯繫，號碼是131 450。請他們幫助你打電話給市政會，號碼是1300 722 542。	Russian Если Вам требуется помощь, чтобы разобраться в этом письме, то, пожалуйста, обратитесь в Муниципальный Центр Обслуживания Клиентов и попросите оказать Вам помощь на Вашем языке или же Вы можете позвонить в Телефонную Службу Переводчиков (TIS) по номеру 131 450 и попросить их связаться с Муниципалитетом по номеру 1300 722 542.	Serbian Ako vam treba pomoć da razumete ovo pismo, molimo vas da dođete do Centra za usluge mušterijama pri Opštini (Customer Service Centre) i zamolite ih da vam pomognu na vašem jeziku, ili možete nazvati Telefonsku prevodilačku službu (TIS) na 131 450 i zamolite ih da vas povežu sa Opštinom na 1300 722 542.