



Comment on the Department of Planning and Environment's *draft Community Participation Plan*

Shelter NSW submission
December 2018

Introduction

Shelter NSW is pleased to provide brief commentary on the Department of Planning and Environment's (DPE) *draft Community Participation Plan*. The plan is an important document that, once finalised, will ensure DPE's compliance with requirements under the *Environmental Planning and Assessment Act 1979* (the Act). It is also an opportunity for DPE to demonstrate a commitment to best practice around community consultation and engagement.

About Shelter NSW

Shelter NSW has been operating since 1975 as the state's peak housing policy and advocacy body. Our vision is 'a secure home for all', which we pursue through critical engagement with policy and practice, and thought leadership. We provide systemic advocacy and advice on NSW housing policy and legislation to resolve housing inequality, and we seek to ensure the voices of housing consumers are included in policy responses. Our approach involves engaging, collaborating and connecting with people and organisations across the housing system including government, the private and not-for-profit sectors and consumers.

Understanding the need for community consultation and engagement

Increasingly, a great deal of emphasis is being placed upon the urban planning system to deliver housing diversity and affordability in major urban centres across New South Wales. Given the impacts of urban renewal and redevelopment on local communities and residents, such as increased housing density, loss or diminished capacity of local services and community infrastructure, and declining housing

affordability, Shelter NSW recognises the preparation of a Community Participation Plan as a critical component of a functioning planning system. A great many people are affected by planning proposals and decisions; canvassing and facilitating contributions, input and feedback from as broad a range of sources as possible, and particularly from those who will be directly impacted upon, will only serve to strengthen both procedures and outcomes.

In 2018 we partnered with the Southern Sydney Regional Organisation of Councils (SSROC) to host the Cities for Us Summit, which discussed community engagement and participation in the planning process during one of its key themes. The summit was attended by industry, community, and government representatives with high levels of participation across the board. A written communiqué was produced, which captures the relevant discussion as follows:

- *The new challenge of growing our city quickly and fairly requires a new narrative, listening to all different voices, as everyone has different needs and expectations of amenity. This means a two-way narrative, not the “tick-the-consultation-box” approach that so many communities have experienced.*
- *Build trust. Seek a social license. Build confidence that the result has not been decided, that voices will be heard, and the planning process will respond. Make decisions locally wherever possible, with the community’s active participation.*
- *Recognise and manage displacement and its flow-on effects that can destroy an existing community. Our current approach is transferring the risk of urban development to the most vulnerable, and this must stop. Offer existing residents the opportunity to rent or buy into lower-cost housing in new development, and ensure affordable rental housing is always produced as part of an urban renewal project.*
- *Poor engagement is currently rife. Communities want to, and should, set agendas for change. Urban redevelopment without a community’s support risks destroying that community and all the benefits that go with it.*
- *Confidence is destroyed when promises are not delivered: we are not always seeing the design excellence that should be delivered. Community confidence needs to be restored before there will be trust and respect.*
- *There will be winners and losers. All views are valid and tell us a great deal about expectations and pain. All concerns must be respected.*
- *Plans that will create a good city must combine liveability and productivity while actively working to reduce vulnerability and strengthen resilience.*

Comments on the draft Community Participation Plan

In general terms, we are supportive of the draft Community Participation Plan. It sets out clear objectives and demonstrates how those objectives are likely to be met. It explains the mechanisms and processes through which members of the community may participate in key parts of the planning system. However, it highlights some of the shortcomings of the statutory framework under which the preparation of the plan is required.

Principles of engagement

Section 2.23 of the Act sets out eight matters for planning authorities to have regard to when preparing a community participation plan. For the most part these are consistent with the seven core values of the International Association for Public Participation (IAP2) however there are some observable gaps. In particular, the IAP2 core values place greater emphasis on seeking out and facilitating the involvement of potentially affected or interested parties, seeking participants' input into how engagement opportunities might be designed, and providing participants with the information they need to participate in a meaningful way.

While setting out the requirements for consideration, the legislation does not prohibit a planning authority from interpreting its requirements with these IAP2 core values in mind. It remains open to DPE to take this approach with its Community Participation Plan. Instead, DPE has taken a more limiting approach, condensing the Act's eight considerations down to five key objectives (community participation is open and inclusive, easy, relevant, timely, and meaningful) and providing examples that are often more reactive than proactive with regard to the principles outlined above. For instance, to meet the objective that community participation is relevant, DPE says it uses community feedback to inform additional engagement to further understand issues raised during an initial consultation; but it does not provide any detail as to how it identifies and engages community networks to ensure it is asking the most appropriate questions in the most appropriate ways, nor does it outline how it seeks to identify and capture alternative views that might otherwise be absent in a consultation.

Exhibitions

The draft rightly draws special attention to the exhibition process, noting that formal exhibition of documents is a key technique used to encourage community participation in planning decisions. DPE is again bound by statutory obligations, this time with regard to the timeframes required for exhibition of various kinds of document. Again, it remains open for DPE's Community Participation Plan to be more ambitious.

In particular, Shelter NSW would like to see a greater commitment from DPE to ensuring vulnerable and disadvantaged communities, or members within communities, are given greater support to access information regarding planning proposals and other relevant documents. Planning proposals often include great levels of detail that can be difficult to understand or engage with, without a degree of explanation. Where a proposal will affect a community with a demonstrated vulnerability or disadvantage, such as high numbers of people from culturally and linguistically diverse backgrounds, or low socio-economic status, DPE should ensure documents are exhibited in a form that can be accessed and understood by those communities. This should include easy-to-read translation of documents and summaries in plain English, along with explanations of key planning terms and concepts. It should also ensure exhibition periods are routinely extended for significant proposals that will have an impact on vulnerable communities.

Taking this further, where a significant planning proposal is likely to impact upon a neighbourhood or community that includes high levels of vulnerability, DPE should resource a local independent

organisation with a community development focus to assist the community through the exhibition and other consultation processes. The Waterloo Estate community capacity building project, funded by the Land and Housing Corporation and delivered by Inner Sydney Voice, provides a good example of how this approach can work and the value it can bring to communities facing urban renewal.

Conclusion

While we are generally supportive of the draft and welcome the inclusion of Community Participation Plans in the New South Wales planning framework, Shelter NSW would like to see DPE's Community Participation Plan go further. In particular we would like to see greater alignment with the International Association for Public Participation's core values, and a commitment to enabling greater access to and understanding of exhibition documents to vulnerable and disadvantaged members of affected communities.

Please do not hesitate to contact Shelter NSW on (02) 9267 5733 if you would like to discuss these comments.

Yours sincerely,



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