



THE PADDINGTON SOCIETY INC
FOR COMMUNITY AND HERITAGE
EST 1964

Ms Kiersten Fishburn
Secretary of Planning, Housing and Infrastructure
Infrastructure NSW
201 Kent Street, Sydney NSW 2000

Dear Ms Fishburn,

29 May 2026

Proposed statewide Community Participation Plan

On behalf of the Paddington Society, our members and the local community, we make the following submission, noting that the document on Exhibition refers to the **Draft Community Participation Plan** - April 2026

Who we are:

The Paddington Society was established in 1964, when Paddington was under great threat from extensive demolitions and massive related changes proposed by the then Department of Main Roads.

The Society's mission includes preserving the physical, environmental and social well-being of the residents of Paddington, as developed by its foundation members and those who followed, placing emphasis on the protection of the built environment and heritage. Committee members present and past have included planners, heritage architects, and urban designers. These volunteer committee members have worked constructively with Woollahra Council for decades since that time, providing input, knowledge and support, particularly related to respect for and protection of the public domain, including providing input and support for DCP improvements.

We have made and continue to make submissions about inappropriate developments, many thousands over past decades, and are aware that a majority of local residents are not in a position to interpret the impacts upon their properties as indicated on architectural and consultant reports and documents.

The Society does not oppose appropriate development or re-development, but we believe in the importance of safeguarding the context, built fabric and amenity of residents who may not understand the scope of developments adjacent to or surrounding their properties, particularly new developments which will have negative impacts upon the built environment or fabric or amenity of their properties.

We have great concerns about the impacts of the Draft Statewide Community Participation Plan.

Aims of the Plan (CPP) include: *'to make the planning system faster, fairer and more outcomes focused.'* (Discussion Paper, Introduction p4)

Comment:

While we agree that some standardisation across all NSW LGAs could provide more certainty to stakeholders, we do NOT agree that to *'reduce unnecessary consultation for low risk or strategically assessed projects while preserving meaningful community input on significant developments'*, as proposed, is either fairer or faster. (Discussion Paper, Introduction p4)

- **To save 2 weeks in a project program is negligible in relation to an overall project program.**

- By proposing to halve the time for the community/public to respond to a proposal, the process appears to be designed to limit and ensure minimal or no engagement with the public.
- It is patently *unfair*.
- This is a clear lack of transparency, leading to fear and mistrust of State and Local government.
- It becomes a particular problem where proposals are non-compliant in part or whole.

We do NOT agree that the proposals actually support the statement from Secretary Kiersten Fishburn that *'Planning should be a partnership with people who know their communities best'*.
(Draft CPP Secretary's foreword p4)

- If enforced, the Draft CPP will exclude input from the people who do know their communities best - locals and those with local knowledge - from much of the planning system, especially at the detailed DA level where impacts of development are most evident.

Exhibition Timeframes for State Significant Development - Table 5 (Draft CPP p23)

We do NOT agree with the 14 day exhibition timeframe proposed for residential State Significant Developments – noting that timeframes are measured in calendar days and include weekends and holiday periods, although the period between 20 December and 10 January (inclusive of each year) is excluded from the calculation of a period of public exhibition.

Pressures on already-stretched councils to assess developments before and after that period are already immense and will be increased; details and local knowledge will be missed.

- State Significant Developments are, by definition, very large developments that will impact whole precincts and multiple existing residents; they need to be very skilfully designed to fit each neighbourhood and context.
- Documentation always includes multiple sets of drawings, many extremely technical, and multiple consultant reports of equal complexity.
- Local knowledge, input and professional expertise, all involving expenditure of time for detailed examination, are crucial for analysis and making meaningful comment.
- It is counter-intuitive to halve the time for community and public participation when two additional weeks will be negligible and will make no difference to the overall project program.
- Again, the purpose appears to be designed to exclude the public from the process, creating mistrust.

We recommend that the timeframe for State Significant Developments be expanded to 28 days, to be aligned with that for Planning Proposals.

This will allow time for the community to absorb the numerous documents for each such development.

Most such SSD projects have anything from 10 to 60 supporting documents running to literally thousands of pages (the recent SSD for 160 Oxford Street Paddington had some 60 such documents)

Development Types exempt from Notification and Public Exhibition - Table 6 (Draft CPP p25, 26)

'Development specified in table 6 will be exempt from exhibition requirements if the development complies with the controls set out in the relevant council's LEP and DCP. (Draft CPP p16)

The list in Table 6 includes, but is not limited to the following:

- Alterations and additions to existing dwellings
- Demolition (excluding heritage items)
- New single and two storey dwellings,
- Dual occupancies and attached dwellings
- Residential flat buildings
- Shop top housing
- Alterations and additions to schools
- Tree removal where they are not Heritage items
- Change of use of commercial and industrial development
- Take away food and drink premises
- Excavations
- Swimming pools

Notification of fast-tracked complying development will only provide neighbours 7 days' pre-commencement notification for new buildings, additions and demolition before on-site work begins.

These exemptions should NOT apply to Heritage items and sites in Heritage Conservation Areas.

The premise for such exemptions is that these and similar categories of development, from pools to residential flat buildings are low risk if they comply with the relevant LPs and DCPs, and therefore do not need to be exhibited for community consultation. **Our experience is that this is not the case.**

- In dense environments of small terrace houses on narrow lots (some only 3.6m wide and less than 100 sqm in area) meeting the controls is very frequently not enough to avoid unacceptable impacts for neighbouring properties and neighbour amenity.
- Physical impacts of rear additions, excavations, solar access, privacy, outlook and views must all be carefully assessed.
- In such dense compact environments and precincts even relatively modest alterations and additions, setback variations, negative impacts of new or enlarged fenestration, materials, air conditioning plant and equipment, even signage, may have substantial impacts on adjoining properties, amenity of residents and precincts.
- Excavations on or in close proximity to small and more substantial sites can have very significant structural and negative impacts on adjacent and/or downhill properties, with minimal footings often founded on ancient and degraded sandstone, with varying groundwater conditions.
- Principles, such as those for view-sharing, rather than rules for compliance with controls, will need to be applied. LEP and DCP compliance with objectives and controls cannot foresee every situation, particularly in dense built environments.
- If community consultation, scrutiny and means of lodging objections are excluded, then reliance on Council assessment alone will result in loss of local knowledge and the removal of community vigilance to point out compliance errors – ie. solar diagrams, area calculation errors, details of neighbouring properties etc.
- Current exhibition timeframes allow for valuable checks of documentation details and accuracy of developer claims by those most directly impacted and affected. Consultant reports regularly claim compliance, while downplaying potential impacts on neighbours and the overall precinct.
- **Existing Exhibition time frames should be retained.**

- We are aware that the current notification timeframe and procedures do not materially slow the Council assessment process, since that period is when a DA is referred internally to other Council departments such as Engineering for expert technical assessment.
- We are also well aware that developers regularly lodge Development Applications in the weeks immediately before holiday periods such as Easter, Christmas and school holidays, when many in the local community including Council staff are away and not in a position to access documents, nor in a position make comment.

Inclusion of Minor Works to Heritage Items behind the front facades - Table 6 (Draft CPP p25)

- The inclusion of this category implies that Heritage items are only valuable for their streetscape values and impacts.
- This is NOT the case. Many other elements contribute to an item's significance, such as interiors, interior details, gardens and plantings, views and landscape elements within the curtilage.
- Development and even minor works to Heritage items needs more scrutiny, not less, and local knowledge, input and vigilance assists with protection and preservation of such elements.
- **These exemptions should not apply to Heritage items and Heritage Conservation Areas.**

Conclusion:

- The Planning system shapes our built environment and how we live.
- It should balance competing interests with the interests of the whole community.
- This CPP initiative erodes the planning system and means that those most directly affected by development will have less say than those developing.
- It is less democratic, may foster corruption, and will lead to worse building outcomes. It is unfair.

Community notification and participation is needed at all stages in the development process, not just at the strategic end.

We agree with the first paragraph of the message in the foreword from Secretary Kiersten Fishburn that *'planning works best when it reflects what communities need and value. Local knowledge players a vital role in shaping strategic plans and assessing development proposals.'*

We do NOT agree with statements in the draft Community Participation Plan that *'it ensures communities have a strong voice in the Planning system'* and it *'ensures a transparent and fair planning system so that communities across NSW feel heard and reflected in the spaces that they live and work in'*

The Paddington Society strongly recommends that:

- **State Significant Developments retain a 28 day exhibition period**
- **Table 6 does NOT apply to Heritage items or in Heritage Conservation areas, and that**
- **Higher impact Residential Flat Buildings, State Significant Developments, Shop top Housing and Heritage items be excluded from Table 6 for all areas.**

Yours faithfully



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