

10 June 2026

The Hon. Paul Scully MP
Minister for Planning and Public Spaces

Sent via: www.nsw.gov.au/nsw-government/ministers/minister-for-planning-and-public-spaces

Dear Minister

Statewide Community Participation Plan

I write to request changes to the draft statewide community consultation plan (CPP) to ensure the community can continue to have a say on the future of their built environment and to deliver better planning and development outcomes.

The *Environmental Planning and Assessment Act 1979* enshrined the community right to be involved in planning decisions in response to widespread uproar against the destruction of neighbourhoods and heritage and corruption in the planning system at the time. These rights have been progressively eroded in the name of fast-tracking housing, with changes doing little to improve housing affordability or the built environment.

I am concerned that some proposals in the draft CPP follow this trend to further exclude the community without speeding up the delivery of housing.

14-Day Exhibition Period

There is significant concern in my community that exhibition periods for state significant development were reduced from 28 to 14 days. The draft CPP would also limit exhibition periods for local development applications to 14 days.

Fourteen days is insufficient for large, complex developments like hotels, and large residential and commercial towers. The community, particularly people who work, who don't have access to the internet or who have limited planning knowledge, will struggle to go through and understand the lengthy development statements with enough time to draft meaningful submissions before the due date – as they report is now the case for state significant development.

I support the City of Sydney proposal to require 28 days of exhibition for any development worth over \$50 million, that is over three storeys high, or that has more than 1,000 square metres. If the government will not accept 28 days, 21 days would be preferable.

Exemptions from Consultation

The draft CPP proposes a long list of development types that councils would be prohibited from publicly exhibiting and consulting on "if they meet planning controls" in the Local Environment Plan, Development Control Plan and/or State environmental planning policy. The list is extensive and includes development that can be high impact such as residential flats, shop-top housing and alterations and additions to schools. The approach risks delays, court action and poor planning outcomes.



Under the proposal, assessors would be required to make a quick decision on compliance with planning controls to determine whether a proposal should or should not be exhibited. But compliance is not a quick decision and appropriately forms part of the assessment process. If the assessor relies on the proponent's statement of environmental effects and the assessment process later revealed noncompliance, the process would need to recommence, with the proposal subsequently placed on exhibition, resulting in a delay. Alternatively, placing a proposal on exhibition could expose the council to legal action on the merits of the exhibition.

Inclusion of heritage items and development in heritage conservation areas for minor works that "do not impact on the item" and that are "located behind the façade" would require assessors to determine the heritage impact before assessment, which would likely slow the determination process down. Councils like the City of Sydney and Woollahra Municipal Council already have provisions to ensure genuinely minor work in heritage areas can proceed without notification.

In many cases, consultation would not speed up a determination anyway because the exhibition process would normally occur at the same time as the referral process.

Excluding the community from development assessments assumes that there has been all necessary community input at the strategic planning level, but this is an overly simplistic assumption. It is difficult for most people to understand abstract planning principles in the strategic planning stage and often the impacts of a development are only fully understood when there is a specific proposal with detailed environmental assessment. Councils rely on local knowledge in development assessments that might not be provided at the strategic planning stage, particularly around excavation and retaining walls, and water issues.

The low- and mid- rise housing policy has increased height and floor space ratios across Sydney without any local input, which means that residential flats of eight storeys will be able to proceed across my electorate without any community input at all.

I call for the exclusion of residential flats, shop-top housing, heritage items and development in heritage conservation areas from local development that is exempt from public exhibition.

If the approach is to proceed, clear definitions on what "meet" means must be provided. There should be no confusion as to whether compliance refers only to numerical controls, some planning instruments, or all planning instruments. Without certainty, there will likely be court challenges and delays.

Template Approach

If the government wants to reduce regulatory burden in local development assessment, it could create a statewide template for consultation that provides structure, layout and mandatory content to give proponents consistency, while providing space for local content and community input.

Trust in the planning system to deliver quality, low-cost housing in thriving neighbourhoods is declining; removing people's say in development assessments will only make the community feel even more disenfranchised.

Could you please revise the approach taken in light of these concerns and retain 28-day exhibition and reduce the list of exemptions?

Yours sincerely

A handwritten signature in dark ink, appearing to be 'AG', with a long horizontal stroke extending to the right.

Alex Greenwich
Member for Sydney