



SUPPLEMENTARY BUSINESS PAPER

**(Item 8- PC12/26)
General Meeting**

**Wednesday 13 May 2026
at 7:00 PM**



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8 EXHIBITION OF NSW GOVERNMENT DOCUMENTS - DISCUSSION PAPER AND DRAFT STATEWIDE COMMUNITY PARTICIPATION PLAN

EXECUTIVE SUMMARY

- In April 2026, the Department of Planning, Housing and Infrastructure (DPHI) placed a draft *Statewide Community Participation Plan* and associated Discussion Paper on exhibition.
- The Statewide Community Participation Plan is part of the *Planning Systems Reform Act 2025* which amends the *Environmental Planning and Assessment Act 1979* and makes a number of significant changes to the NSW planning system.
- The proposed statewide Community Participation Plan (CPP) standardises public exhibition and notification requirements for State and regional plans, local planning proposals and development applications and reduces the number of development application types that need to be exhibited by Councils.
- Hornsby Shire Council has its own Community Participation Plan sitting within the Community Engagement Strategy. However, all council CPPs will be replaced by the Statewide Plan.
- This report presents an overview of the draft Statewide CPP and outlines the key issues and implications for Hornsby Shire.
- The concept of a statewide CPP may have merit to create consistent community engagement practices across NSW. However, notification exemptions as reflected in the exhibited draft will have a significant negative impact on community trust and engagement in planning. They reduce transparency, limit opportunities for meaningful participation, and create confusion about the process.
- As drafted, the statewide Community Participation Plan could result in a perception that the proposed reform is aimed at dissuading community input rather than accelerating assessment times or achieving consistency.
- It is recommended that Council endorse the submission attached to Director's Report No. PC12/26 for forwarding to the Department of Planning, Housing and Infrastructure, to advocate for amendments to the draft statewide Community Participation Plan.

RECOMMENDATION

THAT The submission attached to Director's Report No. PC12/26 on the draft statewide Community Participation Plan be forwarded to the Department of Planning, Housing and Infrastructure in response to the exhibition to advocate for amendments prior to finalisation.

PURPOSE

The purpose of this Report is to outline the key changes proposed by the Department of Planning, Housing and Infrastructure (DPHI) to community participation for planning matters and to seek endorsement of a submission to be forwarded to DPHI in response to the public exhibition period.

BACKGROUND

In November 2025 the Planning Systems Reforms Bill 2025 was passed by Parliament and provided the basis for a suite of changes to the *Environmental Planning and Assessment Act 1979*.

Some of the key reforms include:

- Establishing a Development Coordination Authority - a single front door for advice on major projects across NSW government agencies.
- Enshrining the Housing Delivery Authority in legislation.
- Expanding Complying Development pathways to introduce variation certificates for Complying Development Certificates.
- Introducing a new Targeted Assessment Pathway.
- Removing Regional Planning Panels.
- Introducing a single, state-wide Community Participation Plan.

Much of the detail about these reforms has not yet been released. However, on 8 April 2026 the NSW Government released the proposed statewide CPP for public comment.

DISCUSSION

The State Government's aims for the single statewide CPP are to create consistent community engagement practices across NSW, reduce unnecessary consultation for low-impact projects, and promote meaningful early involvement in planning processes.

Key changes include:

- Extending minimum consultation timeframes on significant state-level strategic planning initiatives like the recent draft Sydney Plan and the State Plan from 45 days to 60 days.
- Standardising the process for notification of Complying Development across the state and giving neighbours seven days' notice before any works begin.
- Standardising and reducing the number of local development application types that need to be exhibited by councils to those with highest impact.
- Changes to the timeframes and exhibition requirements for reviews of determinations.

Existing CPPs will remain in place until the statewide CPP is finalised, at which time it will become the only active CPP in NSW. This means that all existing council and NSW Government agency CPPs will be superseded.

Councils and NSW Government agencies will be able to undertake targeted engagement with their communities that goes beyond the requirements outlined in the draft statewide CPP. The plan provides examples of best practice and minimum consultation requirements, but councils will be able to continue to update or prepare their own bespoke community engagement strategies as required under the *Local Government Act 1993*. However, local community engagement strategies will not be able to include exhibition and consultation timeframes for planning functions.

Council would retain discretion over matters such as methods of engagement and the extent of neighbour notification in local Community Engagement Strategies so long as they align with the statewide CPP.

If adopted, the statewide CPP is expected to begin in mid-2026.

Proposed changes to Strategic Planning and Land-use Planning Proposal Engagement

The draft statewide CPP proposes minimum 28 days exhibition times for strategic land use initiatives plans such as planning proposals, masterplans, development control plans and precinct plans.

A comparison of Council's existing timeframes for community engagement and the draft statewide CPP timeframes is provided in Table 1.

Table 1: Comparison of existing and proposed notification for strategic planning engagement

Strategic Planning Functions	Council's CPP	Draft CPP
Draft Regional and District strategic plans		min. 60 days
Community Participation Plan	28 days	min. 28 days
LSPS	min 28 days	min. 60 days
Draft planning study/ Masterplan	min 28 days (generally 2 months)	42 days
Planning Proposals <ul style="list-style-type: none"> • LEP • Owner initiated PP 	28 days +14 day	min. 28 days
DCP	28 days	min. 28 days
Contributions plan	28 days	min. 28 days
Planning Agreement	28 days * With DA where practicable	

The reforms emphasise early community involvement in strategic land use planning with the draft statewide CPP providing for longer public exhibition periods for many types of strategic plans including a minimum of 60 days for regional/district plans and local strategic planning statements.

Implications for Council

The proposed minimum notification timeframes for local strategic planning matters are generally consistent with or provide increased notification and exhibition timeframes when compared to Council's existing Community Engagement Plan and are supported. The draft statewide CPP does not, however, contemplate Council's current non-statutory notification and exhibition of owner/developer-initiated planning proposals prior to Gateway, to allow for early community and agency responses. There is potential for this to be interpreted as an additional local exhibition and consultation timeframe that is inconsistent with the draft statewide CPP.

Notification and exhibition of owner/developer-initiated planning proposals is an example of best practice consultation and a key part of Hornsby's community engagement strategy. Council's submission should emphasise this important step in gauging community responses and agency

interests early and recommend that the draft statewide CPP includes opportunities for Councils to continue to exercise pre-Gateway notification and exhibition for owner/developer-initiated planning proposals in accordance with their local engagement strategies.

The draft plan proposes to shorten or remove public exhibition requirements at the planning proposal stage, where consultation has already occurred as part of a recent masterplan or related strategic planning update and the planning proposal is consistent with an exhibited masterplan. Concern is raised with this as many exhibited masterplans or strategy are not exhibited with proposed planning provisions or draft LEP amendments and therefore removing the subsequent exhibition of an associated planning proposal would deny the community the opportunity to review specific clauses or provisions in planning instruments to implement the masterplans.

It is recommended that the draft statewide CPP be amended to limit the removal of public exhibition requirements at the planning proposal stage to where a masterplan or strategy that includes proposed planning provisions and controls has been adopted or endorsed by a Council.

An alternative option to streamline planning processes is to remove the requirement for a planning proposal consistent with an endorsed or adopted masterplan or strategy to go to a Local Planning Panel for advice prior to Council consideration.

Recommendation - Council's submission should raise the following concerns:

- Shifting engagement to strategic planning stages does not always allow for meaningful input, especially for communities who only become aware of impacts when development is imminent.
- Any statewide CPP needs to include opportunities for councils to continue to exercise pre-Gateway notification and exhibition for owner/developer-initiated planning proposals in accordance with their local engagement strategies.
- Any statewide CPP should only remove public exhibition requirements at the planning proposal stage where a masterplan or strategy that includes proposed planning provisions and controls has been adopted or endorsed by a council.
- An alternative option to streamline strategic planning processes would be to remove the requirement for planning proposals to obtain advice from the Local Planning Panel when the planning proposal is consistent with an endorsed or adopted masterplan or strategy.

Proposed changes to Public Exhibition for Development Applications

The draft statewide CPP aims to provide consistency, allow low-impact development to be assessed quickly, and reduce the administrative burden on councils by proposing changes to notification and exhibition requirements for local Development Applications (DAs) including:

- Local DAs will be exempt from notification and exhibition that are low impact on neighbours, an expected type of development in the area, and meet relevant planning controls in the Local Environmental Plan (LEP), Development Control Plan (DCP) or State Environmental Planning Policy (SEPP).
- Local DAs for residential flat buildings (RFBs) and shop top housing will be exempt from notification and exhibition where they meet relevant planning controls in the Local Environmental Plan (LEP), Development Control Plan (DCP) or relevant State Environmental Planning Policy (SEPP).

- For all other standard local DAs, with no environmental sensitivities, a minimum 14-day exhibition will apply.

The draft plan includes a list of lower-impact development types identified where no public exhibition is required where the development is consistent with the planning controls as detailed in Table 2.

Table 2: Development exempt from public exhibition and notification

Residential and related uses	
<ul style="list-style-type: none"> • Alterations - Internal alterations • Alterations and additions existing dwellings • Ancillary development (such as pools, sheds, farm buildings) • Boundary adjustment • Demolition (excluding heritage items) • Exhibition Homes and Villages • Group homes • Heritage item - minor works that does not impact item and is located behind the front façade • Residential flat buildings* 	<ul style="list-style-type: none"> • Moveable dwellings • New single and two storey dwellings, dual occupancies and attached dwellings • Temporary structures • Rural workers dwellings • Secondary dwellings • Strata and Stratum subdivision • Tree removal where they are not heritage items • Home business and/or home occupation • Shop top housing*

*a pre-commencement of works notification to adjoining neighbours is required 7 days before works commence.

Primary production and rural development	
<ul style="list-style-type: none"> • Agritourism • Commercial farm 	<ul style="list-style-type: none"> • Extensive agriculture • Farm buildings
Commercial development	
<ul style="list-style-type: none"> • Alterations and additions • Change of use • Take away food and drink premises 	<ul style="list-style-type: none"> • Kiosks • Roadside stalls • Signage
Industrial development	
<ul style="list-style-type: none"> • Change of use 	<ul style="list-style-type: none"> • Industrial retail outlets
Community, health, education, recreational and other infrastructure	
<ul style="list-style-type: none"> • Alterations - internal and external • Environmental facility 	<ul style="list-style-type: none"> • Environmental protections works
Tourist and Visitor accommodation	
<ul style="list-style-type: none"> • Bed and Breakfast accommodation 	<ul style="list-style-type: none"> • Farm stay accommodation
Other	

Modifications involving minimal environmental impact	<ul style="list-style-type: none"> • Applications made under section 4.55(1) of the EP&A Act. • Applications made under section 4.55(1A) of the EP&A Act. • Applications made under section 4.56 of the EP&A Act with minimal environmental impact.
Application for the review of a determination or decision of a consent authority (Division 8.2 Reviews)	<ul style="list-style-type: none"> • Reviews where the application has not been amended pursuant to section 8.3(3) of

Implications for Council

It is unclear how reducing the types of local development requiring notification will reduce the administrative burden on councils, noting the level of assessment required to ascertain whether the proposed development meets relevant planning controls in the Local Environmental Plan (LEP), Development Control Plan (DCP) or State Environmental Planning Policy (SEPP).

Furthermore, the provisions for local DAs are inconsistent with established community expectations regarding consultation on development within their neighbourhood irrespective of scale of type.

A reduction in public exhibition periods for all of the development types in Table 2 above will make no meaningful difference to assessment times and housing delivery, as in most cases notification of DAs proceed in parallel with the assessment and referral processes.

These reforms could result in a perception that the proposed reform is aimed at dissuading community input rather than accelerating assessment times.

Accelerating assessment timeframes could be better achieved by revising the referral criteria for Local Planning Panels, which would enable more determinations to be done under delegation whilst maintaining community consultation during the assessment process.

Clarification is required with regard to the specific criteria for Council staff to identify if an application complies with the relevant planning controls and is exempt from notification at lodgement stage. Any delays in this process could impact on Council's commitment to meet the Minister's Expectations to meet the 7 day lodgement timeframe.

Assessment timeframes could extend if an application identified as exempt from public notification at lodgement is then required to be notified during the assessment process.

Notification exemptions, as reflected in the document, will have a significant negative impact on community trust and engagement in planning. They reduce transparency, limit opportunities for meaningful participation, and create confusion about the process. Addressing these issues would require clearer communication, more consistent policies, and alternative ways to involve the community even when formal notification is not required.

The expectation that the community will be actively involved in the early (strategic) phase of planning is not likely to occur and real impacts will only become clear when development arrives. Development uptake after planning control changes can take several years. As such a DA could be submitted >10 years after the strategic planning engagement took place and the community has changed.

Exemptions at the DA stage further reduce opportunities for engagement with the community when it matters to them the most and often the impacts on the immediate neighbours come down to specific design at the DA stage.

Recommendation - Council's submission should raise the following concerns:

- Reduced opportunities for community engagement would have a significant negative impact on community trust and engagement in planning.
- Exemptions from notification mean that community members would lose the chance to provide feedback or raise concerns about developments.
- Where developments are exempt from notification, how is it proposed that Council's engage with neighbours who will be impacted by the proposed developments?
- Not all of the types of development listed as exempt from notification and exhibition are of a lower impact, in particular uses including residential flat buildings and shop top housing, industrial retail outlets, tourist and visitor accommodation.
- Accelerating assessment timeframes could be better achieved by revising the referral criteria for Local Planning Panels, which would enable more determinations to be done under delegation whilst maintaining community consultation during the assessment process.

Proposed changes to Reviews and Public Exhibition of s8.2 Reviews

Currently, 8.2 review applications (where an applicant seeks a review of a refusal of a Development Application) are to be exhibited for 14 days unless otherwise specified.

The draft statewide CPP recommends that that an application for an 8.2 review where no additional changes are proposed to the development will be exempt from public exhibition. The consent authority would consider submissions made on the original application in determining the review. Notification to previous submitters may still be made. Where an application has been amended as part of the 8.2 review, the public exhibition period is to be the same as the original application.

Implications for Council

Council's current practice is for all s8.2 Reviews to be notified to adjoining property owners and any person that made a submission during the public notification of the original DA.

An analysis of s8.2 review applications submitted to Council indicates that the majority of reviews include amendments to the proposal to address the reasons for refusal and should therefore be notified the same as the original application. However, if the original application was exempt from public notification it could deprive Council of the opportunity to consider valid objections, making the review process flawed.

It is noted that whilst the Discussion Paper indicates that for s8.2 reviews, previous submitters may be notified, the draft statewide CPP does not include this wording.

Recommendation - Council's submission should raise the following concerns:

- Exempting unamended s8.2 review applications from public exhibition could result in the community that may have changed since the original application not being consulted and having their concerns not being considered in the assessment.
- All amended s8.2 review applications should be notified even if the original application was a development type that met the 'exempt from public exhibition and notification' requirements.

- Current practice is for notification of an application to occur concurrently with referral to internal branches and external Public Agencies, so the notification process would not result in any unnecessary delays in assessing any DA or review

Proposed changes to notification of Complying Development Certificates (CDCs)

Complying development does not require public exhibition like a development application, only a pre-approval notice to neighbours within a 20-metre radius, stating it has been received, so public input is not considered by the certifier or council in determining a complying development certificate.

The certifier's role is to assess proposed development occurring on land where complying development is permitted and to determine whether it meets the relevant development standards of State Environmental Planning Policy (Exempt and Complying Development Code) 2008.

There are currently inconsistencies in how CDCs are notified across NSW. In metropolitan areas, this requires written notification to neighbours 14 days before approval and at least 7 days notice before works start. In regional/rural areas, at least 2 days notice before works start is required.

This results in different complying development certificate determination timeframes and notice requirements across NSW. To provide consistency across NSW, notification of complying development the draft CPP proposes standardisation by removing the 14 day pre-approval notification and requiring a pre-construction notification at least 7 days prior to commencement of works being carried out.

Implications for Council

The proposed changes will have limited implications for Council as the majority of CDCs are determined by Private Certifiers. Neighbours are not provided copies of plans and cannot comment on Complying Development Certificates.

Upon determination of a CDC, the approved documents are uploaded to the Planning Portal and lodged with Council, after which documents are available on Council's DA Tracker for review. As such, the changes to the notification do not impact the community's ability to view the application documentation prior to determination and would provide a 7 day notification before works commence for all new buildings, additions and demolition in all local government areas. However, the neighbours within close proximity of the works will no longer be made aware of a Complying Development Certificate being lodged.

Recommendation - Council's submission should raise the following concerns:

- Changes to remove upfront pre-approval notices of Complying Development Certificates would reduce transparency and negatively impact the community's ability to be aware of proposed development in the immediate vicinity to where they reside as applications do not appear on the Council DA Tracker until they are determined and downloaded from the Planning Portal. The DPHI 'Complying development certificate application tracker' does not provide any search functionality via LGA or address.

CONSULTATION

The discussion paper and draft Statewide Community Participation Plan were placed on public exhibition on Wednesday 8 April 2026 via the NSW Planning Portal. Submissions close at 5pm on Wednesday 3 June 2026.

During the exhibition period, DPHI staff hosted an online briefing for Council officers to present the draft Community Participation Plan and outline next steps.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

Adoption of the draft statewide Community Participation Plan would require amendments to Council's existing Community Participation Plan within Council's Community Engagement Strategy with regards to mandatory timeframes for notification and exhibition of development applications and other development matters. Council would be able to outline specific mechanisms and engagement tools and the extent of neighbour notification excluding public exhibition timeframes.

CONCLUSION

This report provides an overview of the discussion paper and draft statewide CPP currently on exhibition and highlights issues raised in the attached submission. Key concerns include exempting certain types of development from notification and impact on Council resources in determining which applications are "low impact" and thereby exempt from public notification.

Notification exemptions as reflected in the exhibited draft will have a significant negative impact on community trust and engagement in planning. They reduce transparency, limit opportunities for meaningful participation, and could result in a perception that the proposed reform is aimed at dissuading community input rather than accelerating assessment times or achieving consistency.

It is recommended that Council endorse the submission attached to Director's Report No. PC12/26 for forwarding to the Department of Planning, Housing and Infrastructure for consideration.




RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Development Assessment Rod Pickles who can be contacted on 9847 6731.

KATHERINE VICKERY

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Attachments:

1.  Council Submission - draft Statewide Community Participation Plan - CPP
2.  Draft Statewide Community Participation Plan
3.  Discussion Paper - Draft Statewide Community Participation Plan

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