

DRAFT

Pre DA Community Consultation Guidelines for Prescribed Developments

Pre-development application (DA) community consultation is an opportunity for proponents of significant developments to engage with the community in the early stages of a proposal.

Early engagement is vital for bringing the community on the development journey and creating a sense of ownership and pride in the future of Canberra. It can also provide a developer with useful insights into issues and concerns the community may have about a proposal while the development is in the conceptual stage, and can allow for genuine feedback that can be incorporated into the design of a proposal prior to lodging a DA. Pre DA community consultation does not form part of the statutory public notification process that is undertaken by the planning and land authority in accordance with the *Planning and Development Act 2007*.

Pre DA consultation by the developer is required under Section 138AE of the *Planning and Development Act 2007* (the Act) for prescribed developments. Section 20A of the Planning and Development Regulations 2008 outlines prescribed developments, which include a:

- building for residential use with 3 or more storeys and 15 or more dwellings;
- a building with a gross floor area of more than 5000m²;
- if the development proposal is for more than 1 building—the buildings have a total gross floor area of more than 7 000m²;
- a building or structure more than 25m above finished ground level;
- a variation of a lease to remove its concessional status.

Section 138AF of the Act allows the planning and land authority to make guidelines about how a developer must or may undertake the required community consultation.

PURPOSE OF THE GUIDELINES

The aim of the guidelines is to promote a shared understanding of how consultation processes in relation to significant developments should be managed. The purpose of these guidelines is to:

- encourage partnerships and innovation between industry and the community
- provide clear guidance to proponents on what level of community consultation is expected for prescribed developments
- ensure proponents engage with the community as early as possible in the design process
- provide a minimum level of certainty to the community on what they can expect from
- pre-DA community consultation where it is required
- achieve high quality design outcomes
- ensure genuine consultation and engagement occurs.

The guidelines are not intended to stipulate a consultation methodology or be overly onerous. They encourage flexible, innovative and genuine engagement with the community. While the methods of consultation noted in the guidelines are based on generally recognised practices and procedures, it is acknowledged that other methods may be equally appropriate.

GOALS OF CONSULTATION

An effective consultation program does not necessarily mean that all interested parties will be satisfied with the outcome. Rather, it is about ensuring that a proposal has been fully explored, concerns identified and alternatives considered.

BENEFITS OF CONSULTATION

Simply distributing information does not ensure effective consultation and communication. A well considered and clearly articulated consultation plan will help ensure genuine engagement. It may involve targeted approaches to key stakeholders as well as public engagement.

There are a number of benefits of good consultation on development proposals:

- information exchange between stakeholders and the developer
- different ideas, perspectives and viewpoints
- provides an opportunity to identify specific areas of misunderstanding, disparity and agreement within the community
- can ensure an informed understanding with regard to the impacts of any proposed development
- demonstrates a commitment to transparency and accountability
- fosters a sense of ownership and involvement in the process for the parties consulted by having views and alternative options considered carefully and responded to.

MINIMUM CONSULTATION REQUIREMENTS

The planning and land authority requires, at a minimum, the developer undertake the following:

1. Ensure the community—both areas immediately surrounding the development and the wider community—are informed of the intended consultation process and consulted on the proposal.
2. Engage with a diverse demographic (age, gender, race, religion, physical abilities). It is expected that developers will ensure all demographics have had an opportunity for genuine engagement.
3. Make available to the community conceptual drawings including, at minimum:
 - » a site plan (showing parking areas, access and egress, waste areas and communal spaces)
 - » indicative floor plans
 - » elevations
 - » perspectives
 - » landscaping plans
 - » proposed materials and finishes.
4. Make available to the community a plain English statement explaining how the proposal will meet the rules of the Territory Plan, zone objectives and any applicable design guidelines.
5. Make the documentation required by points 3 and 4 available for the public to view online on the proponent's website or another appropriate location.
6. Conduct face-to-face engagement sessions with a diverse cross-section of the community.
7. For development applications to remove the concessional status of a Crown lease, the proponent should make available to the community details of any future development or redevelopment proposals or possible change of use of the site.

MINIMUM DOCUMENTATION REQUIREMENTS

Where pre-DA community consultation is required the developer must submit a report to the planning and land authority as part of the DA documentation that, at a minimum, addresses the following:

1. Provides accurate details of the nature and extent of consultation undertaken and demonstrates that the consultation process has engaged with a diverse demographic including across ages and gender, including details of the demographics reached.
2. Provides details of what the community was shown during the consultation process.
3. Provides a summary of how the community responded to the proposal and the main comments raised.
4. Details how the submitted design responds to the community's concerns and in particular the main issues raised.
5. States whether the proposal submitted to the planning and land authority for assessment is substantially the same as that shown to the community. If not, provides detailed reasons how and why it is different. Where there are significant changes that do not respond to community feedback, further pre DA consultation is recommended.
6. For development applications to remove the concessional status of a Crown lease, the consultation report must encompass the requirements of the [Social Impact Assessment Guidelines](#).

TIPS FOR UNDERTAKING CONSULTATION

Best practice

It is suggested that proponents design a tailor-made consultation strategy for their proposal. The International Association for Public Participation [IAP2 Public Participation Spectrum](#) and the [ACT Government community engagement guidelines](#) may provide valuable guidance.

Timing

It is recommended community consultation occur as early as possible to allow the community enough time to genuinely engage and provide feedback. Proponents should avoid, or make allowances for, public holidays, school holidays and the summer holiday (Christmas) shutdown period.

Tools

A range of tools and materials may be used to alert the community about the proposal, such as:

- Digital – including websites, e-newsletters and social media
- Face-to-face – including individual and group briefings for key stakeholders and drop in sessions in key public locations such as shopping centres or meeting rooms.
- Media – including newspapers, television, radio and social media
- Community media – radio and TV community noticeboards
- Other – letterbox drops, signage, pamphlets and/or signs at shopping centres and clubs.

The choice of techniques will depend on a number of factors, including:

- the particular nature and location of the project, and the reasons for stakeholders being involved
- the nature of the stakeholder groups involved and their willingness to participate
- the likely impact that any development will have on the local community and environment
- statutory timeframes.

CONCLUSION

Effective and on-going engagement with the community should be an integral part of the proponent's consultation process. Dissemination of information in good faith enables input, may assist with the timely resolution of conflicts and can generate innovative solutions. It is preferable that the concerns of the community can be dealt with at the outset of any significant development project, rather than during the assessment process for a development application. Inclusive informed planning development will ensure the ACT's built form will better meet the needs and desires of the Canberra community now and into the future.