



15 July 2022

The General Manager
Port Stephens Council

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Submission: DRAFT Port Stephens Communication and Engagement Strategy 2021-2025

File number **PSC2013-00406-56**

TRRA

The Tomaree Ratepayers and Residents Association Inc (TRRA) represents the community on a range of issues which affect the Tomaree Peninsula in Port Stephens LGA, including planning and development, economic development, cultural infrastructure and resources, the built and natural environment, tourism and other grass roots issues

Introduction

We welcome this refresh of the existing Community Engagement Strategy, which still incorporates the Participation Plan required under the EPA Act but also now more clearly covers Council's Communications activities.

We are pleased with the level of pre-consultation that has been undertaken in the preparation of the revised Strategy, including the survey, workshops, focus group and direct liaison in which we have participated. The Strategy has clearly responded to previous criticism, and is an improvement in several significant respects.

We welcome the Strategy's commitment to continuous improvement, but note that several suggestions that TRRA and others have made in recent years have yet to be taken up – we repeat some of these again in this submission, but also re-table the detailed letter sent on 4 November 2021 by the President of EcoNetwork Port Stephens on behalf of 4 community groups which had met with Council staff by Zoom on 26 October – we attach the November letter. TRRA and EcoNetwork are also continuing correspondence with Council about tree management processes which include issues of transparency, notification and reporting.

Introductory pages

While the 'Message from the Mayor', 'About the Strategy', and 'Strategy context' pages are informative and send the right message, they are somewhat repetitive and



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could be made more concise. Some of explanation of the IAPP methodology – of limited interest to most citizens - could be removed – a footnote noting that the Table on p6 is based on IAP2 would be sufficient.

Shortening the content on pp1-9 would bring readers more directly to the ‘meat’ of the Strategy, i.e. from ‘What we’ve heard’ on p10 onwards.

What we’ve heard’ and ‘Our strategic approach’

These pages (10-13) have good content and are clearly presented.

Strategic Priorities

We submit that the pages on the three ‘Strategic Priorities’ would benefit from clear references to other directly related Council documents, including the *Code of Meeting Practice* (which includes provisions relating to transparency); the *Receipt of Petitions Policy* and wider Council policy on handling of submissions – discussed with us in detail in email correspondence in 2017, but never adequately documented.

The ‘Strategic Priorities’ are all welcome, but would benefit from more detail on how the objectives will be met.

Under **Strategic Priority 1 – Community Engagement**, we welcome all 10 ‘key objectives’. Objective 2 should explain if the proposed community reference group is to be a standing group and if so how constituted. If it’s function is to be restricted to ‘major projects’, there needs to be clear criteria for how and by whom major projects are defined.

Objectives 6&7 are uncontroversial, but should be qualified by an acknowledgement of the needs of the large numbers of Port Stephens residents who are still not comfortable using technology, websites or social media – just because internet and smartphone penetration is high (p9) does not mean that everyone in those households can or will be able to easily access information ‘online’. There is a great temptation for all levels of government to see online content and social media as the most cost-effective way of communicating with citizens, but for the foreseeable future there will be a sizeable minority who rely on more traditional channels, such as local newspapers or hard copy publications, and they must not be disadvantaged (see the Social Justice Principles on p8).

Objective 8 should expressly confirm that ‘external’ reporting should mean ‘public’.

Under **Strategic Priority 2 – Communications**, we again welcome all 10 ‘key objectives’.

Objectives 2&3 again need to be qualified to avoid ‘exclusion’ of those residents not comfortable with the Council website and social media.

Objective 9 is very important, and we would like to see it strengthened by setting performance standards for Councillors community engagement activity. Historically and currently there are huge differences between elected members in their accessibility and time commitment to their role beyond simply attending Council

meetings. As a minimum, Councillors should be required to report publicly on their community engagement.

Objective 10 needs to confirm 'public' reporting.

Under **Strategic Priority 3 – Media and Public Relations**, we again welcome all 10 'key objectives'

Objective 5 should demonstrate the synergy between the 3 strategic priorities by committing to public consultation on the *Community Advocacy Priorities* document. (We cannot find any evidence of consultation on the 2022 version before it was released)

Objective 7 should encourage outreach activity by staff at all levels, not just the Executive, where appropriate. Port Stephens Council has a good track record of making relatively junior staff available to engage with the community where appropriate, and we would not want to see senior or dedicated communications staff being interposed as 'gatekeepers'.

Objective 10 again needs to confirm 'public' reporting.

There should be a reference to Council's separate *Media Liaison Policy* which is clearly related.

Measures of success

On the Measures of Success page (pp20-21) it should be made clearer that the 'figures' given are targets not results.

The 'target' for 'engagement level of involve or above' should have a cross reference back the 'involve' column in the IAP2 table on p7.

Attachment 1 - Community Participation Plan

As is explained on p22, this plan is a requirement of the EPA Act, and was introduced into the Community Engagement Strategy in 2020, replacing what was previously Chapter A11 of the Port Stephens *Development Control Plan* (DCP).

TRRA made detailed submissions on the Community Participation Plan (CPP) in November 2019 before Chapter A11 was removed from the DCP (we had previously made submissions on Chapter A11). Most of our submissions on the CPP were dismissed, but we continue to contend that it has major deficiencies.

We submit that the Plan should, on p22, commit to always extending exhibition periods when they would otherwise end on a weekend or public holiday i.e. 'will' rather than 'may'.

The fifth bullet point at the top of p24 should allow for submissions that contain neutral comments or observations – not everyone making a submission will want to be pushed into stating whether they object to or support a proposal or DA – they may simply want Council to take certain matters into account.

The note under Table 2 on p24 about exhibition periods including weekends should also make it clear if they also include public holidays.

There is an error in the CPP that we pointed out in 2019 but which has still not been corrected – the reference in Table 3 on p25 to ‘not included in Table 1’ should EITHER read ‘not included in Appendix A’ OR Appendix A on p26 should be renamed Table 1. (Note the ‘correct’ references to Appendix A in the title of Table 3 and in the text in the second column)

Consistent with our submissions above on cross referencing other relevant Council policies, we submit that the CPP should reference two other directly relevant policies ‘Rezoning requests’ and ‘Planning Matters to be reported to Council’. These are directly related to the entry in Table 2 on p24 for ‘Planning proposals for local environmental plans ...’

We repeat our previous submission that far more of the DA types shown in Appendix A on p26 (=Table 1) as Type A should be routinely advertised i.e. reclassified as Type B. Type A currently includes a range of industrial developments and infrastructure works which could be of a significant scale, as well as subdivisions of up to 10 lots which again could have very significant impact on local communities.

In Table 3, the criteria for discretionary notification of Type A DAs should include more than just ‘may significantly impact on the amenity of adjoining land owners’ While immediate neighbours obviously have a particular interest, residents of the wider locality will often be significantly impacted and deserve to be notified.

For all other DAs – of types not included in Appendix A (=Table 1) on p26, Table 3 provides for a 14 day notification period but again only to landowners ‘directly adjoining or opposite’, and with discretion for no notice where Council staff consider the impacts to be minor. Wider notification of these ‘other DAs’ is at the discretion of Council staff. We again submit that mandatory notification and public advertising should apply to a wider range of DAs. We read the current CPP as not even requiring neighbour notification, let alone public advertising, for a wide range of residential DAs, including apartment buildings.

The difficulty of explaining our submissions on the CPP highlights the unhelpful format of the presentation – in particular the clumsy relationship between Table 3 and Appendix A (=Table 1). We submit that many readers would have great difficulty in understanding the notification requirements from the presentation on pp 25 and 26. We submit that a single table should list all of at least the common DA types (permitted uses from the LEP clauses), with a clear indication of the notification requirements for each type. (Figure AA in the withdrawn Chapter A11 of the DCP was much clearer)

We note that the related issues of

- advertising significant DAs and other matters in local newspapers (rather than relying entirely on Council’s website and/or social media), and

- publication and redaction of DA documentation

are subject to ongoing consideration by Council in response to Notices of Motion. We look forward to further debate and resolution of these issues, after which it may be appropriate to further revise the Strategy and CPP.

Attachment: 4 November 2021 letter from EcoNetwork Port Stephens to Council on the subject of Council Community Engagement

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