

Thursday 17 July 2025

Department of Planning, Housing and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Department of Planning, Housing and Infrastructure,

Subject: Shelter NSW Submission to the proposed changes to the Community Participation Plan for State Significant Development

Shelter NSW appreciates the opportunity to make a submission to the Department's review of and proposed changes to the Community Participation Plan (CPP) for residential State Significant Development (SSD).

Who are we?

Shelter NSW has been operating since 1975 as the State's peak housing policy and advocacy body. Our vision is to create a sustainable housing system that provides a secure home for all. We are especially concerned for low-income households who struggle to afford good quality and well-located housing. We provide systemic advocacy and advice on policy and legislation for the whole NSW housing system to resolve housing inequality. We are a member-based organisation; representing organisations and individuals committed to housing justice, including community housing providers, specialist homelessness services and related peak bodies, to community groups, policy professionals, academics and social housing tenants.

1. Context: Proposed changes to the Community Participation Plan

It is Shelter NSW's understanding that this proposal has arisen from the assent of the Environment Planning and Assessment Amendment Bill in May 2025. This amendment to the *Environment Planning and Assessment Act 1979* (NSW) allows for the reduction of the minimum public exhibition period for an application for development consent for residential SSD.

Formerly a 28-day minimum, the legislation now allows for the decision to be made by the Planning Secretary, outlined in a community participation plan. The Planning Secretary is proposing the adoption of the revised minimum legislative requirement of 14 days for the public exhibition of the application for development consent for residential SSDs.

2. Concerns with the proposal

Shelter NSW is concerned that in efforts to streamline the development process of residential SSDs, the proposed community participation plan is moving away from its initial objectives. Namely, in reducing the public exhibition period of SSDs, the Department is inhibiting the proposed plan from being ‘open and inclusive’ and ‘easy to access.’

In limiting public exhibition times, the Department will too be limiting the scope of submissions on future SSDs. This will remove the opportunity for people and organisations with limited resources and/or expertise in the planning process to contribute. It will also reduce the likelihood the Department receives informed, considered and comprehensive feedback.

Currently, it is already difficult to comment on development applications within the 28-day period, especially given the length and number of technical documents on exhibition for SSD. For many community members and organisations, significant time and capacity building is required to understand proposals and their implications, and to respond adequately and comprehensively. This is especially true for people and communities with lower levels of literacy and/or formal education, people who are not native English speakers, and more broadly people who are not familiar with planning lingo and legislation.

Halving the minimum exhibition time for residential SSDs will severely undermine opportunities for capacity building and community participation in the planning process. It should be noted that it is not only residents and local community groups that will be impacted. Organisations with limited resourcing, including many housing advocacy organisations such as Shelter NSW – who represents hundreds of organisational and individual members across NSW - will have reduced capacity to analyse proposals and write evidence based, well researched submissions. The impact of shortened exhibition periods will be further exacerbated in the likely event that development applications for multiple residential SSDs are on public exhibition at the same time.

Limiting the ability of community and non-professionals to engage with residential SSD planning will limit transparency and undermine the credibility of the planning process. This may lead to greater opposition, particularly from community advocates, who may employ other methods so that their considerations are properly received. This could include appeals to the Independent Planning Commission or the courts. Time spent in responding to these processes will greatly exceed any efficiency improvements made in reducing public exhibition times.

The Department has justified these changes by stating their intent to bring the development application approval of residential SSDs in line with residential development applications. Residential

SSDs have far greater complexity and broader impact than residential DAs. They require longer and greater community consultation. The existence of the SSD pathway itself is an acknowledgement of the scale of these developments and their potential economic, social, and environmental impacts. These developments, due to their significance, already bypass local development controls. Given the impacts on both the local area and the state, it would be inappropriate to align residential SSD public exhibition times with developments far more limited in complexity.

3. Recommendations

Shelter NSW recommends that the existing minimum public exhibition period of 28 days for an application for development consent for residential SSDs be retained to facilitate 'open and inclusive' and 'easy to access' consultation as per the objectives of the CPP.

Shelter NSW also recommends that the Community Participation Plan makes explicit provisions for community engagement in disadvantaged communities e.g. social housing tenants facing renewal. These provisions should allow for the explanation of development proposals in plain English and for community to have their considerations recorded in formats outside of a traditional written submission. This process may include community town halls, streetside pop-ups, spoken submissions, and community surveys.

Thank you for your consideration

Shelter NSW thanks the Department for its consideration. Should the Department wish to discuss this letter further, please contact Thomas Chailloux (thomas@shelternsw.org.au) or Drew Beacom (drew@shelternsw.org.au).

Sincerely,

Drew Beacom

Housing Officer

Shelter NSW