

# Engagement for housing development

Homes NSW approach to respectful, inclusive and meaningful engagement

July 2024







# Acknowledgement of Country

Homes NSW acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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## More information

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# 1 Background

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## 1.1 Who is Homes NSW (organisation)

Homes NSW brings together the housing and homelessness services of the NSW Department of Communities and Justice (DCJ) with NSW Land and Housing Corporation (LAHC), the NSW Aboriginal Housing Office (AHO) and key worker housing all under one roof – making the system more efficient and accessible.

Homes NSW has also been tasked with turbocharging the construction, maintenance and repair of social and affordable homes across our state.

The new social housing we deliver is modern, well designed, more accessible and located close to vital community services like shops, schools, medical services and public transport.

We are committed to keeping the community informed throughout the life of all our projects via letters, newsletters, email and our website.



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## 1.2 Who is NSW Land and Housing Corporation (legal entity)

The NSW Land and Housing Corporation (LAHC) is an entity governed by Homes NSW. LAHC owns the largest housing portfolio in Australia - with around 125,000 properties. The functions of LAHC are outlined in the [Housing Act 2001](#). The *Environmental Planning and Assessment Act and State Environmental Planning Policy (Housing) 2021* permits LAHC to undertake a self-assessment of its developments. LAHC must fully consider environmental issues before it undertakes or approves the development.

To meet the high demand for housing:

- We're using data to better understand the needs of the people and families we help, to design and deliver housing that is right for them.
- We're funding the development of more homes by collaborating with all levels of government and partnering with community housing providers.
- We collaborate with others to increase and accelerate the supply of safer, well designed, appropriate, and well-located housing, delivered at the right time for people in need in NSW.

As part of our commitment to transparency, we value community participation and believe that people have a right to be informed and consulted about development projects that have the potential to impact them.

We acknowledge our social impact and seek to provide meaningful opportunities for community to provide feedback on development proposals.

The purpose of this document is to be a reference tool showcasing our mandatory community engagement protocol for all new developments. In addition to the advice contained within this document, specific communications plans and customised engagement strategies are uniquely prepared for each project and scaled accordingly.

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*Delivering housing is much more than providing people with a roof over their head. Having access to safe housing helps people to pursue health, education and employment opportunities, allowing them to thrive and strengthen the communities where we all live.*

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# 2 Community engagement

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## 2.1 Our approach to community engagement

Homes NSW has a dedicated Community Engagement team who are responsible for managing community engagement activities related to the delivery of social and affordable housing.

We strive to build respectful relationships in communities by putting people at the centre of everything we do. This results in a more successful development and increased community outcomes.

The Community Engagement team works with tenants, property owners, Land Councils, local community groups, service providers, advocacy groups, peak bodies, businesses, local governments to obtain feedback about future development proposals, and to provide relevant information via community updates throughout the life cycle of a particular development.

We are committed to keeping the community informed and aware of development activities that have the potential to impact them. LAHC encourages active community participation by providing opportunities to submit feedback and make enquiries.

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*LAHC demonstrates its commitment to capturing tenants' voice, and ensures the neighbouring community is well engaged, by going above and beyond the statutory requirements of engagement.*

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### **Open, honest and transparent**

We believe that planning decisions must be made in an open and transparent way, that encourages stakeholder feedback by providing meaningful opportunities for people to provide input and share their views. We put people first and ensure any community concerns are considered as part of the decision-making process.

### **Timely and accessible**

We will always be clear with community members about why we're engaging them. We'll let them know how and when they can share their thoughts or provide feedback. For people who might need extra support to participate in engagement activities, we will make it easy for them to access information and have their say.

## Informative

We are committed to keeping our community informed about changes that have the potential to impact them throughout the life cycle of a development.

## Committed to providing excellent customer service

We acknowledge the diversity and lived experience of our communities and offer a range of activities to encourage community participation including a 24-hour voicemail service, a custom email address, and a team of dedicated Officers to help support community engagement activities.

## We do not shy away from having difficult conversations

Community engagement does not guarantee consensus. We acknowledge that not everyone will agree with every decision that LAHC makes. However, we are committed to inviting community members to participate in the decision-making process and have their concerns heard and responded to.

## We believe engaging with the community is a shared responsibility

Community engagement is the responsibility of everyone involved in a project. This includes the project delivery team, assessment planners, the builders, tenancy managers, the community engagement team and any stakeholders who may be able to share information to people who may have an interest in the project.

### ACCESSIBLE ENGAGEMENT THAT PUTS PEOPLE FIRST

- We are committed to facilitating **authentic engagement** that considers the unique aspects and individual concerns from our communities
- We use **plain English** in all engagement materials, avoiding jargon and clearly explaining processes
- Where appropriate we **translate materials** and provide a **translator** at engagement activities to ensure accessibility for culturally diverse community members
- We use **subtitles** on all video material

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## 2.2 Why community engagement is important

Community engagement is fundamental to property management, tenant communication and the planning process. It provides an opportunity for stakeholders and the community to have their say and contribute to the design and planning of developments.

In 2023, LAHC sought feedback from over 29,000 individual community members about proposed developments. Through considered community engagement, we can:

- Have a better understanding of issues and ideas that are important to our stakeholders and the community so we can build better homes
- Forecast risks for project delivery
- Identify opportunities for strategic partnerships
- Be transparent with the community and build trust that LAHC acts to benefit the community
- Use local knowledge and expertise in a project's design and planning, which can result in a better local outcome
- Determine what the community thinks or feels - which can impact the delivery of new homes
- Build a good working relationship with stakeholders and the community.

**“Make it about people. Every single individual that is in your plans to move should be consulted with genuine empathy and really listened to.”**

*Tenant feedback collected through the Tolland Community Survey*





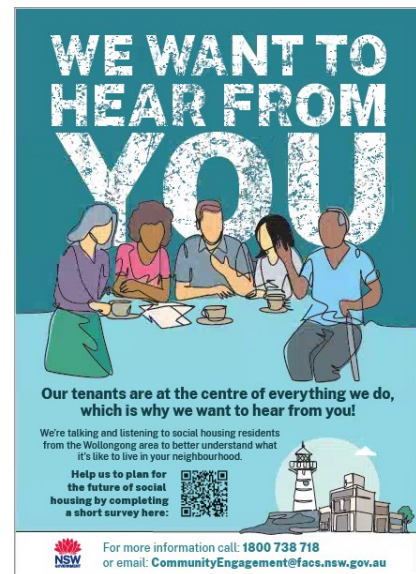
## 2.3 How we engage

Community Engagement activities are planned and designed to cater for individual community needs – there is not a one size fits all approach.

LAHC engages with the community using a variety of relevant community engagement activities or tools including:

- In person and online information sessions
- Door knocking
- Community BBQs and events
- Community clean up days
- Direct mail and newsletters, including project updates
- Surveys
- Social media posts
- Site meetings.

For land rezoning and major projects, LAHC consults with residents, other government agencies, businesses and other community stakeholders to understand more about the area.



# 3 Pathways to planning approval requirements

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## 3.1 Statutory and non-statutory planning obligations

LAHC is a government development agency and also responsible for self-assessment of certain developments under the State Environmental Planning Policy (Housing) 2021.

Its development projects have the potential to transform communities, not just through the built environment but also socially and economically. That is why LAHC recognises the importance of encouraging and promoting greater community engagement to achieve better outcomes.

The level and extent of engagement will vary depending on a proposal's scope and potential impact on the local neighbourhood.

The community includes anyone who is affected by a proposed development. This covers adjoining occupiers, service providers, advocacy groups, peak bodies, local councils, and state and federal government agencies.

Community engagement processes are based on both statutory and non-statutory obligations from the following legislation and charters:

- [The Environmental Planning and Assessment Act 1979](#) (EPA Act) highlights the objective, “to promote increased opportunity for public involvement and engagement in environmental planning and assessment”.
- [State Environmental Planning Policy \(Housing\) 2021 \(Housing SEPP\)](#) requires LAHC to consult with Council and the occupants of neighbouring dwellings when proposing to undertake development. Specifically, [clause 43\(1\)\(a\) and 108C\(1\)\(a\)](#) requires LAHC to consult with Council in relation to the scope of notification for LAHC proposed developments.
- [The NSW Government Charter for Public Participation](#) outlines how NSW government agencies can support effective public input into the development and delivery of policies and services.

LAHC ensures that our tenants and stakeholders are appropriately notified in advance of any changes that have the potential to impact them. We conduct community notification over and above our statutory requirements and, wherever possible, seek to collect feedback from our stakeholders before any formal decisions are made.

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*Self-assessment means that for some developments LAHC is required to assess the environmental impact of a development before proceeding to approve the development.*

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## 3.2 Environmental impact

LAHC must gain the appropriate planning approvals for its housing projects in accordance with the [Environmental Planning and Assessment Act 1979](#) and all relevant planning and environmental policies.

The [State Environmental Planning Policy \(Housing\) 2021 \(Housing SEPP\)](#) is the environmental planning instrument that relates to a variety of housing typologies across NSW. This includes affordable housing, seniors housing, boarding houses and group homes.

The Housing SEPP's provisions enable LAHC to undertake "development without consent". This means that subject to certain criteria (as detailed in the Housing SEPP), LAHC undertakes an assessment of environmental impact under Part 5 (Division 5.1) of the Environmental Planning and Assessment Act before it approves the development.

As a determining authority LAHC is required to consult with the community and local Council before approving a development and proceeding with any development.





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## 3.3 Planning approval pathways

Under the Environmental Planning and Assessment Act (EP&A Act) there are various planning assessment and approval pathways in NSW. The size, type of development and impact of the development will determine which of the assessment and approval pathways is appropriate.

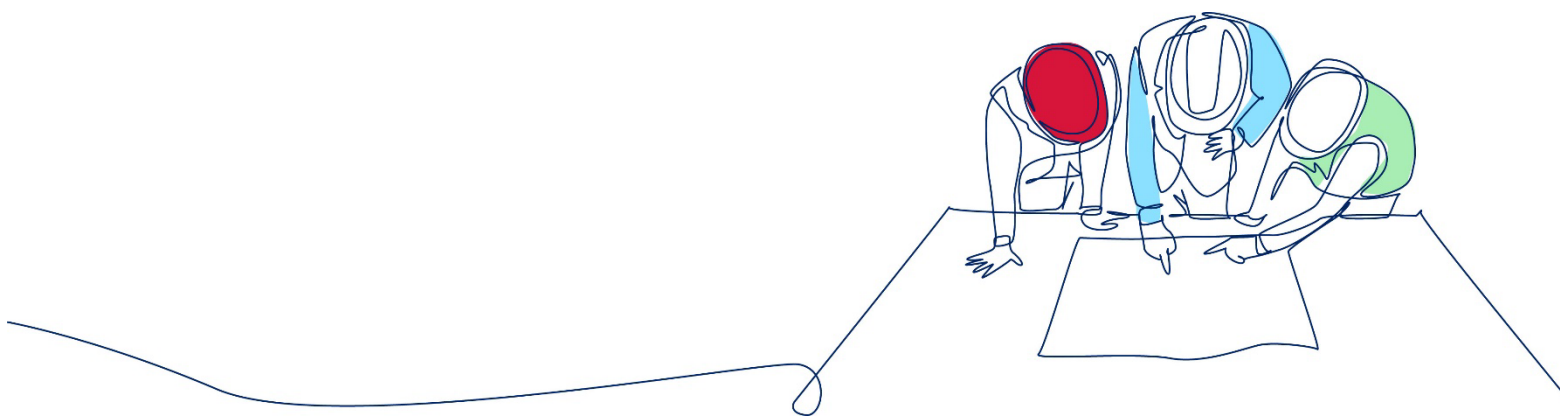
LAHC has statutory obligations to gain community feedback. We most commonly require community engagement involvement for the following planning approval pathways:

1. **Local or Regional Development (Part 4 assessment)** – development consent is obtained from the local Council. A development application is lodged with the relevant Council when a development falls outside LAHC's ability to undertake "development without consent". This may be because of the proposed height, density, or number of dwellings. Council will manage the public exhibition of the development application.
2. **Development without consent (Part 5 assessment)** – the Housing SEPP enables LAHC to undertake the bulk of its small to medium housing projects without the need for development consent from the local Council. These developments are assessed internally under Part 5 of the EP&A Act. LAHC manages the public exhibition.

LAHC ensures that the environmental assessment it conducts is rigorous and is always compliant with the Housing Act, EP&A Act and the Housing SEPP.

**Note:** Some developments are deemed sensitive by the Department of Planning, Housing and Infrastructure. This type of development is not notified in the same way as other development applications due to the sensitive nature of the project and the future tenants who may be in vulnerable situations. Sensitive development includes refuges that provide emergency accommodation to people leaving domestic and family violence.

3. **State significant development (Major Projects)** – development consent is obtained from the Department of Planning, Housing and Infrastructure. A development is considered 'state significant' if it is; over a certain number of dwellings or will exceed an estimated development cost or the development has significant impact or strategic importance.

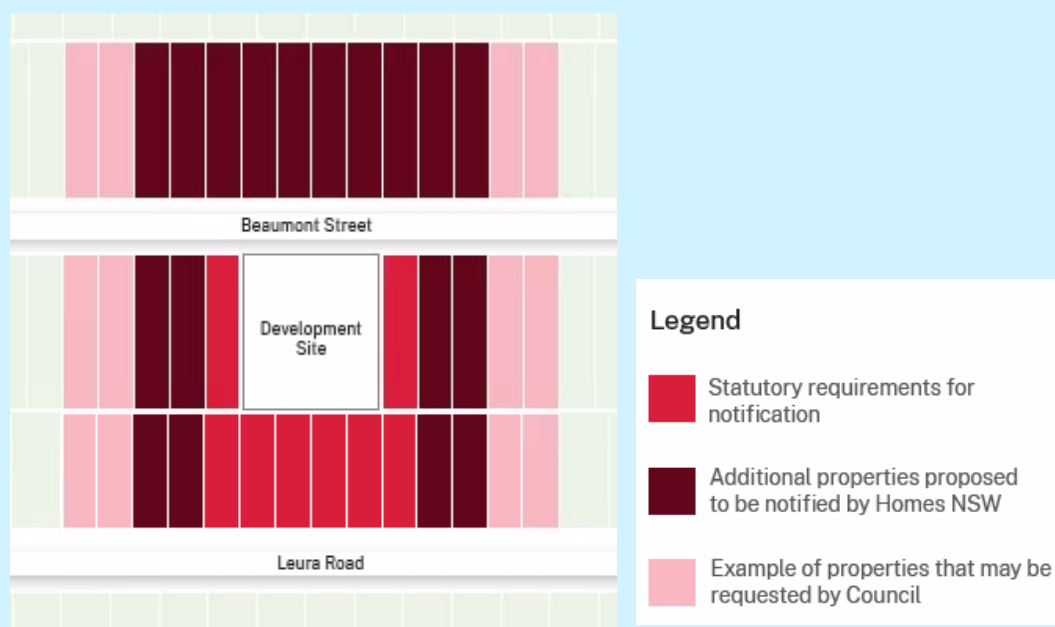


## 3.4 Notification procedures

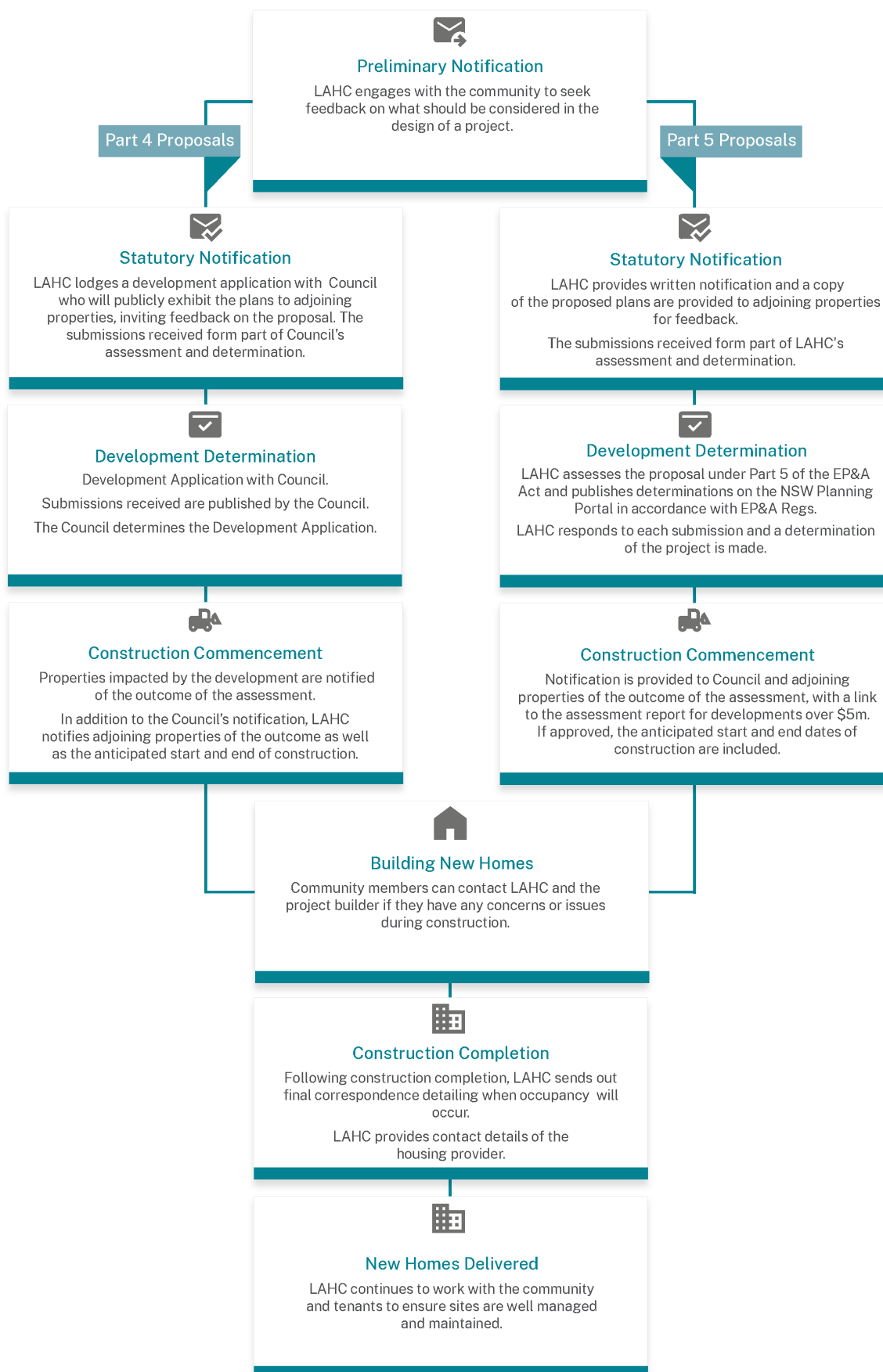
LAHC conducts preliminary engagement prior to any development proposal. Written notification relies on the requirements of the legislation to inform adjoining neighbours to the side and rear. LAHC extends this notification to properties further to the side boundaries and properties across the road. LAHC then engages with the Council of the development site to confirm the selection and to nominate sites that they believe should be additionally notified.

### Scope of notification

When using direct mail for proposals LAHC follows the statutory guidelines for development, requiring notification to the immediate adjoining neighbours to the side and rear. LAHC extends this notification to properties further to the side boundaries and properties across the road. LAHC then engages with the Council of the development site to confirm the selection and to nominate sites that they believe should be additionally notified.



## 3.5 Engagement timeline - Part 4 and Part 5





## 3.6 State Significant Development

A State Significant Development (SSD) is a development that is significant to the state because of its public interest, size, cost or environmental factors.

An application is deemed to be SSD in two ways.

1. **Declaration by SEPP:** There are over 75 dwellings or the estimated development cost is over \$30m or there are potential environmental impacts as dictated within the State Environmental Planning Policy (Planning Systems) 2021.
2. **Declaration by Minister:** A declaration is made by the Minister of Planning and Public Spaces, advised by the Independent Planning Commission. The Independent Planning Commission is an independent consent authority that will assess and determine proposals, often relating to more controversial projects.

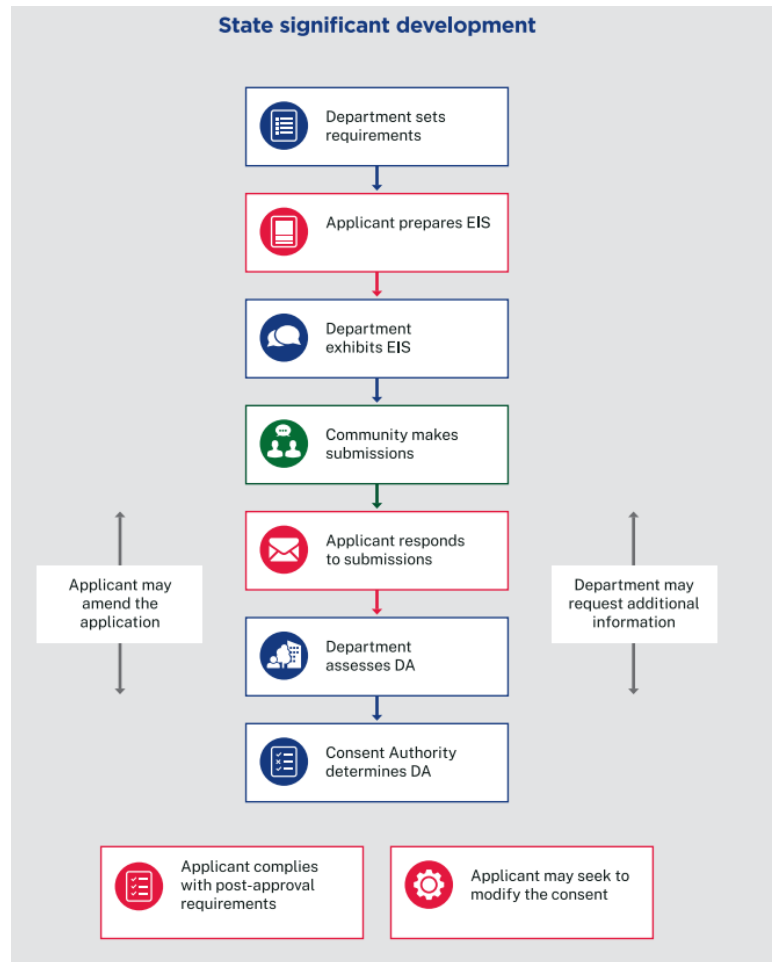


Figure 1: State Significant Development Process (DPIE 2021)

SSD is facilitated by the Department of Planning, Housing and Infrastructure (DPHI).

For some proposals, the Minister can advise the Independent Planning Commission to hold public engagement sessions. These sessions allow the community to provide further feedback on the assessment report.

The assessment of the proposal must consider the submissions made by the community before the SSD is determined. A notice is published online outlining how community views were accounted for during the assessment and determination.

### For more information

1. NSW Land and Housing Corporation: <https://www.dpie.nsw.gov.au/land-and-housing-corporation/about-us/community-engagement>
2. Homes NSW: [nsw.gov.au/homes-nsw](https://nsw.gov.au/homes-nsw)
3. Department of Planning Industry and Environment 2021 State Significant Development Guidelines: <https://www.planning.nsw.gov.au/sites/default/files/2023-03/state-significant-development-guidelines.pdf>
4. Department of Planning Major Projects website: <https://www.planningportal.nsw.gov.au/major-projects>

5. Approval pathways: <https://www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways>
6. State Environmental Planning Policy (Planning Systems) 2021:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0724#statusinformation>

