Department of Planning, Housing and Infrastructure

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Planning Proposal | Council

How to create and submit a Planning Proposal as a council officer

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Acknowledgement of Country

The Department of Planning, Housing and Infrastructure 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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How to create and submit a Planning Proposal as a council officer

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Introduction

A planning proposal explains a proposed change to a Local Environmental Plan (LEP). It outlines the changes being proposed and why they are needed.

LEPs guide planning and development in local government areas through land use zones and development controls. A planning proposal may propose changes to these controls, such as updating land use zones or development standards.

This guide is for council staff creating, assessing and submitting a planning proposal through the NSW Planning Portal. It explains how to:

- create a planning proposal application
- complete the proposal details and upload supporting documents
- undertake the completeness check
- complete the preliminary and strategic planning assessments
- submit the planning proposal to the Department of Planning, Housing and Infrastructure.

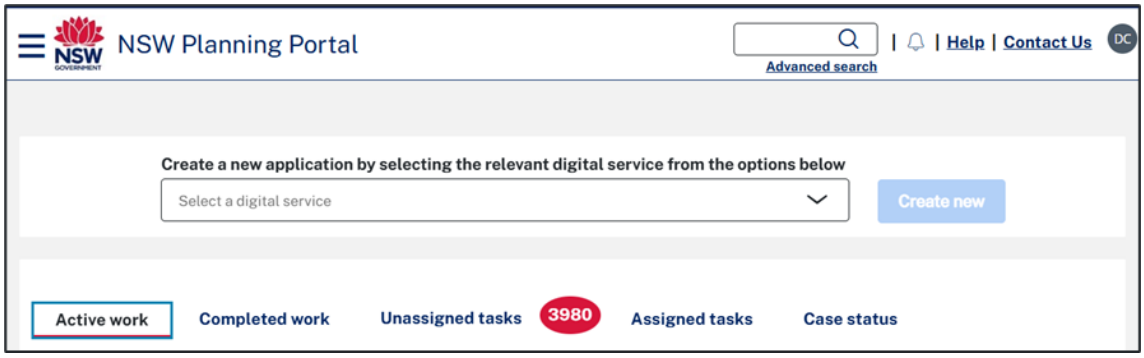
Note: You will need a NSW Planning Portal council account to create and submit your planning proposal. To register a new account, refer to the *How to register for a NSW Planning Portal* step-by-step guide.

1. Create and submit a Planning Proposal

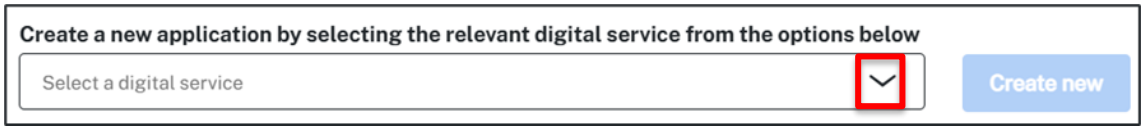
> Tip: Mandatory fields are marked with an *asterisk. You must complete all mandatory fields on the application and any desired fields as required.

Step 1: Create an application

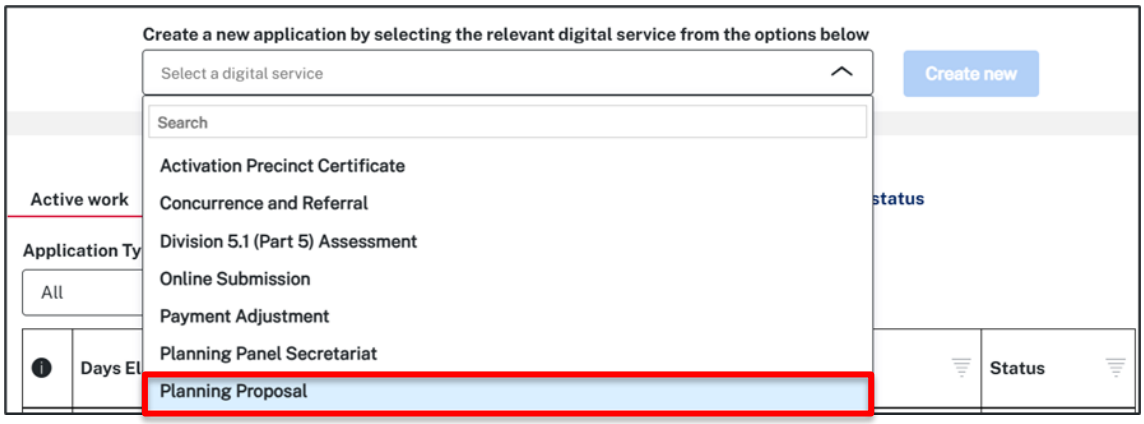
1. Log in to the NSW Planning Portal to display your dashboard.



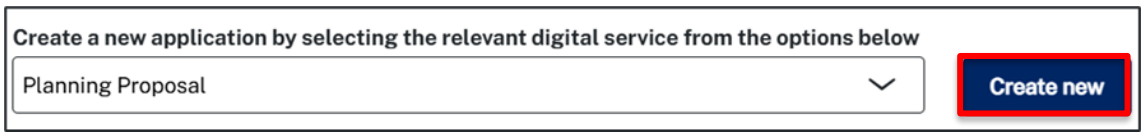
2. Click on the 'Create a new application' drop-down arrow to display a list of digital services.



3. Select 'Planning Proposal' from the list of options.



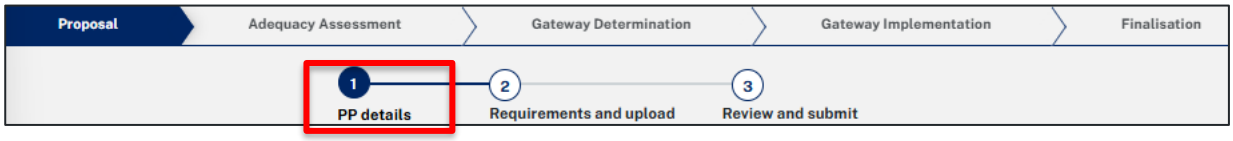
4. Click ‘Create new’.



5. Select ‘General Planning Proposal’.

6. Click ‘Next’.

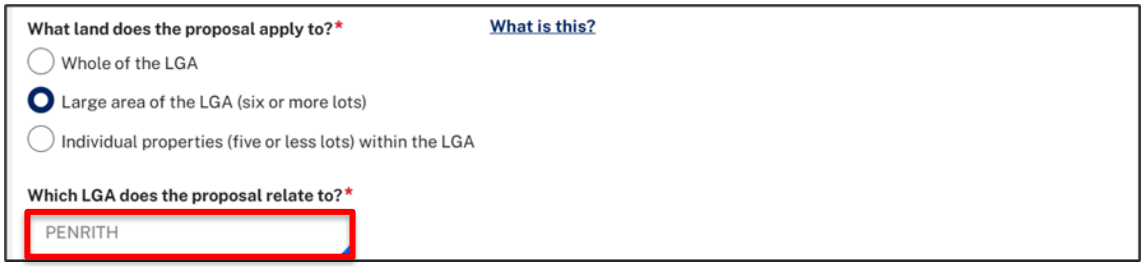
Step 2: Enter planning proposal details



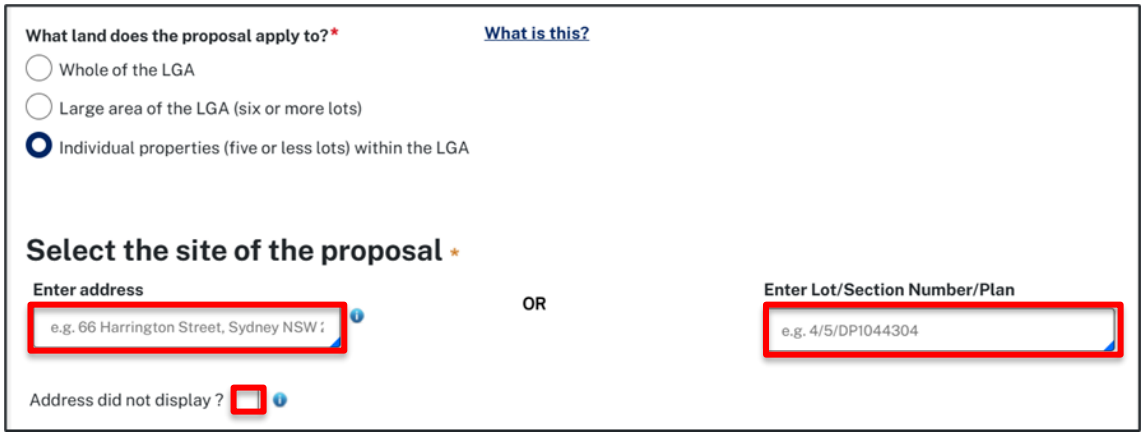
7. Select the option that describes the land to which the planning proposal applies.

Note: A planning proposal can only apply to land within one local government area (LGA).

a. If you selected ‘Whole of the LGA’ or ‘Large areas of the LGA (six or more lots)’, begin typing the relevant LGA name in the field and **select** the correct option from the drop-down list.

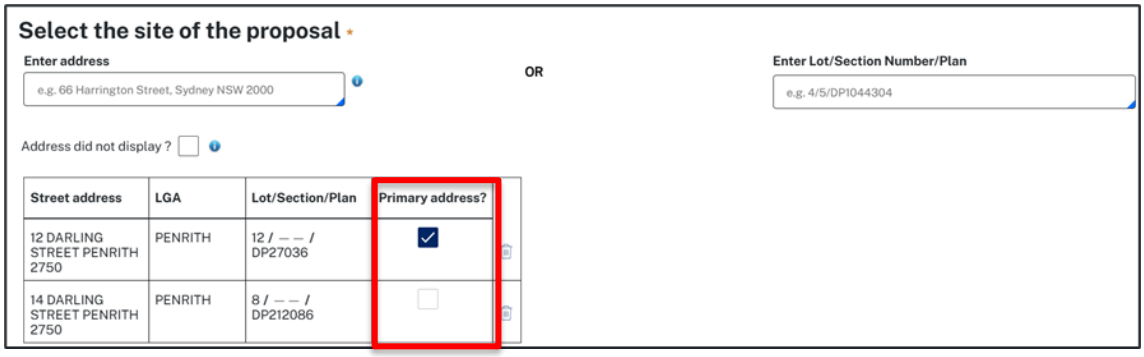


b. If you selected 'Individual properties (five or less lots) within the LGA', begin typing the relevant address or property details in the field and **select** the correct result from the drop-down list.

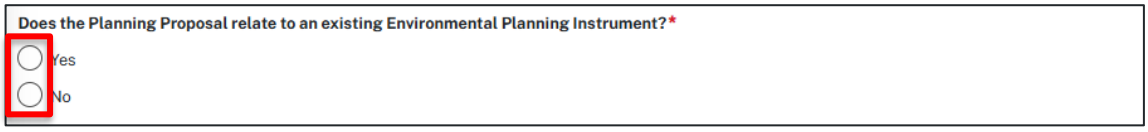


Notes: You can add up to five properties by entering each address or property details individually. If the address does not appear, **select** the checkbox 'Address did not display?' to enter the address manually.

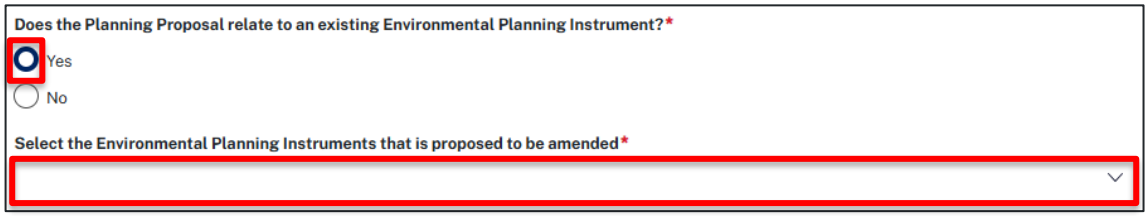
c. **Select** one address as the 'Primary address'. This address is used as the main reference for the proposal



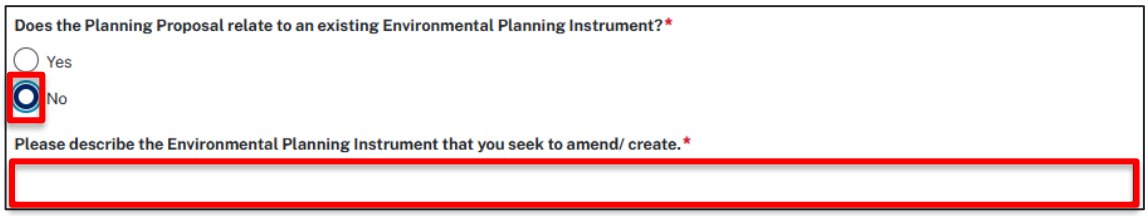
8. **Select** if the planning proposal relates to an existing Environmental Planning Instrument.



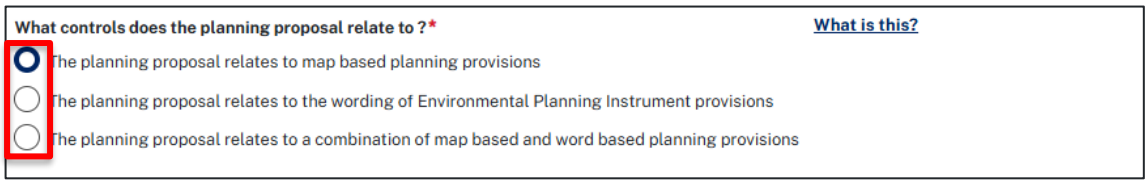
a. If 'Yes' is selected, from the dropdown menu **select** the Environmental Planning Instruments that is proposed to be amended.



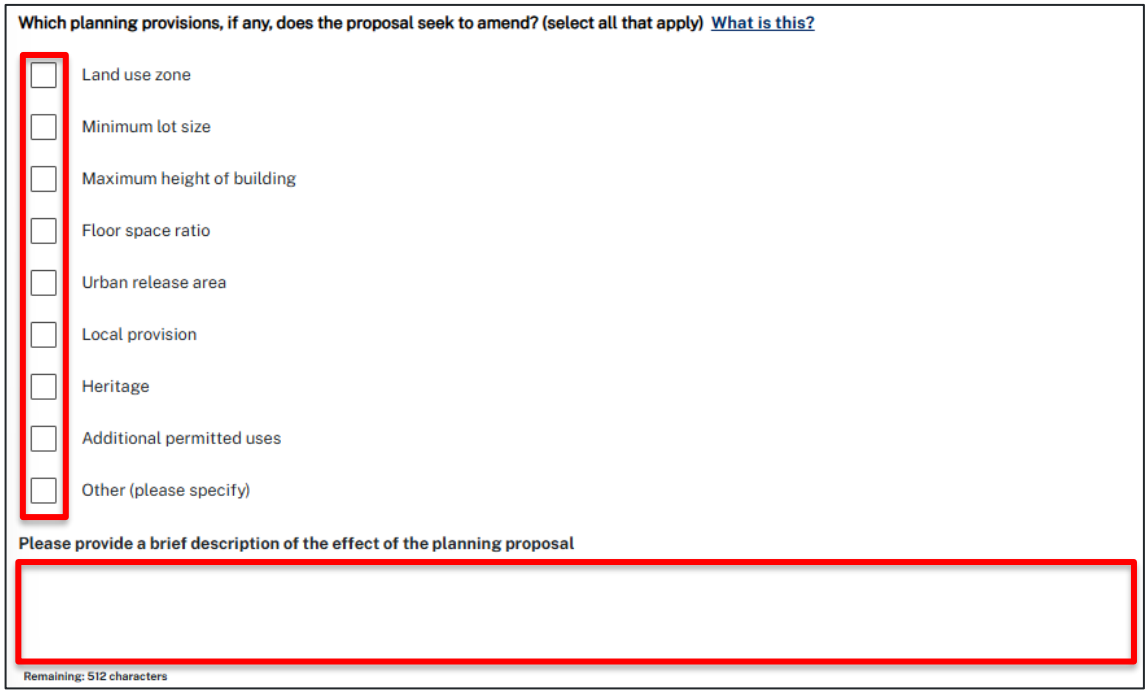
b. If 'No' is selected, **describe** the Environmental Planning Instrument that you seek to amend/create.



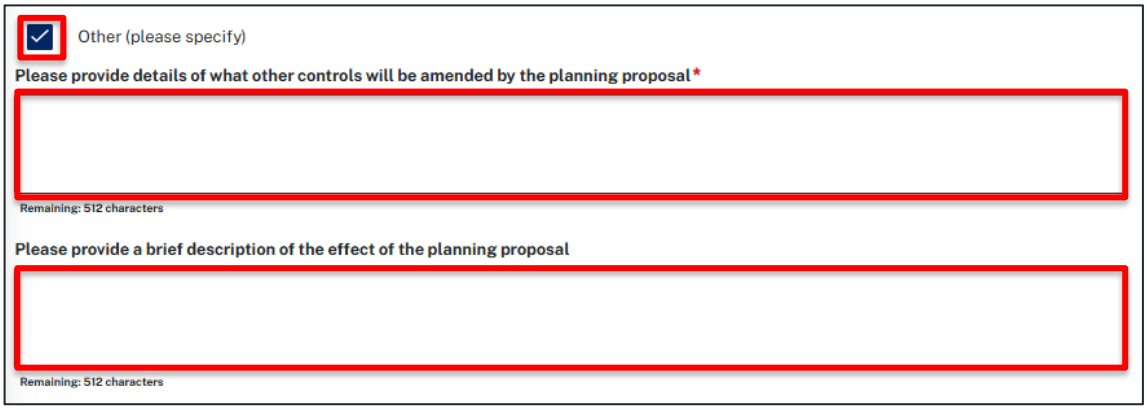
9. **Select** what controls the planning proposal relates to.



10. **Select** any planning provisions the proposal seeks to amend and provide a description.



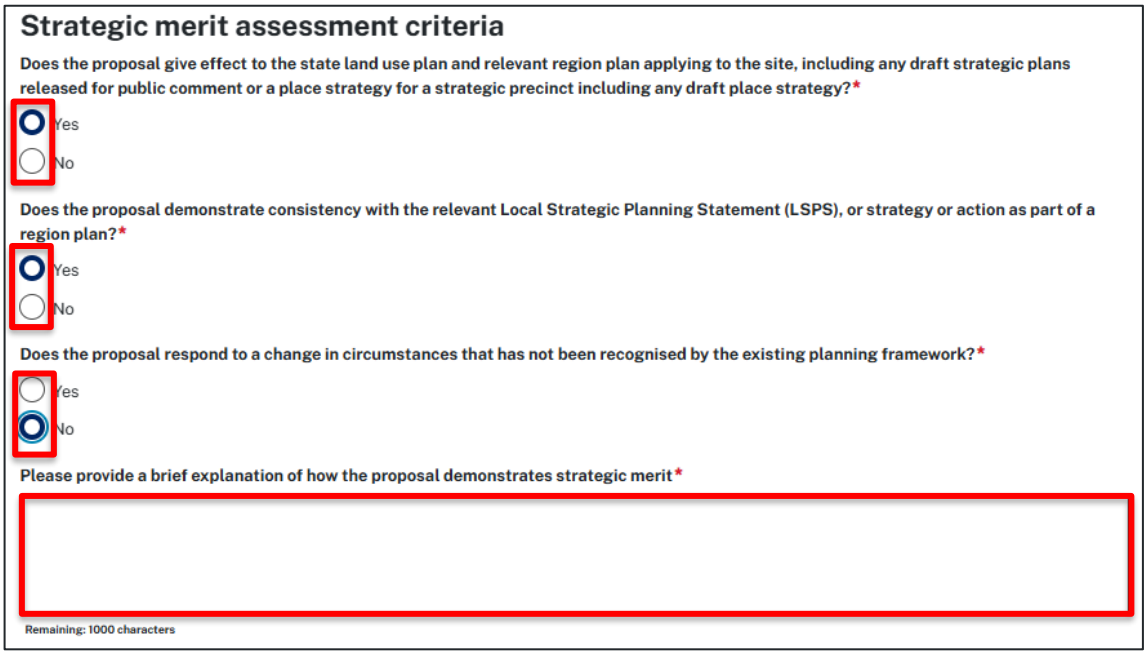
a. If 'Other' is selected, the description becomes mandatory and an additional question appears.



11. Select the category of planning proposal.

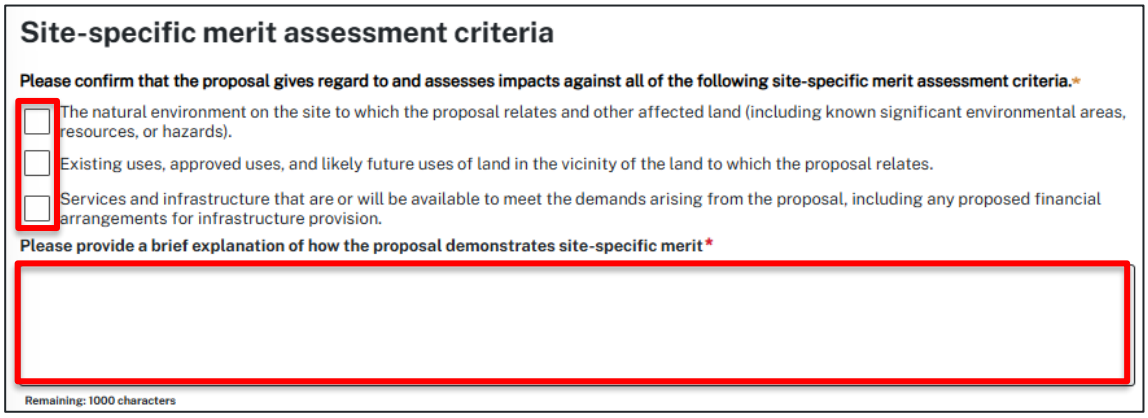
Note: For more information on what is a standard or complex proposal, please view the Local Environmental Plan Making Guideline. You can find the link by clicking, 'What this is'.

12. Complete the strategic merit assessment criteria and provide an explanation.



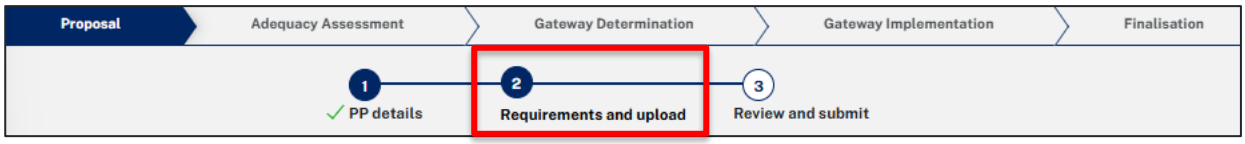
Note: The proposal must satisfy at least one strategic merit assessment criterion. If no is selected for all three, please review your responses and select "Yes" for at least one question.

13. **Complete** the site-specific merit assessment criteria and provide an explanation.



14. **Click** 'Save and continue'.

Step 3: Requirements and uploads



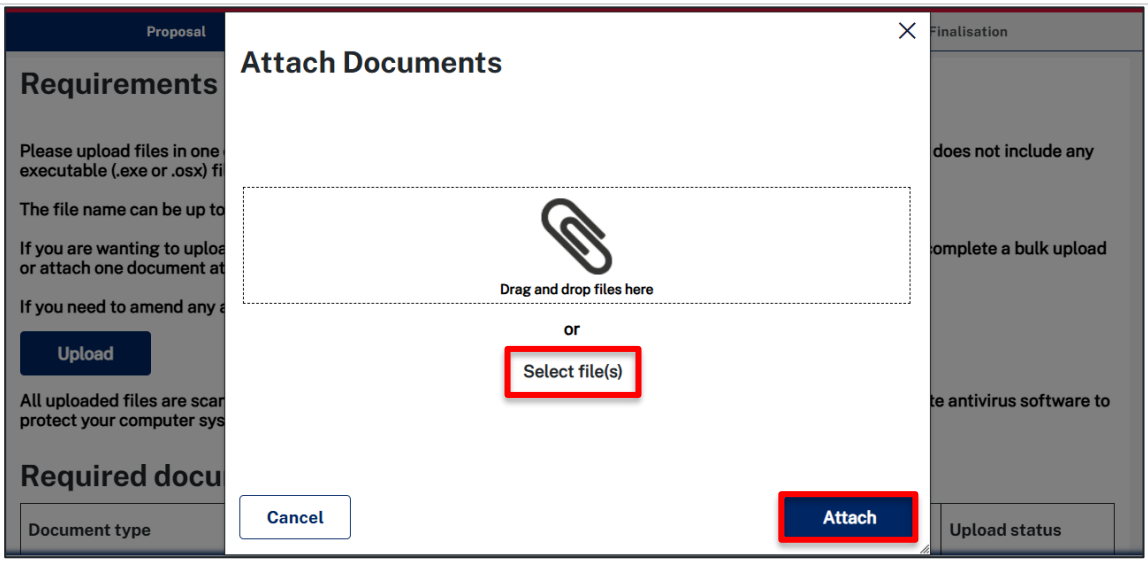
Note: The documents you are required to upload with your proposal will vary depending on the selections made in the 'Planning proposal details' section.

15. **Click** 'Upload' to attach the required and supporting documents.

a. **Select** the file(s) or drag and drop them into the upload area.

b. **Select** the appropriate category from the drop-down menu for each file.

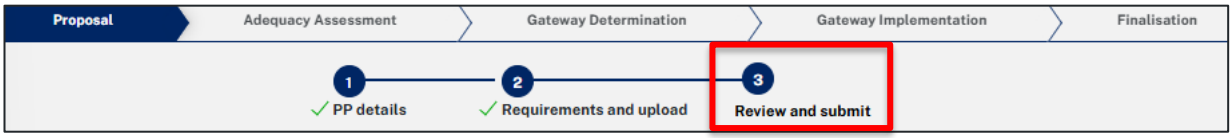
c. **Click** 'Attach'.



Note: The document name has a maximum of 150 characters. You can update the name in the system to meet this limit.

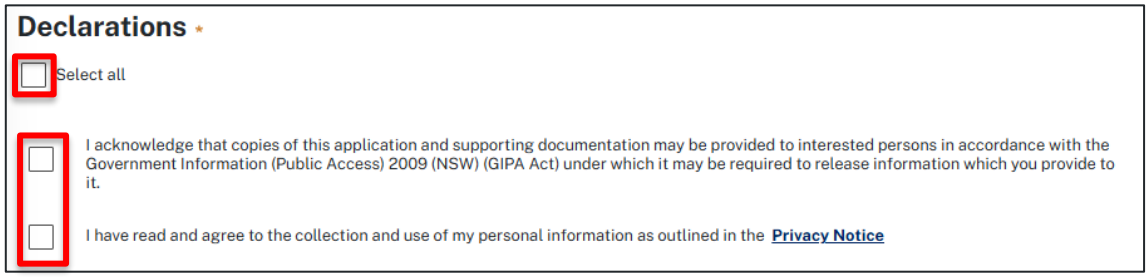
16. Click 'Save and continue' to proceed to the next screen.

Step 4: Review and submit the proposal



17. Review and verify all details entered. This information is read-only. If required, click 'Previous' in the bottom left-hand corner of the screen to return to earlier screens and make changes.

18. Once you have confirmed the proposal details, **select** all declaration checkboxes at the bottom of the screen.

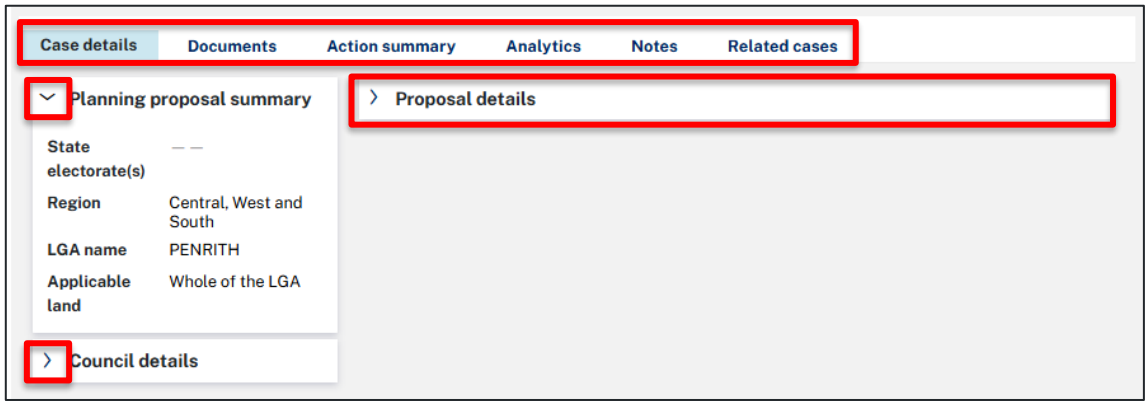


Note: It is an offence under Section 10.6 of the *Environmental Planning and Assessment Act 1979* to provide false or misleading information in relation to this application.

19. Click 'Submit' to submit the proposal.

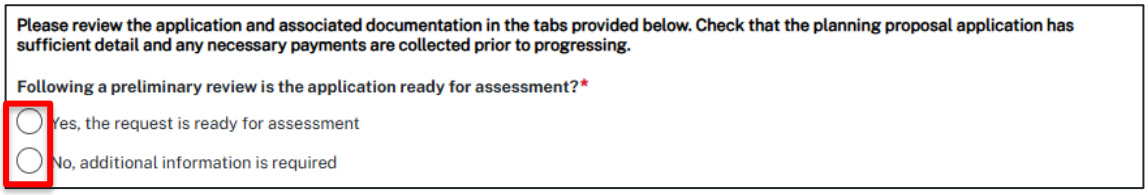
2. Complete the ‘completeness check’

1. Scroll to the bottom of the page and review the application and supporting documents using the available tabs. Confirm the planning proposal contains sufficient information before progressing.

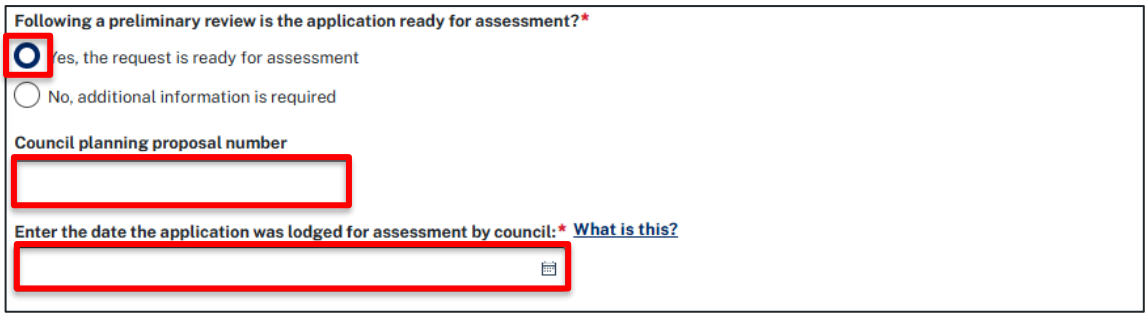


Note: Click on the Case details expand and collapse buttons to review the case details information.

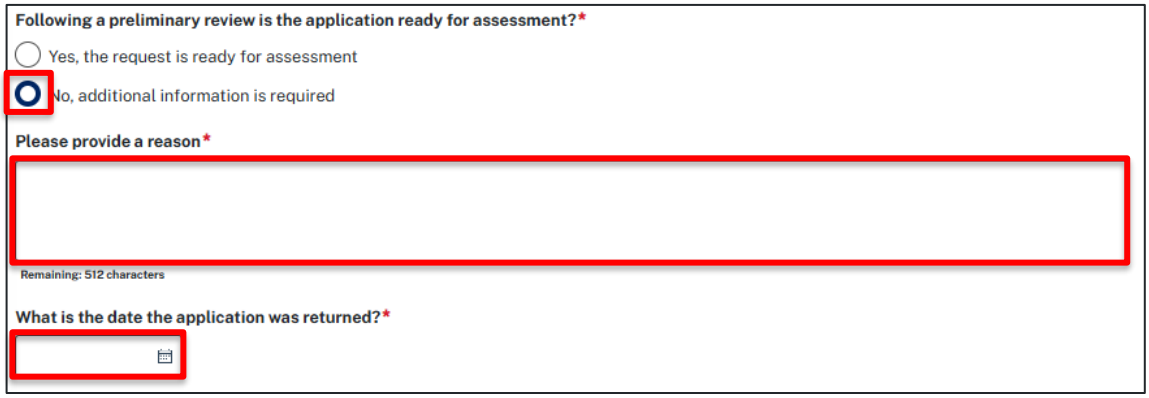
2. Following the preliminary review, scroll to the top of the page and **select** 'Yes' or 'No' to indicate whether the planning proposal is ready for assessment.



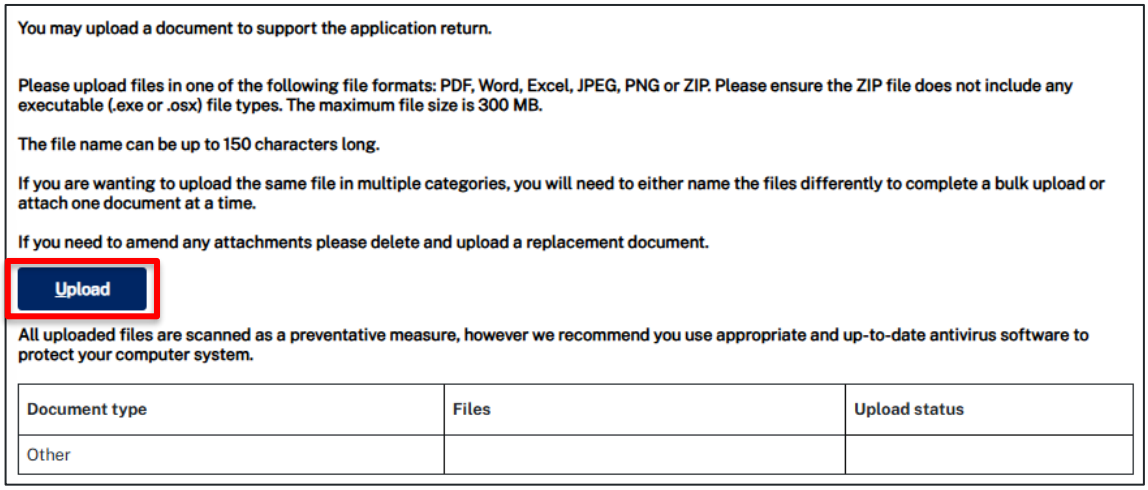
a. If 'Yes' is selected, **enter** the council planning proposal number and the date the application was lodged with council.



b. If 'No' is selected, **provide** a reason and **enter** the date the application was returned.



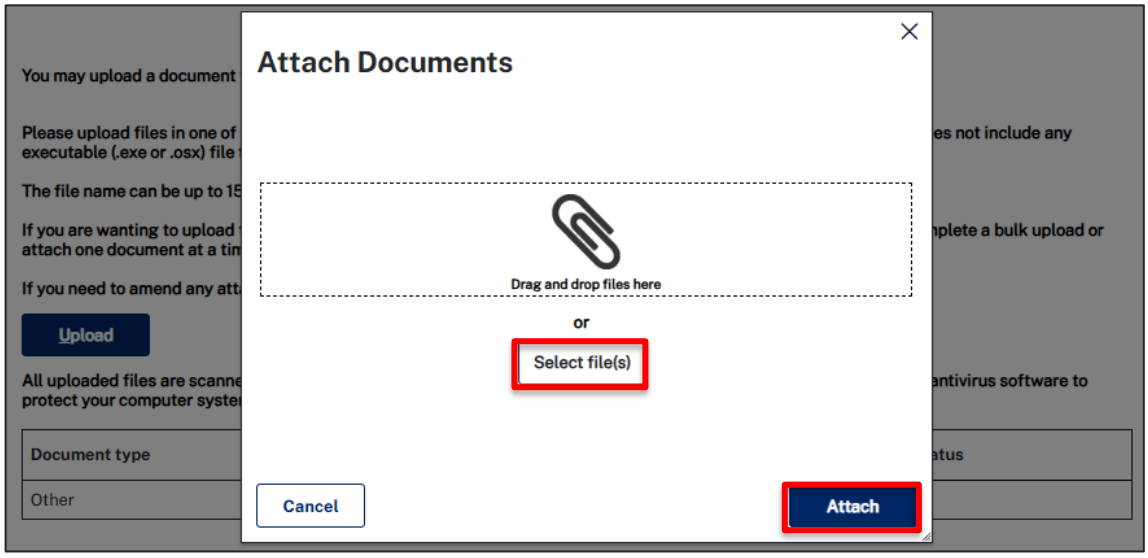
c. Click 'Upload' to attach any supporting documents to support the application return.



d. Select the file(s) or drag and drop them into the upload area.

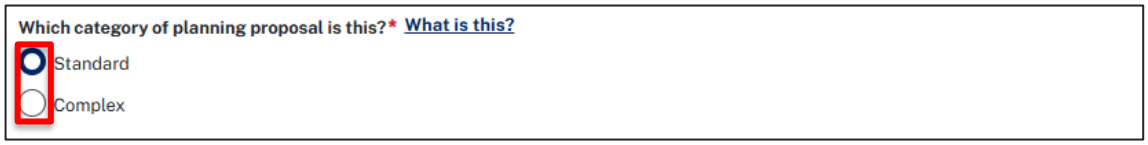
e. Select the appropriate category from the drop-down menu for each file.

f. Click 'Attach'.

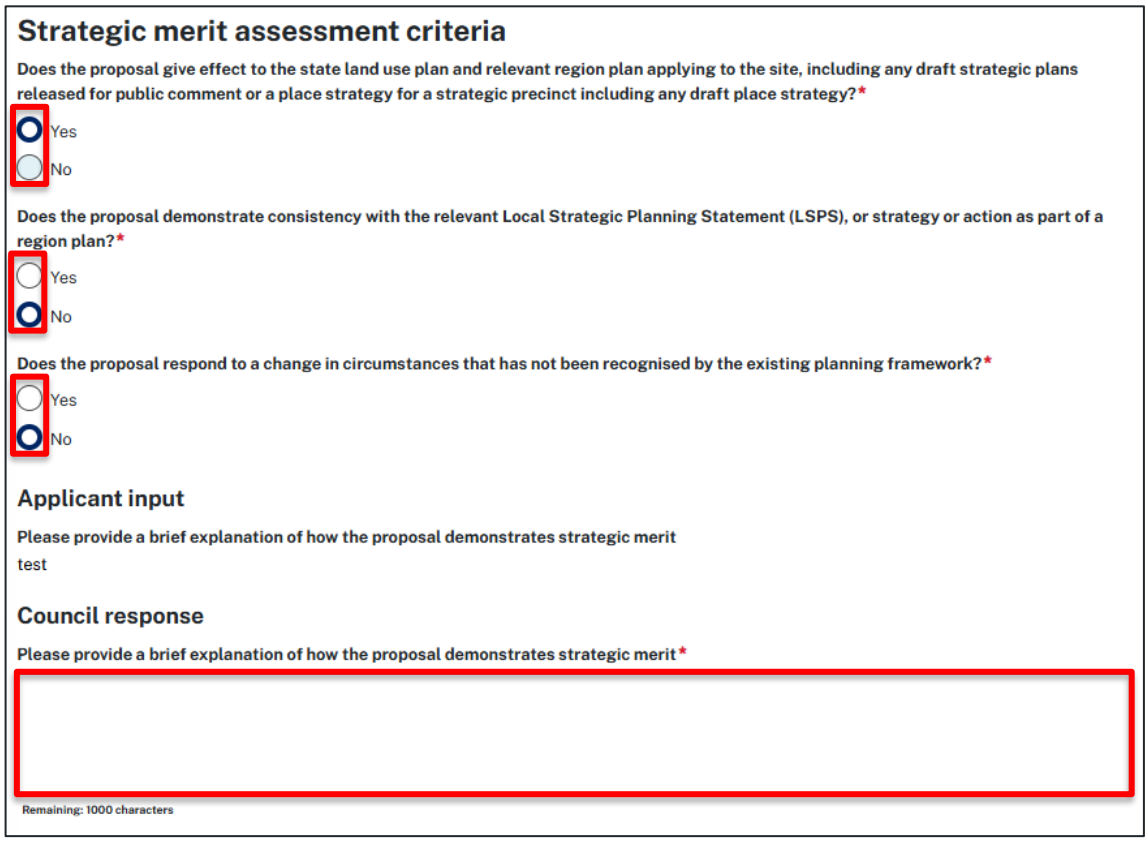


Note: When 'No' is selected and additional information is required the planning proposal will be returned.

3. Review and update the planning proposal category if required.

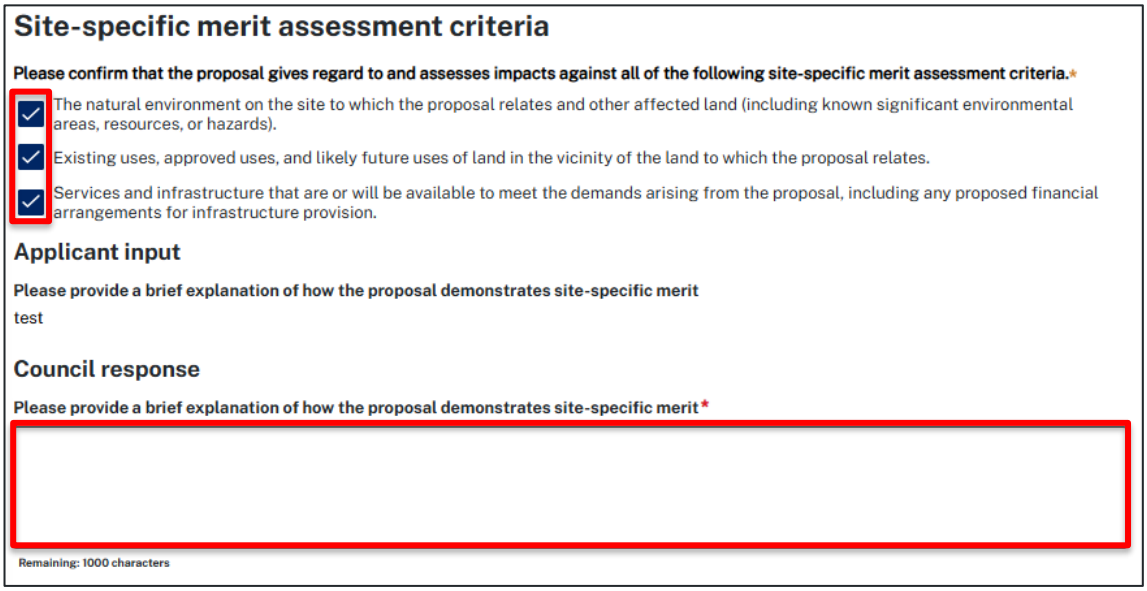


4. Review and update the strategic merit assessment criteria and provide an explanation.



Note: The proposal must satisfy at least one strategic merit assessment criterion. If no is selected for all three, please review your responses and select "Yes" for at least one question.

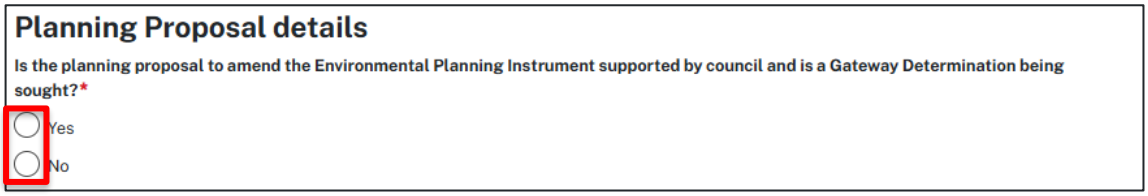
5. Review and provide a council response for the site-specific merit assessment criteria.



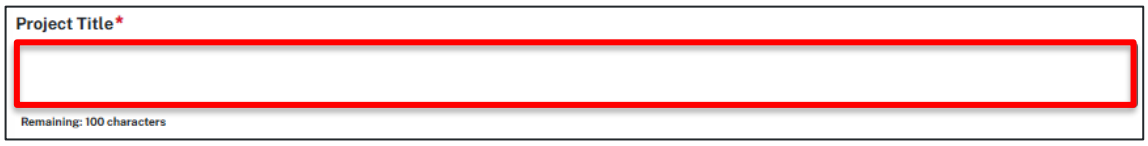
6. Click 'Submit' to proceed to the next screen.

3. Complete the preliminary assessment

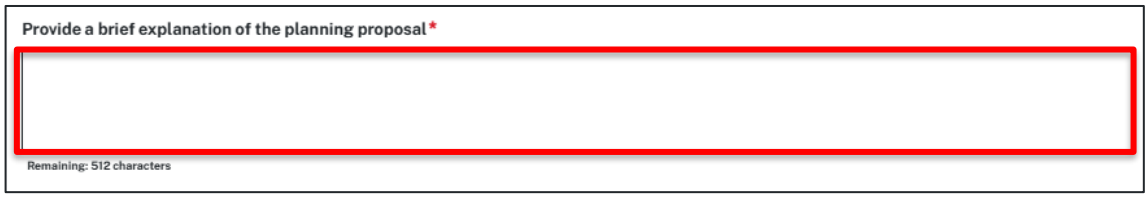
1. **Indicate** whether the planning proposal seeks to amend an Environmental Planning Instrument and whether a Gateway determination is being sought.



2. **Enter** project title.

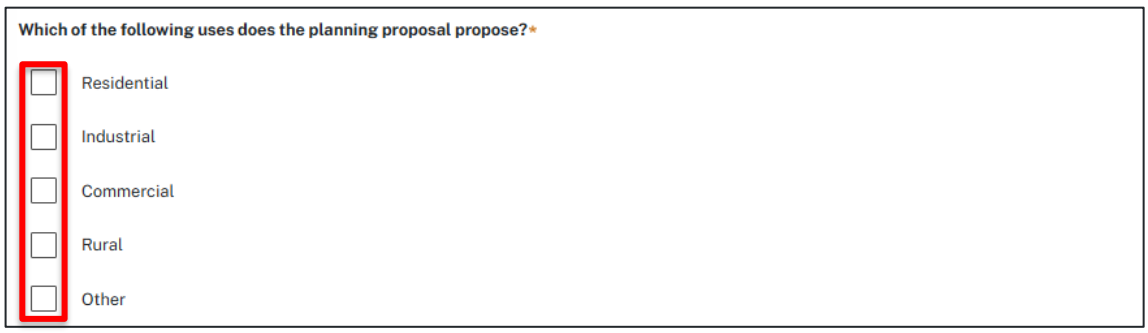


3. **Enter** explanation of the planning proposal.

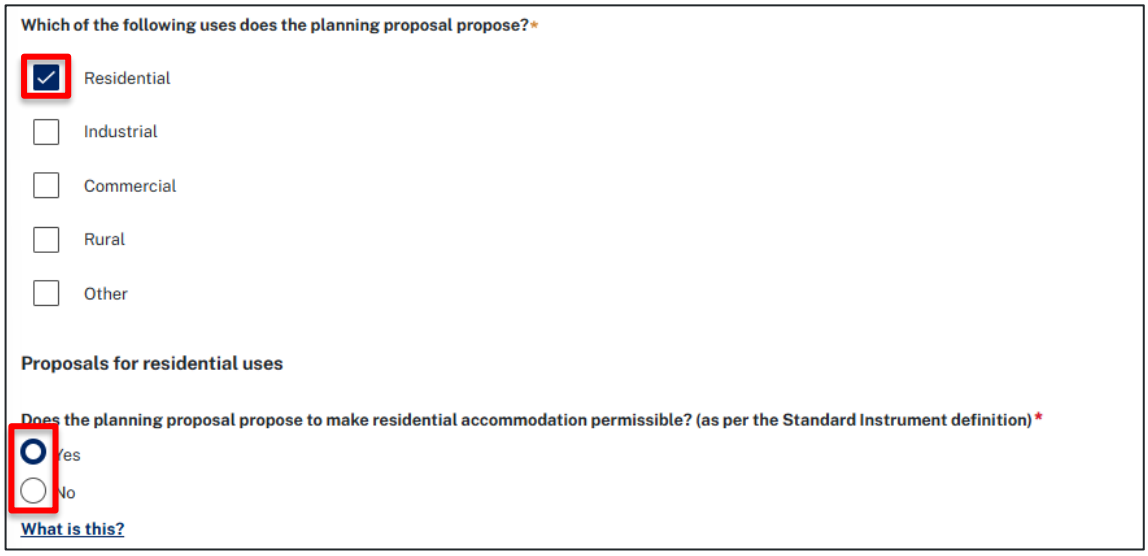


4. **Select** the amendment type from the dropdown menu.

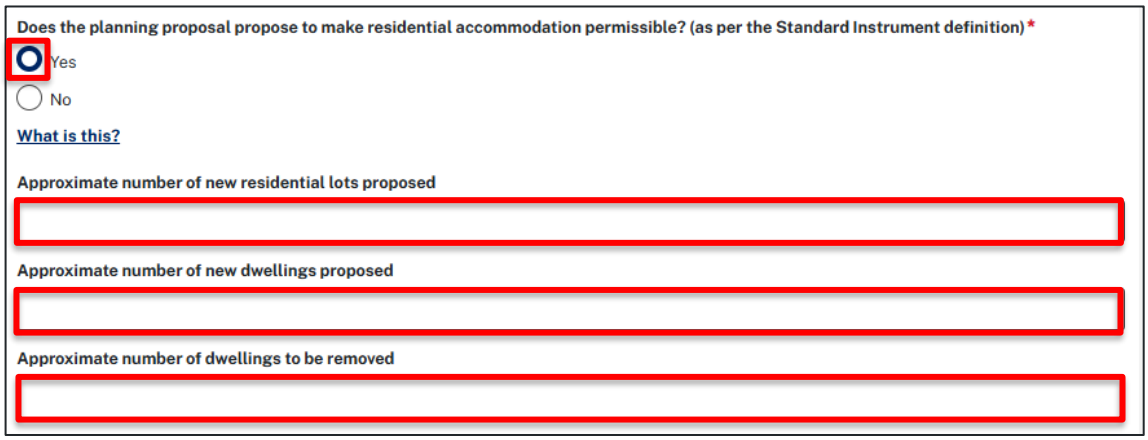
5. **Select** the land use categories the planning proposal relates to.



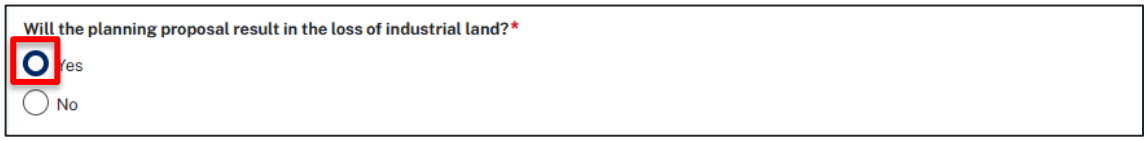
a. If 'Residential' is selected, **indicate** whether the planning proposal proposes to make residential accommodation permissible.



If 'Yes' is selected, complete the additional questions.



Indicate 'Yes' or 'No' for will the planning proposal result in the loss of industrial land.

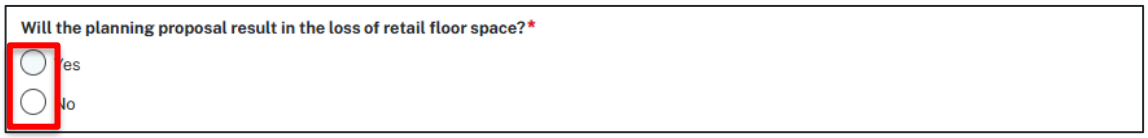


If 'Yes' **enter** how many hectares of industrial zoned land will be lost.

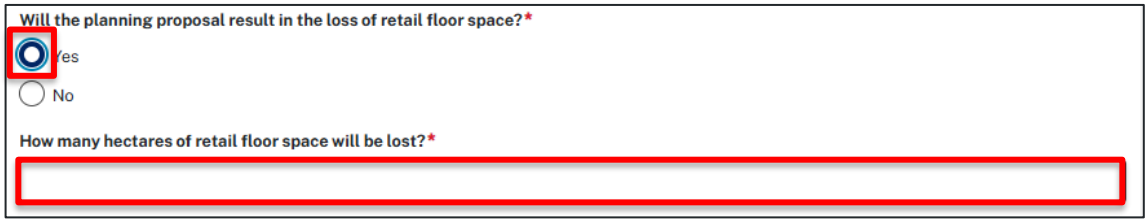
Indicate 'Yes' or 'No' for will the planning proposal result in the loss of commercial land.

If 'Yes' **enter** how many hectares of commercial zoned land will be lost?

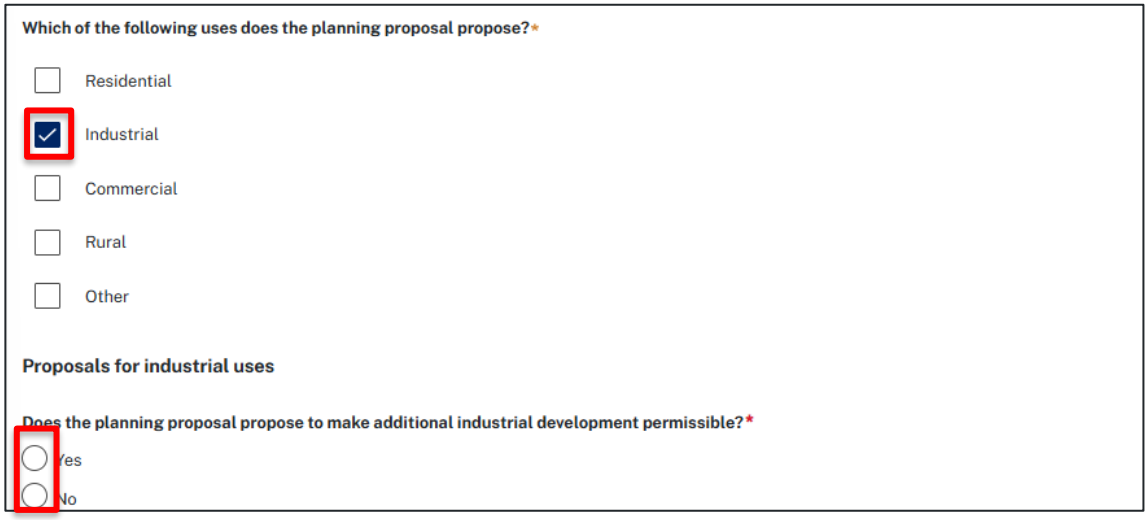
Indicate 'Yes' or 'No' for will the planning proposal result in the loss of retail floor space?



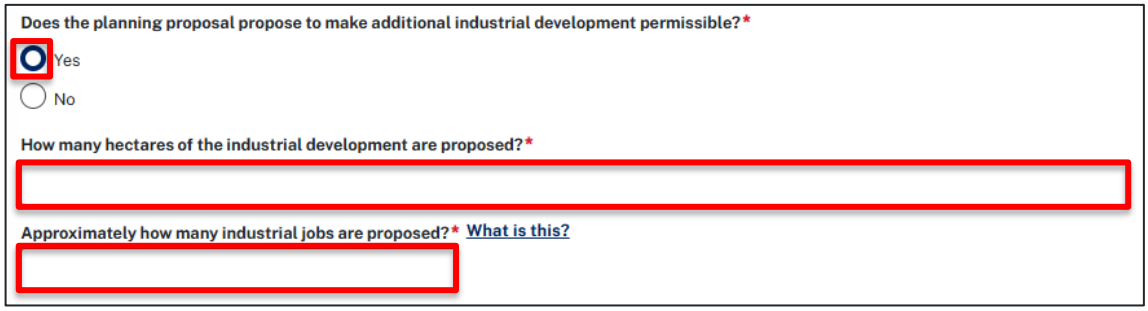
If 'Yes' **enter** how many hectares of retail floor space will be lost?



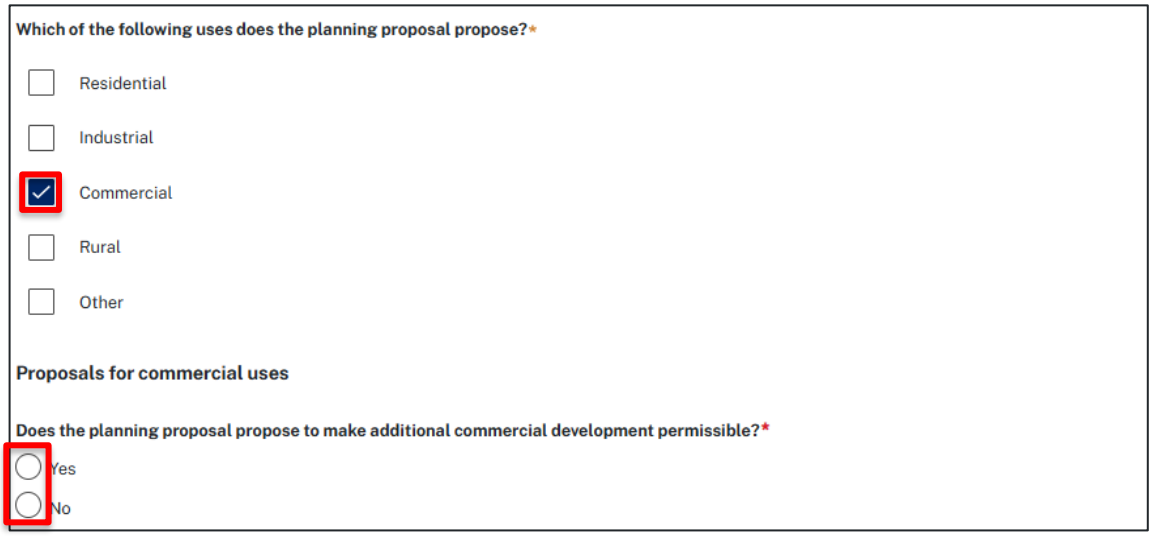
b.If 'Industrial' is selected **indicate** 'Yes' or 'No' to does the planning proposal propose to make additional industrial development permissible.



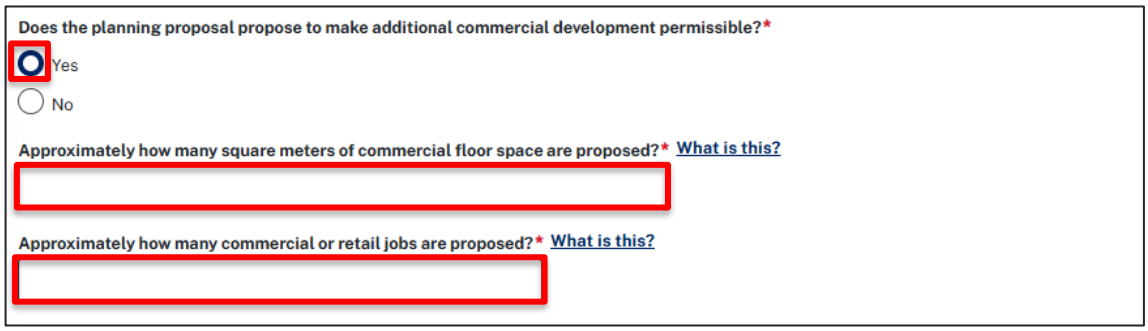
If 'Yes' is selected complete additional fields.



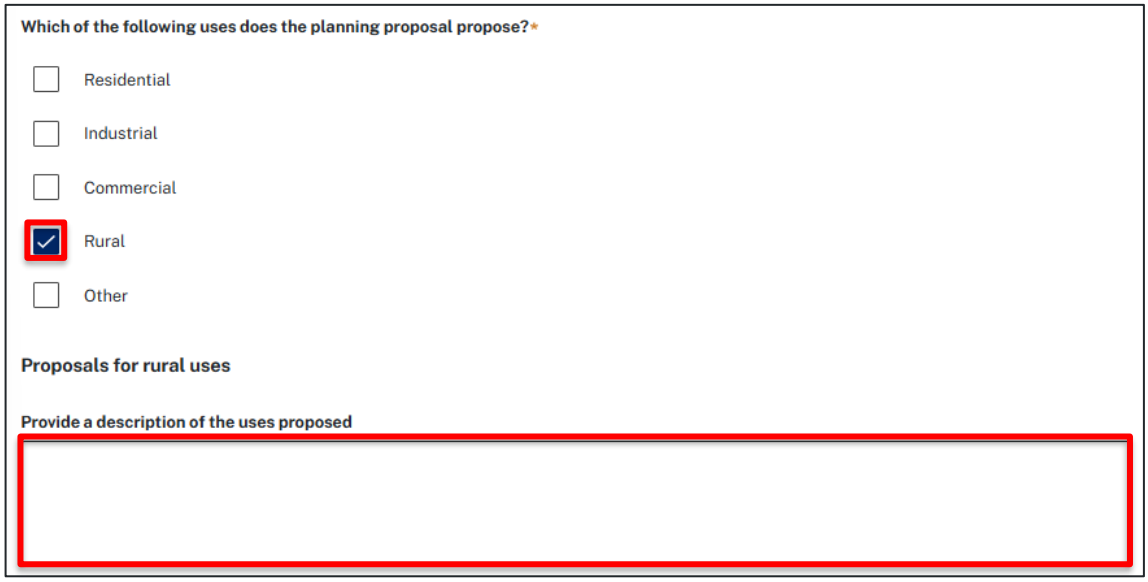
c. If ‘Commercial’ is selected **indicate** ‘Yes’ or ‘No’ to does the planning proposal propose to make additional commercial development permissible.



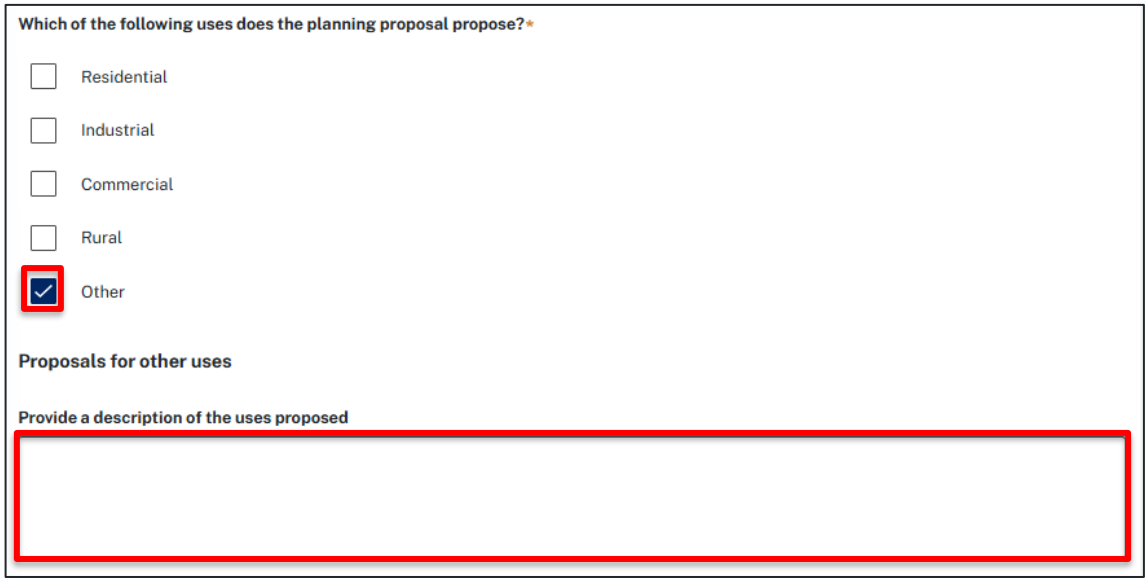
If ‘Yes’ is selected complete additional fields.



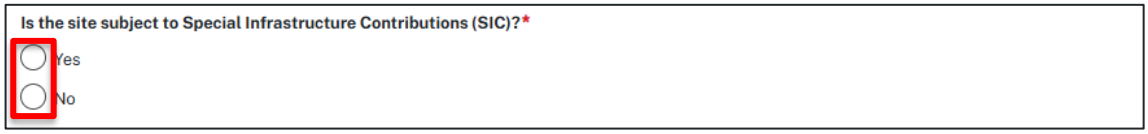
d. If ‘Rural’ is selected, **provide** description of the proposed use.



e. If 'Other' is selected, **provide** description of the proposed use.



6. **Indicate** 'Yes' or 'No' for is the site subject to Special Infrastructure Contributions (SIC).

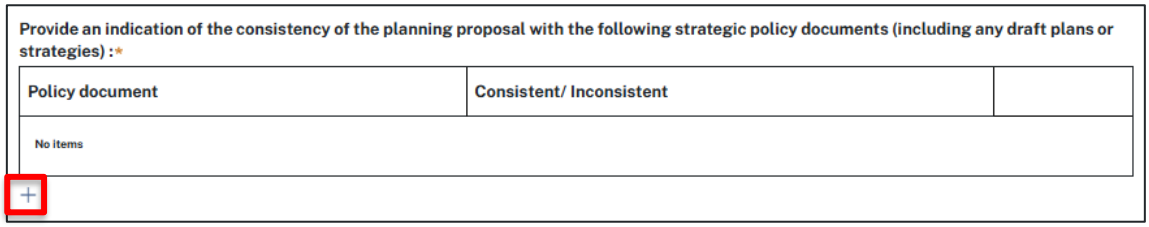


7. **Indicate** 'Yes' or 'No' for is the development located within an Urban Release Area.

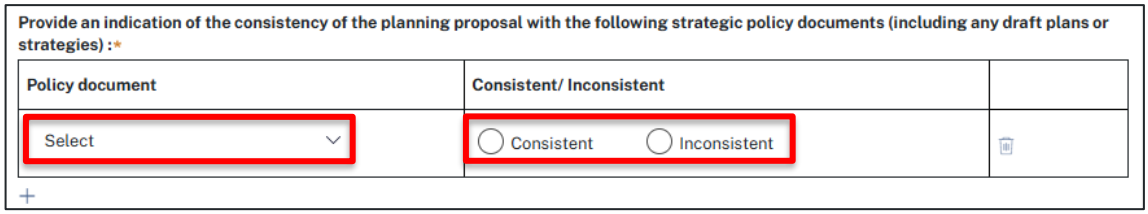
8. **Click** 'Submit' to proceed to the next screen.

4. Complete the strategic planning assessment

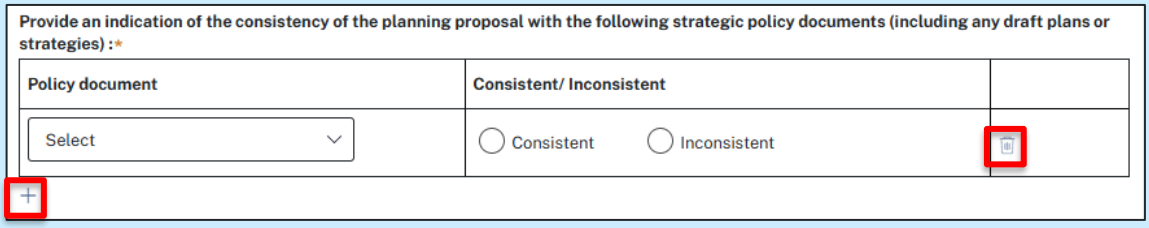
1. **Select** the plus '+' icon to add strategic policy documents and **indicate** whether the planning proposal is consistent with each document.



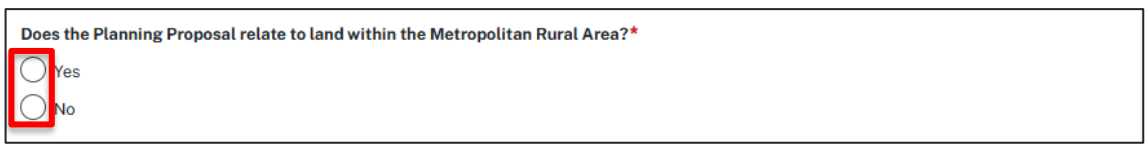
2. **Select** the policy document from the drop-down menu and indicate whether it is 'Consistent' or 'Inconsistent'.



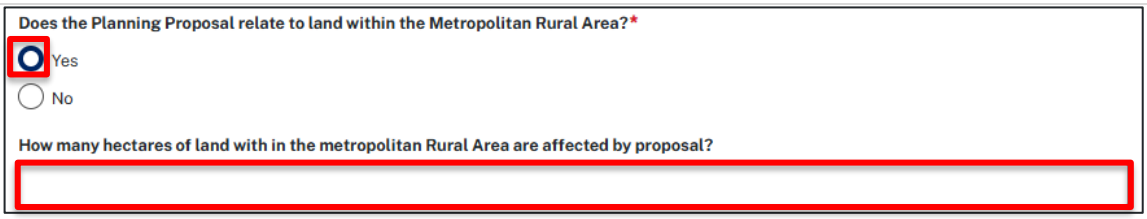
Note: Use the plus '+' icon to add additional rows and the rubbish bin icon to remove rows.



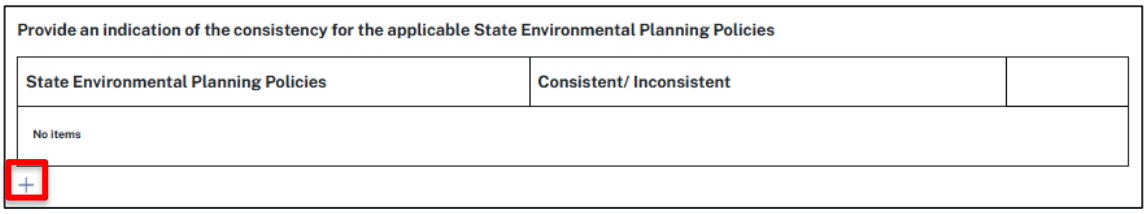
3. Indicate if the planning proposal relates to the land within the metropolitan rural area.



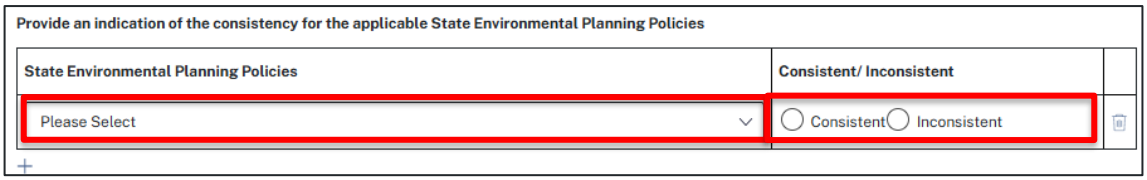
a. If 'Yes' is selected, **enter** how many hectares of land within the Metropolitan Rural Area are affected by the proposal.



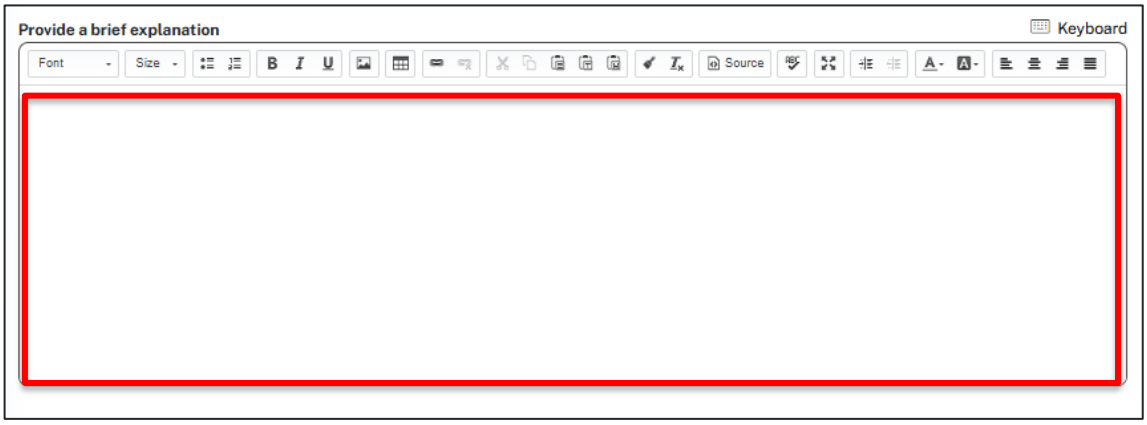
4. Select the plus '+' icon to provide an indication of the consistency for the applicable State Environmental Planning Policies



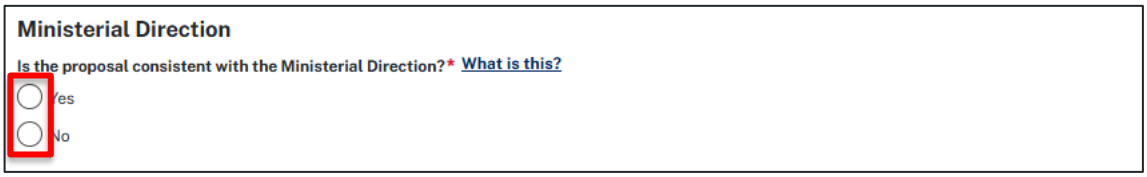
5. Select the State Environment Planning Policy from the dropdown menu and indicate whether it is 'Consistent' or 'Inconsistent'.



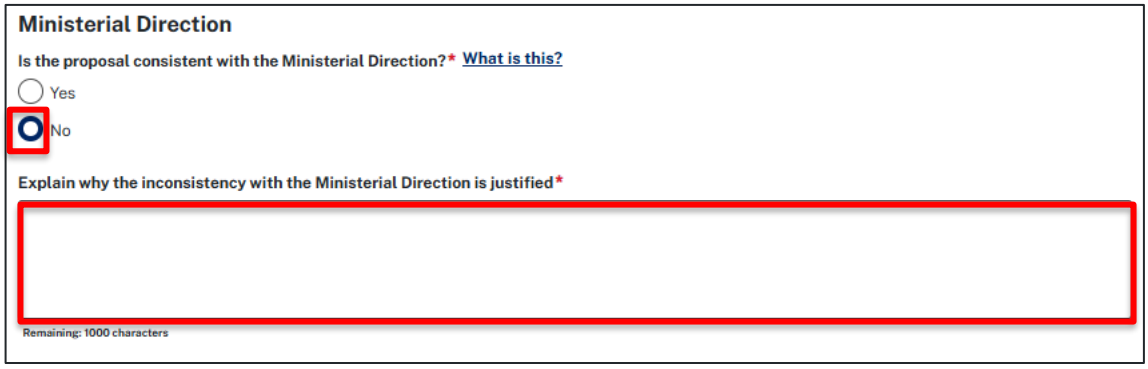
6. Enter a brief explanation.



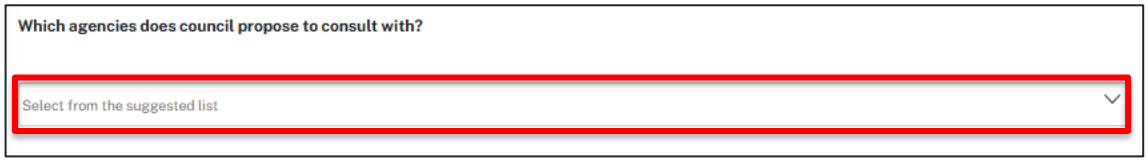
7. Indicate 'Yes' or 'No' if the proposal is consistent with the Ministerial Direction.



a. If 'No' enter why the inconsistency with the Ministerial Direction is justified.

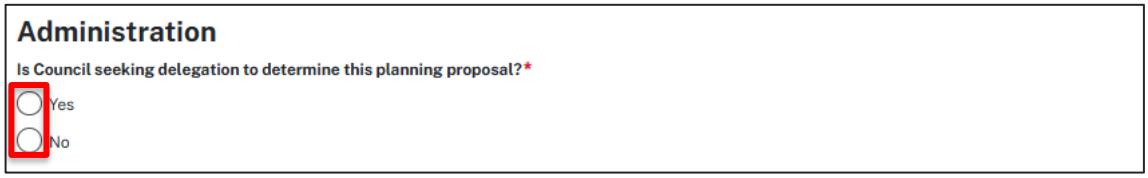


8. Select the agencies council proposes to consult with from the drop-down menu.



Note: Multiple selection allowed, select all which apply.

9. Indicate 'Yes' or 'No' if council is seeking delegation to determine this planning proposal.

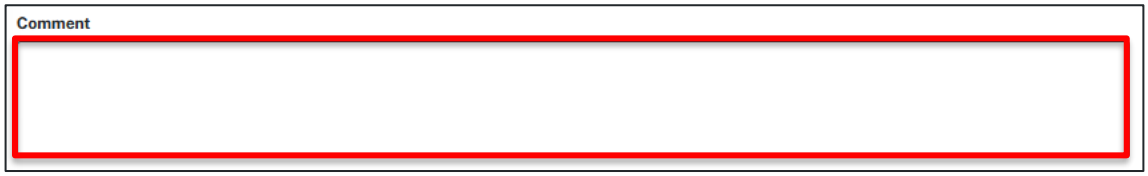


10. Click 'Submit' to proceed to the next screen.

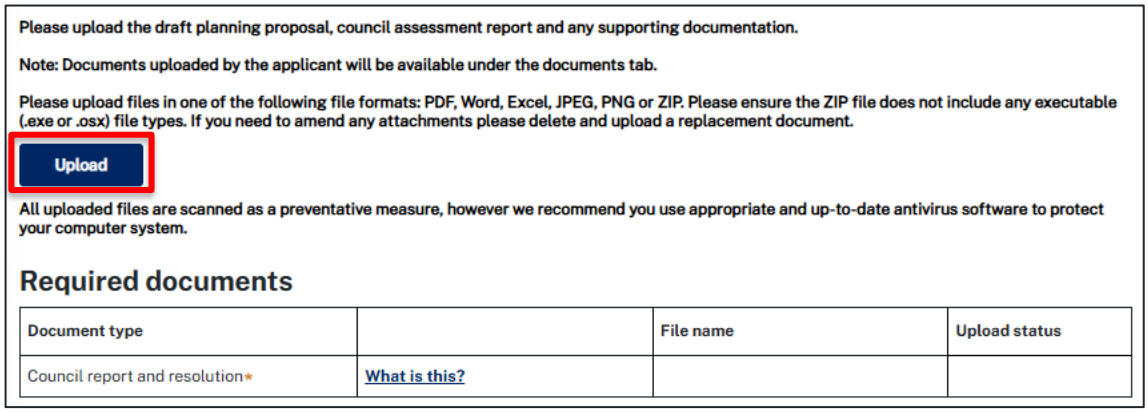
5. Submit the Planning Proposal for Department assessment

1. Review and update 'Council officer's contact details'.

2. Enter any comments.



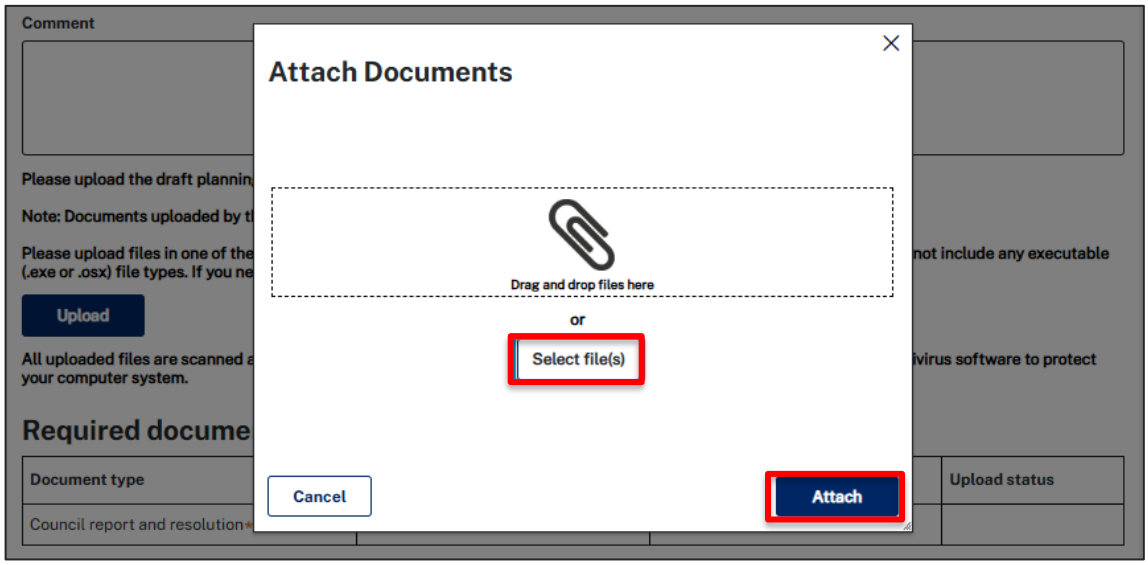
3. Select 'Upload' to attach any required and optional supporting documents. Required documents vary depending on the selections made throughout the planning proposal.



a. Select the file(s) or drag and drop them into the upload area.

b. Select the appropriate category from the drop-down menu for each file.

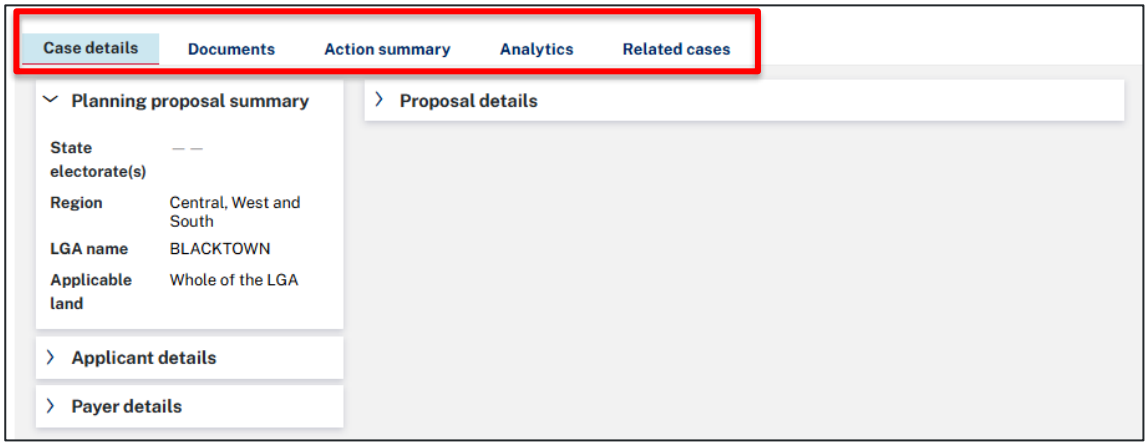
c. Click 'Attach'.



4. Click 'Submit' to submit planning proposal.

What happens next?

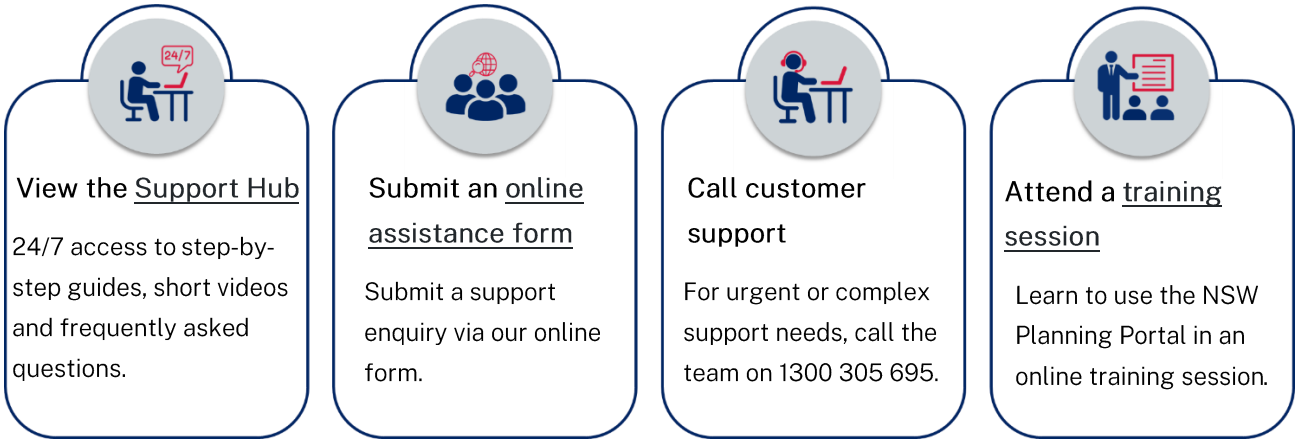
- After you submit the planning proposal you can review application details via the review harness.



- The planning proposal will progress through the assessment workflow in the NSW Planning Portal. The proposal status will update as it moves through each stage of the process.
- The Department of Planning, Housing and Infrastructure will assess the proposal, including its strategic and site-specific merit, to determine whether it should proceed to Gateway determination.
- If a Gateway determination is issued, the proposal may proceed to subsequent plan-making activities, including public exhibition, agency consultation and the consideration of submissions, depending on the requirements of the Gateway determination and plan-making authority arrangements.
- Throughout the process, system-generated notifications will be sent to relevant users to advise of status changes, requests for action and key milestones.

More information

Need help using the NSW Planning Portal?



Recommended step-by-step guide

Other step-by-step guides that you may find useful are listed below:

- How to register for a NSW Planning Portal account
- How to navigate the NSW Planning Portal dashboard
- How to provide additional information

These documents are available on the NSW Planning Portal Support Hub.