

State-assessed planning proposal pathway guideline – Addendum #1

Clarifications on eligibility criteria, how to apply and application form

Addendum date: 16 December 2022

This Addendum forms part of the state-assessed planning proposal pathway guideline published on 5 December 2022 (the Initial Guideline), must be addressed by applicants, and will be assessed by the department.

Modification to Section G: Eligibility Criteria

Section G of the Initial Guideline provides, in part, as follows:

“To be eligible a project must satisfy the following eligibility criteria:

- 1. Not in the planning portal:** *The project is not for a planning proposal in the Planning Portal on or before 22 January 2023, including any planning proposals that were withdrawn.*
- 2. Gateway qualification:** *The project is not for a planning proposal that has previously been considered and has been refused Gateway on or before 22 January 2023.”*

Section G of the Initial Guideline is hereby modified as follows:

Sub sections 1 and 2 of the Initial Guideline are replaced by the following new sub sections 1 and 2:

“To be eligible a project must satisfy the following eligibility criteria:

- 1. Not in the planning system:** *The project is not the subject of an active planning proposal lodged in the system.*
 - “active” implies that the proposal is at any stage from ‘lodged’ through to ‘finalisation’. The department may, in its sole discretion, determine whether the proposal is active*
 - an applicant cannot withdraw a current planning proposal to pursue this pathway*
 - projects may be submitted for sites where a previous planning proposal was lodged but refused or withdrawn. However, the applicant must demonstrate that the project submitted is new. The department may, in its sole discretion, determine that the project is not new and not eligible.*

2. **Readiness to lodge:** *The applicant must undertake to formally lodge the planning proposal with the department via the Planning Portal within 2 months of being notified that the project was approved to proceed as a state-assessed planning proposal.*

Sub section 4 has been added:

4. **Comply with relevant planning legislation, policies and section 9.1(2) of the Environmental Planning and Assessment Act 1979 Ministerial Directions:** *The project is compliant with all relevant applicable legislation, plans, policies and/or masterplans and any section 9.1(2) Ministerial Directions (also known as local planning directions) as updated from time to time.*

Modification to Section J: How to Apply

Section J of the Initial Guideline provides, in part, as follows:

“Prospective applicants should contact the department at rezoningpathways@dpie.nsw.gov.au to obtain a link to the application form.

Applicants may nominate projects for consideration under the state-assessed planning proposal pathway by completing the application form online provided to prospective applicants from the department. The application form guides applicants through every step of the application process.”

Section J of the Initial Guideline is hereby modified as follows:

Section J is replaced by the following new Section J:

“Applicants may nominate Projects for consideration under the state-assessed planning proposal pathway by completing the application form online via the link below.

[State-assessed planning proposal pathway application form](#)

Modification of application form

The application form has been modified to reflect the above mentioned changes.