

Reforming the NSW planning system

Creating a future-ready framework

December 2025





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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Reforming the NSW planning system

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Minister's foreword





The passage of the Planning System Reforms Act 2025 marks a defining moment in the evolution of the planning framework. It lays the foundation for a modern planning system that is faster, fairer, and outcomes focused.

For more than four decades, the Environmental Planning and Assessment Act (1979) (EP&A Act) has guided planning in NSW. However, it has not kept pace with the State's contemporary needs. Growing complexity has slowed the delivery of new homes, hindered investment, and added unnecessary costs. This reform changes that. It streamlines approvals, cuts red tape, and provides greater certainty for communities, councils, and industry.

The Planning System Reforms Act 2025 is part of the Minns Labor Government's broader housing and planning agenda – the most ambitious in our state's history. Alongside initiatives such as the Transport-Oriented Development Program, the Low and Mid-Rise Housing Policy, the Infill Affordable Housing Bonus, and the

Investment Delivery Authority, we are reshaping how NSW grows and thrives.

Our goal is clear: to make it easier to build the homes and create the jobs our State needs, while supporting young people, families, and key workers to live in the communities they love – all while protecting and enhancing our environment for future generations.

With the legislative foundations now set, attention can turn to simplifying and consolidating the extensive suite of policies, guidelines and instruments.

Together with cultural and practice change across the system, these reforms will help build a planning system that is easier to navigate, more proportionate, better aligned to contemporary needs and more capable of delivering resilient communities for generations to come.

Reform of the Act was overdue. But this is just the beginning. The real work starts now, and we will be working closely with industry, local government, and professional bodies to ensure the reforms are implemented and embedded in how we operate.

By doing so, we will make sure the reforms translate into real outcomes and a planning system that better supports housing delivery, encourages investment, and benefits communities across NSW.

The Hon. Paul Scully MP

Minister for Planning and Public Spaces

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Planning reforms at a glance



4. Planning reforms at a glance



Figure 1: Overview of the planning reforms

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Our
blueprint
for
reform



Legislative reforms

The NSW Government is implementing legislative reforms to make the planning system faster, clearer and outcomes focused. These changes respond to long-standing concerns about complexity and delays.

A more flexible complying development system, streamlined assessment pathways, and concurrent rezonings will speed up housing delivery, and clearer rules and standardised processes will give applicants greater certainty and refocus the system on what matters most.

The reforms also modernise how the system works, with a new Development Coordination Authority, restructured planning panels, and updated statutory objects to reduce red tape, improve decision-making, and address contemporary challenges such as housing supply and climate change.

Objects of the EP&A Act

The objects of the EP&A Act have been modernised to reflect the evolving priorities of planning in NSW. The previous framework no longer reflected the scale and urgency of challenges such as housing supply, climate resilience and economic productivity. The reforms bring the EP&A Act into alignment with modern policy

objectives, ensuring it remains an effective framework for achieving sustainable, long-term planning outcomes.

Key changes include broadening the housing object to focus on delivery across all housing types, not just affordable housing, and introducing new objectives around climate adaptation, natural disaster resilience, and land use productivity. These additions reflect the growing need for planning to support sustainable, inclusive, and economically viable communities.

A new object promotes a proportionate and risk-based approach to environmental assessment and planning. This change embeds proportionality into planning processes and decision-making, ensuring that assessment efforts are commensurate with the scale and impact of development proposals.

Housing Delivery Authority

The Housing Delivery Authority (HDA) has been legislated to formalise the NSW Government's role in assessing major housing proposals. By creating a state-led pathway, the HDA offers an alternative to local assessment, ensuring that large-scale developments are evaluated consistently and strategically.

The reforms embed the HDA's structure and function within the EP&A Act, securing its long-term role in supporting housing delivery across Greater Sydney and regional NSW. Eligible projects will continue to benefit from this optional

streamlined assessment and concurrent rezoning processes, with proposed amendments to environmental planning instruments (EPIs) considered as part of a single merit-based evaluation. These changes will accelerate approvals, reduce duplication, and ensure the planning system is better equipped to meet the state's housing targets.

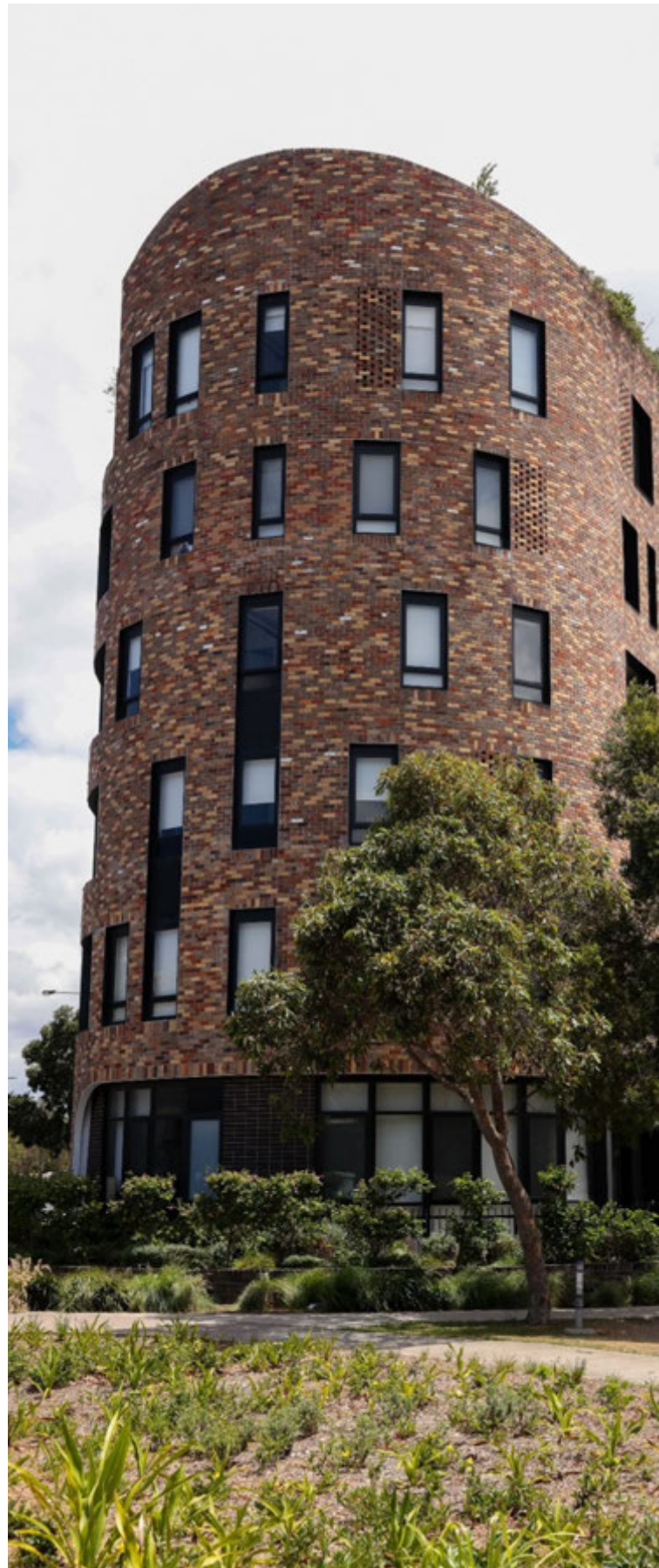
So that the system is transparent, the HDA will be subject to regular reviews by a Joint Select Committee of Parliament to make sure it achieves its objectives.

Development Coordination Authority

The Development Coordination Authority (DCA) will be established to streamline and centralise the State's role in planning approvals. The DCA will address long-standing inefficiencies caused by fragmented referral processes across multiple agencies.

Development applications can require input from up to 22 different State agencies and entities, resulting in significant delays, with each additional referral adding up to 100 days to assessment timeframes.

The responsibility for providing State agency advice on development applications and planning proposals will be consolidated into a single authority, being the DCA.



4. Our blueprint for reform

It will provide one coordinated response on concurrences and referrals (see Figure 2 below), integrate technical advice directly into the assessment of State significant projects and planning proposals, and serve as a single point of contact for councils, applicants, and other stakeholders.

The DCA will not diminish environmental protections. It will continue to operate within existing legislative frameworks and collaborate with agencies where specialised expertise is required.

By resolving conflicts quickly and improving customer service, the DCA will reduce red tape, accelerate project delivery, and ensure the planning system is more responsive, consistent, and transparent.

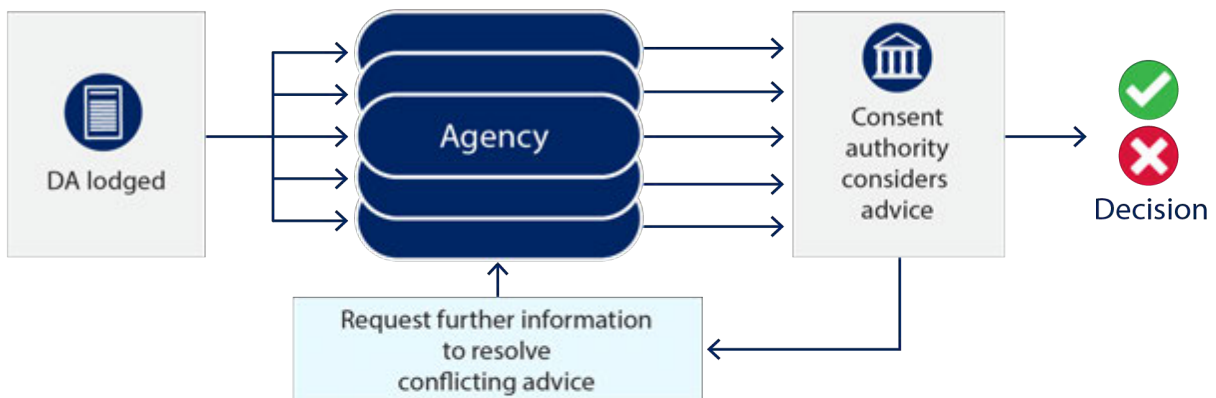
The reforms will enable the DCA to assume responsibilities currently spread across government and deliver a more efficient pathway from application to construction.

The DCA will be rolled out in stages, with full statutory powers commencing in July 2026.

Determination functions will be unchanged, and councils, panels and the Department will continue to make decisions on development applications.

The operations of the DCA will be detailed each year in the Department's annual report.

Current system



After DCA established



Figure 2: DA system before and after establishment of the DCA

Consent authorities

The roles and functions of consent authorities will be consolidated to simplify decision-making and reduce duplication across the planning system. These changes aim to streamline the structure of planning panels and return more development applications to council staff for determination.

A key reform is the removal of the Regionally Significant Development pathway and the associated Sydney District and Regional Planning Panels. Their responsibilities will be transferred to Local Planning Panels or councils. This change will return about 350 development applications per year to local determination, improving efficiency and reducing delays.

These changes will be rolled out in stages. Initially, some existing and new Regionally Significant DAs will be determined by Local Planning Panels, where they already exist. Over time, single or joint Local Planning Panels will be introduced in Local Government Areas (LGAs) where they do not currently exist.

The reform supports a more locally based and responsive planning system, where decisions are made closer to the communities they affect. Importantly, councils already assess these applications, so the change does not increase their

workload. It simply shifts decision-making authority back to local panels or council staff.

Revised referral criteria will be prepared to ensure expert panel input is focused on larger, more complex projects. Applications that fall outside these criteria will be determined by council staff.

Local Planning Panels generally determine applications more quickly than regional panels, meaning this reform is expected to reduce delays in the assessment of regionally significant development.

By consolidating panel functions and clarifying referral pathways, the NSW Government is improving the efficiency, transparency and responsiveness of the planning system.



Consultation

Currently, over 100 different Community Participation Plans (CPPs) operate across NSW, leading to fragmented consultation practices and inconsistent timeframes.

These inconsistencies mean that similar developments can be subject to vastly different levels of community input depending on location. The reforms will repeal individual CPPs and introduce a single, State-wide approach.

The new CPP will standardise consultation timeframes across all planning authorities, ensuring that engagement is tailored to the scale and impact of proposals.

It will reduce unnecessary consultation for low-risk or strategically assessed projects while preserving meaningful input on significant developments. Councils will retain the ability to consult on non-planning

matters through separate engagement plans. The new framework will be exhibited for public comment, allowing communities to help shape how participation is carried out across NSW.

Planning Pathways

A key objective of the reforms is to ensure that development proposals are directed into the most appropriate planning pathway. The changes aim to better align the level of assessment with the scale and impact, creating a system in which minor developments are assessed more efficiently while projects with greater complexity or potential impacts receive the scrutiny they require.

The current system is overly rigid, forcing development into two main pathways: either complying development or a development application (see Figure 3). This means that most development must go through the same application process, creating inefficiencies and delays.

Complying Development



Fully compliant development

20 days

Development Application



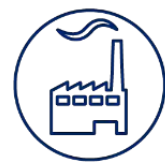
Development with minor variation



Development consistent with a strategic plan



Development consistent with a State priority



High impact development

100 days

Figure 3: Current planning pathways and timeframes

Complying Development

The complying development pathway will be expanded to accelerate approvals for low-risk, low impact development by introducing greater flexibility into the current framework. At present, even minor design variations – such as a 20 millimetre setback discrepancy– can push otherwise code-compliant proposals into the full development application pathway. These minor variations clog the planning system and divert council resources away from complex or strategic developments.

The changes will allow councils to approve minor variations to development standards, such as setbacks and landscaping, without triggering a full DA.

If a council does not respond within a set timeframe, the variation will be deemed approved. The period is 10 days, or 20 days if council is also assessing the complying development certificate.

These changes aim to increase the share of applications handled through complying development while maintaining safeguards to ensure quality outcomes. Certifiers and councils will continue to assess applications against complying development standards, whilst councils will be responsible for approving any variations.

These reforms aim to reduce red tape, support infill housing, provide greater certainty for homeowners and builders, and free up council resources to focus on higher-impact planning decisions.



Targeted Assessment Pathway

A new planning pathway is being introduced to help deliver development more efficiently.

The targeted assessment pathway will allow certain types of development that have undergone strategic planning or meet specific codes and controls to access a fast-track approval.

Under this pathway, certain steps in the development assessment process – such as public exhibition or agency referrals – can be turned off where those matters have already been addressed through earlier planning processes.

The pathway also turns off the need to consider all environmental impacts, the suitability of the site and the public interest, on the basis that this work is done

more strategically. By frontloading more of this work, the pathway is expected to reduce assessment timeframes for eligible projects by up to 50% (see Figure 4).

Development or a class of development can be declared to be targeted assessment in a State Environmental Planning Policy (SEPP). There will be clear eligibility criteria, procedural steps, and safeguards to ensure the process remains fair, consistent and environmentally responsible.

Before any development is declared, the Department will publicly exhibit an explanation of the intended effect for a minimum of 28 days and invite submissions.

The pathway will help fill the gap between complying development and a full merit assessed development application. It could apply to low-to-mid-rise housing where

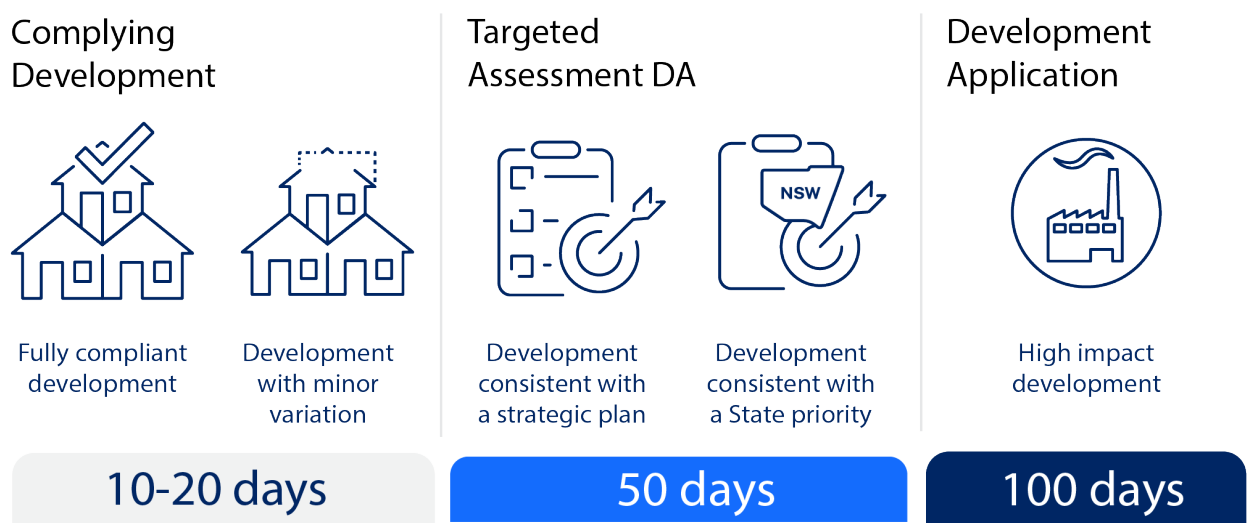


Figure 4: Estimated approval periods for different developments

validated design standards, such as those in the NSW Housing Pattern Book, are already in place, the roll-out of community batteries or upgrades to community sporting facilities.

It will not apply to complex projects with significant environmental impacts. Designated development and development that would have been designated were it not State significant development, will not be eligible.

The new pathway will ensure that assessment pathways are proportionate to the level of risk and complexity, while still maintaining transparency and accountability. By streamlining approvals for well-planned, low-risk development, it will help accelerate the delivery of housing supply across NSW

Development applications

The reforms also improve how all other development applications are assessed.

Matters for consideration

Section 4.15 of the EP&A Act has been updated to embed a more proportionate, risk-based approach, ensuring that assessment effort is directed to the issues that matter most.

Consent authorities are now required to focus on significant likely impacts, rather than minor or negligible ones. Importantly, authorities still retain the ability to condition less than significant impacts.

The reforms also clarify that impacts from certain other development not included in the application do not need to be considered. This addresses past legal uncertainty and ensures assessments remain focused on the proposal at hand. A detailed Practice Note explaining how the new section 4.15 operates is available [here](#).



Minor modifications

The reforms are also making it easier to approve minor modification applications that do not impact the environment. The category of administrative modifications under section 4.55(1) will be expanded to include any modifications that do not have an environmental impact.

Consent authorities will have 14 days to determine a 4.55(1) application. If not determined within this timeframe, the application cannot be refused, and any conditions imposed must reflect the modification sought. This means lower fees and a simpler, faster approval process. This approach provides greater certainty for

applicants and helps avoid construction delays.

Consequential changes will be made to section 4.55(1A). These ensure that minor, non-environmental changes are streamlined under section 4.55(1), while 4.55(1A) is reserved for cases where environmental impacts need closer consideration.

Conditions of consent

Standard and model conditions of consent will be introduced to make development approvals more consistent, transparent, and easier to understand.

These conditions will be set out in a SEPP and will include mandatory conditions that automatically apply to certain developments and model conditions that must be used when relevant.

This change will help consent authorities apply conditions in a structured and consistent way, speeding up decisions and improving outcomes. For applicants, it means less confusion, making it easier to understand and comply with development consents.

For certain developments, consent authorities will be required to consult with applicants on draft conditions before issuing consent. This proactive step will help identify and avoid minor errors that often lead to costly delays and unnecessary modifications.

By improving the quality and consistency of conditions, the NSW Government aims to speed up approvals and reduce barriers to construction – helping deliver homes and other supporting infrastructure faster.

Bush fire referrals and mapping

Bush fire risk assessments will consider the rigorous standards set by the Rural Fire Services' Planning for Bush Fire Protection, which will be maintained as a statutory document for certain development on bush fire prone land. Bush fire consultation requirements will be moved to a new SEPP, allowing for more frequent revisions based on contemporary science and best practice. The Department will publicly exhibit an explanation of the intended effect for a minimum of 28 days and invite submissions on the proposed new SEPP.



Changes to Part 5 assessment

Part 5 of the EP&A Act, which sets out how public authorities must assess the environmental impacts of activities that do not require development consent, is also being updated. Examples include infrastructure works carried out by councils, utilities, or state agencies. These assessments ensure that environmental considerations are factored into decision-making for routine or essential public works.

Currently, public authorities are required to consider environmental impacts “to the fullest extent possible”.

This will be replaced with a more proportionate and risk-based approach, meaning the level of assessment will better reflect the scale and potential environmental impact of the activity.

This change is designed to maintain strong environmental safeguards while reducing unnecessary detail for low-impact proposals, helping public authorities deliver infrastructure and services more efficiently.



Reviews and appeals

The internal review process will be improved to give applicants a more practical and accessible alternatives to court proceedings.

Applicants will now have 6 months to request a review of a development application decision, with no set timeframe for councils to make a determination. The merit appeal period to the Land and Environment Court will also be paused while a review is underway, ensuring applicants do not lose their right to appeal if they choose to pursue a review first. Additionally, applicants will have more

flexibility in how reviews are handled, including the option to have their review determined by a Local Planning Panel instead of council staff.

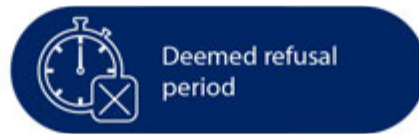
Changes are also being made to deemed refusal appeals, which apply when a consent authority does not make a decision within the required timeframe. Currently, applicants only have 6 months to lodge an appeal after the assessment period ends. The new rules will allow appeals to be lodged any time after the end of the assessment period up until when a decision is made. These changes will provide applicants with greater certainty and access to recourse when delays occur.

The changes are outlined in Figure 5 below.

Current

Future

Available for 6 months after expiry of assessment period (40-90 days + 6 months)



Available from expiry of assessment period until determination

6 months from original decision



6 months from original decisions but clock pauses while review underway

Council officer



Applicant's choice of Council officer or Local Planning Panel

Lodged and determined within 6 months of original determination (extended if court appeal lodged)



Lodged within 6 months of original determination and no limit on decision

Figure 5: Changes to review and appeal timeframes

Zombie DAs

Powers to deal with historical development consents – known as “zombie DAs” – have also been expanded. These are consents that were granted many years ago, have legally commenced but have not been fully constructed.

In some cases, these applications are inconsistent with current planning and environmental controls. New provisions provide additional powers to deal with these issues. They allow the Planning Secretary to modify or revoke these consents if they are more than 25 years old and are inconsistent with an existing EPI.

The Minister or Planning Secretary will also be able to issue a complete works order even where they are not the consent authority. This will allow them to require the completion of consents more than 5 years old. These changes offer a targeted interim solution to address historical consents while a broader Parliamentary Inquiry is underway.

Streamline and clarify provisions

A range of housekeeping amendments will improve the interpretation and useability of the EP&A Act.

The definition of ‘development standards’ will be clarified to improve consistency across the planning system and reduce the risk of legal disputes.

This change will make it easier for applicants and councils to identify which standards in EPIs can be varied. A transitional period will be provided to allow time for SEPPs and LEPs to be updated, easing the burden on councils.

Non-discretionary development standards (NDDSs) will also be clarified. NDDSs limit a consent authority’s ability to consider certain impacts of a development if the relevant standard is met. The updated approach makes it clear that the NDDS can still be considered in a merit assessment if it is exceeded.

This will give applicants greater certainty and help councils apply standards that are fit for purpose. It will also confirm that a clause 4.6 variation request is not needed when an NDDS is not met, resolving a common source of confusion.

Housekeeping and miscellaneous amendments

Minor housekeeping amendments will be made to the EP&A Act and *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) to improve clarity, consistency, and useability. These include fixing drafting errors and outdated references, aligning provisions with other regulatory frameworks, and clarifying the application of Part 4 to State Significant Development.

Other changes allow a regulation to impose a compliance levy on complying development certificates, simplify lapsing provisions, remove COVID-related

measures, and update agency notification processes. A new regulation-making power will also allow the Planning Secretary to set clear information requirements for development applications, helping reduce unnecessary and inconsistent requests.

Non-legislative reforms

The NSW planning system has become increasingly complex, with development application requirements dispersed across regulations, environmental planning instruments, and the NSW Planning Portal. Additional requirements imposed by individual councils have led to inconsistency across the State, creating confusion for applicants and contributing to poor DA quality. This, in turn, results in delays and increased costs, as councils and the Department spend significant time correcting or supplementing submitted information.

Regulatory barriers and inconsistent processes have added to the administrative burden and reduced certainty for applicants and consent authorities.

To address these challenges, the NSW Government is progressing a suite of non-legislative reforms aimed at streamlining and simplifying the planning system. The goals for non-legislative reform are shown in Figure 6. Specific actions will include, but are not limited to:

- establishing a consistent set of DA requirements across NSW to improve application quality,
- removing regulatory barriers and clarifying submission, lodgement, assessment and information request processes to enable faster decisions,
- standardising and simplifying planning certificates to ensure land information is accurate and accessible, and
- introducing clear notification protocols for legislative changes affecting planning certificates.

Reforms will also target the environmental assessment framework for State Significant projects. Current Secretary's Environmental Assessment Requirements (SEARs) are often too broad or generic, leading to lengthy and unfocused Environmental Impact Statements (EIS) that increase costs and delays without improving environmental outcomes. Industry-specific SEARs can add unnecessary requirements, particularly for low-risk proposals, resulting in excessive documentation.





Figure 6: Goals for non-legislative reform

To address these issues, reforms will focus on applying a more proportionate and risk-based approach, including:

- reforming the SEARs process to ensure scoping exercises are rigorous and requirements are targeted to key environmental risks,
- re-evaluating the need for industry-specific SEARs (ISEARs), with simpler requirements for low-risk proposals,
- and removing ISEARs where they do not add value,
- amending SSD and SSI guidelines to reflect the reinvigorated scoping process, the principle of proportionality, and other relevant changes to the EP&A Act.

In addition, the system’s broader complexity – driven by hundreds of overlapping and often outdated planning

documents – will be addressed through a targeted review and rationalisation of circulars and guidance materials. Many circulars will be withdrawn or consolidated into concise, subject-specific practice notes, and obsolete documents will be removed from the Department’s website.

Together, these non-legislative reforms aim to create a more consistent, efficient, and user-friendly planning system that is responsive to contemporary development needs. They also ensure assessment processes remain proportionate to the scale and risk of each proposal.

Supporting cultural change

A modernised legislative framework and streamlined policies can only achieve their full impact if they are supported by meaningful cultural change across the planning system. Cultural change is fundamental to creating a system that is outcomes-focused, proportionate and risk-based, and responsive to the needs of a growing and evolving NSW.

For many years, complexity has grown not only through legislation and policy, but also through practice norms, inherited assumptions and long-standing interpretations of the EP&A Act. These patterns can influence how planners, agencies, industry and communities approach decision making, engagement

and assessment. Addressing this will require a deliberate shift in the way consent authorities and users of the system think, collaborate and solve problems.

To support this shift, the NSW Government is committed to a series of targeted actions that will promote cultural change across the planning system.

- Publish clear guidance to define expectations around proportionality, risk, and outcomes-based decision-making, ensuring consistent interpretation and application across consent authorities.
- Engage and communicate with all users of the planning system and work collaboratively to ensure the benefits of practice change are well understood.
- Deliver training programs to build capability and support planners, applicants, and stakeholders in applying the new framework and principles in practice.
- Strengthen accountability by monitoring trends in interpretation and practice, and regularly publishing updated, practical advice to guide decision-making and improve transparency.
- Establish stronger governance and oversight to make sure that new policies are justified against defined criteria, including the need to minimise cumulative complexity and burden on users, ensure alignment with existing instruments (to avoid duplication and

inconsistency) and deliver clear public value.

- Continue to evaluate and improve the Registered Environmental Assessment Practitioner (REAP) Scheme, and consider how REAPs can contribute to more proportionate and risk-based approaches to environmental impact assessment.
- Trial the use of AI and other digital tools for pre-screening, compliance checks and simple assessments, particularly for low-risk or routine applications.

Changing planning system culture and practice is a multi-year endeavour, that must begin with a change in the Department's own approach to administering the EP&A Act.

The Department has a critical leadership role to play in modelling the behaviour we want to see others adopt, but to be successful, all shoulders must press the wheel of change.

Cultural change is not a one-off initiative but an ongoing commitment to improving how the system operates and how decisions are made. This commitment is essential to delivering a planning culture that is more agile, consistent and focused on delivering high-quality outcomes.



5

Roadmap



5. Roadmap

The EP&A Act reforms will start in stages and will be supported by amending regulations, planning instruments, and guidance materials to assist in the implementation and interpretation of the changes.

The first stage of the reforms under the first proclamation commenced on 15 December 2025 and includes:

- updated Objects of the EP&A Act.
- legislative recognition of the HDA and DCA.
- the ability for the Secretary to constitute joint local planning panels outside of Greater Sydney.
- changes to the matters for consideration when assessing a DA under section 4.15 and associated provisions.
- the increased ability for the Secretary to intervene in historical development consents.
- other minor amendments.

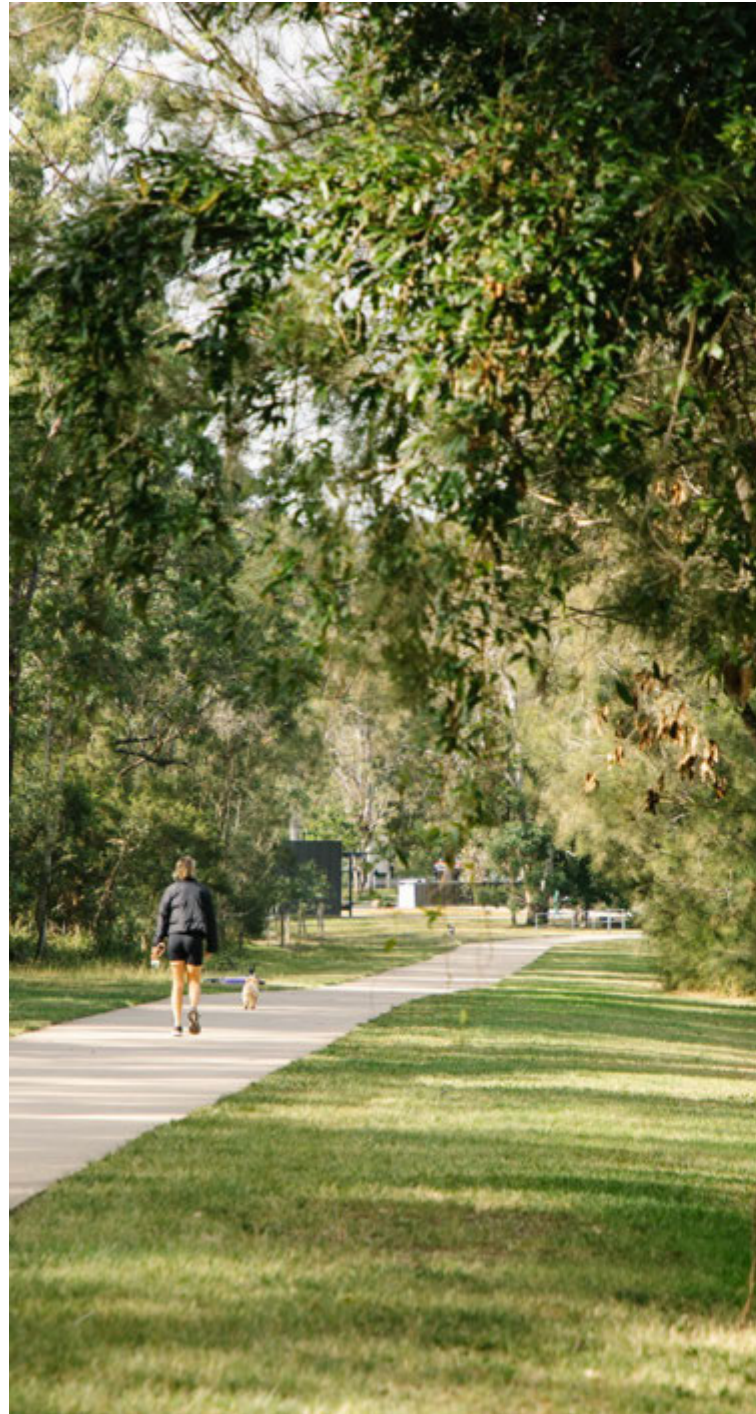
More information on the first proclamation can be found [here](#).

The Department will consult with stakeholders throughout 2026 to inform the development of the other key reforms, including the:

- consolidation and reduction of concurrence and referral provisions.
- Statewide Community Participation Plan.
- model and standard conditions of consent.

- variations to complying development standards.
- submission requirements for DAs.
- declaration of development as eligible for targeted assessment.

See Figure 7 below for a timeline of the reforms.



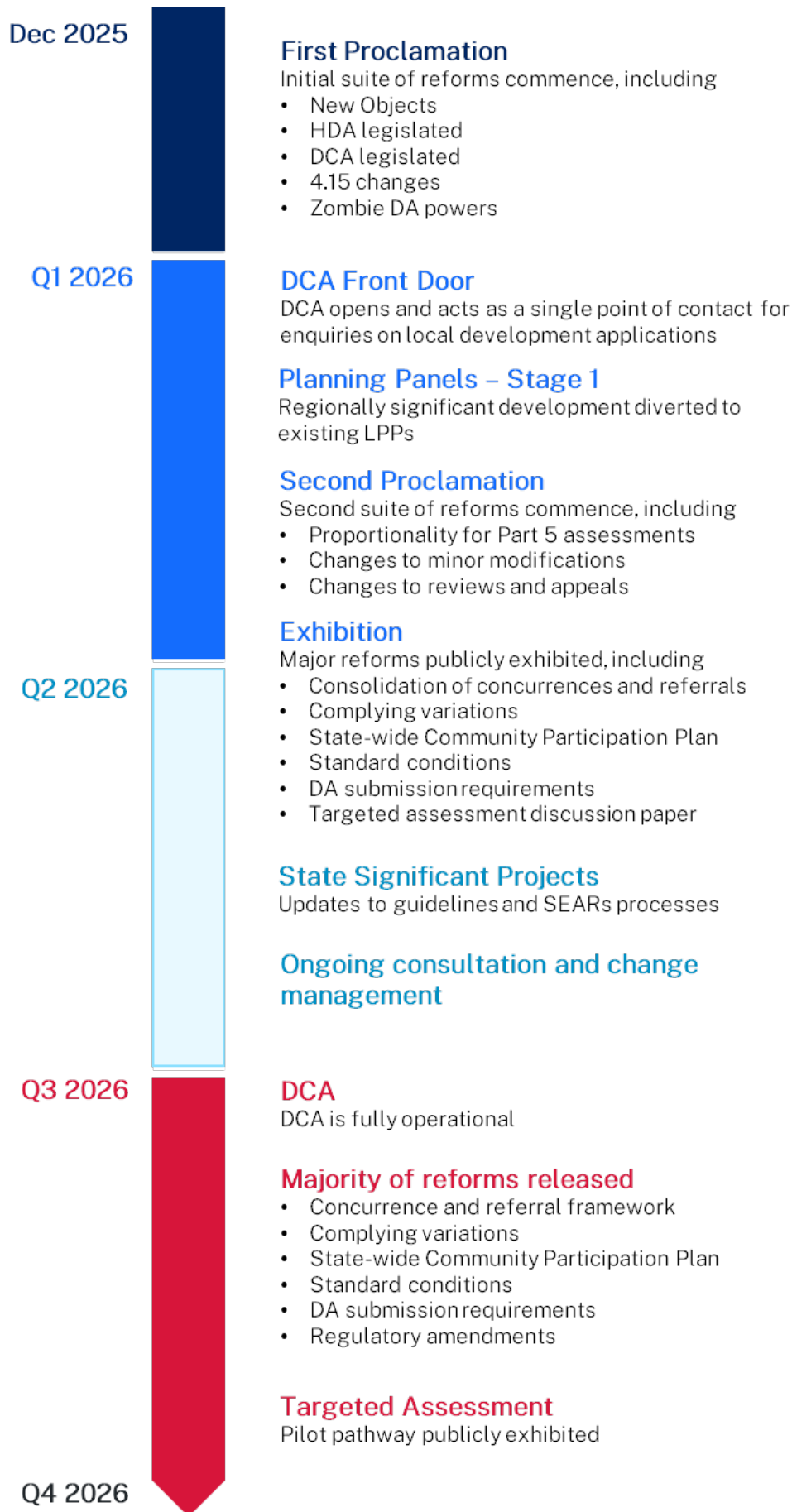


Figure 7: Timeframes for implementation

How to stay updated

To stay informed about the implementation of the EP&A Act reforms and related planning system updates:

- Subscribe to receive regular updates on the Department's [website](#).
- Engage with your professional networks and peak bodies, which will continue to be briefed throughout the implementation process.
- Email our team at planningsystemreform@dphi.nsw.gov.au with any questions you may have.

