

Planning System Reforms (PSR) – Second Proclamation

March 2026

The NSW Government is commencing the next phase of landmark reforms designed to make the planning system faster, fairer and more modern.

Changes coming to effect on 21 March 2026 include:

- Powers to create fast-tracked pathways that could halve assessment times for certain kinds of low-risk development.
- Broadened and streamlined approvals for minor modifications to existing DAs and a new 14-day determination period that will increase certainty for applicants and help avoid construction delays.
- Amendments to Part 5 of the *Environmental Planning and Assessment Act 1979* to make environmental impact assessment of activities by public authorities more proportionate.
- Enhanced review and appeal processes that will give applicants more flexibility and practical alternatives to disputing matters in court.

To learn more about the Planning System Reforms, visit the Department [website](#).

Additional resources:

More policy guidance around assessment of modifications under section 4.55 can be found in the [practice note](#) on our website.

FAQs

Section 4.55(1) modifications

Overview

Why are s4.55(1) modifications being changed?

The changes are designed to accelerate decision-making on minor modifications to existing DAs. The Department identified that s4.55(1) has been underutilised historically and that there was potential to use it more widely to deal with minor matters more efficiently. The changes broaden the scope of modifications under s4.55(1) from administrative modifications such as errors, misdescriptions or miscalculations to include any modifications that do not have an environmental impact. These minor modifications will also now benefit from a 14-calendar day determination timeframe, helping avoid construction delays and providing greater certainty for homeowners.

Will the changes apply to modifications for DAs approved prior to commencement?

Yes. The changes will apply to modification applications lodged from 21 March 2026, irrespective of when the DA was first approved. The changes do not apply to modification applications lodged before 21 March 2026.

What impact do you expect this change to have on council workloads?

This change is expected to shift a greater proportion of modification applications into the section 4.55(1) pathway rather than the 4.55(1A) pathway. This will only apply to applications that have no environmental impact and is not expected to have a material impact on council workloads.

Scope

Can councils reject applications they don't believe meet s4.55(1)?

Consent authorities are encouraged to review the submission and whether it is likely to meet the criteria of s4.55(1) within 7 days of submission. Where it is unlikely to meet the test, consent authorities should provide feedback to applicants on alternative modification pathways available to them.

Can the Council update and reissue a Notice of Determination if they have made a minor administrative error, or must the applicant lodge a section 4.55(1) application?

If a council has issued a Notice of Determination that contains an administrative or clerical error, the correct process is for the applicant to lodge a section 4.55(1) modification application. A section 4.55(1) application provides the appropriate legal mechanism for correcting errors in a development consent and ensures the final consent on record is properly amended and enforceable.

Will the reforms allow "minor error or no environmental impact" modifications for court-determined applications?

The reforms introduce the category of "no environmental impact" to section 4.55(1) modifications only. Modifications by consent authorities of consents granted by the Court are addressed separately under section 4.56.

Are notifications for section 4.55(1) applications required?

No - section 4.55(1) modification applications do not require notification.

Environmental impact

What happens to an application that is accepted under s4.55(1) but is subsequently found to have an environmental impact?

If, during assessment, the consent authority forms the view that the modification would result in an environmental impact, the authority retains full discretion to refuse the application on that basis. In these circumstances, the applicant may need to lodge a new modification application under the

appropriate pathway (e.g. 4.55(1A) or 4.55(2)), supported by necessary information to assess environmental impacts.

Timeframes

Why is a 14-day timeframe being introduced?

The 14-day determination timeframe for section 4.55(1) modifications has been introduced to reinforce the intended role of this pathway as a fast, low-risk, administrative process.

Does the 14-day period include weekends?

Yes. The 14 days are calendar days, not business days. However, if the final day falls on a weekend, public holiday or bank holiday, the determination period is extended until the next business day.

When does the clock start?

The statutory 14-day assessment period begins at lodgement - the day after payment for an application has been received.

Can you stop the clock on a s4.55(1) application if more information is required?

Consent authorities can seek more information from an applicant, but it won't stop the clock. If that information is critical to assessment and not forthcoming, it can refuse the application.

Can consent authorities still impose conditions after 14 days?

Yes. Consent authorities retain the right to impose conditions, provided they are not inconsistent with what is being sought. The conditions must not defeat the purpose of the modification application.

Fees

Will the prescribed fee for s4.55(1) applications be increased to account for its more widespread use and the larger number of matters it will cover?

The fee for s4.55(1) applications will not be increased. Section 4.55(1) modifications are characterised by their straightforward nature and the significantly reduced assessment effort they require.

Development Coordination Authority

Will DCA recognise the strict 14-day determination timeframe for s4.55 (1) modifications?

Yes. If the DCA's input is required, it will provide advice in a timely manner to allow councils to meet the 14-day determination timeframe.

Targeted Assessment

What kind of development will targeted assessment pathways be used for?

The targeted assessment pathway will be available to certain types of development where relevant issues and impacts have been strategically addressed through a planning code, policy or process. Development or a class of development must also be declared eligible for targeted assessment in a State Environmental Planning Policy (SEPP).

No development has been declared at the time of this commencement and proposed targeted assessment designations will be subject to public exhibition.

Have you ruled out any kinds of development?

Targeted assessment 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 are also not eligible. This includes development like mines, concrete works and waste management facilities.

Why introduce targeted assessment pathways? Why not just expand Complying Development?

The power to create targeted assessment pathways recognises that there is currently a gap in the planning system between the faster complying development pathway and a full development application assessment process. It will be used for projects that can't go through the complying development system but don't warrant a full DA process, where some merit assessment is still required for an application.

Will the mid-rise pattern book be included in a targeted assessment pathway?

The mid-rise pattern book homes are unlikely to be the first type of development declared as targeted assessment. However, the Department will monitor the uptake of the mid-rise pattern book pathway and consider any future policy adjustments.

Will councils be consulted on what precincts will be included in targeted assessments?

Yes. A targeted assessment pathway for any type of development or class of development – including precincts – would be publicly exhibited first in an Explanation of Intended Effect, giving councils and community an opportunity to have their say.

Why are some considerations like public interest being removed from targeted assessments?

Targeted assessment is aimed at reducing duplication in assessment and accelerating delivery of low-risk development, where broader considerations like the public interest have been assessed at a strategic level or are encompassed in the targeted assessment controls that apply to the development.

Are the targeted assessment development types essentially going to be assessed with regards to the EP&A Act like CDCs? Will these provisions supersede council controls?

A discussion paper explaining the proposed approach to introducing the new targeted assessment pathway will be released for consultation in the coming months.

Part 5

When will the changes to Division 5 assessment take effect?

The changes – including that determining authorities are no longer required to take into account all matters affecting or likely to affect the environment to the fullest extent possible – will come into effect from 21 March 2026.

Find more information in the [information sheet](#) on reforms commencing on 21 March 2026.

Reviews and appeals

What transitional arrangements will there be for the changes to appeals / reviews?

The new provisions will apply to DAs and modifications that have already been determined unless a review or appeal has already been requested or is underway. Where a review or appeal is underway, these will be determined under the previous provisions.

In the case of deemed refusals, any DA or modification application that has not been determined within the assessment period can now be appealed – even if deemed refusal appeal rights have previously expired.

Find more information in the [information sheet](#) on reforms commencing on 21 March 2026.

Will there be any restrictions or limitations to allowing an applicant to choose to have the LPP review a determination? Or will it always be available if the applicant wishes?

The LPP review will be available for any DA or modification that was originally determined by council staff under delegation.

Can an applicant opt for a review determined under staff delegation to be determined by the elected council?

No, an applicant cannot elect to have a review determined by elected council, only an LPP.

Can an applicant opt for a specific person in Council to do their review?

No. The EP&A Act only requires that a review be conducted by an officer who is not subordinate to the original decision maker.

Is the applicant able to change their choice between officer or LPP review after lodgement?

Yes, the applicant may change their choice after lodgement. However, an applicant should contact council as soon as possible if this is the case.

If a proposal is determined by an LPP, does the review also have to be done by the LPP?

Yes, no changes have been made to the existing requirement that a review of a determination or decision made by a local planning panel is also to be conducted by the panel.

What are the review options for applicants if a council doesn't have a LPP?

Where there is no LPP, reviews will continue to be conducted by a council officers if the original decision was made by council officers.

What impact do you expect the proposed changes to reviews to have on local planning panel workloads? Will these impacts be monitored?

The impact on LPPs will be monitored as part of the broader changes to LPP workloads that have occurred as a result of transfer of the determination of regionally significant DAs to LPPs.

What is the assessment period for deemed refusal appeals?

No changes have been made to the assessment period for deemed refusal appeals as part of these reforms. The assessment period varies from 40-90 days after lodgement depending on the development type, excluding any periods of stop the clock.

Will determination notices in the Portal and available templates be updated with the new appeal details?

Yes, determination notices and templates will be updated to reflect changes to reviews and appeals as part of the future implementation of the standard conditions of consent.

Will there be any changes to appeal rights for s4.55(1) modifications?

No. The reforms introduced a 14-day deemed approval mechanism for s 4.55(1) applications if not determined in time. The reforms recognise that s 4.55(1) is a fast, low-risk, nonreviewable pathway.