

Development application | Council

How to capture an application's determination

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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 capture an application's determination

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Introduction

Following the assessment of the development or modification to a development application, you will need to input the determination in the NSW Planning Portal. Once input, the applicant will be notified. The applicant can view and download the consent documents from the NSW Planning Portal.

This step-by-step guide outlines the steps a council officer will take to determine an application. The content has been split into the three determination options:

1. Approved
2. Refused
3. Deferred commencement consent

Please view the relevant section.



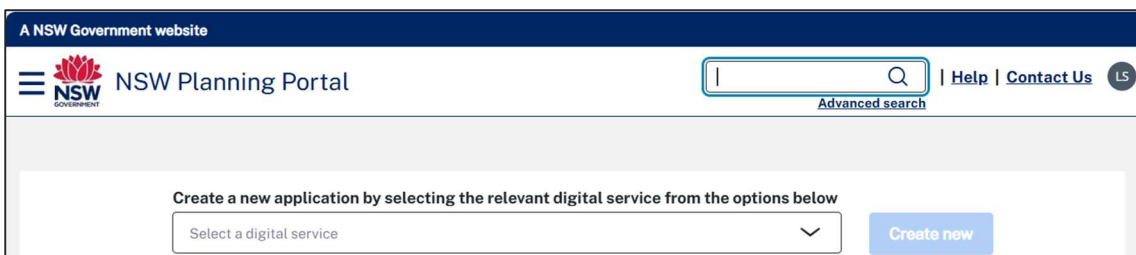
Note: You will need a NSW Planning Portal account to capture an application's determination. To register a new account, refer to the *How to register for a NSW Planning Portal* step-by-step guide.

1. How to enter an ‘approved’ determination

This section of the document should be viewed if you are entering an ‘approved’ determination.

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

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



2. **Select** the ‘Active work’ tab.



3. **Open** the relevant application by **clicking** on the application reference number.

	Days Elapsed	Submitted Date	Reference Number	LGA Name	Site Address	Status
●	0	11/09/26	PAN-23722	PENRITH	1 SHEPHERD STREET COLYTON 2760	Under assessment
●	2	9/09/26	PAN-23732	PENRITH	26 PEACHTREE ROAD PENRITH 2750	Under assessment
		5/08/26	PAN-23579	PENRITH	1 FLINT AVENUE PENRITH 2750	Pending lodgement

The application will open on the ‘Capture determination’ page.

 **Note:** This guide will outline the process a council will follow if they generate the notice of determination outside of the NSW Planning Portal. If you are going to use the

conditions of consent functionality within the Portal, please refer to the step-by-step guide *How to Insert Conditions of Consent for a development or modification application*.

4. **Indicate** whether this application is pending a decision from the Land and Environment Court. If it is, you must enter a date the applicant filed the appeal, then click 'Submit'.



☒ Is this application pending a decision from the Land and Environment Court ? ⓘ

Date when the Applicant filed an appeal with the Land and Environment Court *

 **Note:** The status of the application will update to 'Pending court appeal'. You can re-open the application to input the determination from the dashboard or by selecting 'Proceed to determination' via the 'Actions' menu with the application.

5. **Select 'Approved'** as the determination.



Determination

This application has been assessed and has been: *

☒ Approved

☐ Refused

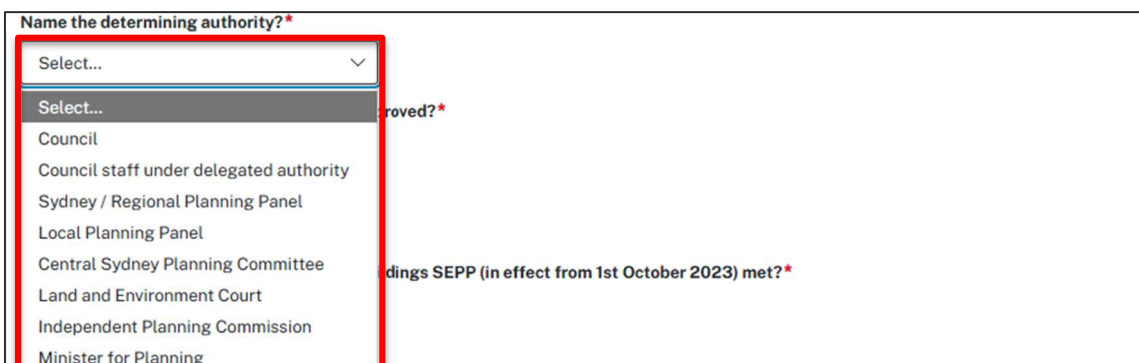
☐ Deferred commencement consent

6. **Enter the 'Date of determination'.**



Date of determination *

7. **Select the 'Determining authority'.**



Name the determining authority? *

Select... ▼

Select...

Council

Council staff under delegated authority

Sydney / Regional Planning Panel

Local Planning Panel

Central Sydney Planning Committee

Land and Environment Court

Independent Planning Commission

Minister for Planning

8. **Indicate** if the variation to development standards has been approved.

Was a variation to development standards approved?*

- ☐ Yes
☐ No
☐ NA

If 'Yes', **enter** the variation details. Click '+' to add the relevant details

Development Variation details

Name of the clause to be varied, as sought by the applicant	Clause number	Percentage value of the variation sought by the applicant	Percentage value of the variation approved	Brief justification for the variation	
No items					



Note: A new line must be added for each clause name that is approved for variation by **clicking** on the plus icon. You can use the bin icon on the right of each line to remove lines if required.

If No', **enter** the reason(s) the variation(s) were not approved.

Please provide reason for declining the variation*

Remaining: 512 characters

9. **Indicate** if the requirements of the Sustainable Buildings SEPP (in effect from 1st October 2023) were met.

Were the requirements of the Sustainable Buildings SEPP (in effect from 1st October 2023) met?*

- ☐ Yes
☐ No
☒ NA

10. If tree works have been proposed on the application form, record the Council decision by **completing** the relevant fields.

Tree works

Is tree removal and/or pruning work proposed?

Yes

Applicant request		Council decision	
Number of trees to be impacted	1		
Area of land to be impacted	30 Square metres		Units ☐ Square metres ☐ Hectares
Approximate area of canopy to be removed	15 Square metres		Units ☐ Square metres ☐ Hectares
Enter details of any replacement trees			
Select...			

11. **Indicate** if any dwellings have been approved for affordable rental housing under this consent. If 'Yes', enter the number of dwellings approved in the space provided.

Have any dwellings been approved for affordable rental housing under this consent? *

☐ Yes

☐ No

If 'Yes' **indicate** how many dwellings have been approved.

How many dwellings have been approved for affordable rental housing via the consent?

12. **Indicate** if the proposed development falls within any of the housing categories listed.

Identify if the proposed development comprises any of the following?

☐ Affordable housing

☐ Secondary dwellings

☐ Boarding houses

☐ Group homes

13. Development statistics may be added as required. To add the number of bedrooms, click on 'Add Number of Bedrooms' to create a row.

Development statistics

Enter details about dwelling figures

Enter the number of dwellings that are proposed to be demolished and/or erected by size of dwelling. Select the relevant number of bedrooms from the list, then input the required details. If there is more than one room type applicable to this application, select the "Add" button at the bottom of the table to add an additional row. Enter a "0" if any fields are not applicable.

Add Number of Bedrooms

Number of bedrooms	Number of dwellings to be demolished	Number of dwellings to be erected	Number of dwellings classified as 'affordable housing' to be erected
No items			

 **Note:** Additional rows may be added by **clicking** on 'Add Number of Bedrooms' button. Alternatively click the 'bin icon' to remove the row.

14. **Enter** the lot size of the site being developed.

What is the lot size in (m2) of the site being developed

15. Click 'Add Category of development' to add further statistics.

Enter details about the gross floor area proposed to be removed and the gross floor area proposed to be gained.

Select the relevant category of development from the list, then input the required details. If there is more than one relevant category of development, select the "Add" button at the bottom of the table to add an additional row. Enter a "0" if any fields are not applicable.

Add Category of development

Category of development	Area demolished (m2)	Proposed area (m2)	
No items			

16. Indicate if the development is a designated development.

Is the development a designated development?

☐ Yes
☐ No

17. Indicate if the determining authority engaged private consultants to assess the development or modification application.

Did the determining authority engage private consultants to assess the development application?

☐ Yes
☐ No

18. Enter the number of submissions received in relation to the application (counting each petition as a single submission).

How many submissions were received in relation to the application (please count each petition as a single submission)?

19. Indicate if a Pre DA meeting was held with council before lodgement of the application.

Was a Pre DA meeting held with council before lodgement of application?

☐ Yes
☐ No

20. Indicate if the applicant has asked for their contact information to be restricted or withheld.

Has the applicant asked for their contact information to be restricted or withheld?

☐ Yes
☐ No

There are two ways to complete the Notice of Determination (NoD).

1. Upload manually
2. Generate and upload automatically using the conditions of consent functionality.

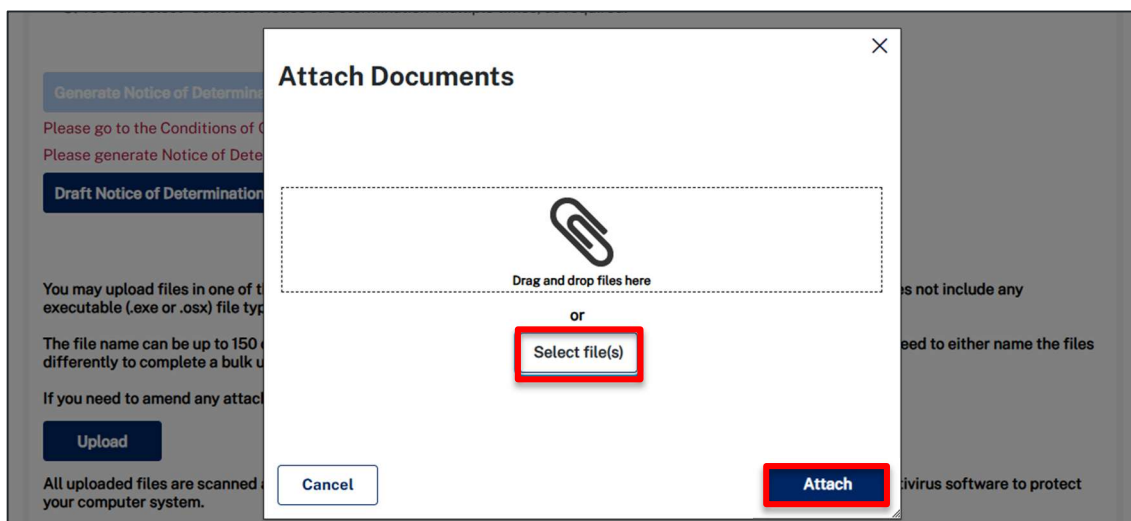
This guide only covers the upload manually option.

21. Click 'Upload'.

If you need to amend any attachments please delete and upload a replacement document.

Upload

- a. **Select** file (s) or drag and drop
- b. **Select** the appropriate category from the drop-down menu for each file
- c. **Click** 'Attach'.



22. Once the 'Notice of determination' document is attached **click** 'Submit'.

Document type		Files	Upload status
DA Stamped plans	What is this?		
Fire safety schedule	What is this?		
Notice of determination *	What is this?	NoticeOfDetermination.pdf 	
Other	What is this?		
Owner's consent	What is this?		

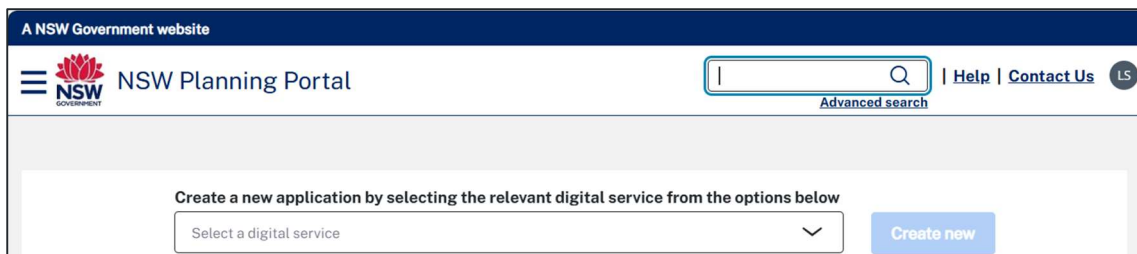
Cancel **Save and exit** **Submit**

2. How to enter a ‘refused’ determination

This section of the document should be viewed if you are entering a ‘refused’ determination.

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

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



2. Select the ‘Active work’ tab.



3. Open the relevant application by clicking on the application reference number.

	Days Elapsed	Submitted Date	Reference Number	LGA Name	Site Address	Status
●	0	11/09/26	PAN-23722	PENRITH	1 SHEPHERD STREET COLYTON 2760	Under assessment
●	2	9/09/26	PAN-23732	PENRITH	26 PEACHTREE ROAD PENRITH 2750	Under assessment
		5/08/26	PAN-23579	PENRITH	1 FLINT AVENUE PENRITH 2750	Pending lodgement

The application will open on the ‘Capture determination’ page.

 **Note:** This guide will outline the process a council will follow if they generate the notice of determination outside of the NSW Planning Portal. If you are going to use the conditions of consent functionality within the Portal, please refer to the step-by-step guide *How to Insert Conditions of Consent for a development or modification application*.

4. **Indicate** whether this application is pending a decision from the Land and Environment Court. If it is, you must enter a date the applicant filed the appeal, then click 'Submit'.

☒ Is this application pending a decision from the Land and Environment Court? ⓘ

Date when the Applicant filed an appeal with the Land and Environment Court *

 **Note:** The status of the application will update to 'Pending court appeal'. You can re-open the application to input the determination from the dashboard or by selecting 'Proceed to determination' via the 'Actions' menu with the application.

5. **Select** 'Refused' as the determination.

Determination

This application has been assessed and has been: *

☐ Approved

☒ Refused

☐ Deferred commencement consent

6. **Enter** the 'Date of determination'.

Date of determination *

7. **Select** the 'Determining authority'.

Name the determining authority? *

Select...

Select...

Council

Council staff under delegated authority

Sydney / Regional Planning Panel

Local Planning Panel

Central Sydney Planning Committee

Land and Environment Court

Independent Planning Commission

Minister for Planning

8. **Indicate** if the variation to development standards has been approved.

Was a variation to development standards approved? *

☒ Yes

☐ No

☐ NA

If 'Yes', **enter** the variation details. Click '+' to add the relevant details

Development Variation details

Name of the clause to be varied, as sought by the applicant	Clause number	Percentage value of the variation sought by the applicant	Percentage value of the variation approved	Brief justification for the variation	
No items					



 **Note:** A new line must be added for each clause name that is approved for variation by **clicking** on the plus icon. You can use the bin icon on the right of each line to remove lines if required.

If No, **enter** the reason(s) the variation(s) were not approved.

Please provide reason for declining the variation*

Remaining: 512 characters

9. **Indicate** if the requirements of the Sustainable Buildings SEPP (in effect from 1st October 2023) were met.

Were the requirements of the Sustainable Buildings SEPP (in effect from 1st October 2023) met?*

- ☐ Yes
☐ No
☒ NA

10. If tree works have been proposed on the application form, record the Council decision by **completing** the relevant fields.

Tree works

Is tree removal and/or pruning work proposed?

Yes

Applicant request		Council decision	
Number of trees to be impacted	1		
Area of land to be impacted	30 Square metres		Units ☐ Square metres ☐ Hectares
Approximate area of canopy to be removed	15 Square metres		Units ☐ Square metres ☐ Hectares

Enter details of any replacement trees

Select...

11. **Indicate** if any dwellings have been approved for affordable rental housing under this consent. If 'Yes', enter the number of dwellings approved in the space provided.

Have any dwellings been approved for affordable rental housing under this consent? *

- ☐ Yes
☐ No

If 'Yes' **indicate** how many dwellings have been approved.

How many dwellings have been approved for affordable rental housing via the consent?

12. **Indicate** if the proposed development falls within any of the housing categories listed.

Identify if the proposed development comprises any of the following?

- ☐ Affordable housing
☐ Secondary dwellings
☐ Boarding houses
☐ Group homes

13. **Enter** the lot size of the site being developed.

What is the lot size in (m2) of the site being developed

14. **Indicate** if the development is a designated development.

Is the development a designated development?

- ☐ Yes
☐ No

15. **Indicate** if the determining authority engaged private consultants to assess the development or modification application.

Did the determining authority engage private consultants to assess the development application?

- ☐ Yes
☐ No

16. **Enter** the number of submissions received in relation to the application (counting each petition as a single submission).

How many submissions were received in relation to the application (please count each petition as a single submission)?

17. **Indicate** if a Pre DA meeting was held with council before lodgement of the application.

Was a Pre DA meeting held with council before lodgement of application?

☐ Yes
☐ No

18. **Indicate** if the applicant has asked for their contact information to be restricted or withheld.

Has the applicant asked for their contact information to be restricted or withheld?

☐ Yes
☐ No

There are two ways to complete the Notice of Determination (NoD).

1. Upload manually
2. Generate and upload automatically using the conditions of consent functionality.

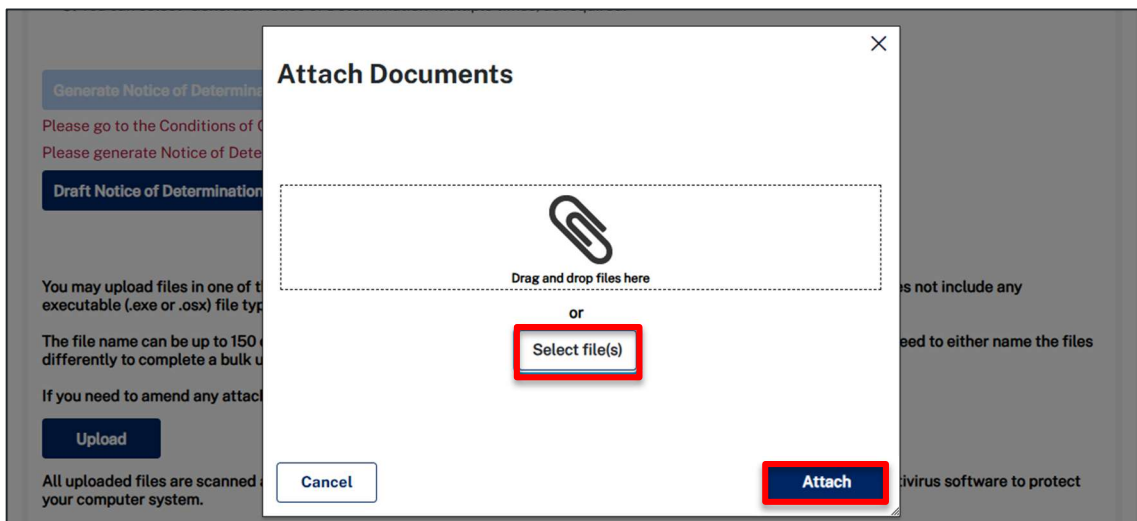
This guide only covers the upload manually option.

19. **Click 'Upload'.**

If you need to amend any attachments please delete and upload a replacement document.

Upload

- d. **Select** file (s) or drag and drop
- e. **Select** the appropriate category from the drop-down menu for each file
- f. **Click 'Attach'.**



20. Once the 'Notice of determination' document is attached **click 'Submit'.**

Document type		Files	Upload status
DA Stamped plans	What is this?		
Fire safety schedule	What is this?		
Notice of determination *	What is this?	NoticeOfDetermination.pdf 	
Other	What is this?		
Owner's consent	What is this?		

Cancel

Save and exit

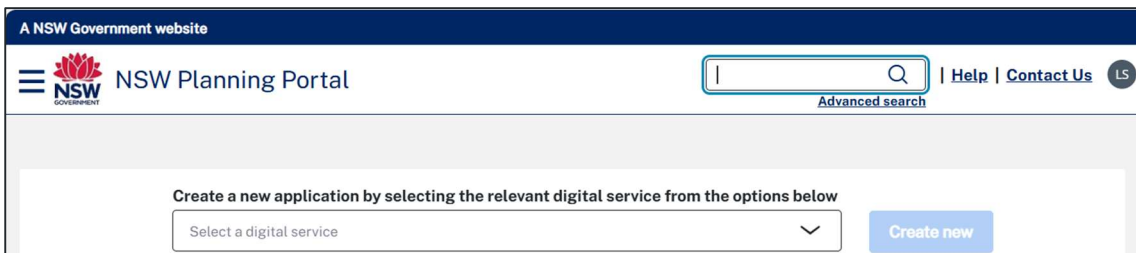
Submit

3. How to enter a ‘deferred commencement consent’ determination

This section of the document should be viewed if you are entering a ‘deferred commencement consent’ determination.

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

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



2. **Select** the ‘Active work’ tab.



3. Open the relevant application by **clicking** on the application reference number.

	Days Elapsed	Submitted Date	Reference Number	LGA Name	Site Address	Status
	0	11/09/26	PAN-23722	PENRITH	1 SHEPHERD STREET COLYTON 2760	Under assessment
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		5/08/26	PAN-23579	PENRITH	1 FLINT AVENUE PENRITH 2750	Pending lodgement

The application will open on the ‘Capture determination’ page.

 **Note:** This guide will outline the process a council will follow if they generate the notice of determination outside of the NSW Planning Portal. If you are going to use the

conditions of consent functionality within the Portal, please refer to the step-by-step guide *How to Insert Conditions of Consent for a development or modification application*.

4. **Indicate** whether this application is pending a decision from the Land and Environment Court. If it is, you must enter a date the applicant filed the appeal, then **click** 'Submit'.



☒ Is this application pending a decision from the Land and Environment Court ? ⓘ

Date when the Applicant filed an appeal with the Land and Environment Court *

 **Note:** The status of the application will update to 'Pending court appeal'. You can re-open the application to input the determination from the dashboard or by selecting 'Proceed to determination' via the 'Actions' menu with the application.

5. **Select** 'Deferred commencement consent' as the determination.



Determination

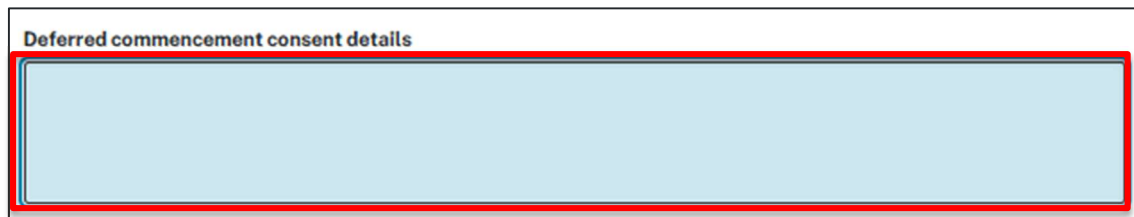
This application has been assessed and has been: *

☐ Approved

☐ Refused

☒ Deferred commencement consent

6. **Enter** deferred commencement consent details.



Deferred commencement consent details

7. **Enter** date for evidence about related matters.



Due date for evidence about relevant matters: ⓘ

8. **Enter** the 'Date of determination'.



Date of determination *

9. **Select** the 'Determining authority'.

Name the determining authority?*

Select...

Select...
Council
Council staff under delegated authority
Sydney / Regional Planning Panel
Local Planning Panel
Central Sydney Planning Committee
Land and Environment Court
Independent Planning Commission
Minister for Planning

...proved?*

...dings SEPP (in effect from 1st October 2023) met?*

10. **Indicate** if the variation to development standards has been approved.

Was a variation to development standards approved?*

☒ Yes
☐ No
☐ NA

If 'Yes', **enter** the variation details. **Click** '+' to add the relevant details

Development Variation details

Name of the clause to be varied, as sought by the applicant	Clause number	Percentage value of the variation sought by the applicant	Percentage value of the variation approved	Brief justification for the variation	
No items					
+					

 **Note:** A new line must be added for each clause name that is approved for variation by **clicking** on the plus icon. You can use the bin icon on the right of each line to remove lines if required.

If No', **enter** the reason(s) the variation(s) were not approved.

Please provide reason for declining the variation*

Remaining: 512 characters

11. **Indicate** if the requirements of the Sustainable Buildings SEPP (in effect from 1st October 2023) were met.

Were the requirements of the Sustainable Buildings SEPP (in effect from 1st October 2023) met?*

☐ Yes
☐ No
☒ NA

12. If tree works have been proposed on the application form, record the Council decision by **completing** the relevant fields.

Tree works

Is tree removal and/or pruning work proposed?
Yes

Applicant request		Council decision	
Number of trees to be impacted	1		
Area of land to be impacted	30 Square metres		Units ☐ Square metres ☐ Hectares
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Enter details of any replacement trees
Select...

13. **Indicate** if the proposed development falls within any of the housing categories listed.

Identify if the proposed development comprises any of the following?

☐ Affordable housing
☐ Secondary dwellings
☐ Boarding houses
☐ Group homes

14. Development statistics may be added as required. To add the number of bedrooms, **click** on 'Add Number of Bedrooms' to create a row.

Development statistics

Enter details about dwelling figures

Enter the number of dwellings that are proposed to be demolished and/or erected by size of dwelling. Select the relevant number of bedrooms from the list, then input the required details. If there is more than one room type applicable to this application, select the "Add" button at the bottom of the table to add an additional row. Enter a "0" if any fields are not applicable.

Add Number of Bedrooms

Number of bedrooms	Number of dwellings to be demolished	Number of dwellings to be erected	Number of dwellings classified as 'affordable housing' to be erected
No items			

-  **Note:** Additional rows may be added by **clicking** on 'Add Number of Bedrooms' button. Alternatively click the 'bin icon' to remove the row.

15. **Enter** the lot size of the site being developed.

What is the lot size in (m2) of the site being developed

16. **Click** 'Add Category of development' to add further statistics.

Enter details about the gross floor area proposed to be removed and the gross floor area proposed to be gained.

Select the relevant category of development from the list, then input the required details. If there is more than one relevant category of development, select the "Add" button at the bottom of the table to add an additional row. Enter a "0" if any fields are not applicable.

Add Category of development

Category of development	Area demolished (m2)	Proposed area (m2)	
No items			

17. **Indicate** if the development is a designated development.

Is the development a designated development?

☒ Yes
☐ No

18. **Indicate** if the determining authority engaged private consultants to assess the development or modification application.

Did the determining authority engage private consultants to assess the development application?

☒ Yes
☐ No

19. **Enter** the number of submissions received in relation to the application (counting each petition as a single submission).

How many submissions were received in relation to the application (please count each petition as a single submission)?

20. **Indicate** if a Pre DA meeting was held with council before lodgement of the application.

Was a Pre DA meeting held with council before lodgement of application?

☒ Yes
☐ No

21. **Indicate** if the applicant has asked for their contact information to be restricted or withheld.

Has the applicant asked for their contact information to be restricted or withheld?

☒ Yes
☐ No

 **Note:** There are two ways to complete the Notice of Determination (NoD).

1. Upload manually
2. Generate and upload automatically using the conditions of consent functionality.

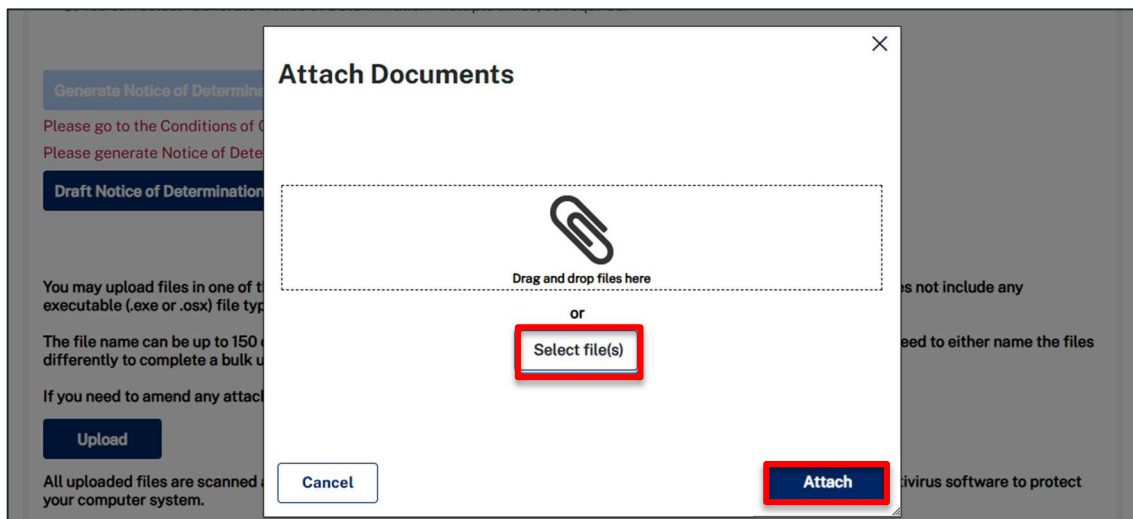
This guide only covers the upload manually option.

22. Click 'Upload'.

If you need to amend any attachments please delete and upload a replacement document.

Upload

- g. Select file (s) or drag and drop
- h. Select the appropriate category from the drop-down menu for each file
- i. Click 'Attach'.



23. Once the 'Notice of determination' document, and any other required documents, are attached click 'Submit'.

Document type		Files	Upload status
DA Stamped plans	What is this?		
Fire safety schedule	What is this?		
Notice of determination *	What is this?	NoticeOfDetermination.pdf	
Other	What is this?		
Owner's consent	What is this?		

Cancel Save and exit Submit

What happens next?

- The status of the application will be:
 - ‘Determined’ if the application was approved or refused
 - ‘Deferred commencement’ if the application was ‘deferred commencement consent’.
- The application will move to the ‘Completed work’ tab on the NSW Planning Portal dashboard.
- The applicant will be notified of the outcome of their application via a system-generated email. The applicant can log in to the NSW Planning Portal to access the application and documentation.
- Where the application has been deferred commencement, the application will continue to the ‘Operational Consent’ stage. During this stage the applicant may request operational consent from council once the relevant matters are complied with. Refer to *How to defer commencement of a development application online* step-by-step guide for further information.

More information

Need help using the NSW Planning Portal?



View the Support Hub

24/7 access to step-by-step guides, short videos and frequently asked questions.



Submit an online assistance form

Submit a support enquiry via our online form.



Call customer support

For urgent or complex support needs, call the team on 1300 305 695.



Attend a training session

Learn to use the NSW Planning Portal in an online training session.

Recommended step-by-step guides

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 upload documents after determination

These documents can be found on the [NSW Planning Portal Support Hub](#).