



Planning circular

PLANNING SYSTEM

Application requirements

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Related	Nil

Application requirements for development

This circular advises councils, applicants and practitioners of updated requirements for development applications, complying development certificate applications and State significant development applications made under the *Environmental Planning and Assessment Act 1979 (Act)*.

Certain application requirements transferred to the Planning Portal

The *Environmental Planning and Assessment Regulation 2021 (Regulation)* commenced 1 March 2022. It requires most applications for development to be made in an approved form and include information specified in that form.

Most application requirements were previously located in Schedule 1 to the former *Environmental Planning and Assessment Regulation 2000 (former 2000 Regulation)*.

Those application requirements have now been incorporated with minor updates into the approved form. This form is required to be approved by the Planning Secretary and published on the Planning Portal. This format improves flexibility relative to the former approach.

Most requirements in the approved form are mandatory. Other mandatory information may also be required by the Act and Regulation. The approved form also sets out additional information that is optional to include to facilitate comprehensive, high quality applications.

Publication of mandatory application requirements

The approved form includes mandatory application requirements for:

- development applications (**DAs**) and State significant development (**SSD**) applications, and their amendment and modification – sections 24, 37 and 99 of the Regulation
- applications for complying development certificates (**CDCs**) and their modification – sections 120 and 159 of the Regulation.

The mandatory application requirements are published on the [Department's website](#) so stakeholders can access them easily. The requirements set out in the

approved forms (including the updates detailed below) apply to applications made on the NSW Planning Portal on or after 1 March 2022.

The published mandatory application requirements on the Department's website reflect the mandatory requirements in the approved form on the Planning Portal.

Minor updates to application requirements

The approved form includes the following updates to the mandatory application requirements that were in Schedule 1 of the former 2000 Regulation. These updates help ensure authorities have the information needed to efficiently assess and determine the outcome of applications.

- The requirement for 'a sketch of the development' has been changed to 'drawings of the development', to clarify hand drawn sketches are not acceptable, supporting higher quality applications.
- CDC applications must also now include:
 - information on prior approvals granted under the *Local Government Act 1993*, *Roads Act 1993* or for tree removal, where available
 - any previous DA reference numbers if involving a change of use
 - the location of any registered easements
 - the building envelope of the development.
- Local and regional DAs must now include:
 - the 'estimated cost of development' (defined in clause 251 of the Regulation)
 - a statement that the relevant matters in the [Development Referrals Guide](#) have been considered

- an indication of whether the land is, or is part of, a critical habitat
 - an indication of whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is taken to be development that is not likely to have such an effect because it is biodiversity compliant development
 - evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by the Regulation
 - a list of the documents accompanying the application.
- The following are now required for all local and regional DAs not just modification applications:
 - the name and address of the applicant
 - a description of the development to be carried out
 - the address, and formal particulars of title, of the land on which the development is to be carried out.
 - SSD applications must now include the capital investment value of the development.
 - A list is now required of any authorisations that must be provided under section 4.42 of the Act for proposed SSD.

Further information

The mandatory application requirements can be found here on the Department's website:

planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment

For further information please contact Service NSW on 13 77 88.

Department of Planning and Environment circulars are available at:

planning.nsw.gov.au/circulars

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Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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