

State-assessed planning proposal industry pilot

This document answers frequently asked questions about the State-assessed planning proposal industry nomination pilot process.

Why did the department run a pilot?

The pilot aimed to identify projects that warranted State assessment because of their potential contribution to increasing housing supply.

What was the evaluation process for the State-assessed planning proposal industry nomination pilot?

The department published the State-assessed planning proposal pathway Guidelines (Guidelines) and potential projects had to meet the following eligibility criteria and assessment criteria.

Eligibility Criteria

The published Guidelines set out 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.
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.
3. Minimum dwelling threshold: The project must demonstrate that through the rezoning it will enable at least 1000 residential dwellings in Metropolitan NSW, or 300 residential dwellings in Regional NSW
4. Comply with relevant planning legislation, policies and section 9.1(2) of the Environmental Planning and Assessment Act 1979 Ministerial Directions.

Only applicants that met each of the 4 eligibility criteria progressed for consideration against the assessment criteria.

Assessment Criteria

1. How well the proposal demonstrates public benefits, including through housing supply, and alignment with state policies and land use strategies.
2. An assessment of the proposal's contribution to affordable and social housing outcomes.
3. How well impediments to delivery are understood and whether there is a pathway to resolution.
4. If infrastructure is available, or if funding is committed to fund critical infrastructure.

Why were councils asked to sign a confidentiality deed?

Councils wishing to provide technical expertise about eligible applications were asked to sign confidentiality deeds to protect the confidentiality of sensitive and commercial information contained in applications and to preserve the integrity of the State-assessed planning proposal pilot process.

It is commonplace for competitive, or go-to-market processes, to have robust confidentiality and conflict of interest declaration controls in place. The use of confidentiality deeds was endorsed by an independent probity advisor.

Why were there delays to releasing the outcomes of the pilot?

The department received more applications than anticipated. Every application was thoroughly assessed and this took time.

How many applications were received?

100 applications.

What were the outcomes of the pilot?

5 projects were selected to be lodged under the State-assessed planning proposal pathway. The projects are:

- Railway Terrace, Schofields (up to 1,800 homes)
- Cowper Street, Warrawong (up to 1,118 homes)
- Tolland Estate, Wagga Wagga (up to 500 homes)
- The Northern Road and Bradley Street, Glenmore Park (up to 1,585 homes)
- Wallarah Road and Pacific Highway, Kanwal (up to 800 homes)

How many of the homes supported by these projects will be social and / or affordable homes?

Across the 5 selected projects more than 1,700 social and affordable homes will be supported.

What additional support is being provided to projects not selected?

The department is exploring a range of tailored support to offer to some projects that were not selected but still performed strongly against the Rezoning Pathways assessment criteria and can contribute to housing supply.

Support could include but is not limited to offering relevant councils (with the permission of applicants) departmental resources to finalise the assessment of any planning proposal lodged for those projects including assessment report delivery or peer review and GIS mapping.

The process of identifying projects suitable for other departmental support was outside of the formal pilot assessment process.

What happens if an applicant of a selected project does not lodge a planning proposal within the required timeframe?

If an applicant does not lodge a planning proposal within the required timeframe, the department will not assess it, this means it will not be a State-Assessed Planning Proposal.

Non-lodgement could impact the ability of the department to consider State-assessed planning proposal from that applicant/s in future rounds, if any.

What happens next for applicants with projects that were not selected?

These applicants can request a debrief sessions for the department to provide feedback about the strengths and weaknesses of the application/s. The debrief will not be an opportunity to contest the outcomes of the State-assessed planning proposal pathway pilot or the assessment process.

What are alternative pathways for applicants with projects that were not selected?

An applicant can choose to lodge its project as a planning proposal with council.

If the planning proposal is lodged with the relevant council and is refused or not considered by the council within the timeframes established by the [LEP Making Guideline](#), a proponent can request a Rezoning Review as set out in the guideline. A Rezoning Review allows a proponent to request an independent planning panel evaluate and recommend to the Minister whether a proposal should progress to Gateway determination.

In addition, if the planning proposal is moving too slowly via this pathway, the department's Planning Delivery Unit (PDU) may help resolve issues. The PDU offers case management and a concierge service – it does not make decisions and normal planning processes resume once issues have been resolved.

What happens next for councils with selected projects in their local government area?

These councils will be notified by the department and can meet with the department to discuss the selected project in more detail. The department will also advise council about key steps or milestones for the relevant state assessed planning proposal (e.g. when a Gateway determination is issued, dates for public exhibition, etc.)

Will any planning proposal for projects that were not selected through the pilot be unfairly assessed by councils in the future?

Councils provided with details of applications submitted under the pilot, were subject to a confidentiality process to protect sensitive and commercial information. As a result, applicants can confidentially proceed with lodging a planning proposal with the relevant council.