

Potential Amendments to the Standard Instrument (LEP Template)

Have your say

The Department of Planning is looking at options for changes to the Standard Instrument (Local Environmental Plans template) to ensure it remains a robust, up-to-date and relevant planning tool.

The *Potential Amendments to the Standard Instrument – Options Paper* will be on public exhibition for a period of six (6) weeks to enable enough time to comment formally.

Your comments on the proposed options for change are requested by **5pm Friday 14 May 2010**. Comments can be:

Emailed to: **planningsystems@planning.nsw.gov.au**

Posted to: **Planning Systems, Policy Planning Systems & Reform
Department of Planning,
GPO Box 39, Sydney NSW 2000; or**

Faxed to: **(02) 9228-6522
Attn: Planning Systems**

Please note that any written submissions received may be made public and available to be viewed on the Departments website.

WHY DOES THE STANDARD INSTRUMENT NEED REVIEW?

In 2006, the NSW Government gazetted a Standard Instrument for preparing new Local Environmental Plans (LEPs), also known as the LEP template. New LEPs across NSW must now use the same planning language, making it easier for communities to understand what is proposed for their local area. Councils are able to include localised planning objectives and provisions specific to their area, as well as determine zoning, additional land uses, heritage items, and development standards such as height and minimum lot sizes.

The Department of Planning is committed to an annual review of the Standard Instrument to ensure it remains an effective, robust, up-to-date and relevant planning tool¹.

HOW CAN WE MAKE THE STANDARD INSTRUMENT MORE EFFECTIVE?

The Department is aware that many councils are well advanced in the preparation of their Standard Instrument LEPs, and that any significant changes may impact on resources. As a result only changes that are considered critical to the smooth and efficient roll-out of comprehensive Standard Instrument LEPs are proposed and if they are of relevance to most or all councils in NSW. As mentioned changes are more to clarify current positions rather than whole-scale policy shifts, and as such it is not anticipated that there should be time-delays to the LEP preparation process as a result.

Sub-regional or unique issues can generally be dealt with through local provisions and LEP Practice Notes can assist in clarifying interpretational issues. More minor changes can also occur through miscellaneous amendments to the Order.

¹ As detailed in Planning Systems Circular 06-008 *Standard Instrument (Local Environmental Plans) Order 2006*

What changes are proposed?

Feedback received about how the Standard Instrument can be more effective mainly relate to improving clarity. More specifically there is a need to remove any ambiguity in the Standard Instrument dictionary terms and how they relate to each other.

It has also been recognised that there is a need for some new definitions to be included in the dictionary, to ensure Aboriginal heritage does not need to be mapped and its location described in detail for cultural reasons, and to make some changes to clauses which are causing confusion. Some further amendments to ensure consistency with a range of new policies and legislative changes (including State Environmental Planning Policies and amendments to the *Heritage Act 1977*) are also proposed.

How to read the Options Paper?

The *Potential Amendments to the Standard Instrument – Options Paper* identifies key issues and, where possible, presents different options to address each issue. Issues and options are presented for comment in three parts:

- Part 1 Clauses and Zone Objectives
- Part 2 Heritage Issues
- Part 3 Clarification of Group Terms and Sub Terms.

Proposed changes to existing definitions or clauses are highlighted in yellow for ease of use, with **green text** showing proposed additional wording, and **blue text** showing proposed deleted wording.

What is the exhibition period?

The Options Paper will be on exhibition for a (6) six week period to ensure councils, industry, agencies and the community are given enough time to complete a formal submission process. At the end of the exhibition period, all comments will be reviewed to inform any changes to the Standard Instrument. Appropriate savings or transitional provisions will apply where proposed changes may have impacts on the operation of existing LEPs, and the Department will work closely with priority councils and councils whose plans are already made, to ensure changes are incorporated smoothly and do not cause delay to their LEP plan making program.

Where can I find out more?

There are plenty of ways for you to find out more about the Potential Amendments to the Standard Instrument – Options Paper and how it might affect you. The Department will be running a number of information sessions throughout the consultation period. To get involved please contact your Department of Planning Regional Office or check our website for regular updates www.planning.nsw.gov.au.

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Translating & Interpreting Service: Please telephone 131 450

Ask for an interpreter in your language and request to be connected to (02) 9228 6333 – Department of Planning Information Centre.

Local call cost from fixed phones. Calls from mobiles at applicable rates.

Thank you for helping us improve the NSW Planning System