



PLANNING SYSTEM

Local planning

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Changes to the standard instrument for principal local environmental plans

This circular is to advise councils of recent changes to the standard instrument for principal local environmental plans.

Introduction

On 1 September 2006 the Standard Instrument (Local Environmental Plans) Amendment Order 2006 (the amending Order) was gazetted. The amending Order makes a number of changes to the standard instrument for principal local environmental plans as set out below.

Summary of changes

The amending Order:

- inserts a new provision in the standard instrument relating to the determination of site areas for the purposes of applying floor space ratios, particularly with respect to land that is a public place (including public roads) or community land, or land on which no significant development is to be carried out
- substitutes the existing provisions in the standard instrument regarding the owner-initiated acquisition of land reserved for public purposes with a new provision that reflects recent amendments to the *Environmental Planning and Assessment Act 1979* that came into effect on 28 March 2006 as a consequence of the *Environmental Planning and Assessment (Reserved Land Acquisition) Act 2006*
- makes consequential changes to existing provisions requiring the concurrence of the Roads and Traffic Authority for development on land reserved for the purposes of a classified road
- makes other minor and consequential amendments to certain existing zones, clauses and definitions.

The changes to the standard instrument are effective immediately.

Further information

An updated version of the standard instrument, incorporating the changes set out in the amending Order, is available on the NSW Parliamentary Counsel's office website:

www.legislation.nsw.gov.au under 'Browse A-Z In Force'. A copy of the amending Order is also available on the legislation website under 'Browse A-Z As Made'.

Updated LEP Practice Notes are available on the Department of Planning's website at www.planning.nsw.gov.au/planningsystem/localplanning.asp. The revised practice notes include an explanation of the new provisions covering the calculation of floor space ratio and site area, and land acquisition.

Authorised by:

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Director General

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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