



Benefits of the LEP template

Local environmental plans (LEPs) are an integral part of the NSW planning system. They are created by local councils to control the form and location of new development, along with protecting open space and environmentally-sensitive areas. LEPs are the primary planning tools to shape the future of communities and also oversee the estimated \$20 billion worth of local development that is determined each year.

In 2006, the NSW Government created a common structure and language for LEPs. Commonly known as the standard instrument for LEPs, or the LEP template, the reform is designed to simplify the plan-making system in NSW.

HISTORY OF THE LEP TEMPLATE

Before the creation of the template, there were no mandatory guidelines covering the overall format and content of LEPs. As a result, the NSW local planning system had become highly confused and complicated, with about 5500 local planning instruments in place—more than 30 per council area—along with 3100 zones and 1700 definitions. This made it difficult to fully understand local planning provisions and to find out what development controls applied to any one piece of land. Furthermore, some council instruments had not been subject to a comprehensive review for many decades.

The template was subject to widespread community consultation. A discussion paper, which outlined proposed zones, planning controls and definitions, was placed on public exhibition in 2004. About 170 submissions were received on this paper.

This was followed by a draft template, which was placed on public exhibition in late 2005. About 600 submissions were received, with the majority of feedback from councils supportive of the concept of standardising planning instruments. The template will continue to be reviewed in response to feedback from stakeholders and the community.

CASE STUDY: FEEDBACK ON RURAL AND REGIONAL PLANNING

The draft template was amended following its public exhibition, after feedback from rural and regional councils.

Changes included:

- introduction of a village zone, which allows councils to designate one zone covering a variety of land-uses in rural villages, along with a rural landscape zone
- creation of a forestry zone, which can identify and protect land suitable for long-term forestry use
- renaming the proposed agriculture zone to primary production to reflect the expansion of the zone to encourage diversity in primary industry, and to better protect and enhance resource lands.

A recent amendment to the template also included additional definitions requested by rural councils including rural supplies, viticulture and farm stay accommodation.

WHAT THE TEMPLATE DOES

All NSW councils will need to create new council-wide LEPs, using the template, by 2011.

The template will:

- slash the number of local environmental plans (LEPs) across the State from about 5500 to about 200
- reduce the number of land-use zones from 3100 to less than 50
- reduce the number of development definitions from 1700 to about 300.

The key advantages of this planning reform are that:

- residents can view a single plan which outlines in the one place all local statutory planning controls for their land, along with being able to more easily understand plans when they move between areas
- businesses can spend less time and money trying to decipher a bewildering variety of different local zones and definitions for different council areas, when submitting development applications
- councils can use an off-the-shelf, ready-made template when creating new plans, rather than having to draft plans from scratch. This means they will have more resources available to concentrate on developing long-term planning policies for their areas.

At the same time, councils are able to tailor the template for their own local needs, including being able to continue to create local planning policies for their area. In other words, the template **does not** involve a 'one size fits all' approach to planning.

WHAT'S IN THE TEMPLATE

It contains:

- zone names – for instance general and low, medium and high density residential, neighbourhood centre and general industrial
- zone objectives – for instance one of the objectives of the 'commercial core' zone is to 'encourage appropriate employment opportunities in accessible locations'
- zone uses – in each zone a small number of developments are listed as being permitted with or without consent or prohibited. For instance, industries, business premises and flat buildings are prohibited in all environmental conservation zones
- planning provisions – these are either compulsory or optional and provide basic rules for issues such as heritage conservation, bush fire hazard reduction and coastal zone development
- definitions – these are standard definitions for developments found right across the State, such as dwelling house, farm building, extractive industry or hospital.

CASE STUDY: DEFINITIONS

Before the creation of the template, there was a myriad of different definitions across NSW for the same sorts of developments.

For instance, there were differing definitions for commonplace developments such as dwelling houses, restaurants, backpacker accommodation, bed and breakfast facilities and car parks. There were 35 different definitions of hospital and more than 20 definitions for service station.

This was causing unnecessary confusion and complexity in the planning system. The standard LEP includes a set list of definitions, which will be updated over time.

HOW COUNCILS ARE USING THE TEMPLATE

The template will be the backbone of new council-wide LEPs being created in the years to 2011.

When preparing new LEPs using the template, councils are able to:

- decide which zones to use and where these zones should be placed within their boundaries, after considering any regional or State policies that apply to their area
- add local objectives which provide greater explanation and detail to the standard zone objectives. This will allow councils to outline their vision for land-use in the zone, taking into account local factors
- add additional permitted or prohibited land uses for each zone in the land use table. For instance, a council may decide that neighbourhood shops and churches should be allowed in low density residential zones, while others may decide that they shouldn't be allowed
- prepare additional local provisions that address local planning issues and which reflect the outcomes of local and regional strategies
- specify what will be permitted as exempt and complying development
- insert local criteria or standards into some compulsory clauses
- prepare maps that specify the lot sizes, building heights and floor space ratios (FSRs) appropriate for their local area – including having different heights and FSRs in different streets or suburbs
- suggest new definitions to the Department of Planning which could be suitable for inclusion in the standard dictionary for all councils to use.

The NSW Government's role will be to ensure the plan is consistent with regional or State planning objectives, before it becomes operational. For instance, in the Sydney metropolitan area, councils developing their LEPs will be guided by targets in subregional strategies.

During 2006–07, a total of 38 councils informed the Department they had resolved to prepare new comprehensive LEPs in line with the standard LEP template.

CASE STUDY: LOCAL PLANNING PROVISIONS

A Sydney council prepared its new council-wide LEP using the template.

It added local provisions which dealt with issues specific to its area, including:

- controlling the run-off of acid sulphate soils into waterways
- promoting foreshore public access
- creating a foreshore building line to prevent overdevelopment close to the edge of waterways
- planning for sex services premises.

The council also added new objectives and permitted and prohibited uses to land-use zones.

FURTHER INFORMATION

More information on local planning is available on Department's website at www.planning.nsw.gov.au/planningsystem/local.asp

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