

# **SEPP Review Program**

## **Repeal of two operational SEPPs**

### **Frequently Asked Questions**

October 2017

#### **Introduction**

The Department of Planning and Environment is reviewing State Environmental Planning Policies (SEPPs) to simplify and modernise the planning system by removing duplicated, redundant and outdated planning controls.

#### **What planning reforms are proposed?**

The Department proposes to improve and simplify NSW development standards by repealing SEPP No. 1 - Development Standards and SEPP (Miscellaneous Consent Provisions) 2007 (MCP SEPP). The planning provisions contained in these two policies will be incorporated in local planning controls.

Both SEPPs apply to lands which have been deferred from the Standard Instrument Local Environmental Plan and a small number of SEPPs. Areas covered by the Standard Instrument Local Environmental Plan already have the equivalent measures in place within their areas. This means local controls will essentially replace the function of the repealed SEPPs.

The Department of Planning and Environment will work with affected councils to manage the transition of planning provisions into their Local Environmental Plans.

SEPPs that rely on SEPP 1 are also proposed to be updated to include the development standard variation provision from the Standard Instrument Local Environmental Plan.

#### **What are the key benefits of the reforms?**

The reforms build on the NSW Government's commitment to reduce the number of SEPPs, remove redundant planning controls, update outdated terminology and locate planning controls where they will be most effective and convenient.

The review intends to remove policy and controls that are duplicated in strategies, regional plans and local environmental plans.

Currently, SEPP 1 and the MCP SEPP apply to less than 30 local government areas. In these local government areas, there are currently two sets of planning rules for varying development standards and development consent requirements for demolition, subdivision, temporary use of land and fire alarm systems:

- those applying in 'deferred areas', and
- those applying to the rest of the local government area, where a Standard Instrument Local Environmental Plan is in place.

These proposed reforms will remove the duplication of planning controls so that users of the planning system will only need to refer to one set of planning controls. The repeal of SEPP 1 will also simplify and clarify whether SEPP 1 or Clause 4.6 of the Standard Instrument Local

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Environmental Plan applies to certain older SEPPs. This will ensure consistency across NSW development standards.

### **Are there any changes proposed for Standard Instrument LEP Clause 4.6?**

The reforms do not propose any changes to Clause 4.6 of the Standard Instrument Local Environmental Plan. The aim of the current reforms is to review existing SEPPs and reduce complexity of the planning system. Any future reviews of provisions within the Standard Instrument Local Environmental Plan will be undertaken as part of a separate process.

### **Will the community have a chance to have their say on the proposal?**

The proposal and related documents will be on exhibition and feedback will be open until 22 December 2017. You can have your say through the Department of Planning and Environment's website [www.planning.nsw.gov.au/repealofoperationalsepps](http://www.planning.nsw.gov.au/repealofoperationalsepps)

### **What will happen next?**

At the end of the exhibition period we will review and consider all submissions. Once all submissions are considered, the final process to repeal the two SEPPs and any amendments will be finalised.

### **Where can I find out more?**

- Call us on 1300 305 695.
- If English isn't your first language, please call 131 450. Ask for an interpreter in your language and then request to be connected to us on 1300 305 695.
- Email us [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)