

Department of Planning and Environment

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# Employment Zones Implementation

Public exhibition summary report 31 May – 12 July 2022

December 2022





# Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Employment Zones Implementation

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# Employment zones implementation - public exhibition summary 2022

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## Public exhibition

The Employment zones reform was finalised in December 2021 with the inclusion of the new zones within the *Standard Instrument Local Environmental Plan Order 2006* (SI LEP Order). Implementation of the reform commenced in 2022 as councils and the department worked together to translate existing Business and Industrial zones into the Employment zones.

An overview of the reform is available on the Employment zones reform [webpage](#).

The department sought feedback on the proposed amendments to individual local environmental plans (LEPs) across NSW. Public exhibition ran for 6 weeks from 31 May 2022 until 12 July 2022.

Comment was specifically sought on:

- the Explanation of Intended Effect outlining the proposed translation approach
- a searchable web tool comparing the proposed Employment zones land use table and the existing Business and Industrial zones land use table for each council
- ePlanning Spatial Viewer mapping showing the proposed Employment zones.

The information that was exhibited can be viewed on the [planning portal](#).

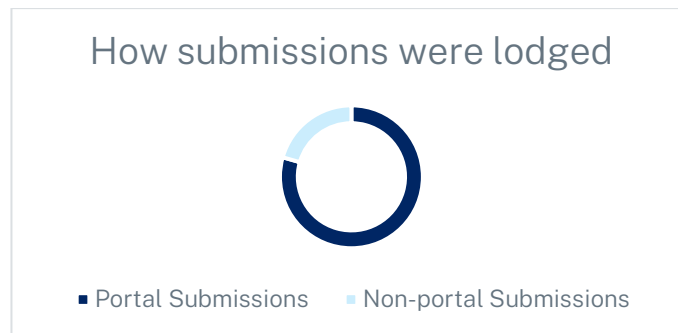
This report provides an overview of the formal submissions received from the community, councils and stakeholders during the exhibition of the Employment zones reform implementation. The purpose of this summary is to outline the range of submissions as well as the key themes and next steps.

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## Submissions received

Over the six-week exhibition period the department received 335 submissions. Submissions were received via the planning portal where feedback was linked to the spatial viewer. The planning portal allowed people to search via an address or local government area to see how a particular site or area was proposed to change. The planning portal provided the existing land use table and the proposed land use table, so that it was easy to see which land uses and objectives had changed. The planning portal also allowed people to access the spatial viewer, which demonstrated how the mapping was proposed to change from the Business and Industrial zones to the Employment zones. Specific feedback could then be given directly in the planning portal about the land use tables and the mapping.

Written submissions were also forwarded to the Employment zones mailbox and these generally covered a number of properties or the general views of an industry or peak group.



- Most submissions came from planning consultants on behalf of landowners as well as councils responding to specific matters in relation to their land use tables and mapping
- Site specific feedback from individual landowners was less prevalent and generally focussed on understanding the outcome of the reform for their land
- Submissions were also made by groups such as religious organisations, registered clubs and local community groups and these focussed on retaining existing permissibility.

In general, feedback was constructive and helped to inform post exhibition changes to land use tables. Having a targeted approach for exhibition feedback gave the department the ability to directly amend specific aspects of the land use tables such as objectives and or create new local provisions or additional permitted uses to address specific feedback.

Feedback on the Employment zones searchable tool for responding to individual land use tables was positive. The use of the spatial viewer mapping to support the land use table changes, also received positive feedback.

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## Key themes

The department exhibited how the Business and Industrial zones in LEPs across NSW are to be translated to Employment zones. The exhibition sought feedback on proposed land use tables for 134 LEPs including on local land use permissibility, local objectives, local provisions and Schedule 1 additional permitted uses. This targeted exhibition approach enabled the department to finalise the land use tables with certainty and clarity around specific matters linked to a particular address, zone and LEP.

It is important to note that the exhibition was not seeking feedback on the Employment zones as the zones have already been introduced into the SI LEP Order. The exhibition focus was on the detail of the individual council LEPs as translated across to the Employment zones.

The main themes raised by stakeholders included:

- Site specific feedback from landowners regarding the translation of the Business and Industrial zones to the Employment zones and confirming or seeking an alternative to how their land was translated to the proposed zones
- Feedback from stakeholders and landowners seeking to avoid any loss of permissibility because of the zone translation

- Feedback from councils and some stakeholders regarding development in local centres as a result of the combining of the B1 Local centre and B2 Commercial centre zones into the E1 Local centre zone
- Council feedback regarding specific amendments to local land uses, local objectives, local provisions or additional permitted uses to align with their strategic planning.

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## Responding to feedback

Following exhibition, the department shared all submissions with councils so that they could be considered including any amendments to address specific issues such as local land use permissibility in a zone or preparing a new local provision to respond to a specific local issue.

Some submissions made requests, such as an alternative zoning or an increased building height or floor space ratio. These requests were out of scope of the reform or lacked strategic planning to justify the change and therefore needed to be dealt with via a future planning proposal with council.

The following amendments have been incorporated either through the SI LEP Order or within individual LEPs:

- Savings and transitional arrangements to continue land uses permissibility previously permitted under the Business and Industrial zone applying to the land for a period of two years until 26 April 2025. This will be made via an amendment to the Standard Instrument LEP Order
- Including Schedule 1 additional permitted uses to continue permissibility for any Food and drink premises, Specialised retail premises and any type of Residential accommodation permitted under the Business and Industrial zones where that permissibility will not continue under the new land use tables. This change will be made directly to individual LEPs
- Ensuring no loss of permissibility for any Place of Public Worship in an E4 General Industrial zone. This amendment will be made directly to individual LEPs
- Development of a centres hierarchy clause which councils can choose to include as a local provision. The clause aims to ensure the scale and function of development in local centres is appropriate for the location and is compatible with the desired future character of the area. Where a council has requested this clause, it will be added to the LEP
- Based on site-specific feedback, amendments to local land uses and local objectives as well as Schedule 1 matters and local provisions. These amendments are council specific and have been developed in discussions with council in response to submissions. These changes will be made directly to individual LEPs
- Retain and translate the B8 Metropolitan Centre Zone to SP5 Metropolitan Centre zone. This amendment will be made via an amendment to the Standard Instrument LEP Order
- Provide for equivalent zone references to manage the transition to the proposed zones where previous zones are referenced in plans and policies. Equivalent zone tables will be made available on the department's website following the making of the self-repealing SEPPs.

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## Next steps

Following the public exhibition, the department in consultation with councils has been finalising amendments to individual LEPs. The Employment zones will be introduced into individual LEPs through six self-repealing 'Land Use Zones' SEPPs. The Land Use Zones SEPPs will amend 134 LEPs and are proposed to be made on 16 December 2022, with a commencement date of 26 April 2023.

In addition, amendments to the SI LEP Order, the *State Environmental Planning Policy (Transport and Infrastructure) 2021* and the *State Environmental Planning Policy (Housing) 2021* have also been made to assist the smooth transition from Business and Industrial zone to Employment zones.

## Mapping

Mapping for the Employment zones will be primarily delivered digitally via the spatial viewer. There are 12 LEPs that will continue with PDF maps. The department will continue to work with these councils to support them in migrating to digital mapping in the future.

## Housekeeping

The department will be making a Housekeeping SEPP in February 2023 to capture minor consequential changes across various instruments and to update certain LEP maps including to reflect changes to the State cadastre. More substantial policy matters should be raised with the relevant council to be potentially captured as part of a future planning proposal.

## Equivalent zone tables

The department will be producing individual equivalent zone tables for all LEPs. These tables will be available when an LEP is published and will be used alongside the savings and transitional provisions as a reference for landowners and proponents when reviewing council policies and plans that still make reference to Business and Industrial zones.

## More information

For more information on the Employment zones reform the [website](#) provides:

- Employment zones land use matrix
- frequently asked questions – updated for commencement
- exhibition information
- equivalent zones tables per LEP
- department contact details.