

The Role of Local Strategic Planning Statements

Fact sheet

July 2019

This fact sheet assists councils to prepare their Local Strategic Planning Statement (LSPS). It supplements the LSPS *Guide for Councils* and *FAQs* previously released by the Department of Planning and Environment (the Department).

What is a Local Strategic Planning Statement?

In March 2018, amendments to the *Environmental Planning and Assessment Act 1979* (the EP&A Act) introduced a new requirement for local councils to prepare and make an LSPS. Council's statements will set out their planning priorities which meet the community's needs and deliver key State and regional planning objectives.

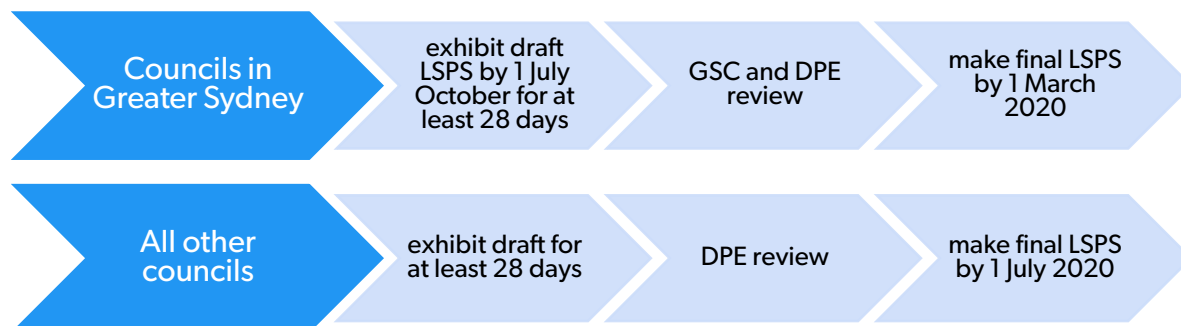
The council's LSPS will set out:

- the 20-year vision for land use in the local area
- the shared community values to be maintained and enhanced
- how future growth and change will be managed
- the special characteristics which contribute to local identity

The LSPS will inform changes to the planning controls in council's local environmental plan (LEP) and development control plans (DCP) to achieve the priorities. The LSPS will also inform other planning tools, such as contribution plans, to ensure that local facilities are provided as the community's needs change. State agencies will also use the LSPS to inform their infrastructure planning and service delivery such as schools, hospitals and transport to support local communities.

LSPS timeframe

The Department, and the Greater Sydney Commission (GSC) for councils in the Greater Sydney Region, will work closely with councils to develop their draft LSPS. Key steps and dates in the process are shown below.



Prior to council finalising the statement, the Department and in Greater Sydney the GSC, will review the LSPS to ensure that matters raised during exhibition have been addressed and that the LSPS is consistent with the Regional or District Plan.

Following adoption by council, the LSPS will be sent to the Department for endorsement. Finalised statements will be uploaded onto the NSW Planning Portal and councils' websites.

How the LSPS will change local planning controls

The broad planning priorities and outcomes described in the LSPS will influence council's detailed planning controls and design guidance. This may result in changes to a council's LEP, DCP or other plans to implement the actions in the LSPS flowing through from the Regional or District Plan.

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A council must consider its LSPS as part of the LEP making process. An LSPS that has been endorsed by the Department, will be part of the strategic merit test for a gateway determination under section 3.34 of the EP&A Act.

To ensure that LEP amendments give effect to the direction expressed in an LSPS, section 3.33 of the EP&A Act requires that justification is provided with a planning proposal to make or amend an LEP.

The LSPS will provide more certainty about councils' future land use intentions. This will reduce the likelihood of a planning proposal, that is inconsistent with an endorsed LSPS, being supported by council or recommended for gateway determination.

In addition, the Department is proposing to amend the *Standard Instrument (Local Environmental Plans) Order 2006* to clarify the relationship between the LSPS and LEP in a new aim that seeks to provide for the LSPS's planning priorities and actions.

Where an LEP has been updated in line with the LSPS, spot rezoning proposals should occur less frequently. Updated LEPs and the new requirement for councils to do an LEP check at least every five years, ensure that the LSPS and planning controls remain current and meet the changing needs of local communities.

Effective translation of strategic planning priorities into LEP and DCP controls will ensure that planning authorities can make decisions which reflect the direction identified in the LSPS.

It is possible for the LSPS to be used by a consent authority for decision making, as it will be a key input to local planning controls.

Under section 4.15 of the EP&A Act, a consent authority is required to take into consideration the provisions of the LEP and DCP, as well as likely impacts of development (including environmental impacts on both the natural and built environments, and social and economic impacts in the locality), and the public interest when determining a development application.

The LSPS is a strategic document and should not be treated the same way as technical planning controls. However, it can provide clarity on the types of future development that are likely to be supported in certain areas, and those that will not.

How the LSPS may be used

Other examples of when an LSPS could be used include:

- to explain changes and the rationale for zoning, development standards and other controls of an LEP or DCP
- to support delivery of strategies for economic growth in the council area where council has clearly defined its employment centres and the nature of uses appropriate for these locations, or identifying areas where a council is seeking to encourage new or innovative employment generating uses
- to show future amenity outcomes, such as green corridors and areas of environmental significance
- to assist in identifying sites or areas of local importance for further investigation and potential future protection.

Further information

The Local Strategic Planning Statements Guideline for Councils, *A Guide to Preparing Planning Proposals* and *A Guide to Preparing LEPs* have been updated to reflect the introduction of the LSPS can be found on the Department's website www.planning.nsw.gov.au

