

Greater Sydney Commission Information Note 6

PLANNING PROPOSALS AND LOCAL ENVIRONMENTAL PLANS (Revised October 2017)

Issued: **26 OCTOBER 2017**
Subject: **Greater Sydney Region and District Plans**

Version: **2** (This supersedes the December 2016 version)

This information note is not to be construed as legal advice, does not form part of the draft plans and does not have statutory weight under the *Environmental Planning and Assessment Act 1979*. 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 information note.

For more information or to access the other information notes in this series please visit www.greater.sydney

What are District Plans?

- A District Plan provides a strategic plan for each district within the Greater Sydney Region with regard to economic, social and environmental matters. It identifies planning priorities for the district and actions to achieve those priorities.
- District Plans inform council local planning and guide the decisions of State agencies.
- A District Plan is recognised in Part 3B of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as one of the types of strategic plans that guide and direct the content of local environmental plans.
- Relevant planning authorities are required to give effect to District Plans once made in preparing planning proposals and reviewing their existing Local Environmental Plans (LEPs).
- Relevant planning authorities are required to consider draft District Plans, as explained in the NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals*.

Where do District Plans apply?

- There are five districts declared in the Greater Sydney Region – Central City District, Eastern City District, North District, South District and Western City District. Each district has its own plan.
- The declaration of five districts took effect on 22 September 2017 and replaces the previous declaration of six districts on 27 January 2016.
- The previous districts of South West and West were combined to become Western City District. The previous Central District was renamed to Eastern City District and the previous West Central District was renamed to Central City District.



Who prepares District Plans?

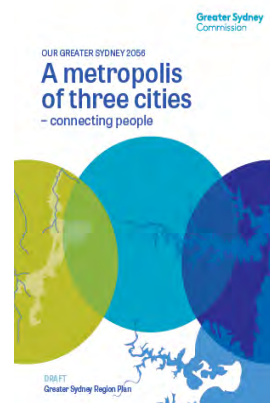
- The Greater Sydney Commission prepares District Plans in consultation with State agencies, the community and with technical input from councils.
- The revised draft District Plans (October 2017) are on public exhibition until 15 December 2017. A series of engagement activities will be held and information is available at www.greater.sydney

What is the role of the Greater Sydney Commission in local planning?

- The Greater Sydney Commission has responsibility to lead metropolitan planning for the Greater Sydney Region and to provide advice and recommendations to the Minister for Planning on matters relating to planning and development in the Greater Sydney Region.
- Preparation of a new set of strategic planning documents, including a new draft *Greater Sydney Region Plan* and revised draft District Plans, enables the Greater Sydney Commission to outline and articulate its planning vision for the Greater Sydney Region.
- The Greater Sydney Commission (or delegate) also has the statutory responsibility to make LEPs in the Greater Sydney Region. This includes the requirement that new LEPs and planning proposals give effect to the priorities and actions in the District Plans.
- Officers of councils and the NSW Department of Planning and Environment have been delegated the authority to act for the Greater Sydney Commission in certain circumstances for plan making. In particular the Department is responsible for issuing Gateway Determinations and making LEPs under delegation from the Commission.

Relationship of District Plans to the Greater Sydney Region Plan

- *A Plan for Growing Sydney* is the current regional plan applying to the Greater Sydney Region.
- The draft *Greater Sydney Region Plan* has been placed on exhibition until 15 December 2017.
- Once the Commission has completed an engagement program on the draft *Greater Sydney Region Plan*, it will submit a final draft regional plan to the Minister for Planning for the NSW Government's consideration.
- The revised draft District Plans (October 2017) are to give effect to the draft *Greater Sydney Region Plan* and in particular four key themes; infrastructure and collaboration, a liveable city, a productive city, and a sustainable city.



Draft District Plans and Planning Proposals

- The revised draft District Plans (October 2017) replace the previous draft District Plans (November 2016). They:
 - inform the preparation and review of LEPs by councils
 - inform planning proposals
 - guide strategic land use, transport and infrastructure planning.
- There are a number of matters to be considered when preparing and assessing Planning Proposals. These are outlined in the NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals*. They include, but are not limited to:
 - until a new *Greater Sydney Region Plan* is made, *A Plan for Growing Sydney*, as it continues to be the regional plan for the purposes of preparing and assessing Planning Proposals
 - the draft *Greater Sydney Region Plan* and revised draft District Plans (October 2017).
- The District Plans will be finalised by the Commission following finalisation of the regional plan.

What is required for planning proposals already lodged seeking a Gateway Determination?

- For planning proposals lodged prior to the release of the revised draft District Plans (October 2017), the NSW Department of Planning and Environment will assess consistency of the proposal with the revised draft District Plans (October 2017). The Department may identify additional considerations arising through a Gateway Determination as necessary.

What is the process for planning proposals that are yet to be exhibited?

- The relevant planning authority should consider planning proposals that are yet to be exhibited against the revised draft District Plans (October 2017) to see if an amendment may be required.
- The relevant planning authority should discuss any proposed changes with the NSW Department of Planning and Environment's relevant regional team to determine if any change is required to the Gateway Determination.

What is the process for LEPs yet to be made?

- When finalising an LEP the relevant planning authority will consider the revised draft District Plan (October 2017) before making the LEP.
- Where councils are making the final LEP under delegation the council should consult with the NSW Department of Planning and Environment's regional team prior to the plan being made.

Rezoning Reviews

- Rezoning Reviews allow proponents to request an independent review of a planning proposal and the merits of it proceeding to Gateway Determination.
- The NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals* notes the requirement for considering the regional plan and revised draft District Plans (October 2017) and as part of the Strategic Merit assessment.

District Plans, planning proposals and council LEP reviews

How do the District Plans impact on council LEP reviews?

- Part 3B of the EP&A Act requires councils to ensure their planning proposals and LEPs give effect to the District Plans when they are made.
- All councils in the Greater Sydney Region will therefore be required to review their comprehensive LEPs for consistency with the District Plans and to enact the priorities and actions outlined in the plans.
- Part 3B of the EP&A Act also requires councils to report to the Greater Sydney Commission on the review of LEPs and the preparation of planning proposals to give effect to the District Plans.
- The review and reporting process is not required while District Plans are in draft form.
- Councils will be advised on the scope of the required reviews of their LEPs through consultation with the Greater Sydney Commission.
- This consultation will identify the priority strategic and land use issues that will be fundamental in a council demonstrating their LEP controls give effect to the relevant District Plan.

What is the timeframe for councils to review their LEPs?

- Part 3B of the EP&A Act requires planning authorities – councils – to review their LEPs as soon as practicable after a District Plan is made.
- The timeframes identified in the NSW Government Housing Affordability Strategy require councils to update their LEPs within three years, or within two years if they are an identified priority council.

How do I comment on the draft District Plans?

- Submissions on the exhibition of the draft District Plans will close 15 December 2017.
- You can view and make a submission by responding:

<p>online at: www.greater.sydney/submissions</p> <p>emailing submission@gsc.nsw.gov.au</p>	<p>by mail to: Greater Sydney Commission (name of revised draft District Plan) PO Box 257 Parramatta NSW 2124.</p>
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- Before making a submission, please read our privacy statement at www.greater.sydney/privacy.

Who can you contact for more information on District Plans in local planning?

- Proponents and councils are encouraged to talk to the NSW Department of Planning and Environment early on any planning proposals that may not be consistent with a revised draft District Plan.
- The NSW Department of Planning and Environment will work together with the Greater Sydney Commission to provide any clarification or feedback on planning proposals.
- The NSW Department of Planning and Environment Information Centre can be contacted 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 our Information Centre on 1300 305 695.
- Email information@planning.nsw.gov.au