

GR2 – Environmental Planning and Assessment Act Amendments and Local Planning Statements

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278265

TRIM 10491

EXECUTIVE SUMMARY

- The report seeks to brief Council on recent changes to the Environmental Planning and Assessment Act, particularly with regard to the requirement for a 'Local Planning Statement'. This report also details an offer made by the Department of Planning and Environment to assist in the preparation of the Statement.
- It is recommended that Council accept the offer of assistance on the following basis:
 - The drafting of the Statement will be representative of the clear vision and community expectations outlined in Growing your Future Together - Wollondilly Community Strategic Plan 2033; and
 - Council receives an outline from the Department of Planning and Environment on the resources available, Secretary Requirements and the planning framework / template that the Statement will follow.

REPORT

1.1 Changes to the Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act, 1979 (the EP&A Act) was updated on 1 March 2018. The new Act follows the passing of the Environmental Planning and Assessment Amendment Act 2017 in the NSW Parliament in November 2017.

The updated EP&A Act changes its reference system (i.e. clauses and subclauses) and has introduced new requirements for community participation, strategic planning, probity in decision making and other various changes. Many of these changes will 'commence' in stages during 2018 and 2019. An extract from the Department of Planning and Environment on the new obligations and the relevant timeframe for commencement is shown below.

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New Obligation	Estimated Commencement
Ending transitional arrangements for Part 3A	Early 2018
Local planning panels	Early 2018
Statement of reasons	Mid 2018
Changes to concurrences and referrals	Late 2018
Changes to conditions for major projects	Late 2018
Enforceable undertakings	Late 2018
Local strategic planning statements	Mid to late 2019
LEP check	Late 2019
Community participation plans	Late 2019
Improvements to complying development	Late 2019
Building and subdivision	Late 2019
Standard format development control plans	Mid 2020

1.2 What is a Local Planning Statement?

The Local Planning Statement will set out a 20-year vision for land-use in the local area, the special character and values that are to be preserved and how change will be managed into the future. The Statement must be reviewed every seven (7) years.

The Statement will need to align with *A metropolis of Three Cities - the Greater Sydney Region Plan*, the *Western City District Plan*, and the council's own priorities in the *Growing your Future Together - Wollondilly Community Strategic Plan 2033*.

Under the EP&A Act amendments Councils may choose to develop their Local Planning Statement as a single approach for the whole council area or they may choose to address matters on a ward basis. If Council elects to develop separate Statements the Ward Councillors will have a lead role in preparing and endorsing the statements to ensure local views are reflected in the statements.

The statements will shape how the planning controls in the local environmental plan (LEP) evolve over time, with the LEP being the main tool to deliver land use and the council and community's plan.

The Statements must identify the planning priorities for an area and explain how these are to be delivered. They must also show how the council will monitor and report on how the priorities will be implemented.

It is not yet known what the format of a Local Planning Statement will be, however, the legislation states that the Secretary may issue requirements with respect to the preparation and making of local strategic planning statements.

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1.3 Western Sydney City Deal

In addition to these recent Act changes, the Australian and NSW Government together with eight (8) local governments in Western Sydney (including Wollondilly), signed the Western Sydney City Deal. The Deal was announced on 4 March 2018.

The City Deal is a 20 year agreement between the three levels of government to deliver a once-in-a-generation transformation of Sydney's outer west – creating the 'Western Parkland City'.

The City Deal builds on the Australian Government's \$5.3 billion investment in the Western Sydney Airport to catalyse investment, development and job opportunities. It also includes measures to maintain and enhance Western Sydney's unique character by improving community infrastructure and liveability.

Under the deal, Wollondilly Shire Council will receive funding and be supported to accelerate the development and adoption of a new local Housing Strategy and associated Local Environmental Plan. The new plan will be agreed within two years and will set a course to achieve local housing targets set by the Western City District Plan.

2.1 Offer of Assistance

On Tuesday 20 March 2018 the Deputy Secretary, Department of Planning and Environment, together with the Executive Director, Strategic Planning and Programs met with Councillors and senior Council staff to discuss Council's ongoing strategic planning program.

At that meeting, Department representatives offered to assist Council to prepare a Local Planning Statement.

The Local Planning Statement represents a significant opportunity to reinforce the community's "Position on Growth" as adopted in the Community Strategic Plan. Council is well placed to develop a statement that reflects the community's aspirations in this regard.

On this basis, there is a solid foundation to prepare a Local Planning Statement for Wollondilly, and the offer from the Department of Planning is timely, given the strategic work program to deliver a new local environment plan as per the City Deal.



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In the absence of having a clear template or Secretary Requirements to commence the work, it is recommended that Council write to the Department agreeing to the offer for assistance, subject to the Department clarifying the amount and type of resources, the planning framework, an outline of the combined work program and the Secretary's Requirements. This will ensure that the City Deal funding and offer from the Department of Planning and Environment deliver the Local Planning Statement, local environmental plan and associated studies in a cohesive manner.

FINANCIAL IMPLICATIONS

This matter has no financial impact on Council's adopted budget or forward estimates. The future review of the local environmental plan has received funding under the Western Sydney City Deal.

ATTACHMENTS

Nil

RECOMMENDATION

That the General Manager write to the Deputy Secretary, Department of Planning and Environment offering thanks for the assistance to prepare the Local Planning Statement and accept that offer on the following basis:

- The drafting of the Statement will be representative of the clear vision and community expectations outlined in Growing your Future Together - Wollondilly Community Strategic Plan 2033; and
- Council receives an outline from the Department of Planning and Environment on the resources available, Secretary Requirements and the planning framework / template that the Statement will follow.