

Planning Proposals

▶ The process for changing the **Mid-Western Regional Local Environmental Plan 2012**

WHAT IS THE MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012?

The Mid-Western Regional Local Environmental Plan 2012 (LEP) is a legal document which informs planning decisions on development and land use within the Mid-Western Region. It does this through zoning and development controls which set out what development can and cannot be undertaken on the land.

The LEP is a written document and a series of maps.

WHAT IS A PLANNING PROPOSAL?

When a landowner, developer or Council seeks to amend the planning controls in the LEP they need to prepare a Planning Proposal.

A Planning Proposal is a report that explains the intended effect of, and justification for, a proposed amendment to the LEP.

The NSW Department of Planning & Environment (Department) provide guidelines on what information should be included in a Planning Proposal.

WHAT IS THE FIRST STEP IN PREPARING A PLANNING PROPOSAL?

The first step in the process is to contact Council to discuss a Planning Proposal. A qualified town planner should also be engaged at the beginning of the process to ensure that the statutory guidelines are adequately addressed and sufficient information is provided to support the proposal.

WHAT HAPPENS AFTER I LODGE MY PLANNING PROPOSAL WITH COUNCIL?

When a Planning Proposal is submitted to Council, it is reviewed by staff and a report presented to Council to make a decision on whether to proceed.

If Council resolves to support the Planning Proposal it is sent to the Department.

The Department undertakes an assessment and determines if the Planning Proposal has planning merit and should proceed. The Department may advise Council that it does not support the Planning Proposal. The proponent may request the Department for a 'Gateway Review'. If the Department does support the Planning Proposal, a document called a 'Gateway Determination' is issued which includes conditions to be satisfied before proceeding to community consultation, drafting and finalising the LEP amendment.

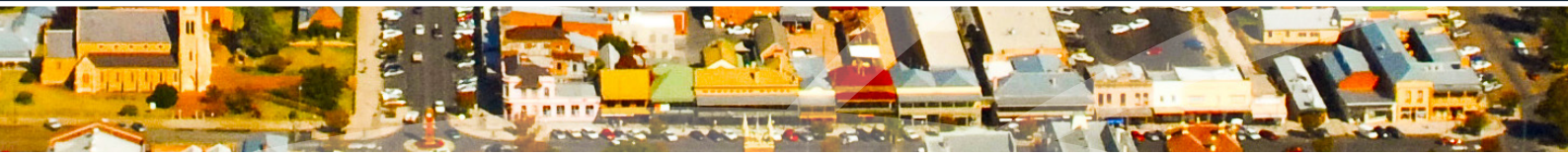
Once conditions of the Gateway Determination are satisfied the Department advises Council that it can proceed to public exhibition of the Planning Proposal.

Post community consultation, a report is prepared for Council to consider any matters raised in submissions and if appropriate seeking a resolution to draft and finalise the LEP amendment.

It should be noted that Council can withdraw its support of a Planning Proposal at any stage.

HOW LONG WILL IT TAKE FOR A PLANNING PROPOSAL TO BE DETERMINED?

Determining a Planning Proposal and if supported, making a subsequent LEP amendment involves a thorough assessment process. The timeframe varies depending on the nature and complexity of the proposed amendment to the LEP. As an indicative guide, Planning Proposals that are minor in nature may take 10 months, while more complex Planning Proposals have longer timeframes of up to 12 months or in some cases longer. The Department stipulates a timeframe within the Gateway Determination for Council to work towards.



WHAT HAPPENS WHEN A PLANNING PROPOSAL HAS BEEN SUBMITTED IN MY NEIGHBOURHOOD?

If a Planning Proposal receives the initial support of Council and a positive Gateway Determination from the Department, the Planning Proposal will be placed on public exhibition for community consultation. Council will write to adjoining or potentially affected landowners and place an advertisement in the local paper. All documents, including specialist studies prepared to support the Planning Proposal, will be available for viewing during the public exhibition period.

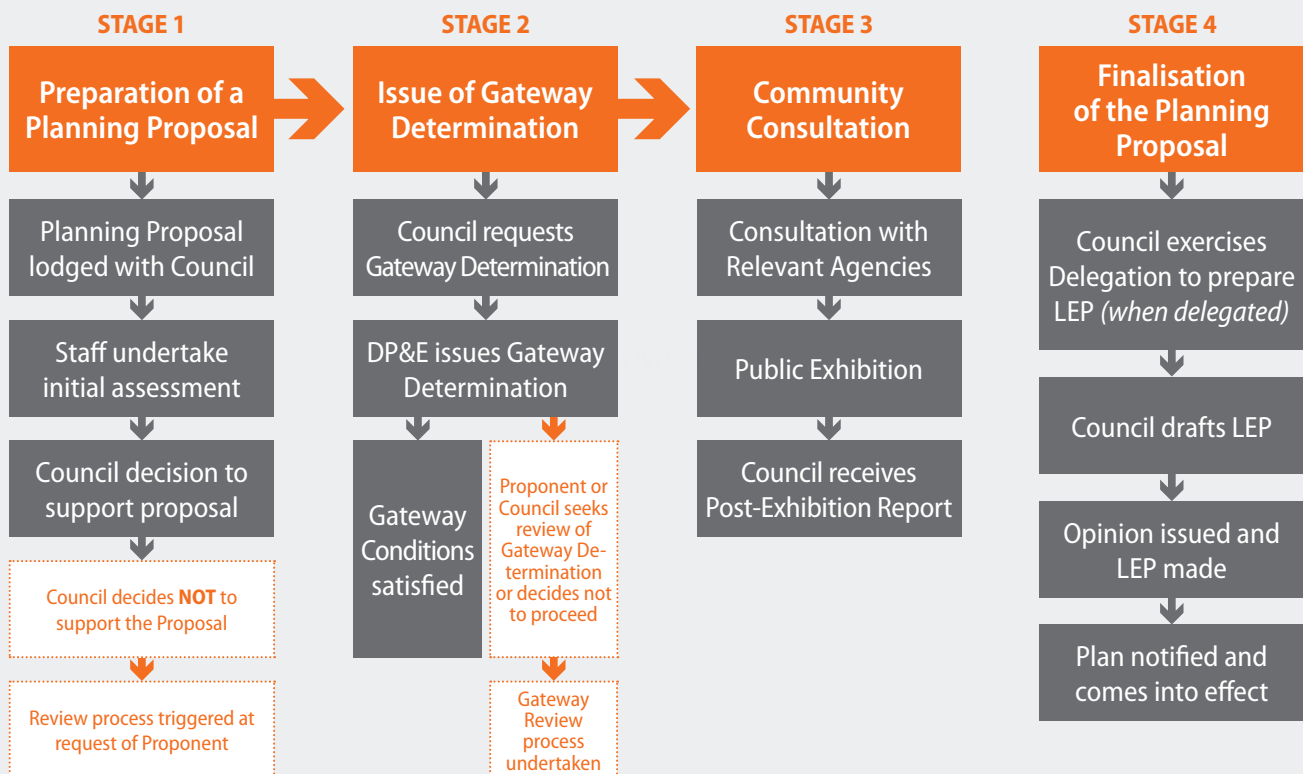
During the exhibition period the community can make written submissions about the Planning Proposal. These submissions are considered in the final report to Council.

WHAT FEES ARE INVOLVED IN A PLANNING PROPOSAL?

The fees for a Planning Proposal are detailed in the Fees and Charges available on Council's website.

To determine which fee is applicable, Council will advise if the Planning Proposal is consistent or inconsistent with Council's Comprehensive Land Use Strategy.

STAGES OF A PLANNING PROPOSAL



FOR MORE INFORMATION

If you have further questions about planning proposals, or wish to make an appointment with Council's Planning advisor, please call Council's Planning team, who will be pleased to assist you.

DISCLAIMER | The information contained in this fact sheet is general in nature and should not be relied upon as the complete source of information to be considered. This document is not intended as a substitute for consulting relevant legislation or for obtaining appropriate professional advice relevant to your particular circumstances.