



Amending the Local Environmental Plan Strategic Planning

What is a Local Environmental Plan?

A Local Environmental Plan (LEP) is used by Council to inform planning decisions in the Hills Shire. It consists of a written instrument and maps. An LEP establishes zones which determine whether a land use is permissible and guides planning outcomes.

How does the planning proposal process work?

An application to amend the LEP is assessed by Council's Forward Planning Team and advice is provided by The Hills Local Planning Panel, prior to being reported to Council to determine if the proposal should be progressed. If supported, a planning proposal is prepared by Council and forwarded to the Department of Planning, Industry and Environment for Gateway Determination. The planning proposal explains the proposed amendments, details the objectives and intended outcomes and provides justification for the plan.

The [Planning Proposal Proponent Engagement Policy](#) provides a clear, transparent and equitable framework within which Proponents can address Councillors with respect to their Planning Proposal during the assessment process.

- a) **Gateway:** The Minister (or delegate) determines whether the planning proposal is to proceed. The proposal is checked to ensure it is justified before further studies are completed and resources allocated to plan preparation.
- b) **Community consultation:** The proposal is publicly exhibited (generally for a 28 day period).
- c) **Assessment:** Council considers public submissions and if necessary, the proposal may be amended.
- d) **Legal Drafting:** Parliamentary Counsel then prepares a draft local environmental plan, which is the legal instrument.
- e) **Decision:** With the Minister's (or delegate's) approval the plan becomes law and is published on the [NSW legislation website](#).

What information is needed to amend the LEP?

Planning proposals need to demonstrate that they have site-specific and strategic merit. Any proposal to amend the LEP should be discussed with Council's Forward Planning Team to determine the extent of the proposal and information required to support the application.

All applications to amend the LEP must have regard to Council's [Statement of Business Ethics](#) and disclosure of [Political Donations or Gifts](#). Further information about the gateway process and guides to preparing LEPs and planning proposals is available from the [Department of Planning, Industry and Environment](#).

What are the fees?

Proponents are required to submit a fee at the time of lodging an LEP amendment application. For the 2020/2021 Financial Year, the fees are:

General	\$27,695.00
Applications for a change of zone or clauses or development standards and supporting maps	
Major	\$69,235.00
Where development costs are >\$20 million and/or significant consideration of environmental, economic and traffic/ transport issues apply	
Precinct	\$166,055.00
Where a proposal applies to a land area of 2 hectares or more and significant consideration of environmental, economic or traffic/transport issues apply	

Refund terms:

- 50% refund if withdrawn prior to Council report for gateway and no Rezoning Review is lodged.
- 25% refund if Council resolves not to proceed and no Rezoning Review is lodged.
- Refunds will only be issued after 42 days following the withdrawal of the planning proposal or resolution of Council not to proceed.
- No refund if the proposal is placed on public exhibition.