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DRAFT

1 Introduction

The Department of Planning, Industry and Environment (the department) is reviewing and rationalising the employment zones, i.e. business (B1–B8) and industrial (IN1–IN4) zones, under the Standard Instrument - Principal Local Environmental Plan (SI LEP). The reform will better accommodate the changing needs of business, improve strategic alignment, boost productivity and strengthen the economy. The proposed changes to the business and industrial zones are outlined in the *Proposed Employment Zones Position Paper*.

This document outlines the broad implementation approach and detailed steps to deliver the proposed employment zones framework. The proposed framework will balance State-wide consistency with local tailoring. Councils will be actively supported throughout the employment zones reform, with delivery in two tranches.

State-wide consistency with local tailoring

The department will publish the new employment zones framework in an Amendment Order to the Principal SI LEP. The Order enables a council to include additional permitted uses, additional objectives and local provisions to further refine the strategic intent of their Local Environmental Plan (LEP). When the Amendment Order is Published (introducing the new employment zones framework into the SI LEP), the department will support each council by creating a first draft land use table (LUT), and mapping through the spatial viewer for each LEP. This will be informed by existing LEPs, existing local plans and conversations the department has and will continue to have with individual councils. Councils will be asked to review the draft LUTs and maps and provide any changes to LUTs, additional permitted uses, local objectives, or local provisions in accordance with an Implementation Toolkit that will be provided to guide the translation of existing zones into the new employment zones framework.

The SI LEP will deliver a consistent State-wide set of zones and land uses with additional land uses, objectives and local provisions within individual LEPs to respond to local strategic planning priorities.

The department will utilise self-repealing State Environmental Planning Policies (SEPPs) to make and publish the amendments of individual LEPs. This will remove the need for councils to prepare individual Planning Proposals, though still allow councils to review, edit and sign off on tailorable aspects of their LEP ahead of and following public exhibition.

Delivery in two tranches

The implementation plan will be delivered through two tranches to best support councils during implementation. The zone translation self-repealing SEPPs will be utilised to publish the new zones in the following tranches:

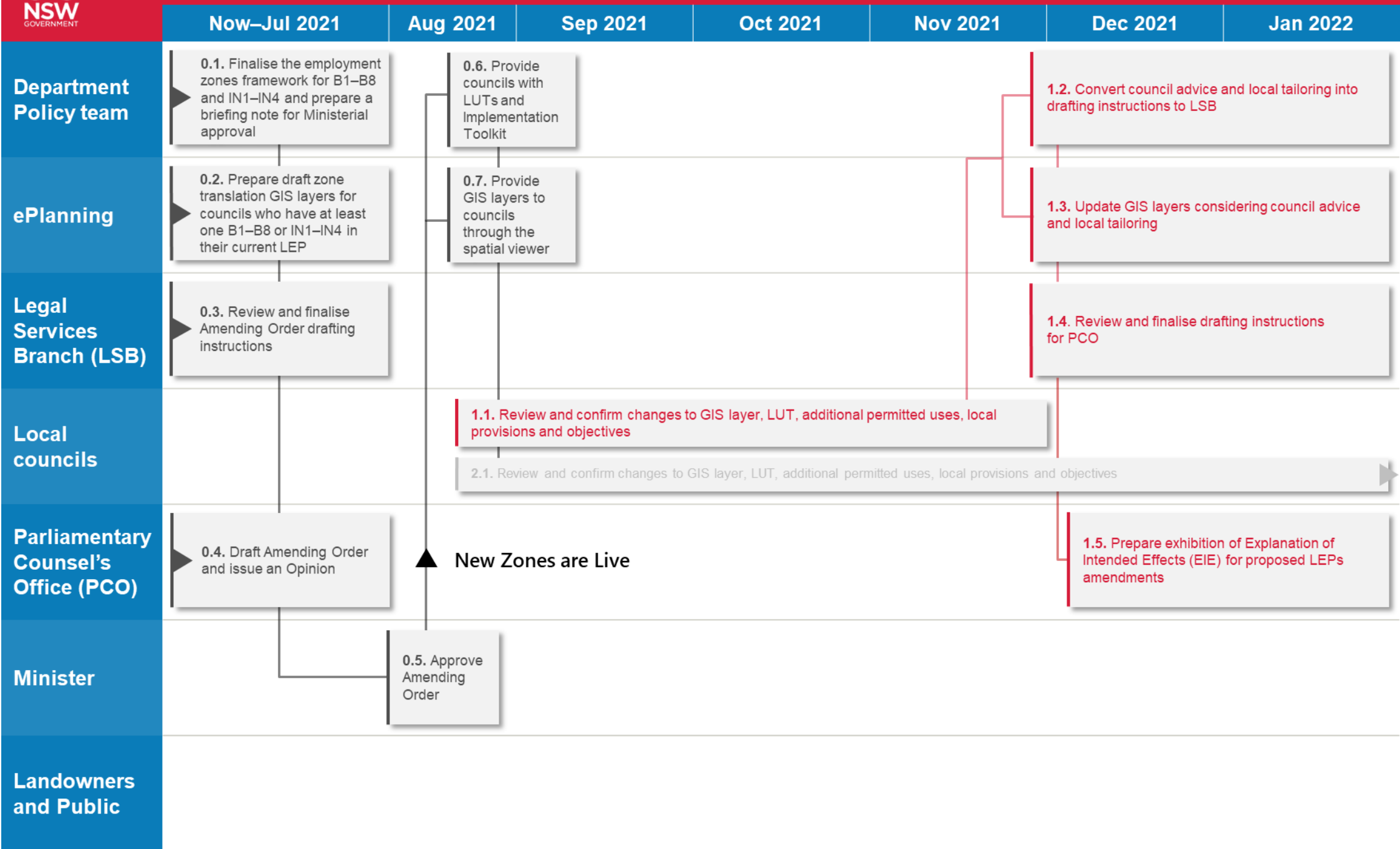
- Tranche 1 Councils who are able to review the provided translation content to meet the key dates in the project plan. These might include councils wanting to align the translation to an underway LEP review planning proposal or who have a relatively straight forward translation.
- Tranche 2 will be used to support remaining councils to transition. The commencement dates within the draft Amendment Order propose that all remnant B and IN zones will be omitted from the Order to coincide with the making of Tranche 2 self-repealing SEPP.

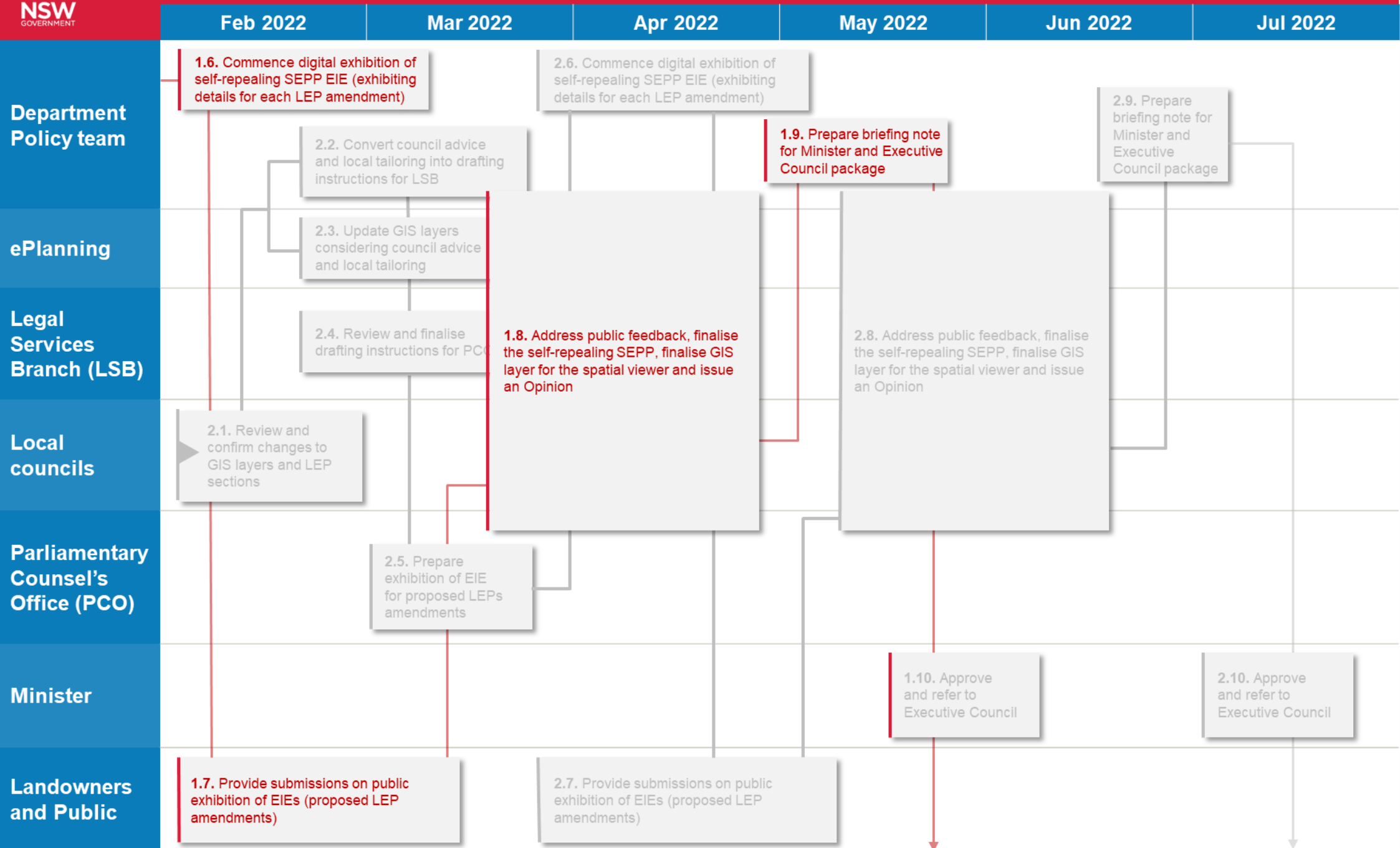
Support for councils

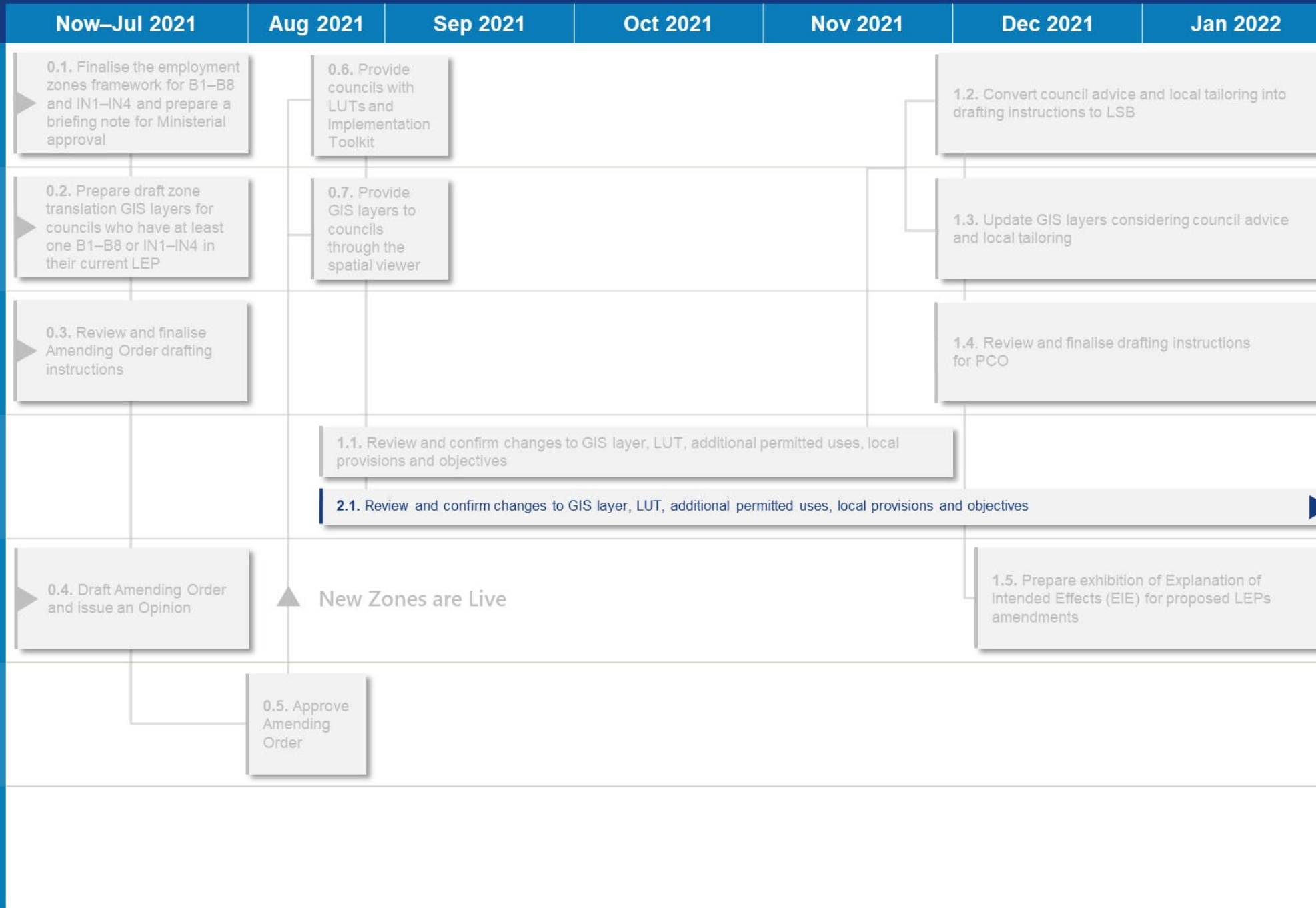
The department will support councils by:

- Mapping anticipated zone translation (anticipated to capture, on average, 70% of zones) so councils will be able to focus on validating the translation, refining zone application, additional permitted uses, local objective and local provisions.
- Providing an Implementation Toolkit that councils can use to interpret the new zones and their strategic intent; effectively manage the implementation timeline; and update the spatial viewer maps and LUTs and craft local objectives, additional permitted uses and local provisions.
- Exhibiting the self-repealing SEPPs through a single central digital platform (where appropriate).
- Supporting councils with GIS capability and planning expertise (as required).

2 Overview of the implementation plan







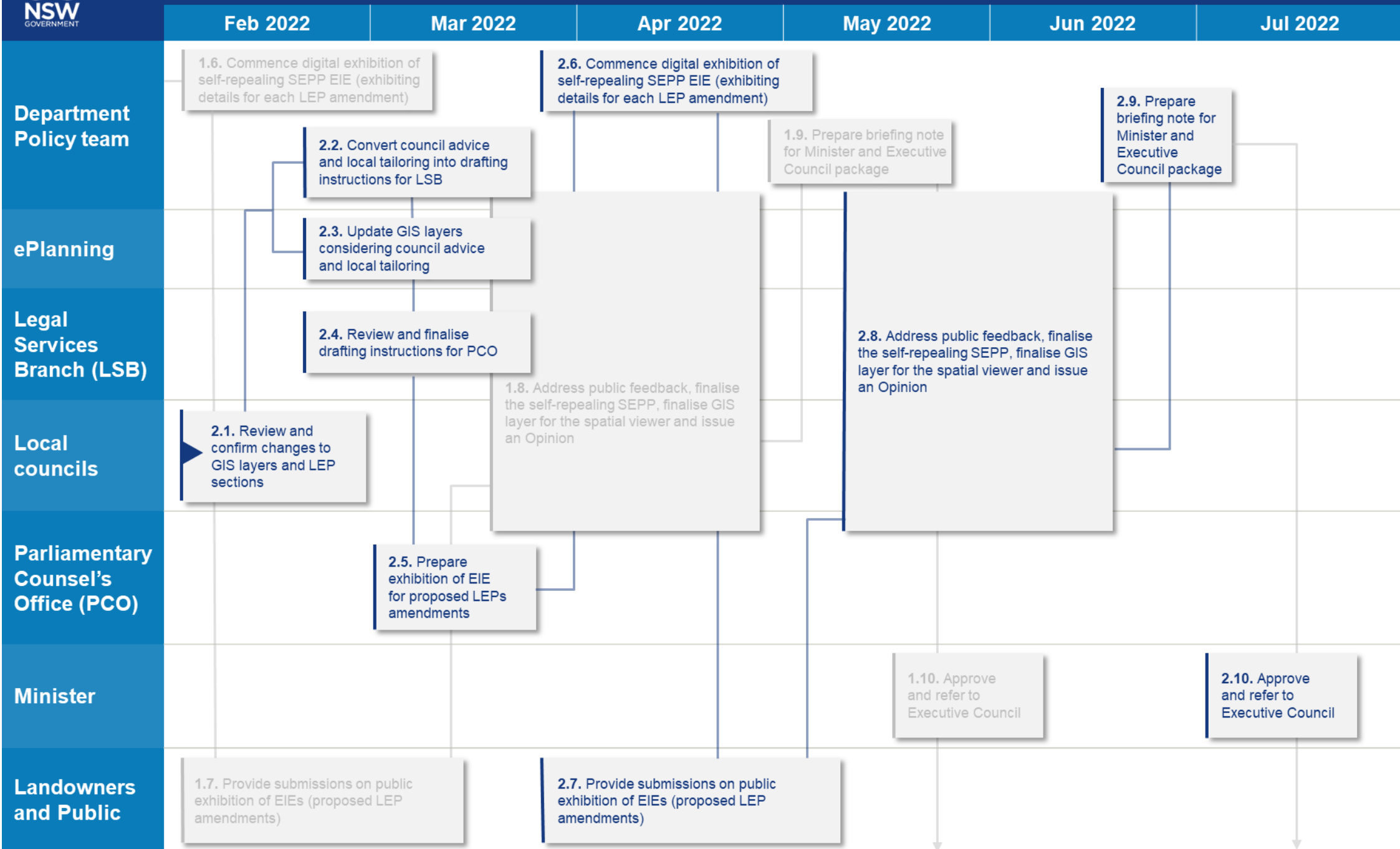
Pre-implementation



Tranche 1



Tranche 2



At the end of each Tranche, a number of Councils will begin operating under the reformed employment zones, thereby reflecting the updated strategic intent of the land and giving stakeholders increased flexibility in how they can use the land.



3 Further detail on implementation plan actions

The following table provides further detail on the actions in the implementation plan.

Ref #	Action	Key outputs	Responsible	Timeline
0.1	<ul style="list-style-type: none"> ✓ Exhibit, seek feedback and finalise the draft employment zones framework for B1–B8 and IN1–IN4. ✓ Provide informal direction to councils on timelines, likely changes to zones and land uses. ✓ Prepare briefing note for the Ministerial approval of the Amending Order once the employment zone framework has been finalised. 	<ul style="list-style-type: none"> Draft employment zones framework Briefing note with final Amending Order and PCO Opinion 	Department Policy Team	Prior to 1 Aug 2021
0.2	<ul style="list-style-type: none"> ✓ Prepare draft zone translation GIS layers (for spatial viewer delivery) for all councils who have at least one B1–B8 or IN1–IN4 in their current LEP. 	<ul style="list-style-type: none"> Shapefiles with previous and draft zone conversion 	ePlanning	
0.3	<ul style="list-style-type: none"> ✓ Review and finalise Amending Order drafting instructions. 	<ul style="list-style-type: none"> Final drafting instructions for PCO 	LSB	
0.4	<ul style="list-style-type: none"> ✓ Draft the Amending Order and issue an Opinion. 	<ul style="list-style-type: none"> Draft Amending Order PCO Opinion 	PCO	
0.5	<ul style="list-style-type: none"> ✓ Review briefing note and PCO Opinion to approve final Amending Order and refer to Executive Council. 	<ul style="list-style-type: none"> Final Amending Order Updated Principal SI LEP 	Minister	1 Aug–15 Aug 2021
0.6	<ul style="list-style-type: none"> ✓ Formally share the new employment zones framework through updated SI Principal LEP. ✓ Provide an Implementation Toolkit for all councils who have at least one current B1–B8 or IN1–IN4 in their LEP and will go through the process. ✓ Obtain Ministerial approval for the two upcoming exhibitions. 	<ul style="list-style-type: none"> Employment zones framework Implementation Toolkit for councils Briefing note for Minister 	Department Policy Team	16 Aug
0.7	<ul style="list-style-type: none"> ✓ Provide GIS layers through the spatial viewer for all councils who have at least one B1–B8 or IN1–IN4 in their LEP. 	<ul style="list-style-type: none"> Shapefiles with previous and draft zone conversion 	ePlanning	16 Aug

Ref #	Action	Key outputs	Responsible	Timeline
1.1 2.1	<ul style="list-style-type: none"> ✓ Review changes to employment zone framework: <ul style="list-style-type: none"> • Tranche 1: Councils that have reviewed the translation. • Tranche 2: Remaining councils. ✓ Confirm and/or update GIS layers. ✓ Confirm and/or update LEP sections (LUTs, additional permitted uses and local provisions) with changes required for the council. ✓ Seek GIS support from ePlanning if additional capacity/capability required to update GIS layers. 	<p>Updated GIS layers/shapefiles</p> <p>Updated LEP sections (e.g., LUTs, Schedule 1, local provisions)</p>	Councils ePlanning, as required	
1.2 2.2	<ul style="list-style-type: none"> ✓ Review councils' updates to LEPs and convert their changes into policy drafting instructions. ✓ Seek further clarification, as required, to ensure State-wide consistency. Note that the drafting instructions will be developed and passed to the LSB and then the PCO in a staggered way, as they are received by the councils. ✓ Inform councils who have not been able to provide updates to their LEPs by this date that they will be required to use the translation provided by DPIE: ✓ Test changes and GIS maps with the department's regional teams. ✓ Develop EIE for exhibition. The EIE summarises the proposed amendments to the council SI LEPs. 	<p>Drafting instructions</p> <p>Drafted EIE</p>	Department Policy Team	<p><i>overlap between step 2.1 and 2.2</i></p> <p><i>department Policy Team may commence step 2.2 as early as</i></p> <p><i>send through their updates, which may be before cut-</i></p>
1.3 2.3	<ul style="list-style-type: none"> ✓ Update GIS layers considering council advice. ✓ Ensure State-wide consistency and alignment with the drafting instructions. 	Final GIS maps	ePlanning	<ul style="list-style-type: none"> ● Tranche 1: 29 Nov 2021–28 Jan 2022 ● Tranche 2: 14 Feb 2022–25 Mar 2022
	<ul style="list-style-type: none"> ✓ Review drafting instructions from the department Policy Team, advise on any changes needed, and finalise drafting instructions for PCO. 	<p>Drafting instructions summarising changes to LEPs for each council</p>	LSB	<ul style="list-style-type: none"> ● Tranche 1: 29 Nov 2021–28 Jan 2022 ● Tranche 2: 14 Feb 2022–25 Mar 2022

Ref #	Action	Key outputs	Responsible	Timeline
1.5 2.5	✓ Prepare exhibition of self-repealing SEPP EIE for proposed LEP amendments.	EIE	department Policy Team /PCO	<p>● Tranche 1: 1 Dec 2021–28 Jan 2022</p> <p>● Tranche 2: 1 Mar–25 Mar 2022</p>
1.6 2.6	<p>✓ Commence centralised, digital public exhibition of the EIE for the self-repealing SEPP with details for each LEP amendment. As per the department's Community Participation Plan, the exhibition will be for six weeks.</p> <p>✓ Review exhibition feedback as it is submitted and respond as appropriate and share with the relevant council.</p>	Digital exhibition	department Policy Team	<p>● Tranche 1: 31 Jan–13 Mar 2022</p> <p>● Tranche 2: 28 Mar–8 May 2022</p>
1.7 2.7	✓ Provide submissions on the public exhibition of EIEs (proposed LEP amendments).	NA	Landowners/stakeholders and public	<p>● Tranche 1: 31 Jan–13 Mar 2022</p> <p>● Tranche 2: 28 Mar–8 May 2022</p>
1.8 2.8	<p>✓ Address public feedback through an iterative process and finalise the self-repealing SEPP and GIS layers.</p> <p>✓ Obtain PCO Opinion on the final self-repealing SEPP for Minister/ExCo approval.</p>	Final SEPP PCO Opinion	Department Policy Team (accountable) LSB ePlanning PCO Councils	<p>● Tranche 1: 14 Mar–22 Apr 2022</p> <p>● Tranche 2: 9 May–17 Jun 2022</p>
1.9 2.9	✓ Prepare briefing note for the Minister including Executive Council minute.	Briefing note for the Minister comprising the minute for the Executive Council, final SEPP PCO Opinion	Department Policy Team	<p>● Tranche 1: 25 Apr–6 May 2022</p> <p>● Tranche 2: 20 Jun–1 Jul 2022</p>
1.10 2.10	✓ Review briefing note, PCO Opinion and ExCo minute to approve final SEPP. Forward the package to Executive Council.	NA	Minister	<p>● Tranche 1: 9 May–20 May 2022</p> <p>● Tranche 2: 4 Jul–15 Jul 2022</p>

The success of the implementation plan will require all activities to be completed on schedule as every step is dependent on the completion of the previous step. This means that councils will be asked to provide their required changes to their LEPs within allocated time frames.

4 Glossary

Term	Definition
Employment Zones Framework	The proposed zones that will replace the previous business and industrial zones known as the 'employment zones'. These new zones will be hosted in the Standard Instrument Principal Local Environmental Plan.
Environmental Planning Instrument (EPI)	EPI is the collective name for Local Environmental Plans, State Environmental Planning Policies and Regional Environmental Plans. The collective term also covers the <i>Environmental Planning and Assessment Act</i> and Environmental Planning and Assessment Regulation and their amendments. A full list of these is here .
Explanation of Intended Effect (EIE)	An EIE outlines the impact of proposed amendments to the NSW planning system. It summarises proposed amendments to Standard Instruments, Orders and State Environmental Planning Policies, and their intended effects.
Geographic Information System (GIS) maps and layers	A GIS map overlays many different layers of spatial location to show different data points in a single visualisation. This has the advantage of creating and sharing interactive maps of land zones through an online spatial viewer instead of offline pictures or PDF documents.
Land Use Table (LUT)	LUTs are part of a council's Local Environmental Plan and describe what land uses are: permitted without consent; permitted with consent; and prohibited for each zone. There are mandated land uses for each of these categories set under the Standard Instrument Principal Local Environmental Plan.
Local Environmental Plan (LEP)	LEPs guide planning decisions for local government areas. The zoning and development standards within the LEP provide a framework for the way land can be used. LEPs are the primary local planning legislation (an Environmental Planning Instrument) to shape the future of communities and ensure appropriate local development.
Parliamentary Counsel's Office (PCO)	The PCO is responsible for drafting most of the legislation for NSW. This includes all Bills for Acts required for introduction into Parliament. The PCO also draft a wide range of statutory instruments, including regulations, rules, proclamations, orders and Environmental Planning Instruments. The PCO also manage the NSW legislation website, which provides public access to legislation.
Self-repealing State Environmental Planning Policy (SEPP)	SEPPs are environmental planning instruments that deal with matters of state or regional environmental planning significance. SEPPs are also used as a tool by the Minister for Planning to make operational changes to lower order Environmental Planning Instruments such as Local Environmental Plans. A self-repealing SEPP can cover amendments to Local Environmental Plans and be removed from legislation (repealed) once this purpose is complete. This mechanism removes the need for a council to prepare a planning proposal to amend their Local Environmental Plan.
Standard Instrument Principal Local Environmental Plan (SI Principal LEP)	The SI Principal LEP prescribes the sections that are mandatory or optional to include in a council LEP and provides a standard response under each section. The SI Principal LEP Order establishes what aspects of the SI LEP are compulsory, optional or can be modified.