



Planning &
Environment

STATE SIGNIFICANT PRECINCTS

GUIDELINE
2016



State Significant Precincts Guideline

1. Introduction

State Significant Precincts are areas that the Minister for Planning considers to be matters of State or regional planning significance, because of their social, economic or environmental characteristics.

These areas can play a particularly important role in achieving Government policy objectives, including those relating to increasing the supply of housing and employment in key locations, and improving housing choice and affordability.

This guideline establishes a process for the rezoning of State Significant Precincts.

2. Overview

To facilitate the redevelopment of potential State Significant Precincts, investigations will be carried out and a revised planning framework proposed.

Amendments to the zones and planning controls for State Significant Precincts will be made by way of a State Environmental Planning Policy which can be approved by the Minister for Planning for any matter which the Minister considers to be of State or regional planning significance as provided for under section 37 of the *Environmental Planning and Assessment Act 1979*. These amendments will be supported by more detailed planning controls set out in a development control plan.

In most instances the State Environmental Planning Policy will amend the relevant local environmental plan(s). However in a small number of instances, where the NSW Government will have an ongoing role in the planning and development of the land, the zones and associated planning controls will be inserted in State Environmental Planning Policy (State Significant Precincts).

3. Criteria for a State Significant Precincts

A State Significant Precinct must be demonstrated to be a matter of State or regional planning significance because of its social, economic or environmental characteristics.

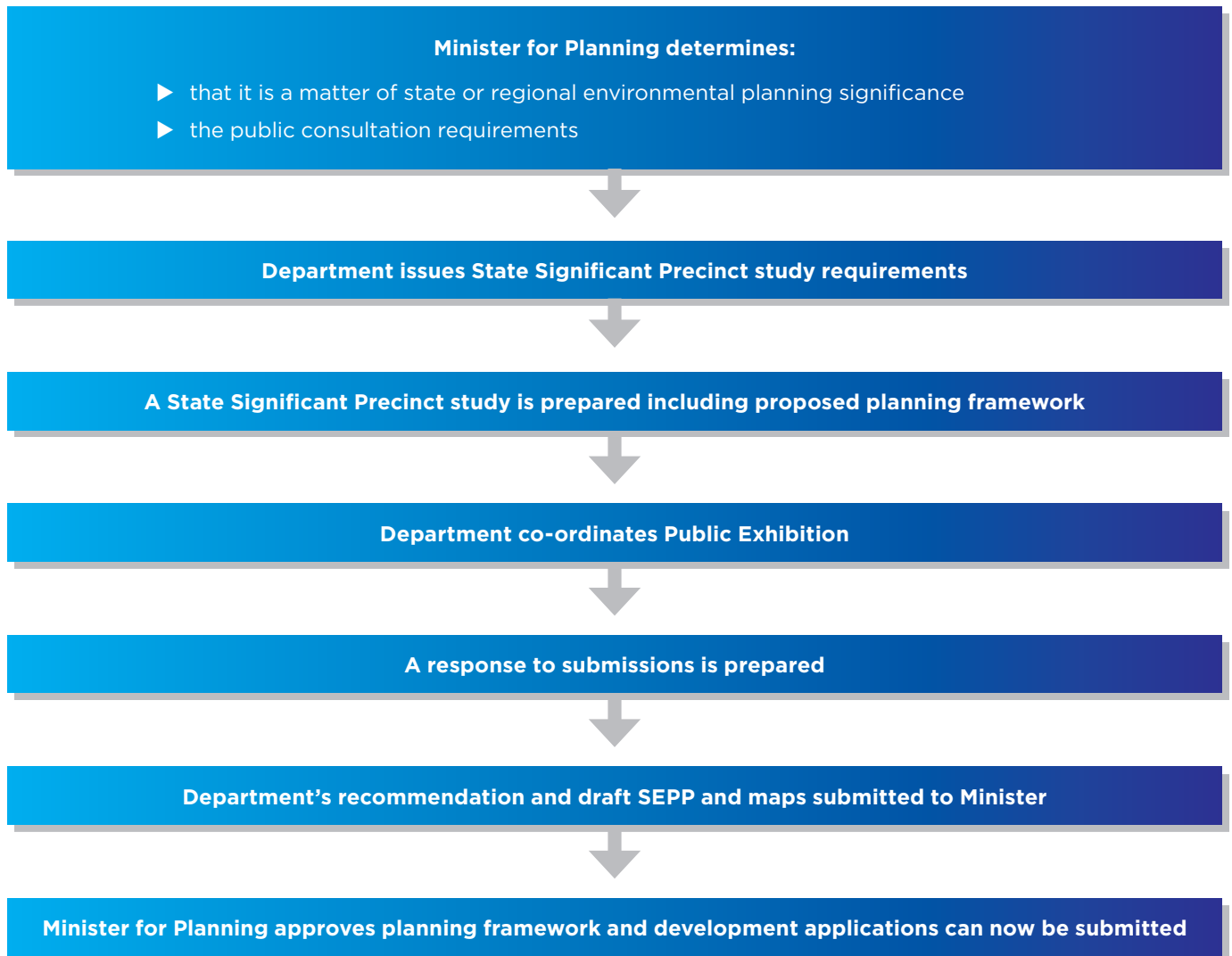
Proposals will be assessed against the following criteria to determine their significance to State or regional planning objectives:

- ▶ be a large area of land within a single ownership or control, typically Government owned
- ▶ be of State or regional importance in achieving Government policy objectives, particularly those relating to increasing delivery of housing and jobs
- ▶ be of State or regional importance for environmental or natural resource conservation
- ▶ be of State or regional importance for heritage or historical significance.



4. Process for a State Significant Precinct

The process for a State Significant Precinct Process is shown in the chart below.



State Significant Precincts Guideline

A more detailed explanation of the steps is provided below.

Determination of State or regional planning significance

To assist the Minister in determining whether a matter is of State or regional planning significance the following will be provided:

- ▶ a preliminary outline of the future land use proposal
- ▶ an assessment of the proposal against the State Significant Precinct criteria
- ▶ the precinct's current zoning context
- ▶ the permissibility and compliance of the future land use proposal with core planning controls
- ▶ the views of the relevant local council(s).

It is expected that the State Significant Precinct process would be used for a limited number of special precincts where the Government will have an ongoing planning, development and/or management role. It would not be suitable for all Government owned land, particularly where there is an existing and more commonly utilised alternative rezoning process.

Study preparation

The Minister may initiate an investigation into a potential State Significant Precinct by requiring the Department of Planning and Environment or another State agency to arrange for a study to be prepared. The purpose of the study is to determine appropriate land use and development controls for the precinct.

The study should assess:

- ▶ the State or regional planning significance of the site
- ▶ the suitability of the precinct for any proposed land use taking into consideration environmental, social and economic factors, and any State or regional planning strategy
- ▶ the implications of any proposed land use for local and regional land use, infrastructure, and service delivery
- ▶ any other matters required by the Department of Planning and Environment.

In issuing any requirements for the study, the Department of Planning and Environment will consult relevant State agencies and local councils.



Exhibition and consultation

The Minister will determine the public consultation requirements for the proposed State Environmental Planning Policy as required under section 38 of the *Environmental Planning and Assessment Act 1979*.

This will typically involve public exhibition of the proposal and a statement about the intended effect of the proposed State Environmental Planning Policy for a minimum of 30 days with an invitation to the public to make written submissions. A copy of the study will also be sent to the relevant State agencies and local councils for comment.

If the proposed planning changes are likely to affect threatened species, populations or ecological communities or their habitats, consultation must be carried out with the Office of Environment and Heritage and/or Department of Primary Industries (section 34A of the *Environmental Planning and Assessment Act 1979*).

When submissions are received the Department of Planning and Environment will consider the matters raised. A report would then be prepared responding to the key issues made in submissions and making any necessary changes to the proposal.

Department's assessment

The Department of Planning and Environment's assessment will consider the exhibited study, issues raised in submissions and the response to submissions report. It will also consider implications of the proposed changes in land use and provide recommendations to the Minister for Planning relating to:

- ▶ the State or regional planning significance of the precinct
- ▶ the suitability of the precinct for any proposed land use
- ▶ the implications of any change in land use.

The Department of Planning and Environment will also make a recommendation to the Minister for Planning on the planning framework which should apply to the precinct, including land use zones, permissible uses and height of building and floor space ratio controls.



State Significant Precincts Guideline

Minister's determination

Following consideration of the Department's assessment report, the Minister for Planning must determine as to whether to recommend to the Governor the making of the proposed State Environmental Planning Policy under section 37 of the *Environmental Planning and Assessment Act 1979*.

Typically the State Environmental Planning Policy will amend the relevant local environmental plan(s). However, where the NSW Government is expected to have an ongoing role in planning for the precinct, it may be considered for inclusion within the proposed State Environmental Planning Policy (State Significant Precincts).

Following the making of the State Environmental Planning Policy the more detailed development controls would be further considered and adopted by the Secretary of the Department of Planning and Environment or the relevant local council.

