



Parliamentary
Counsel's Office

Instructing Parliamentary Counsel's Office on drafting local environmental plans

The Parliamentary Counsel's Office (PCO) has recently updated the template for a Council to use when providing instructions to PCO to draft a local environmental plan (LEP).

A copy of the template and an example of a completed template are attached. The template can also be found at www.pco.nsw.gov.au/resources.

Using this template assists PCO to draft LEPs more effectively and efficiently. It also makes it clear to Councils what information should be sent to PCO at the beginning of a drafting project.

Drafting instructions should always be sent to parliamentary.counsel@pco.nsw.gov.au.

An LEP that amends maps only is drafted by the Department and not by PCO. A request for a map-only LEP should be sent directly to the Department at mapinstrument.drafting@dpie.nsw.gov.au.

If you have any questions, please contact Abbie Hartley, Deputy Parliamentary Counsel, 02 9321 3322 or abbie.hartley@pco.nsw.gov.au.

We look forward to working with you in the future.

A handwritten signature in black ink, appearing to read 'A. O'Callaghan'.

Annette O'Callaghan
Parliamentary Counsel
April 2023

Drafting instructions to PCO

TEMPLATE

Request to draft a local environmental plan

Date of instructions	
Planning proposal number	[Insert planning proposal number]
Land address and description	[Insert address and Lot/DP or other description of land]
Principal instrument	[Insert name of LEP being amended]
Proposed amendment number	Amendment No [*]
Amendment proposed	Maps only/Text only/Both NB: An LEP that amends maps only is not drafted by PCO and the request should be sent directly to the Department at mapinstrument.drafting@dpi.nsw.gov.au .
Consistent with gateway determination	Yes/No
Relevant provisions	[Specify the provisions of the LEP that are relevant to the proposal]
Relevant maps	[Specify the maps that are being amended or are relevant to the proposal]

Background	<p>The planning proposal was approved by a delegate of the Minister for Planning in a gateway determination dated [insert date and include any gateway determination amendment dates].</p> <p>The planning proposal was publicly exhibited from [insert date] to [insert date].</p>
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Drafting instructions to PCO

Instructions	[Include a detailed explanation of amendments proposed, including text amendments and map amendments. Do not include proposals in the form of draft provisions.]
Timeframe	<p>[If you would like the LEP completed by a specific date, please specify. If there is no specific date, please add “Routine”]</p> <p>PCO aims to draft LEPs for Councils as quickly as possible. Exact timeframes for drafting and finalising an LEP depend on the complexity of the project, the time taken for Council to respond to each draft, and PCO workloads, which vary over the year.</p>

Contact	[Insert name, role, phone number and email address]
Alternate contact	[Insert name, role, phone number and email address]
Endorsed by	[Insert name, role and signature]
Attachments	List all attachments (e.g., gateway determination, planning proposal, etc)

Drafting instructions to PCO

EXAMPLE OF COMPLETED TEMPLATE Request to draft a local environmental plan

Date of instructions	15 February 2023
Planning proposal number	PP_2018_ABCDE_001_00
Land description and address	Lot 22, DP 1111222, 13 Railway Road, Oldtown All land in Zone RE2
Principal instrument	<i>Oldtown Local Environmental Plan 2014</i>
Proposed amendment number	Amendment No 14
Amendment proposed	Both maps and text
Consistent with gateway determination	Yes
Relevant provisions	Clause 1.7 Land Use Table, Zone RE2 Private Recreation Schedule 1 Schedule 2
Relevant maps	Additional Permitted Uses Map

Background	The planning proposal was issued with a gateway determination dated 1 March 2022. The gateway determination was altered on 5 July 2022. The planning proposal was publicly exhibited from 24 September 2022 to 21 October 2022.
Instructions	Text amendments: <ol style="list-style-type: none"> 1. Car parks should be permitted with development consent in Zone RE2 Private Recreation in the Land Use Table. 2. Retail premises should be permitted with development consent on Lot 22, DP 1111222, 13 Railway Road, Oldtown. The area will be identified as “Area 3” on the APU map. The land is currently in Zone SP3 and retail premises are prohibited in Zone SP3 under the Land Use Table. The development should only be permitted if the area used for retail premises is less than 3,000m². 3. Business identification signs should no longer be exempt development under the LEP. The clause relating to

Drafting instructions to PCO

	<p>business identification signs in Schedule 2 can be removed.</p> <p>Map amendments:</p> <ol style="list-style-type: none"> 1. Amend the APU map to mark Area 3. 2. I confirm that the amended maps are currently being finalised and have been provided to the relevant officers at the Department.
Timeframe	Routine

Contact	Anne Wong, Senior Planner, Oldtown Council, 02 9321 5555, anne.wong@oldtown.nsw.gov.au
Alternate contact	Stephen Dokic, Manager, Oldtown Council, 02 9321 5556, stephen.dokic@oldtown.nsw.gov.au
Endorsed by	 Pamela Catt, General Manager, Oldtown Council
Attachments	<ol style="list-style-type: none"> 1. Gateway determinations 1 March 2022 and 5 July 2022 2. Planning proposal 20 September 2022 3. Letter from Rural Fire Services to Council 3 September 2022