

This addendum is for users of [A Guide to Preparing Local Environmental Plans](#) (the Guide). This document updates the plan making process for local environmental plans (LEPs) in the Guide, particularly the information in Part 6.5 – ‘Finalising the planning proposal’, Attachment 5 – ‘Plan making reporting template when council is authorised to make the local environmental plan’, and Attachment 6 – ‘Comparative plan making process’.

Application

The following updates apply to the making of map-only LEPs (i.e. no changes are required to be made to the written instrument) from **3 May 2021**. The addendum forms part of the Guide, and wherever there is a conflict between this addendum and the Guide, the provisions of this addendum prevail.

New process for legal drafting of map-only LEPs

The process for the preparation of LEPs is updated as follows:

- Parliamentary Counsel’s Office (PCO) and the department have agreed that the department will be responsible for the legal drafting of all map-only LEP amendments.
- Where a council is authorised to make the plan, it will submit requests for legal drafting for all map-only amendments to the department, instead of PCO. These requests are to be sent to the following email address: mapinstrument.drafting@dpie.nsw.gov.au. The request is to also be concurrently copied to the relevant regional office for administrative purposes only (monitoring and reporting).
- Drafting requests from council should be accompanied by the information currently provided to PCO, listed on page 22 of the Guide.
- The department will be responsible for drafting the legal instrument where council or the Minister is the local plan-making authority.
- An opinion is not required to be issued by PCO for map-only amendments to be legally made.
- The department will work directly with councils to finalise the content of the draft map-only LEPs before the plan is made by the local plan making authority.
- It is important that a draft map-LEP is not re-typed or changed after the instrument has been finalised by the department and before it is signed. If further changes are required, the matter is to be returned to the department for preparation of a revised draft. If any changes to maps associated with the instrument are made after the instrument is prepared, the altered maps must be forwarded to the applicable regional office of the DPIE, together with a new map cover sheet. When requesting notification, council is to confirm that no changes have been made after receiving the final instrument.
- For the purposes of tracking dates on Attachment 5 of the Guide (or on the Planning Portal), there is no need to indicate the date an opinion is received. Additionally, instead of indicating the date the proposal is sent to PCO seeking an opinion, council should indicate the date the drafting request is sent to mapinstrument.drafting@dpie.nsw.gov.au.

Otherwise, there are no changes to:

- The legal drafting process for all amendments involving written instrument changes (even when accompanied by a map change),
- The assessment or notification processes.
- Interactions between council and the ePlanning team, including how maps, map cover sheets and GIS data is provided.

Further information

For more information about the new legal drafting process for map-only LEPs, please contact your relevant regional planning team, or the [Systems and Productivity Policy team](#).

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