



New South Wales

# **Environmental Planning and Assessment (SEPP 56) Amendment Regulation 1999**

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

CRAIG KNOWLES, M.P.,  
Minister for Urban Affairs and Planning.

## **Explanatory note**

The object of this Regulation is to facilitate the environmental planning and development of the land to which proposed *State Environmental Planning Policy No 56–Sydney Harbour Foreshore and Tributaries* applies by authorising the charging of fees for the assessment and preparation of draft master plans.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 105 and 157 (the general regulation-making power).

## **Environmental Planning and Assessment (SEPP 56) Amendment Regulation 1999**

### **1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment (SEPP 56) Amendment Regulation 1999*.

### **2 Amendment of Environmental Planning and Assessment Regulation 1994**

The *Environmental Planning and Assessment Regulation 1994* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 **Amendment**

(Clause 3)

### Clause 110D

Insert after clause 110C:

#### **110D Assessment and preparation fees for draft master plans under SEPP 56**

- (1) If a draft master plan in respect of land comprising the whole or part of a strategic foreshore site within the meaning of *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries* is prepared by an owner or lessee of the land, the owner or lessee must pay:
  - (a) the appropriate authority within the meaning of clause 21 of that Policy an assessment fee determined by the appropriate authority, and
  - (b) if the relevant council has not adopted a draft master plan in relation to land described in Schedule 2 to that Policy within 3 months after the date on which the draft master plan was submitted to it for adoption, the Minister an assessment fee determined by the Minister.
- (2) If a draft master plan in respect of land comprising the whole or part of a strategic foreshore site within the meaning of *State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries* is prepared by the relevant council or the Director-General, the owner or lessee of the land, as specified by the relevant council or the Director-General, must pay the relevant council or the Director-General a preparation fee determined by the relevant council or the Director-General.
- (3) If there is more than one owner or lessee of the land to which the draft master plan referred to in subclause (2) applies, the preparation fee is to be apportioned between them according to the areas of land owned or leased by them.

## **1999 No 186**

Environmental Planning and Assessment (SEPP 56) Amendment Regulation 1999

Schedule 1      Amendment

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- (4) An assessment fee or a preparation fee must not exceed the reasonable cost to the relevant council, or to the Director-General and the Department, of assessing or preparing the draft master plan, carrying out any associated studies and publicly exhibiting the draft master plan.