



New South Wales

Environmental Planning and Assessment Amendment (ePlanning) Regulation 2015

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*.

ROBERT STOKES, MP
Minister for Planning

Explanatory note

The object of this Regulation is to amend the *Environmental Planning and Assessment Regulation 2000*:

- (a) to include compiling and maintaining the NSW planning database and operating the NSW planning portal within the services covered by certain fees, and
- (b) to exempt until 1 March 2016:
 - (i) the NSW planning database from a requirement to maintain historical versions of documents and other material, and
 - (ii) the Secretary of the Department of Planning and Environment from a requirement to establish an alert facility for the electronic notification of new planning decisions and matters.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 137 and 157 (the general regulation-making power) and clause 1 of Schedule 6.

Environmental Planning and Assessment Amendment (ePlanning) Regulation 2015

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (ePlanning) Regulation 2015*.

2 Commencement

This Regulation commences on 1 July 2015 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2000

[1] Clause 246A What is the maximum fee?

Insert after clause 246A (2) (i):

- (j) the online delivery of planning services and information by the Secretary, including:
 - (i) the compilation and maintenance of the NSW planning database, and
 - (ii) the operation of the NSW planning portal, and
 - (iii) the enhancement of the NSW planning database and the NSW planning portal.

[2] Clause 256A Proportion of development application fees to be remitted to Secretary

Omit “clause 246A (2) (g), (h) and (i)” from clause 256A (1).

Insert instead “clause 246A (2) (g), (h), (i) and (j)”.

[3] Clause 256A (1A)

Omit “clause 246A (2) (g) and (h)”. Insert instead “clause 246A (2) (g), (h) and (j)”.

[4] Clause 256L Additional fee for planning reform

Insert after clause 256L (2) (c):

- (d) the online delivery of planning services and information by the Secretary, including:
 - (i) the compilation and maintenance of the NSW planning database, and
 - (ii) the operation of the NSW planning portal, and
 - (iii) the enhancement of the NSW planning database and the NSW planning portal.

[5] Schedule 7 Savings and transitional provisions

Insert at the end of the Schedule with appropriate Part and clause numbering:

Part Provisions consequent on enactment of Environmental Planning and Assessment Amendment Act 2014

Definition

In this Part:

amending Act means the *Environmental Planning and Assessment Amendment Act 2014*.

Delayed application of requirement for historical documents and alert facility

- (1) Section 158C (3) of the Act, as inserted by the amending Act, does not require the NSW planning database to maintain historical versions of documents or other material until 1 March 2016.
- (2) Section 158E (4) of the Act, as inserted by the amending Act, does not require the Secretary to establish an alert facility until 1 March 2016.