



New South Wales

Administrative Arrangements (Administrative Changes—Regional NSW and Independent Planning Commission) Order 2020

under the

Constitution Act 1902

MARGARET BEAZLEY, Governor

I, the Honourable Margaret Beazley AC QC, Governor of New South Wales, with the advice of the Executive Council, and in pursuance of Part 7 of the *Constitution Act 1902* and provisions of the *Government Sector Employment Act 2013*, authorising the making of orders under that Part, make the following Order.

Dated, this 1st day of April 2020.

By Her Excellency's Command,

GLADYS BEREJIKLIAN, MP
Premier

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Constitution Act 1902

1 Name of Order

This Order is the *Administrative Arrangements (Administrative Changes—Regional NSW and Independent Planning Commission) Order 2020*.

2 Commencement

- (1) This Order commences on 2 April 2020 (except as provided by subclause (2)) and is required to be published on the NSW legislation website.
- (2) Clauses 5, 6(3) and 9 commence on 1 July 2020.

3 Definition

In this Order—

document means any Act or statutory or other instrument, or any contract or agreement.

4 Establishment of Regional NSW

Regional NSW is established as a Department of the Public Service.

5 Establishment of Office of the Independent Planning Commission

The Office of the Independent Planning Commission is established as a separate Public Service agency.

6 Amendment of Schedule 1 to Government Sector Employment Act 2013 (Public Service agencies)

(1) Schedule 1, Part 1

Insert at the end of the Part—

Regional NSW

(2) Schedule 1, Part 2

Omit “Department of Planning, Industry and Environment” where it occurs opposite the matter relating to Local Land Services Staff Agency.

Insert instead “Regional NSW”.

(3) Schedule 1, Part 3

Insert in appropriate order—

Office of the Independent Planning
Commission

*Chairperson of the Independent Planning
Commission

7 Amendment of Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019

(1) **Clause 5 Ministers to whom Public Service agencies responsible**

Omit the following from the matter relating to the Department of Planning, Industry and Environment in clause 5(1)—

Deputy Premier, Minister for Regional New South Wales, Industry and Trade

Minister for Agriculture and Western New South Wales

(2) **Clause 5(1)**

Insert at the end of the subclause—

Regional NSW

Deputy Premier, Minister for Regional New South Wales, Industry and Trade

Minister for Agriculture and Western New South Wales

8 Transfer of certain Department of Planning, Industry and Environment staff to Regional NSW

(1) The persons employed in the Regions, Industry, Agriculture and Resources Group in the Department of Planning, Industry and Environment are transferred to Regional NSW.

(2) In any document—

(a) a reference to the Department of Planning, Industry and Environment is to be construed as a reference to Regional NSW if—

(i) the reference is used in relation to a part of that Department referred to in subclause (1), or

(ii) the reference is used in or in relation to legislation administered by the Deputy Premier, Minister for Regional New South Wales, Industry and Trade or the Minister for Agriculture and Western New South Wales, and

(b) a reference to the Secretary of the Department of Planning, Industry and Environment is to be construed as a reference to the Secretary of Regional NSW if—

(i) the reference is used in relation to a part of that Department referred to in subclause (1), or

(ii) the reference is used in or in relation to legislation administered by the Deputy Premier, Minister for Regional New South Wales, Industry and Trade or the Minister for Agriculture and Western New South Wales.

(3) Subclause (2)(a)(ii) and (b)(ii) do not apply to the following provisions—

(a) section 220W(3)(a) of the *Fisheries Management Act 1994*,

(b) section 60K(5) of the *Local Land Services Act 2013*,

(c) section 7(2)(d) of the *Marine Estate Management Act 2014*,

(d) sections 50 and 51 of the *Petroleum (Onshore) Act 1991*.

- (4) Subclause (2)(a)(ii) and (b)(ii) do not affect the operation of clauses 12(3) and 13(3) of the *Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019*.

9 Transfer of certain Department of Planning, Industry and Environment staff to Office of the Independent Planning Commission

The persons employed in the Department of Planning, Industry and Environment who are principally involved in providing support to the Independent Planning Commission are transferred to the Office of the Independent Planning Commission.