



New South Wales

Environmental Planning and Assessment Amendment (Consultation, Concurrence and Approval) Regulation 2021

under the

Environmental Planning and Assessment Act 1979

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

ROB STOKES, MP
Minister for Planning and Public Spaces

Explanatory note

The objects of this Regulation are as follows—

- (a) to require a consent authority to consult with, or obtain the concurrence of, certain persons by using the NSW planning portal,
- (b) to require a consent authority to obtain the general terms of an approval proposed to be granted by certain persons in relation to integrated development by using the NSW planning portal,
- (c) to require certain persons to use the NSW planning portal to respond to the consent authority's consultation, or request for concurrence or general approval,
- (d) to omit a redundant reference.

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Consultation, Concurrence and Approval) Regulation 2021*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2000

[1] **Clause 56 Extracts of development applications to be publicly available**

Omit “, designated development or advertised development” from clause 56(1).

Insert instead “or designated development”.

[2] **Clause 295A**

Insert after clause 295—

295A Use of NSW planning portal—consultation, concurrence and approval

- (1) For the purposes of the Act, sections 4.13(1) and 4.64(1)(i), a consent authority must consult with, or obtain the concurrence of, a relevant authority by using the NSW planning portal.
- (2) For the purposes of the Act, sections 4.47(2) and 4.64(1)(o), a consent authority must obtain the general terms of an approval proposed to be granted by a relevant authority in relation to integrated development by using the NSW planning portal.
- (3) A response to the consent authority’s consultation, or request for concurrence or for general terms of an approval, must be made by a relevant authority by using the NSW planning portal.
- (4) In this clause—

electricity supply authority means a person engaged in the distribution of electricity to the public or in the generation of electricity for supply, directly or indirectly, to the public, whether by statute, franchise agreement or otherwise, and includes—

- (a) an energy services corporation within the meaning of the *Energy Services Corporations Act 1995*, and
- (b) a transmission operator or distributor that holds a licence under the *Electricity Supply Act 1995*.

relevant authority means—

- (a) an approval body, or
- (b) a concurrence authority, or
- (c) an electricity supply authority, or
- (d) the Planning Secretary, or
- (e) a public authority.