

Administrative Arrangements (58th Parliament) Order 2023

[2023-137]



New South Wales

Status Information

Currency of version

Historical version for 1 February 2024 to 31 March 2024 (accessed 24 November 2024 at 9:18)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Does not include amendments by**
[Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order 2024 \(14\)](#) (not commenced — to commence on 1.4.2024)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 February 2024

Administrative Arrangements (58th Parliament) Order 2023



New South Wales

Contents

Part 1 Preliminary	5
1 Name of order	5
2 Commencement	5
3 Definitions	5
Part 2 Provisions consequent on making of Administrative Arrangements (Minns Ministry—Administration of Acts) Order 2023	5
4 Repeal of Administrative Arrangements (Interim Ministerial Changes) Order 2023.....	5
5 Construction of references to interim Ministers	6
6 Construction of references to Ministers	6
7 Construction of reference in Appropriation Act 2022.....	11
Part 3 Provision consequent on making of Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 3) 2023	12
8 Construction of certain references to Ministers	12
Part 4 Provisions consequent on making of Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 4) 2023	12
9 Definition	12
10 Renaming of Department of Premier and Cabinet	12

11 Transfer of parts of Department of Premier and Cabinet to the Cabinet Office	12
12 Construction of references to Department of Premier and Cabinet and Secretary of Department of Premier and Cabinet	13
13 Transfer of Hawkesbury-Nepean Valley Flood Risk Management Directorate and Northern Rivers Reconstruction Corp Division to NSW Reconstruction Authority Staff Agency	15
14 Construction of references following transfer of Hawkesbury-Nepean Valley Flood Risk Management Directorate and Northern Rivers Reconstruction Corp Division to NSW Reconstruction Authority Staff Agency	16

Part 5 Provisions consequent on making of Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 5) 2023

.....	16
15 Transfers to Department of Planning and Environment	16
16 Abolition of staff agencies	17
17 Construction of references to abolished staff agencies and transferred parts.....	17

Part 6 Provisions consequent on making of Administrative Arrangements (Administrative Changes—Minister for Domestic Manufacturing and Government Procurement) Order 2023

.....	17
18 Construction of references to Minister for Finance	17
19 Construction of references to Minister for Better Regulation and Fair Trading.....	18

Part 7 Provisions consequent on making of Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 6) 2023

.....	18
-------	----

Division 1 Transfers to Department of Climate Change, Energy, the Environment and Water

.....	18
20 Renaming of Department of Planning and Environment.....	18
21 Transfer of parts of Department of Planning and Environment and Treasury to Department of Climate Change, Energy, the Environment and Water and Environment Protection Authority Staff Agency	18

22 Construction of references to Department of Planning and Environment and Secretary of Department of Planning and Environment	19
23 Construction of references to Treasury and Secretary of Treasury	21
24 Construction of references in Appropriation Act 2023	21
25 Transfer of part of Department of Customer Service to Premier's Department	22
Division 2 Transfers to Department of Communities and Justice	22
26 Transfer of parts of Department of Planning, Housing and Infrastructure to Department of Communities and Justice	22
27 Construction of references to Planning, Housing and Infrastructure and Secretary of Planning, Housing and Infrastructure	22

Administrative Arrangements (58th Parliament) Order 2023



New South Wales

Part 1 Preliminary

1 Name of order

This order is the *Administrative Arrangements (58th Parliament) Order 2023*.

2 Commencement

This order commences on 5 April 2023.

3 Definitions

In this order—

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

reference to a Minister, Public Service agency or Public Service employee includes a reference that by or under any Act is to be read, construed or treated as a reference to that Minister, agency or employee.

Note—

The *Constitution Act 1902*, Part 7 and the *Interpretation Act 1987* also contain definitions and other provisions that affect the interpretation and application of this order.

Part 2 Provisions consequent on making of **Administrative Arrangements (Minns Ministry—Administration of Acts) Order 2023**

4 Repeal of **Administrative Arrangements (Interim Ministerial Changes) Order 2023**

The *Administrative Arrangements (Interim Ministerial Changes) Order 2023* is repealed.

Note—

The *Administrative Arrangements (Interim Ministerial Changes) Order 2023* commenced on 28 March 2023.

It is replaced by this order and the *Administrative Arrangements (Minns Ministry—Administration of Acts) Order 2023*.

Before its repeal it provided that, that in any document, a reference to any Minister of a specified description,

other than the Premier or the Deputy Premier, was to be construed as a reference to any of the following Ministers—

- (a) Premier,
- (b) Deputy Premier,
- (c) Minister for Education and Early Learning,
- (d) Minister for the Environment,
- (e) Minister for Heritage,
- (f) Special Minister of State,
- (g) Minister for Roads,
- (h) Minister for the Arts,
- (i) Minister for Night-time Economy and Music,
- (j) Treasurer,
- (k) Minister for the Gig Economy,
- (l) Minister for Health and Regional Health,
- (m) Minister for Mental Health,
- (n) Minister for the Illawarra and South Coast,
- (o) Minister for Transport,
- (p) Attorney General.

5 Construction of references to interim Ministers

(1) A reference in a document, made or entered into during the interim period, to an interim Minister is, if used in or in relation to an Act referred to in the [Administrative Arrangements \(Minns Ministry—Administration of Acts\) Order 2023](#), to be read as a reference to the Minister to whom the administration of the Act is allocated by that order.

(2) In this section—

interim Minister means a Minister referred to in the [Administrative Arrangements \(Interim Ministerial Changes\) Order 2023](#), section 4(a)–(p).

interim period means the period commencing on 28 March 2023 and ending on the commencement of this section.

6 Construction of references to Ministers

(1) A reference in a document to a Minister specified in the following Table, column 1, or to a Minister in the circumstances specified in column 1, is to read as a reference to

the corresponding Minister in the Table, column 2.

- (2) To avoid doubt, references to the Ministers specified in column 1 are references required by the *Administrative Arrangements (Interim Ministerial Changes) Order 2023* to be read as a reference to any Minister referred to in that order.

Table

Old references	New references
Attorney General—	
(a) if used in or in relation to legislation administered by the Special Minister of State, whether solely or jointly	(a) a Minister administering the legislation
(b) if used in or in relation to legislation administered by the Minister for Sport	(b) the Minister for Sport
(c) in other cases	(c) the Attorney General
Minister for Women	Minister for Women
Minister for Employee Relations	Minister for Industrial Relations
Minister for Aboriginal Affairs	Minister for Aboriginal Affairs and Treaty
Minister for Regional New South Wales—	
(a) if used in or in relation to legislation administered by the Minister for the Environment	(a) a Minister administering the legislation
(b) if used in or in relation to legislation administered by the Minister for Natural Resources	(b) the Minister for Natural Resources
(c) if used in or in relation to legislation administered by the Minister for Emergency Services	(c) the Minister for Emergency Services
(d) if used in or in relation to legislation administered by the Minister for Planning and Public Spaces	(d) the Minister for Planning and Public Spaces
(e) in other cases	(e) the Minister for Regional New South Wales
Minister for Agriculture—	

(a) if used in or in relation to legislation administered by the Minister for Lands and Property	(a) the Minister for Lands and Property
(b) in other cases	(b) the Minister for Agriculture
Minister for Western New South Wales	Minister for Western New South Wales
Minister for Regional Youth	Minister for Youth
Minister for Enterprise, Investment and Trade—	
(a) if used in or in relation to legislation administered by the Minister for the Arts	(a) the Minister for the Arts
(b) if used in or in relation to legislation administered by the Minister for Planning and Public Spaces	(b) the Minister for Planning and Public Spaces
(c) in other cases	(c) the Minister for Jobs and Tourism
Minister for Sport	Minister for Sport
Minister for Science, Innovation and Technology	Minister for Innovation, Science and Technology
Minister for Western Sydney	Minister for Western Sydney
Minister for Hospitality and Racing—	
(a) if used in or in relation to legislation administered by the Minister for Music and the Night-time Economy	(a) the Minister for Music and the Night-time Economy
(b) in other cases	(b) the Minister for Gaming and Racing
Minister for the Arts	Minister for the Arts
Minister for Tourism	Minister for Jobs and Tourism
Treasurer—	
(a) if used in or in relation to legislation administered by the Minister for Work Health and Safety, whether solely or jointly	(a) a Minister administering the legislation
(b) in other cases	(b) the Treasurer
Minister for Energy	Minister for Energy

Minister for Finance	Minister for Finance
Minister for Health	Minister for Health
Minister for Regional Health	Minister for Regional Health
Minister for Mental Health	Minister for Mental Health
Minister for Education and Early Learning	Minister for Education and Early Learning
Minister for Skills and Training	Minister for Skills, TAFE and Tertiary Education
Minister for Police	Minister for Police and Counter-terrorism
Minister for Veterans	Minister for Veterans
Minister for Women’s Safety and the Prevention of Domestic and Sexual Violence	Minister for the Prevention of Domestic Violence and Sexual Assault
Minister for Corrections	Minister for Corrections
Minister for Families and Communities—	
(a) if used in or in relation to legislation administered by the Minister for Youth Justice	(a) the Minister for Youth Justice
(b) if used in or in relation to legislation administered by the Minister for Youth	(b) the Minister for Youth
(c) if used in or in relation to legislation administered by the Minister for Housing	(b) a Minister administering the legislation
(d) in other cases	(d) the Minister for Families and Communities
Minister for Disability Services	Minister for Disability Inclusion
Minister for Emergency Services and Resilience	Minister for Emergency Services
Minister for Flood Recovery	Minister for Emergency Services
Minister for Multiculturalism	Minister for Multiculturalism
Minister for Seniors	Minister for Seniors
Minister for Infrastructure—	
(a) if used in or in relation to legislation administered by the Minister for Transport	(a) the Minister for Transport

(b) if used in or in relation to legislation administered by the Treasurer, whether solely or jointly	(b) a Minister administering the legislation
(c) in other cases	(c) the Minister for Lands and Property
Minister for Cities	Minister for Planning and Public Spaces
Minister for Active Transport	Minister for Transport
Minister for Transport	Minister for Transport
Minister for Metropolitan Roads	Minister for Roads
Minister for Regional Transport and Roads	Minister for Regional Transport and Roads
Minister for Customer Service and Digital Government—	
(a) if used in or in relation to legislation administered by the Premier	(a) the Premier
(b) if used in or in relation to legislation administered by the Minister for Work Health and Safety, whether solely or jointly	(b) a Minister administering the legislation
(c) if used in or in relation to legislation administered by the Minister for Finance, whether solely or jointly	(c) a Minister administering the legislation
(d) in other cases	(d) the Minister for Customer Service and Digital Government
Minister for Small Business	Minister for Small Business
Minister for Fair Trading—	
(a) if used in or in relation to legislation administered by the Minister for Work Health and Safety	(a) the Minister for Work Health and Safety
(b) if used in or in relation to legislation administered by the Minister for Building	(b) a Minister administering the legislation
(c) in other cases	(c) the Minister for Better Regulation and Fair Trading
Minister for Planning—	

(a) if used in or in relation to legislation administered by the Premier	(a) the Premier
(b) (Repealed)	(b) (Repealed)
(c) Minister for Planning and Public Spaces	(c) a Minister administering the legislation
(d) in other cases	(d) the Minister for Planning and Public Spaces
Minister for Homes—	
(a) if used in or in relation to legislation administered by the Minister for Lands and Property	(a) the Minister for Lands and Property
(b) in other cases	(b) the Minister for Housing
Minister for Lands and Water—	
(a) if used in or in relation to legislation administered by the Minister for Water	(a) the Minister for Water
(b) in other cases	(b) the Minister for Lands and Property
Minister for Environment and Heritage—	
(a) if used in or in relation to legislation administered by the Minister for Heritage	(a) the Minister for Heritage
(b) in other cases	(b) the Minister for the Environment
Minister for Local Government—	
(a) if used in or in relation to legislation administered by the Minister for the Environment	(a) a Minister administering the legislation
(b) in other cases	(b) the Minister for Local Government

7 Construction of reference in [Appropriation Act 2022](#)

A reference in the [Appropriation Act 2022](#) to the Minister for Infrastructure, required by the [Administrative Arrangements \(Interim Ministerial Changes\) Order 2023](#) to be read as a reference to any Minister referred to in that order, section 4(a)-(p), is to be read as a

reference to the Minister for Transport.

Part 3 Provision consequent on making of [Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order \(No 3\) 2023](#)

8 Construction of certain references to Ministers

(1) A reference in a document, made or entered into during the relevant period, to a relevant Minister is, if used in or in relation to an Act allocated to the Minister during the relevant period, to be read as a reference to a Minister to whom the administration of the Act is allocated by the [Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order \(No 3\) 2023](#).

(2) In this section—

relevant Minister means a Minister omitted from an entry in section 6, Table, column 2 by the [Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order \(No 3\) 2023](#), Schedule 4.

relevant period means the period commencing on 5 April 2023 and ending on the commencement of this section.

Part 4 Provisions consequent on making of [Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order \(No 4\) 2023](#)

9 Definition

In this part—

transferred part—see section 11.

10 Renaming of Department of Premier and Cabinet

The name of the Department of Premier and Cabinet is changed to the Premier's Department.

11 Transfer of parts of Department of Premier and Cabinet to the Cabinet Office

(1) The following parts of the Department of Premier and Cabinet (a **transferred part**) are transferred to the Cabinet Office—

(a) Office of General Counsel,

(b) Policy Group, other than the following parts—

(i) WestInvest,

- (ii) Emergency Management branch,
- (iii) Women NSW,
- (iv) Flood Inquiry Project Management Office,
- (c) the Shaping Futures branch of the Community Engagement Group.

(2) In this section—

Department of Premier and Cabinet means the Department of that name immediately before the commencement of this order.

12 Construction of references to Department of Premier and Cabinet and Secretary of Department of Premier and Cabinet

- (1) A reference in a document to the Department of Premier and Cabinet is to be read as—
 - (a) if used in relation to a transferred part—the Cabinet Office, or
 - (b) otherwise—the Premier’s Department.
- (2) A reference in a document to the Secretary of the Department of Premier and Cabinet is to be read as—
 - (a) if used in relation to a transferred part—the Secretary of the Cabinet Office, or
 - (b) otherwise—the Secretary of the Premier’s Department.
- (3) An existing reference in a document if used in, or in relation to, a provision of an Act or instrument specified in the table to this section is to be read as a reference to the corresponding new reference set out in the table.
- (4) Subsection (3) prevails to the extent of an inconsistency with subsections (1) and (2).

Table

Provision of Act or instrument	Existing reference	New reference
<i>Anzac Memorial (Building) Act 1923</i> , section 9A	the Department of Premier and Cabinet	the Department of Communities and Justice
<i>Children’s Guardian Act 2019</i> , section 51(2)(c)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier’s Department
<i>Coroners Act 2009</i> , section 101E(3)(a)	the Department of Premier and Cabinet	the Premier’s Department

Electoral Act 2017 , section 111	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Electricity Network Assets (Authorised Transactions) Act 2015 , section 8(3) and (6), definition of Price Commissioner	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Environmental Planning and Assessment Act 1979 , section 9.2	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Government Information (Information Commissioner) Act 2009 , section 24(1)(c)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Government Information (Public Access) Regulation 2018 , Schedule 3	Department of Premier and Cabinet	Department of Enterprise, Investment and Trade
Government Sector Employment Act 2013 , sections 18, 49, definition of Industrial Relations Secretary and note and 83(1), definition of DPC Secretary	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Government Sector Employment (General) Rules 2014 , rule 52(5), definition of DPC Secretary	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Greater Cities Commission Act 2022 , sections 6(1)(d)(i) and 12(4), definition of authorised person or body , paragraph (f)	the Department of Premier and Cabinet	the Cabinet Office
Independent Commission Against Corruption Regulation 2017 , Schedule to the NSW Ministerial Code of Conduct	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Infrastructure NSW Act 2011 , section 8(2)(d)	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Jobs for NSW Act 2015 , section 5(2)(d)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Local Government Act 1993 , section 400J(2)(c) and 400T(2)(a)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department

<i>Local Government (General) Regulation 2021</i> , section 112(2)(a)(iv)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
<i>Members of Parliament Staff Act 2013</i> , section 10 and Schedule 2, clause 8(2)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
<i>Members of Parliament Staff Act 2013</i> , Schedule 2, clauses 7(1) and 8(1)	the Department of Premier and Cabinet	the Premier's Department
<i>Music Festivals Act 2019</i> , section 15(a)(i)	the Department of Premier and Cabinet	the Cabinet Office
<i>Parliamentary Budget Officer Act 2010</i> , section 16	the Department of Premier and Cabinet	the Cabinet Office
<i>Payroll Tax Act 2007</i> , section 66F(12), definition of Jobs Plus administrator , paragraph (c)	the Department of Premier and Cabinet	the Premier's Department
<i>Public Health Regulation 2022</i> , section 92(1)(d)(ii)	Secretary of the Department of Premier and Cabinet	Secretary of the Department of Planning and Environment
<i>Road Transport (General) Regulation 2021</i> , Schedule 4, definition of Class 6 officer , paragraph (b)	the Department of Premier and Cabinet	the Department of Planning and Environment
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , section 3.21(10)(b)	Secretary of the Department of Premier and Cabinet	Secretary of the Department of Planning and Environment
<i>State Records Act 1998</i> , section 7(4A)	the Department of Premier and Cabinet	the Cabinet Office
<i>State Records Act 1998</i> , section 16(1)	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
<i>Statutory and Other Offices Remuneration Act 1975</i> , section 7(1)(a)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
<i>Victims Rights and Support Act 2013</i> , section 112A(3), definition of victims rights agency , paragraph (c)	the Department of Premier and Cabinet	the Cabinet Office

13 Transfer of Hawkesbury-Nepean Valley Flood Risk Management Directorate and Northern Rivers Reconstruction Corp Division to NSW Reconstruction Authority Staff

Agency

- (1) The Hawkesbury-Nepean Valley Flood Risk Management Directorate in the Infrastructure NSW Staff Agency is transferred to the NSW Reconstruction Authority Staff Agency.
- (2) The Northern Rivers Reconstruction Corp Division of the Department of Regional NSW is transferred to the NSW Reconstruction Authority Staff Agency.

14 Construction of references following transfer of Hawkesbury-Nepean Valley Flood Risk Management Directorate and Northern Rivers Reconstruction Corp Division to NSW Reconstruction Authority Staff Agency

- (1) A reference in a document to the Infrastructure NSW Staff Agency, if used in relation to the Hawkesbury-Nepean Valley Flood Risk Management Directorate, is to be read as a reference to the NSW Reconstruction Authority Staff Agency.
- (2) A reference in a document to the Department of Regional NSW, if used in relation to the Northern Rivers Reconstruction Corp Division, is to be read as a reference to the NSW Reconstruction Authority Staff Agency.

Part 5 Provisions consequent on making of [Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order \(No 5\) 2023](#)

15 Transfers to Department of Planning and Environment

The following are transferred to the Department of Planning and Environment—

- (a) all parts of the following Public Service agencies—
 - (i) Greater Cities Commission Staff Agency,
 - (ii) Western Parkland City Authority Staff Agency,
- (b) the parts of the Department of Transport that enable the following to exercise functions—
 - (i) Centennial Park and Moore Park Trust,
 - (ii) Greater Sydney Parklands Trust,
 - (iii) Luna Park Reserve Trust,
 - (iv) Parramatta Park Trust,
 - (v) Place Management NSW,
 - (vi) Royal Botanic Gardens and Domain Trust,

(vii) Western Sydney Parklands Trust.

16 Abolition of staff agencies

The following Public Service agencies are abolished—

- (a) Greater Cities Commission Staff Agency,
- (b) Western Parkland City Authority Staff Agency.

17 Construction of references to abolished staff agencies and transferred parts

- (1) A reference in a document to either of the following is to be read as a reference to the Department of Planning and Environment—
 - (a) Greater Cities Commission Staff Agency,
 - (b) Western Parkland City Authority Staff Agency.
- (2) A reference in a document to the Department of Transport is, if used in relation to a part transferred by section 15(b), to be read as a reference to the Department of Planning and Environment.
- (3) The reference in the *Place Management NSW Act 1998*, section 29(2)(b) to the Secretary of the Department of Planning and Environment, required by the *Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 2) 2022*, clause 9 to be read as a reference to the Secretary of the Department of Transport, is to be read as a reference to the Secretary of the Department of Planning and Environment.

Part 6 Provisions consequent on making of [Administrative Arrangements \(Administrative Changes—Minister for Domestic Manufacturing and Government Procurement\) Order 2023](#)

18 Construction of references to Minister for Finance

- (1) A reference in a document to the Minister for Finance, if used in relation to the following Acts or provisions, is to be read as a reference to the Minister for Better Regulation and Fair Trading—
 - (a) *Associated General Contractors Insurance Company Limited Act 1980*,
 - (b) *Bishopsgate Insurance Australia Limited Act 1983*,
 - (c) *Home Building Act 1989*, Parts 6, 6A, 6B and 6C,
 - (d) *Insurance Protection Tax Act 2001*,
 - (e) *Motor Accident Injuries Act 2017*,

- (f) *Motor Accidents Act 1988*,
- (g) *Motor Accidents Compensation Act 1999*,
- (h) *Personal Injury Commission Act 2020*, except sections 7(4), 8-10, 14 and 15, Schedule 1, clause 7 and Schedule 2, clauses 1-14, 16 and 17,
- (i) *State Insurance and Care Governance Act 2015*, except Part 2 and Schedules 1 and 2, and Parts 1 and 4 and Schedule 4 in so far as they relate to Insurance and Care NSW,
- (j) *Workers Compensation Act 1987*, except Part 4 and Part 7, Division 1A,
- (k) *Workplace Injury Management and Workers Compensation Act 1998*.

- (2) A reference in a document to the Minister for Finance, if used in relation to the *Public Works and Procurement Act 1912*, Part 11 and the Fifth Schedule, is to be read as a reference to the Minister for Domestic Manufacturing and Government Procurement.

19 Construction of references to Minister for Better Regulation and Fair Trading

- (1) A reference in a document to the Minister for Better Regulation and Fair Trading, if used in relation to the *Entertainment Industry Act 2013*, is to be read as a reference to the Minister for the Arts.
- (2) A reference in a document to the Minister for Better Regulation and Fair Trading, if used in relation to the *Hairdressers Act 2003*, is to be read as a reference to the Minister for Industrial Relations.

Part 7 Provisions consequent on making of *Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 6) 2023*

Division 1 Transfers to Department of Climate Change, Energy, the Environment and Water

20 Renaming of Department of Planning and Environment

- (1) The name of the Department of Planning and Environment is changed to the Department of Planning, Housing and Infrastructure.
- (2) In this part—

Department of Planning and Environment means the department of that name immediately before the commencement of this section.

21 Transfer of parts of Department of Planning and Environment and Treasury to Department of Climate Change, Energy, the Environment and Water and Environment

Protection Authority Staff Agency

- (1) The Environment and Heritage Group and the Water Group are transferred from the Department of Planning and Environment to the Department of Climate Change, Energy, the Environment and Water.
- (2) The Office of Energy and Climate Change is transferred from the Treasury to the Department of Climate Change, Energy, the Environment and Water.
- (3) The Environment line team in the Corporate Services Group are transferred from the Department of Planning and Environment to the Environment Protection Authority Staff Agency.

22 Construction of references to Department of Planning and Environment and Secretary of Department of Planning and Environment

- (1) A reference in a document to the Department of Planning and Environment must be read as a reference to—
 - (a) if used in relation to the Environment and Heritage Group or the Water Group—the Department of Climate Change, Energy, the Environment and Water, or
 - (b) if used in relation to the Environment line team in the Corporate Services Group—the Environment Protection Authority Staff Agency, or
 - (c) otherwise—the Department of Planning, Housing and Infrastructure.
- (2) A reference in a document to the Secretary of the Department of Planning and Environment must be read as a reference to—
 - (a) if used in relation to the Environment and Heritage Group or the Water Group—the Secretary of the Department of Climate Change, Energy, the Environment and Water, or
 - (b) if used in relation to the Environment line team in the Corporate Services Group—the Chief Executive Officer of the Environment Protection Authority, or
 - (c) otherwise—the Secretary of the Department of Planning, Housing and Infrastructure.
- (3) A reference in a document requiring consultation with, or the concurrence of, or notification to, the Chief Executive of the Office of Environment and Heritage must be read as a reference to the Secretary of the Department of Climate Change, Energy, the Environment and Water.
- (4) Subsection (3) has effect despite the *Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019*, clause 32(2)(b)(ii).
- (5) An existing reference in a document, if used in, or in relation to, a provision of an Act

or instrument specified in the table to this section, must be read as a reference to the corresponding new reference set out in the table.

(6) Subsection (5) prevails to the extent of an inconsistency with subsections (1)–(3).

Table

Provision of Act or instrument	Existing reference	New reference
<i>Coastal Management Act 2016</i> , section 4(1), definition of Department	Department of Planning and Environment	Department of Climate Change, Energy, the Environment and Water
<i>Fisheries Management Act 1994</i> , section 220W(3)(a)	Secretary of the Department of Planning and Environment	Secretary of the Department of Climate Change, Energy, the Environment and Water
<i>Food Act 2003</i> , section 110, definition of relevant body	Secretary of the Department of Planning and Environment	Secretary of the Department of Climate Change, Energy, the Environment and Water
<i>Gas Supply Act 1996</i> , section 72A(2)(a)	Secretary (undefined)	Secretary of the Department of Climate Change, Energy, the Environment and Water
<i>Gas Supply Act 1996</i> , Dictionary, definition of Department	Department of Planning and Environment	Department of Climate Change, Energy, the Environment and Water
<i>Heritage Act 1977</i> , section 8(2)	Secretary of the Department of Planning, Industry and Environment	Secretary of the Department of Climate Change, Energy, the Environment and Water
<i>Hunter Water Act 1991</i> , section 52	Secretary of the Department of Planning, Industry and Environment	Secretary of the Department of Climate Change, Energy, the Environment and Water
<i>Hunter Water Act 1991</i> , section 57(1A)(a)	Department of Planning and Environment	Department of Climate Change, Energy, the Environment and Water
<i>Local Government Act 1993</i> , section 36D(3)(d)	Chief Executive of the Office of Environment and Heritage	Secretary of the Department of Climate Change, Energy, the Environment and Water
<i>Lord Howe Island Act 1953</i> , section 4(3)(d) and Schedule 1A, Part 2, clause 6(1)(f)	Department of Planning, Industry and Environment	Department of Climate Change, Energy, the Environment and Water

Marine Estate Management Act 2014 , section 7(2)(c)	Secretary of the Department of Planning, Industry and Environment	Secretary of the Department of Climate Change, Energy, the Environment and Water
Marine Estate Management Act 2014 , section 7(2)(d)	Secretary of the Department of Planning, Industry and Environment	Secretary of the Department of Planning, Housing and Infrastructure
Plantations and Reafforestation Act 1999 , section 15(4)(a) and (5)	Secretary of the Department of Planning and Environment	Secretary of the Department of Climate Change, Energy, the Environment and Water
Plastic Reduction and Circular Economy Act 2021 , section 62(a)	Department of Planning, Industry and Environment	Department of Climate Change, Energy, the Environment and Water
Water Supply (Critical Needs) Act 2019 , section 16(1)(a)	Department of Planning, Industry and Environment	Department of Planning, Housing and Infrastructure

23 Construction of references to Treasury and Secretary of Treasury

- (1) If used in relation to the Office of Energy and Climate Change, a reference in a document to the Treasury must be read as a reference to the Department of Climate Change, Energy, the Environment and Water.
- (2) If used in relation to the Office of Energy and Climate Change, a reference in a document to the Secretary of the Treasury must be read as a reference to the Secretary of the Department of Climate Change, Energy, the Environment and Water.

24 Construction of references in [Appropriation Act 2023](#)

- (1) A reference in the [Appropriation Act 2023](#), section 10 to the Department of Planning and Environment must be read as a reference to—
 - (a) if used in relation to a relevant amount—the Department of Climate Change, Energy, the Environment and Water, or
 - (b) otherwise—the Department of Planning, Housing and Infrastructure.
- (2) A reference in the [Appropriation Act 2023](#), section 10 to the Minister for Climate Change must be read as a reference to the Minister for Planning and Public Spaces, other than in relation to a relevant amount.
- (3) In this section—

relevant amount means an amount that may, in accordance with a determination made by the Treasurer under the [Government Sector Finance Act 2018](#), section 4.9, be applied to a service, function or program transferred from the Department of Planning and Environment to one or more of the following—

- (a) the Department of Climate Change, Energy, the Environment and Water,
- (b) the Environment Protection Authority.

25 Transfer of part of Department of Customer Service to Premier's Department

- (1) The NSW Government Strategic Communications team is transferred from the Department of Customer Service to the Premier's Department.
- (2) If used in relation to the NSW Government Strategic Communications team, a reference in a document to the Department of Customer Service must be read as a reference to the Premier's Department.
- (3) If used in relation to the NSW Government Strategic Communications team, a reference in a document to the Secretary of the Department of Customer Service must be read as a reference to the Secretary of the Premier's Department.

Division 2 Transfers to Department of Communities and Justice

26 Transfer of parts of Department of Planning, Housing and Infrastructure to Department of Communities and Justice

The following parts of the Department of Planning, Housing and Infrastructure (a **transferred DCJ part**) are transferred to the Department of Communities and Justice—

- (a) the part that enables the Aboriginal Housing Office to exercise its functions,
- (b) the part that enables the New South Wales Land and Housing Corporation to exercise its functions,
- (c) the Housing Services team of the Homes, Property and Development Group.

27 Construction of references to Planning, Housing and Infrastructure and Secretary of Planning, Housing and Infrastructure

- (1) A reference in a document to the Department of Planning, Housing and Infrastructure in relation to a transferred DCJ part must be read as a reference to the Department of Communities and Justice.
- (2) A reference in a document to the Secretary of the Department of Planning, Housing and Infrastructure in relation to a transferred DCJ part must be read as a reference to the Secretary of the Department of Communities and Justice.
- (3) The reference in the *Housing Act 2001*, section 6(2) and (3) to the Secretary of the Department of Planning, Industry and Environment must be read as a reference to the Secretary of the Department of Communities and Justice.
- (4) In this section—

transferred DCJ part has the same meaning as in section 26.