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## PLANNING SYSTEM

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State environmental planning policies

<b>Circular</b>	PS 07-001
<b>Issued</b>	11 January 2007
<b>Related</b>	

## Consideration of draft SEPPs under section 79C of the EP&A Act

This circular is to advise consent authorities that certain draft State environmental planning policies are no longer required to be taken into consideration when determining development applications.

### Introduction

Consent authorities are required by section 79C(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) to take into consideration relevant draft environmental planning instruments, including draft State environmental planning policies (SEPPs), when determining a development application—unless the Director-General has notified them that the making of the draft instruments have been deferred indefinitely or have not been approved.

### Draft SEPPs no longer to be considered under section 79C

The purpose of this circular is to inform consent authorities of a number of draft SEPPs that have not been approved in terms of section 79C(a)(ii) of the EP&A Act. The draft SEPPs that no longer need to be taken into consideration by consent authorities when determining development applications include:

- Draft SEPP 1—Development Standards (Amendment No. 4) (2001). This policy has been replaced by draft SEPP (Application of Development Standards) (2004) and provisions in the standard instrument for preparing local environmental plans
- Draft SEPP—Subdivision (1994). This policy has not been approved, and has been integrated into other planning provisions
- Draft SEPP—Sewerage Works (1993). This policy has not been approved because it has been replaced by provisions in the draft SEPP (Infrastructure) 2006, Schedule 3 of the Environmental Planning and Assessment Regulation 2000 and SEPP (Major Projects) 2005.

The provisions are effective immediately.

### Further information

An updated list of draft SEPPs is available on the Department of Planning's website at [http://www.planning.nsw.gov.au/planningsystem/s\\_epp2.asp](http://www.planning.nsw.gov.au/planningsystem/s_epp2.asp).

### Authorised by:

Sam Haddad  
Director General

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### Important note

This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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