



Summary of concurrence and referral changes

Amendments to concurrence and referral requirements
in planning instruments

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Executive summary

This summary describes changes to concurrence and referral requirements which have been made by the State Environmental Planning Policy Amendment (Miscellaneous) 2021 (the C&R SEPP).

The Department of Planning, Industry and Environment (DPIE) administers State environmental planning policies (SEPPs) and deemed SEPPs. These include provisions triggering concurrences and referrals across a range of assessment and strategic planning issues. Concurrence and referral requirements also exist in local environmental plans (LEPs) which are generally administered by councils.

For simplicity, this document will use the term 'referral' to cover either concurrences or statutory referrals for advice or other reasons. No amendments have been made to integrated development approval or other Act provisions.

Referrals provide advice to councils and other consent authorities on key issues relating to state government interests such as traffic impacts, bushfire risk, natural resource management, building design and safety, pollution controls and infrastructure capacity. They help to ensure necessary protections are in place and risks are managed within the planning system.

However, delays in responding to referrals or unclear statutory response timeframes can significantly increase assessment timeframes, create uncertainty and increase applicant costs.

To address these issues, the C&R SEPP:

- **Repealed** a range of concurrence and referral clauses in SEPPs and LEPs which are no longer needed.
- **Amended** a small number of concurrence and referral clauses in SEPPs and LEPs so alternative requirements now apply such as mandatory consideration of guidance.

Referrals have been retained where a consent or determining authority may not have the expertise to make an assessment on a specific issue or the matter for consideration continues to require a formal concurrence or referral due to its significance. The C&R SEPP makes changes to referrals triggered by planning processes under Part 3 (planning instruments), Part 4 (development with consent) and Part 5 (development without consent) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Part 1 – C&R SEPP

Purpose of the SEPP

The C&R SEPP allows proposals for development and strategic plans to move through the planning system more efficiently by removing unnecessary requirements. Referrals will only be required for complex or higher risk matters which need customised technical input from NSW Government agencies or other referral bodies.

Amendments to reduce the number of provisions triggering a referral will be key to achieving the NSW Government's objective of delivering significant reductions in decision making timeframes across the planning system.

The Concurrence and Referral Repeals SEPP helps reduce unnecessary regulation to deliver faster and more efficient planning decisions, and supports a planning system that is easier to understand and simpler to use.

Planning context

Concurrence and referral reform initiative

The C&R SEPP forms part of the broader concurrence and referral reform initiative, which improves referral processes and reduces referral requests to deliver faster development application (DA) determinations. To help achieve this objective, the C&R SEPP removes or amends 237 referral requirements across 75 provisions in the planning legislation. This initiative will also include a Development Referrals Guide to help ensure referrals are submitted according to legislative requirements and are of high quality. This initiative is part of the NSW Government's Planning Reform Action Plan, which outlines long term structural reform of the planning system.

The changes made to SEPPs, deemed SEPPs (i.e. former regional environmental plans) and LEPs through the C&R SEPP are consistent with current plans and strategies, including district and regional plans, LEPs and Ministerial Directions. The C&R SEPP supports Ministerial Direction 6.1 which requires LEPs to minimise the inclusion of provisions that require the concurrence, consultation or referral of DAs to a Minister or public authority.

What is an integrated development approval, a concurrence and a referral?

These terms relate to legal requirements in the planning system. They typically apply to complex or higher risk development proposals which may significantly impact matters such as transport networks or the environment. When they apply, input must be obtained from the relevant authorities who have responsibility for these matters. These authorities are typically NSW Government agencies or other entities such as electricity supply authorities. This input could be in the form of:

1. **approval** – where an authority may issue a permit, licence or other approval as part of an integrated development application
2. **concurrence** – where an authority may give its support to a proposal, or not
3. **referral** response – where an authority may provide a response (typically advisory comments) on matters within its area of expertise or responsibility.

No changes were made to integrated development arrangements. Concurrence and referral processes are summarised in Appendix A.

Key components

Referrals to be repealed or replaced

The C&R SEPP repeals out-dated or unnecessary referrals from SEPPs and LEPs. When the C&R SEPP commenced, actions which would have triggered a referral are no longer subject to this requirement. These actions could include assessing DAs and infrastructure activities or strategic planning processes.

In other cases, planning instruments have been revised to replace the referral with alternative requirements, such as the need to consider existing government guidelines.

Referrals to be amended

Some provisions have been retained and instead amended to refine the scope of proposals captured by the referral. When the C&R SEPP commenced, only actions meeting the new criteria in the provision require referral.

The C&R SEPP is 'self-repealing', meaning it is repealed after the above changes have been made.

Development of the SEPP

Identifying referrals for reform

Referrals in the planning system were reviewed and categorised depending on their suitability for potential reform. Referrals considered suitable generally met the following criteria:

- Matters covered by the referral could be more efficiently managed through:
 - guidance or matters for consideration, or
 - existing government policy and other legislative requirements (for example, referrals managing coastal issues may have now been superseded by the NSW Government's recent coastal management reforms).
- The referral is drafted as voluntary and so is not essential to retain in legislation.

Referrals out of scope

Criteria were developed to exclude certain referrals from the review. A referral was generally considered out of scope if it:

- is in the Standard Instrument LEP – which will be comprehensively reviewed separately
- is a requirement under an Act – such as integrated development approvals under the EP&A Act
- required complex analysis which would continue beyond this initiative's timeframe
- recently commenced, and so is likely to be still fit-for-purpose
- is for a specific purpose or location, and in active use
- covers matters which may be impractical for councils to assess due to type or location of DAs (or both) which trigger the referral
- covers matters where no other appropriate protections exist in government policy, and development of alternative management mechanisms would be unfeasible.

Consultation process

Initial consultation was carried out with authorities responsible for each referral and other key stakeholders such as relevant councils. Feedback was invited on initial reform proposals, and other advice which would help achieve the Program's objective. Further targeted consultation occurred

on a refined reform proposal with referral authorities and key councils. The referrals in Part 2 are those which have been identified for reform based on the above analysis and consultation.



Construction at Shellharbour Marina, NSW

Part 2 – SEPP and LEP amendments

This Part identifies referrals reformed through making of the C&R SEPP. Referrals are grouped under topic headings and by SEPPs or LEPs. These headings reflect the primary matters managed by the referral. Referral authorities identified in the legislative provisions have been updated here to their modern equivalents for clarity.

The purpose of the referral in this Part is identified in brackets – e.g. a referral for the purpose of consulting with a referral authority for their feedback on a proposal is identified as ‘referral (consultation)’. Appendix B provides a clause by clause summary of the proposals detailed in this Part. Appendix C details acronyms used in this Part.

Natural environment and resources

The main triggers for C&R provisions in this section are development:

- which may impact water bodies such as marine parks, aquatic reserves, wetlands and groundwater
- which may impact National and Regional parks, and State forests
- which relates to mining and extractive industry
- which may impact fauna or plans for fauna protection
- in an area of environmental significance
- relating to soil and ground.



Crystal Shower Falls in Dorrigo National Park. Dorrigo, NSW

Concurrence or referral	Reform and justification
<i>SEPP (Kurnell Peninsula) 1989</i> (Kurnell SEPP)	
<p>Clause 22(1) required concurrence from the Planning Secretary for development on wetland areas.</p> <p>Clause 22(2)(f) required referral (representation) to DPI - Fisheries and DPIE - Water and Sutherland Shire Council for development of wetland areas.</p>	<p>There is a small area of land still zoned under the Kurnell SEPP where this SEPP's wetland map applies. However, this wetland area is now identified in the Coastal Management SEPP's Coastal Wetlands and Littoral Rainforests Area Map. This SEPP ensures almost all development in coastal wetlands requires an environmental impact statement (EIS) to comprehensively assess potential impacts. In addition, clause 21 of the Kurnell SEPP has been retained. Clause 21 prohibits granting consent to development proposals which are likely to have a significant adverse impact on wetlands and their ecosystems and species. Therefore, these referrals have been repealed as wetland protections now exist under the <i>SEPP (Coastal Management) 2018</i> (Coastal Management SEPP).</p>
<p>Clause 25 required referral (consultation) to DPIE - Water for groundwater utilisation and protection.</p>	<p>Groundwater in the Kurnell peninsula is now managed through the <i>Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2011</i>. Groundwater utilisation requires approvals under the <i>Water Management Act 2000</i> (i.e. water access licence, a water supply work approval and a water use approval). This superseded referral has therefore been repealed.</p>
<p>Clause 26(1) required referral (consultation) to EES for DAs on or adjoining land zoned 7(a) (Waterways Zone), 8(a) (National Parks and Nature Reserves (Existing) Zone) and 9(a) (Regional Open Space (Reservation) Zone).</p>	<p>There is no longer any land zoned 7(a) or 8(a) under the Kurnell SEPP as much of the peninsula is now zoned under the Sutherland Shire LEP. Most development is prohibited in the small area of remaining land zoned 9(a) at Boat Harbour.</p> <p>While a small area of remaining land adjoins land zoned equivalent to 8(a), this referral is not deemed essential to manage this land and has therefore been repealed.</p>
<p>Clause 26(3) required referral (consultation) to DRNSW - Mining, Exploration and Geoscience for extractive industry DAs.</p>	<p>Extractive industry development is prohibited in all remaining land zoned under the Kurnell SEPP except sand mining in zone 7(b). The zone objectives seek to phase out sand mining. Clause 30 of the SEPP declares sand mining as designated development and mandates restoration as a condition of consent. The <i>SEPP (Mining, Petroleum Production & Extractive Industries) 2007</i> also imposes requirements on this type of development such as matters of consideration by the consent authority. This referral has therefore been repealed as it is no longer essential.</p>
<p>Clause 27(a) required referral (consultation) to the Soil Conservation Service before granting consent to development on land affected or likely to be affected by coastal processes.</p>	<p>This referral has been repealed as the impacts of development on coastal processes are regulated under the Coastal Management SEPP (clauses 12 and 13), which applies to the Kurnell Peninsula. The requirements for foreshore rehabilitation and access limitations to foredune areas in the remainder of clause 27 will be retained.</p>

<i>Murray REP No 2 – Riverine Land (Murray REP)</i>	
Clause 12(1)(b) required referral (consultation) to EES (NPWS) for development if it is within or may adversely affect land dedicated or reserved under the <i>National Parks and Wildlife Act 1974</i> (NPW Act).	Most works within NPWS-managed areas already require approval under the NPW Act or National Parks and Wildlife Regulation 2019 (NPW Regulation), and guidelines exist for proposed development adjoining protected land. A separate referral requirement under the Murray REP is not required and so has been repealed. Proposals will still be subject to existing consultation requirements under the SEPP (Infrastructure) 2007 (clause 16) and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). EES will have the option to provide feedback via submission during a DA exhibition period.
Clause 12(1)(c) required referral (consultation) to EES (NPWS) for development that may adversely affect endangered fauna.	This referral has been repealed as endangered species are adequately managed under the <i>Biodiversity Conservation Act 2016</i> (BC Act) and the <i>Fisheries Management Act 1994</i> (FM Act). For example, the BC Act contains consultation and concurrence requirements with the EES for certain proposals which may significantly affect threatened species.
Clause 12(1)(e) required referral (consultation) to the Forestry Corporation of NSW for development within a state forest.	This referral has been repealed since consultation with Forestry Corporation should occur through established statutory DA processes such as landowner consent and public exhibition.
<i>Sydney REP No 9 – Extractive Industry (Extractive Industry SEPP)</i>	
Clause 8(2) required referral (consultation) to DRNSW - Mining, Exploration and Geoscience for DAs relating to extractive industry.	The SEPP already includes matters for consideration for consent authorities when considering a DA at the locations covered by this referral. These matters seek to balance the interests of both extractive industries and other development, therefore the referral has been repealed.
Clause 15(2) required referral (consultation) to DRNSW - Mining, Exploration and Geoscience and the EPA for draft LEPs in the land to which this SEPP applies.	This referral has been repealed as state interests are considered through the requirement to consult with DPI in Planning Direction 1.3. This helps strategically manage potential land use conflict between extractive industries and other development.
Clause 15(5) required referral (consultation) to the Planning Secretary for draft LEPs inconsistent with the aims of the Extractive Industry SEPP.	This referral has been repealed as the dispute resolution function of the Planning Secretary in this clause can be adequately managed through the Gateway stage of the planning proposal process.
<i>Sydney REP No 20 – Hawkesbury-Nepean River (No 2)</i>	
Clause 6(2)(f) required referral (consultation) to EES (NPWS) for development on land to which this plan applies (if adjacent to NPW Act reserved or dedicated land).	Guidelines exist for proposed development adjoining protected land under the NPW Act. This referral has been repealed as it is no longer required. Proposals will still be subject to existing consultation requirements under the SEPP (Infrastructure) 2007 (clause 16) and the EP&A Regulation.

Clause 11(19) required concurrence from the Planning Secretary (or if EP&A Act Part 4 requires - EES) for development in mapped wetlands.	This concurrence has been repealed as development on coastal wetlands is managed through the Coastal Management SEPP. This includes coastal wetlands along the Hawkesbury-Nepean river system.
<i>Sydney REP No 33 – Cooks Cove</i>	
Clause 17(1)(a) required referral (consultation) of a wetlands environmental management plan to the Planning Secretary, EES and DPI - Fisheries for any development on land within the Cooks Cove site.	A wetlands environmental management plan consistent with clause 14(2) and (3) will continue to be required, including referral to the Planning Secretary and EES under clause 17(1)(a). In addition, planning direction 7.10 continues to apply to the Cooks Cove Precinct, requiring planning proposals to enhance environmental attributes of the site including wetlands and protected flora and fauna. Referral to DPI-Fisheries is no longer required.
Clause 17(1)(b) required referral (consultation) of a soil and water management plan to the Planning Secretary, the EES and DPI - Fisheries for any development on land within the Cooks Cove site.	A soil and water management plan consistent with clause 14(2) and (4) will continue to be required, including referral to the Planning Secretary and EES under clause 17(1)(b). Referral to DPI-Fisheries is no longer required.
<i>SEPP (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)</i>	
<p>Clause 13(2)(b) required referral (consultation) to the Marine Estate Management Authority for development adjacent to a marine park declared under the <i>Marine Estate Management Act 2014</i> (MEM Act).</p> <p>Clause 13(2)(c) required referral (consultation) to DPI for development adjacent to an aquatic reserve declared under the MEM Act.</p>	Section 56 of the MEM Act includes mandatory matters for consideration for proposals affecting marine parks and aquatic reserves. These apply to consent authorities for Part 4 development and determining authorities for Part 5 activities. Consultation is required with relevant Ministers if a proposal is likely to impact a marine park or aquatic reserve (i.e. plants, animals or habitat). The FM Act also imposes assessment, consultation, concurrence and permit requirements for development impacting marine environments – including animals, vegetation and habitat. Due to these requirements, the SEPP referrals are no longer essential and so have been repealed.
<i>SEPP (Infrastructure) 2007</i>	
Clause 16(2)(b) required referral (consultation) to EES (NPWS) for development on land zone E1 or equivalent.	Most works within NPWS-managed areas already require approval under the NPW Act or NPW Regulation. Therefore, this referral has been refined to only capture land that is zoned as E1 or equivalent but not yet reserved.
Clause 16(2)(c) required referral (consultation) to DPI for Part 5 development adjacent to a MEM Act aquatic reserve or marine park.	This referral has been repealed as it is no longer essential for the same rationale as for Education SEPP cl 13(2)(b) and (c) above.

<i>SEPP (Mining, Petroleum Production & Extractive Industries) 2007</i>	
Clause 14(3) required referral (certification) to the EES and DPI to manage the biodiversity impacts of mining.	This referral has been repealed as these impacts are managed elsewhere in this SEPP – for example in cl 14(1) and through the BC Act and FM Act.
Clause 17B(1)(a) required referral (consultation) to DPI ¹ to manage water resources impacts for mining or petroleum development accompanied by a Gateway Certificate.	This referral has been repealed as it largely duplicates clause 17G which requires applications for Gateway Certificates be referred to the same Minister to assess water resources impacts. The Gateway Certificate requirements and process will remain unchanged.
<i>SEPP (State Significant Precincts) 2005</i> Appendix 5, clause 7(5) required referral (consultation) to DPIE for development on land within an ecological buffer.	This referral has been repealed as there are assessment requirements for such development and detailed matters for consideration in subclauses 1 to 4 of clause 7. In addition, consent authorities will be able to voluntarily seek advice from relevant agencies on ecological aspects.
<i>Lord Howe Island LEP 2010</i> clause 35(2)(g) required referral (consultation) to the Marine Estate Management Authority for foreshore area development proposed to be carried out on land that is also within Zone 9 'Marine Park'.	The LEP generally prohibits development in the foreshore area, but provides exceptions after consideration of certain matters including environmental aspects. Section 56 of the MEM Act includes mandatory matters for consideration for proposals affecting marine parks. These apply to consent authorities for Part 4 development. Consultation is required with relevant Ministers if a proposal is likely to impact a marine park (i.e. plants, animals or habitat). The FM Act also imposes assessment, consultation, concurrence and permit requirements for development impacting marine environments – including animals, vegetation and habitat. Due to these requirements, the LEP referral was no longer essential and has been repealed.
<i>Warringah LEP 2000</i>	
Appendix A - Locality A4 Myoora Road required referral (consultation) to EES (NPWS) for maintenance dredging and extractive operations.	This referral has been repealed as the LEP (and therefore referral) no longer applied to this location.
Appendix A - Localities A1-A5 required referral (consultation) to DPIE - Water Group for certain development within Cowan Creek Catchment.	This referral has been repealed as water quality issues can be adequately assessed by council instead.

¹ for the former Minister for Regional Water

Schedule 11, clause 4 required referral (advice) to EES (NPWS) for the preparation of a plan of management for koala feed tree species.

Clauses 5 and 6 required referral (approval) to the Planning Secretary for approval of a koala plan of management

Clauses 4, 5 and 6 have been repealed since there is a requirement to consult and obtain approval of a LGA-wide koala plan of management in clauses 13 and 14 of the SEPP (Koala Habitat Protection) 2020, which applies to the same land as the former Warringah LGA.

Transport and access

The main triggers for C&R provisions in this section are:

- development of land reserved for or adjoining roads
- development adjacent to a rail or road corridor
- development relating to in waterways which may impede vessels
- transport and traffic management
- advertising and signage development
- any development which will impact some specific areas of significance.



Arncliffe Train Station, Arncliffe, NSW

Concurrence or referral	Reform and justification
<p><i>SEPP (Infrastructure) 2007</i></p> <p>Clause 85(2)(a) requires referral (consultation) to the rail authority for the rail corridor, for development adjacent to the corridor.</p>	<p>Referral to ARTC under this clause is no longer required where it is the rail authority, due to established landowner consent/notification requirements.</p>

<i>SEPP No 64 – Advertising and Signage</i>	
Clause 16(3)(a) required referral (advice) to the relevant local council for the display of an advertisement on transport corridor land.	This referral has been repealed as it essentially duplicates consultation requirements for DAs under Schedule 1 of the EP&A Act. Councils can provide advice during this consultation on key topics such as design and safety during construction and operation.
<p>Clause 31 requires referral (consultation) to TfNSW – Roads when council prepares an LEP covering SEPP-regulated signage or advertising near a classified road – e.g. by defining zone permissibility for signage.</p> <p>Clause 15(2)(a)(ii) requires referral (consultation) to TfNSW – Roads when a specified DCP is being prepared near a classified road in rural or non-urban land.</p>	These referrals will be repealed at the end of 30 June 2023, as they will no longer be required once reforms on advertising and signage are undertaken and implemented.
<i>Ballina LEP 1987</i> clause 15(1) required concurrence from TfNSW - Roads for certain development on land adjoining arterial roads in specified zones.	Council mapping shows all zones in this clause are still active on deferred matter land. However, this concurrence has been repealed since Division 17 of the Infrastructure SEPP regulates development around road corridors, including a requirement to refer traffic generating development to TfNSW.
<i>Blue Mountains LEP 2005</i> clauses 133(2) and (3) required concurrence from TfNSW - Roads for development adjoining the Regional Transport Corridor (Road) zone.	This concurrence has been repealed as it is no longer required. Land adjoining regional transport corridors can be managed via clause 100 of the Infrastructure SEPP or the <i>State Environmental Planning Policy (Major Infrastructure Corridors) 2020</i> .
<i>Shoalhaven LEP 1985</i> clause 46(4A)(b) required referral (consultation) to EES for development of land at Tallow Wood Road, West Burrill Lake if it appears to require vehicular access over any slope having a gradient greater than 1:5.	This referral has been repealed as this LEP no longer applies to this site.
<i>Sydney LEP 2012</i> clause 6.41(3)(b) required concurrence from TfNSW if a new building or increased GFA is proposed on specified land in Randle Street, Surry Hills.	This concurrence has been repealed as it is no longer required to manage development in this area of Surry Hills.

Built environment and strategic planning

The main triggers for C&R provisions in this section are:

- the design and height of buildings in specific locations
- development in precincts
- master planning process for specific areas
- development adjacent to foreshores and other waterways.



Merimbula, NSW

Concurrence or referral	Reform and justification
<p><i>SEPP (Educational Establishments and Child Care Facilities) 2017</i> clause 13(2)(d) required referral (consultation) to Place Management NSW for development in the mapped Sydney Harbour foreshore area.</p> <p><i>SEPP (Infrastructure) 2007</i> clause 16(2)(d) required referral (consultation) to Property NSW for development in this area.</p>	<p>These referrals have been repealed as foreshore planning issues are adequately managed by the <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i> (Harbour SEPP). The Harbour SEPP includes matters for consideration which must be considered before carrying out activities assessed under Part 5 of the EP&A Act. The Standard Instrument LEP foreshore building model subclause (3)(h) has been added as an additional matter for consideration into the Harbour SEPP, to ensure sea level rise and flooding are also considered.</p>

<p><i>SEPP (Kurnell Peninsula)</i> 1989 clause 26(2) required referral (consultation) to the Port Authority of NSW and DPI - Fisheries, for DAs on or adjoining land zoned 7(a) (Waterways Zone).</p>	<p>This referral has been repealed as zone 7(a) no longer applies to any land, therefore the referral will no longer be triggered and so is redundant.</p>
<p><i>Sydney REP No 24 – Homebush Bay Area</i> clauses 16A(2) required referral to the Planning Secretary (consultation) for a draft master plan.</p> <p>Clause 16A(4) required referral (consultation) to the owner or lessee of the land concerned for the preparation of a draft master plan.</p> <p>Clause 16A(7)(b) required referral (consultation) to councils affected by the proposals contained in the plan.</p>	<p>These referrals have been repealed as the Master Plan 2030 has been prepared and Appendix 11 of <i>State Environmental Planning Policy (State Significant Precincts) 2005</i> now provides for the preparation, approval and review of a master plan.</p>
<p><i>Sydney REP No 26 – City West</i> clause 52 required referral (consultation) for DAs relating to land in the Ultimo-Pyrmont, Eveleigh or Bays Precincts. Appendix B identifies the referral authorities for this clause.</p>	<p>This SEPP already includes planning principals, zone objectives and development controls for the consent authority to consider. These provisions cover issues such as land use, port functions, transport and the environment. These referrals are discretionary and duplicate other notification requirements such as the DA landowner consent and DA exhibition. Therefore, these referrals have been repealed except for those to TfNSW for Eveleigh and Bays precincts, and Port Authority NSW for Bays Precinct.</p>
<p><i>Sydney REP 16 – Walsh Bay</i> clause 16(a) required referral (consultation) to the Central Sydney Planning Committee when determining DAs in Walsh Bay.</p>	<p>This provision has been repealed as the consent authority (typically City of Sydney council) can instead voluntarily refer DAs as considered appropriate to this separate decision-making body.</p>

<i>SREP (Sydney Harbour Catchment) 2005 (Harbour SREP)</i>	
<p>Clauses 29(1)(a) required referral (consultation) to the Foreshores and Waterways Planning and Development Advisory Committee (Foreshores Committee) for development listed in Schedule 2 in the Foreshores and Waterways Area.</p> <p>Clauses 30(2) and 30(3) required referral (consultation) to the Foreshores Committee before adopting a draft development control plan or guidelines.</p> <p>Clause 31(2)(a)(i) required referral (consultation) to the Foreshores Committee, for proposals not requiring development consent for development listed in Schedule 2 of the Harbour SREP.</p>	<p>These referrals have been repealed as integrated development provisions already require referrals for significant projects to the agencies which are part of the Foreshores Committee. Repeal of these referrals was also foreshadowed in the SEPP (Environment) EIE (2017).</p>
<p><i>Blue Mountains LEP No 4</i> Schedule 7 - Lilianfels Avenue (b) required concurrence from the Planning Secretary for the design and height of buildings at Lilianfels Avenue, Katoomba.</p>	<p>This provision no longer applies due to clause 3 of the <i>Blue Mountains Local Environmental Plan 2005</i>. Therefore, the concurrence is redundant and has been repealed.</p>
<p><i>Gosford LEP 2014</i> Schedule 1, clause 1(4)(b) required concurrence from the Planning Secretary for merit assessment matters including height, design, car parking relating to Avoca Beach Theatre.</p>	<p>This concurrence has been repealed as a concurrence was granted to DA at this site in 2014, and Central Coast Council CCC can manage any future merit assessment matters.</p>
<p><i>Kiama LEP 1996</i> clauses 47AC(3) and (4)(a) required referral (approval) to the Planning Secretary and Planning Minister respectively for draft master plans.</p>	<p>This referral has been repealed as council can manage any master planning on the remaining small area of Deferred Matter land in this LGA.</p>
<p><i>Penrith LEP 2010</i> clause 8.4(5)(b) required concurrence from the Planning Secretary for the erection or alteration of applicable buildings with floor space ratio of up to 10% greater than in clause 4.4 or a height of up to 10% greater than in clause 4.3.</p>	<p>This concurrence has been repealed as variations to development standards are regulated under clause 4.6. The requirement for an architectural design competition will remain.</p>
<p><i>Singleton LEP 1996</i> clause 14B(3) required referral (approval) to the Planning Secretary for development in the Whittingham Industrial Estate.</p>	<p>This referral has been repealed as this LEP no longer applies to this site, so is redundant.</p>

<p><i>South Sydney LEP 1998</i> clause 48(a) required referral (consultation) to DCJ – Housing for development on any of the land identified by a mapped area.</p>	<p>This referral has been repealed as it no longer applies to the specified land in Woolloomooloo. That land is now subject to the provisions of the Sydney LEP 2012.</p>
<p><i>Sydney LEP 2005</i> clause 108(2) required referral (consultation) to the Planning Secretary for the preparation of a draft master plan for the former Carlton and United Breweries site (now Central Park).</p>	<p>This referral has been repealed as an amended master plan was completed in 2009 and the site has now been largely developed. For this reason, the referral is no longer required.</p>
<p><i>Tweed City Centre LEP 2012</i> clause 6.10(7)(b) required concurrence from the Planning Secretary for the erection or alteration of applicable buildings with floor space ratio of up to 10% more than in clause 4.4 or a height of up to 10% higher than in clause 4.3.</p>	<p>This concurrence has been repealed as variations to development standards are regulated under clause 4.6. The requirement for an architectural design competition remain.</p>
<p><i>Wollongong LEP 1990</i> clause 38A(5) required referral (approval) to the Planning Secretary for the preparation and adoption of a Master Plan for the Innovation campus site.</p>	<p>This referral has been repealed as this LEP no longer applies to this site.</p>

Heritage

Most referrals triggers in this section are for development which may impact Aboriginal, environmental, built and archaeological heritage, or related plans.



Trial Bay Gaol. South West Rocks, NSW

Concurrence or referral	Reform and justification
<p><i>SEPP (Kurnell Peninsula) 1989</i></p> <p>Clause 23B(1)(b) required referral (consultation) to Heritage NSW for development on an archaeological site or potential archaeological site that has Aboriginal heritage significance.</p> <p>Clause 23B(2)(b) required referral (consultation) to Heritage NSW² for development on an archaeological site or potential archaeological site that has non-Aboriginal heritage significance.</p>	<p>These referrals have been repealed as there are archaeological heritage protections under the <i>Heritage Act 1977</i> (Heritage Act) and NPW Act. Other requirements under clause 23B have been retained – these apply to council when granting consent.</p>

² This Overview document includes legislative references to the Heritage Council of NSW under DPC - Heritage NSW for simplicity.

<p><i>Sydney REP No 16 – Walsh Bay</i> (Walsh Bay SEPP) clause 16(k) required referral (approval) to Heritage NSW for the preparation of a plan which indicates the location of, or likely location of, any archaeological material.</p>	<p>This referral has been repealed as archaeological issues should be considered as standard practice during DA assessment. The Walsh Bay SEPP continues to require consent authorities to consider DA consistency with heritage-focused aims and zone objectives. In addition, there are archaeological heritage protections under the Heritage Act and NPW Act.</p>
<p><i>Sydney REP No 30 - St Marys: (St Marys SEPP)</i></p>	
<p>Clause 55(5)(b) required referral (consultation) to Heritage NSW and local Aboriginal communities for development that is likely to have an impact on an Aboriginal place. It also applies to development that will be carried out on an archaeological site/potential site that has (or is likely to have) Aboriginal cultural significance.</p>	<p>This referral has been repealed as Aboriginal heritage and archaeological sites are managed under the NPW Act and Heritage Act. Consultation would occur with EES and Aboriginal groups as needed under these frameworks, such as when an Aboriginal heritage impact permit is required. The St Marys SEPP requirement for the consent authority to consider a heritage impact statement before granting consent has been retained.</p>
<p>Clause 56(1) required referral (consultation) to Heritage NSW for demolition, defacing or damaging the Elizabeth Farm heritage-listed site.</p>	<p>This site is protected and managed through its listing on the State Heritage Register and the SEPP's requirement for consent authorities to consider heritage matters when assessing DAs. The referral has therefore been repealed.</p>
<p><i>Leichhardt LEP 2000</i> Schedule 1 – Part 1 required concurrence from the Planning Secretary for a DA made in respect of “Hamilton”, located at 156 Bridge Road, Glebe.</p>	<p>This concurrence has been repealed as the site is now within the Sydney LGA and under the Sydney LEP 2012, so this concurrence is redundant.</p>

Services

Referral triggers in this section are for development which requires the provision of services such as water supply and wastewater disposal.



Ropes Creek Corridor, Sydney

Concurrence or referral	Reform and justification
<p><i>Sydney REP No 26 – City West</i> clause 50 required referral (consultation) to Sydney Water for arrangements for the supply of water, sewerage and drainage relating to development.</p>	<p>This referral has been repealed as it duplicates permit requirements under the Sydney Water Regulation 2017 (SW Regulation), and notification and compliance certificate requirements under Division 9 of the <i>Sydney Water Act 1994</i> (SW Act).</p>
<p><i>Sydney REP (Sydney Harbour Catchment) 2005</i> clause 31(2)(a)(ii) required referral (consultation) to the public authority responsible for the service concerned, for development that requires the provision of services and does not require development consent.</p>	<p>This referral has been repealed as it duplicates other requirements to notify public authority service providers, such as clause 13 of the Infrastructure SEPP, permit requirements under the SW Regulation and the requirement for authorisation to connect to the Sydney Water network under the SW Act.</p>

Blue Mountains LEP 2005 clause 48(4)(a) required referral (consultation) to Sydney Water for development on protected land that requires the disposal of wastewater that it is to be connected to a reticulated sewerage system.

This referral has been repealed as it duplicates permit requirements under the SW Regulation, and notification and compliance certificate requirements under Division 9 of the SW Act. The requirement in 48(4)(a) for connection to a reticulated sewerage system remains.

Natural hazards

Referrals triggers in this section are for development on bushfire prone land and related matters.



Lake Jindabyne. Jindabyne, NSW

Concurrence or referral	Reform and justification
<p><i>SEPP (Educational Establishments and Child Care Facilities) 2017</i> clause 13(2)(e) required referral (consultation) to the RFS for educational establishments and childcare developments on bushfire prone land.</p>	<p>This referral has been replaced with the requirement for mandatory consideration of existing RFS guidance³ by the public authority, or a person acting on behalf of the public authority. The requirement for a bushfire safety authority from the RFS Commissioner under section 100B of the <i>Rural Fires Act 1997</i> (RF Act) will continue to apply.</p>
<p><i>SEPP (Housing for Seniors or People with a Disability) 2004</i> clause 27(3) required referral (consultation) to the RFS for (SEPP-defined) seniors housing DAs on bushfire prone land.</p>	<p>The referral in clause 27(3) has been repealed as clause 27(2) already includes matters for consideration in assessing risk, and 27(1) requires compliance with RFS guidance⁴. The requirement for a bushfire safety authority from the RFS Commissioner under section 100B of the RF Act continues to apply.</p>

³ Planning for Bush Fire Protection (2019)

⁴ See footnote 16

SEPP (Infrastructure) 2007 clause 16(2)(f) required referral (consultation) to the RFS for Part 5 activities for health, correctional, group home and residential purposes on bush fire prone land.

This referral has been replaced with the requirement for mandatory consideration of existing RFS guidance⁵ by the public authority, or a person acting on behalf of the public authority. Application of this guidance manages proposed development on this land. Some of these development types continue to be subject to the requirement for a bushfire safety authority from the RFS Commissioner under section 100B of the RF Act.

⁵ See footnote 16

Other referrals

Concurrence or referral	Reform and justification
<p><i>Murray REP No 2 – Riverine Land</i> clause 13 required referral (consultation) for various development types. Appendix B identifies the referral authorities for this clause.</p>	<p>These referrals have mostly been repealed as the planning controls and specific matters for consideration in clause 13 can appropriately manage the specified development.</p> <p>Referrals to DPIE-EES have been narrowed to focus on higher risk development types.</p> <p>Development types requiring referral to TfNSW under clause 13 have been retained.</p> <p>Proposals will continue to be subject to existing consultation requirements under the EP&A Regulation DA notification or Infrastructure SEPP. Additional consultation can still occur voluntarily.</p>

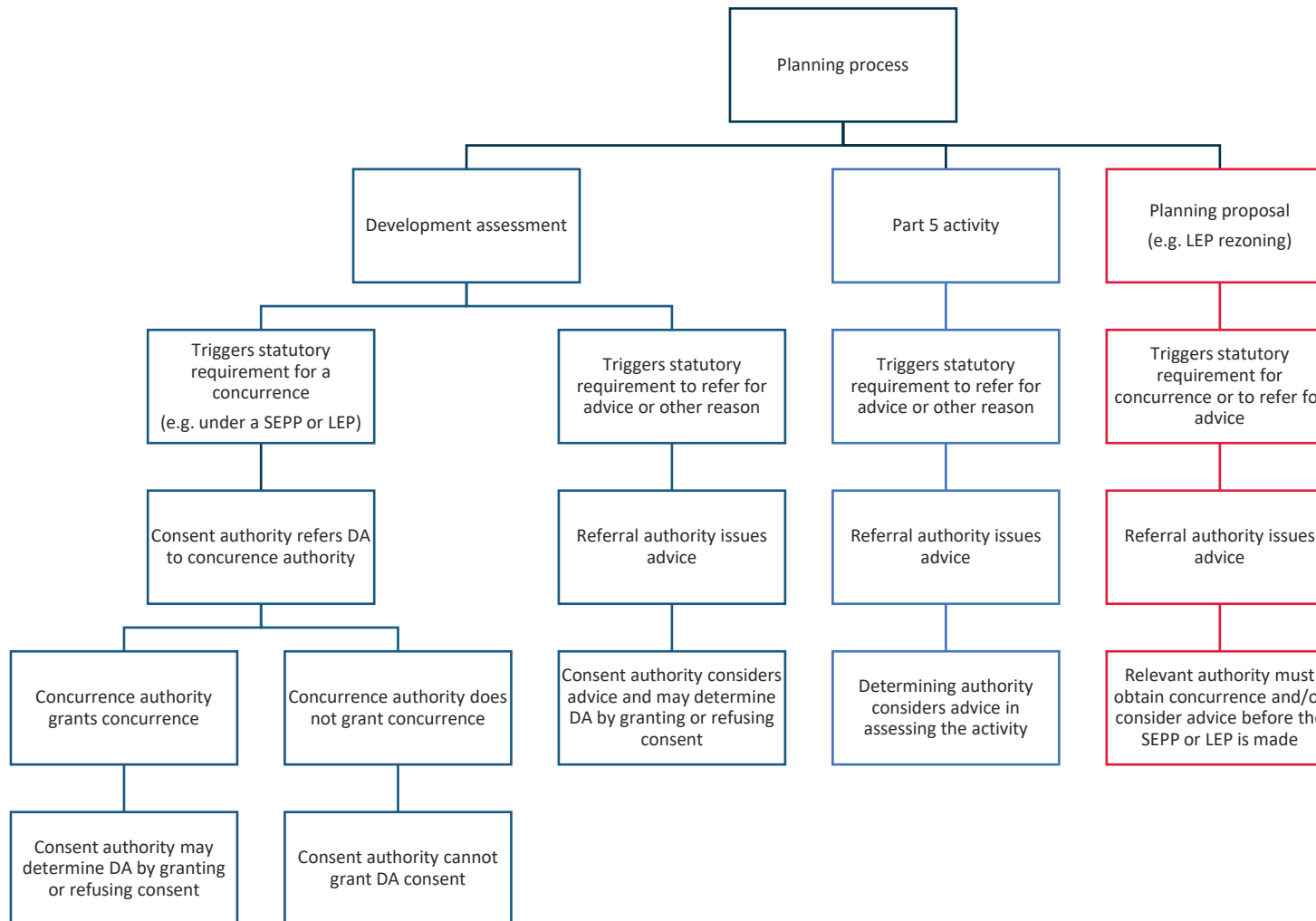
Related amendments

- Related provisions linked to a referral have also been amended or repealed as needed. For example, these include subclauses which detail operational aspects like referral response times or how a consent authority must consider a referral response.
- Some agency names have been updated and references to agencies have been consolidated where supported. For example, reference to the multiple transport agencies in clause 13 of the Sydney REP No 33 - Cooks Cove has been consolidated to just TfNSW.
- The 'Department of Planning, Industry and Environment' has been inserted into clause 13(b) of SEPP 33 Hazardous and Offensive Development so consent authorities are better informed on where they can seek help from the NSW Government under this clause.
- Some references to 'Director-General of the Department of Planning' have been updated to 'Planning Secretary'.
- The requirement for master plans and development control plans to be available in government offices in clauses 16A(13) and 17 SREP No 24 - Homebush Bay Area has been removed. Instead these plans are to be made publicly available and master plans published on relevant government websites.
- The following provisions have been repealed as they relate to previously repealed concurrences:
 - Shellharbour LEP 2000: clauses 68(1)(c) & (2)(c).
 - Shellharbour Rural LEP 2004: clauses 33(2)(c) & (4)(c).
 - Tweed LEP 2000: clause 48(4)(b)(ii)
 - Botany LEP 1995: clause 23(3)(b)
 - Penrith LEP 1998 (Urban Land): clause 20(3)(b)
 - Shoalhaven LEP 1985: clause 50(2)(b)(ii)
 - Singleton LEP 1996 clause 34(2)(b)(iii).

Separate to the C&R SEPP, the Environmental Planning and Assessment Amendment (Consultation, Concurrence and Approval) Regulation 2021 requires use of the NSW Planning Portal to lodge and process integrated development applications, concurrences and referrals.

Appendix A – Concurrence and referral processes

Figure 1: Typical key steps where a concurrence or statutory referral is required under a SEPP or LEP⁶



⁶ Illustrative only – refer to relevant legislation for detailed requirements. Chart excludes the integrated development process.

Appendix B – Amendments, clause by clause

Figure 2: Table of amendments to referrals, grouped by SEPP or LEP

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SEPPs				
SEPP (Educational Establishments and Child Care Facilities) 2017	13(2)(b)	Referral for development adjacent to a marine park.	Marine Estate Management Authority	Repealed
SEPP (Educational Establishments and Child Care Facilities) 2017	13(2)(c)	Referral for development adjacent to an aquatic reserve.	DRNSW - DPI - Marine Environment	Repealed
SEPP (Educational Establishments and Child Care Facilities) 2017	13(2)(d)	Referral for development in the mapped Sydney Harbour foreshore area.	DPIE - Place Management NSW	Repealed, with an additional matter for consideration inserted into Harbour SEPP - <i>see note at end of table</i>
SEPP (Educational Establishments and Child Care Facilities) 2017	13(2)(e)	Referral for educational establishments and childcare developments on bushfire prone land.	RFS	Referral replaced with mandatory consideration of existing RFS guidance
SEPP (Housing for Seniors or People with a Disability) 2004	27(3)	Referral for (SEPP-defined) seniors housing DAs on bushfire prone land.	RFS	Repealed
SEPP (Infrastructure) 2007	16(2)(b)	Referral for development on land zone E1 or equivalent.	DPIE - EES (NPWS)	Amend to narrow scope of development triggering referral

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SEPP (Infrastructure) 2007	16(2)(c)	Referral for development adjacent to a MEM Act aquatic reserve or marine park.	DRNSW - DPI - Marine Environment	Repealed
SEPP (Infrastructure) 2007	16(2)(d)	Referral for development in the mapped Sydney Harbour foreshore area.	DPIE - Property NSW	Repealed, with an additional matter for consideration inserted into Harbour SEPP - <i>see note at end of table.</i>
SEPP (Infrastructure) 2007	16(2)(f)	Referral for activities for health, correctional, group home and residential purposes on bush fire prone land.	RFS	Replaced with mandatory consideration of existing RFS guidance
SEPP (Infrastructure) 2007	85(2)(a)	Referral for development adjacent to the corridor.	The rail authority for the rail corridor (as defined in clause 78)	Amended so referral no longer required to ARTC.
SEPP (Kurnell Peninsula) 1989	22(1)	Concurrence for development on wetland areas.	Planning Secretary	Repealed
SEPP (Kurnell Peninsula) 1989	22(2)(f)	Referral for development of wetland areas.	<ul style="list-style-type: none"> • DRNSW - DPI – Fisheries • DPIE – Water Group • Sutherland Shire Council 	Repealed
SEPP (Kurnell Peninsula) 1989	23B(1)(b)	Referral for development on an archaeological site or potential archaeological site that has Aboriginal heritage significance.	DPC - Heritage NSW	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SEPP (Kurnell Peninsula) 1989	23B(2)(b)	Referral for development on an archaeological site or potential archaeological site that has non-Aboriginal heritage significance.	DPC - Heritage NSW	Repealed
SEPP (Kurnell Peninsula) 1989	25	Referral for groundwater utilisation and protection.	DPIE – Water Group	Repealed
SEPP (Kurnell Peninsula) 1989	26(1)	Referral for DAs on or adjoining land zoned 7(a) (Waterways Zone), 8(a) (National Parks and Nature Reserves (Existing) Zone) and 9(a) (Regional Open Space (Reservation) Zone).	DPIE – EES	Repealed
SEPP (Kurnell Peninsula) 1989	26(2)	Referral for DAs on or adjoining land zoned 7 (a) (Waterways Zone).	<ul style="list-style-type: none"> Port Authority of NSW DRNSW - DPI - Fisheries 	Repealed
SEPP (Kurnell Peninsula) 1989	26(3)	Referral for extractive industry DAs.	DRNSW - Mining, Exploration and Geoscience	Repealed
SEPP (Kurnell Peninsula) 1989	27(a)	Referral for development on land affected or likely to be affected by coastal processes.	DRNSW - Soil Conservation Service	Repealed
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	14(3)	Referral to manage the biodiversity impacts of mining.	<ul style="list-style-type: none"> DPIE - EES DRNSW – DPI 	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	17B(1)(a)	Referral to manage water resources impacts for mining or petroleum development accompanied by a Gateway Certificate.	DRNSW - DPI (for the former Minister for Regional Water)	Repealed
SEPP (State Significant Precincts) 2005	Appendix 5, cl 7(5)	Referral for development on land within an ecological buffer.	DPIE	Repealed
SEPP 64 - Advertising and Signage	15(2)(a)(ii)	Referral when a specified DCP is being prepared near a classified road in rural or non-urban land.	TfNSW – Roads	To be repealed once reforms on advertising and signage are undertaken and implemented.
SEPP 64 - Advertising and Signage	16(3)(a)	Referral for the display of an advertisement on transport corridor land.	The relevant local council	Repealed
SEPP 64 - Advertising and Signage	31	Referral when council prepares an LEP covering SEPP-regulated signage or advertising near a classified road.	TfNSW – Roads	To be repealed once reforms on advertising and signage are undertaken and implemented.
Murray REP No 2 - Riverine Land	12(1)(b)	Referral for development if it is within or may adversely affect land dedicated or reserved under the NPW Act.	DPIE - EES (NPWS)	Repealed
Murray REP No 2 - Riverine Land	12(1)(c)	Referral for development that may adversely affect endangered fauna.	DPIE - EES (NPWS)	Repealed
Murray REP No 2 - Riverine Land	12(1)(e)	Referral for development within a state forest.	Forestry Corporation	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
Murray REP No 2 - Riverine Land	13	Referral for various development types. Appendix B of this document identifies the referral authorities for this clause.	<ul style="list-style-type: none"> • DPIE • DPIE – EES (presumed to be the DC&LM referral) • DPIE - EES (NPWS) • DPIE – Water Group • DRNSW - DPI - Agriculture • DRNSW - DPI - Fisheries • DRNSW - Public Works Advisory • EPA • Forestry Corporation • TfNSW - Maritime • Murray–Darling Basin Authority (Cwth) • Department of Environment, Land, Water and Planning (Vic) • Destination NSW • Various others (relevant local councils, adjoining landowners, council Floodplain Management Committees or other agencies who may be affected) 	<p>Referrals repealed, except for:</p> <ul style="list-style-type: none"> • DPIE – EES referrals which have been narrowed. • MSB (TfNSW - Maritime) referrals have been retained.
SREP (Sydney Harbour Catchment) 2005	29(1)(a)	Referral for development listed in Schedule 2 in the Foreshores and Waterways Area.	Foreshores and Waterways Planning and Development Advisory Committee	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SREP (Sydney Harbour Catchment) 2005	30(2)	Referral before adopting a draft development control plan.	Foreshores and Waterways Planning and Development Advisory Committee	Repealed
SREP (Sydney Harbour Catchment) 2005	30(3)	Referral before adopting development control guidelines.	Foreshores and Waterways Planning and Development Advisory Committee	Repealed
SREP (Sydney Harbour Catchment) 2005	31(2)(a)(i)	Referral for development listed in Schedule 2 of the Harbour SREP.	Foreshores and Waterways Planning and Development Advisory Committee	Repealed
SREP (Sydney Harbour Catchment) 2005	31(2)(a)(ii)	Referral for development that requires the provision of services and does not require development consent.	Public authority responsible for the service concerned	Repealed
SREP No 9 - Extractive Industry	8(2)	Referral for DAs relating to extractive industry.	DRNSW - Mining, Exploration and Geoscience	Repealed
SREP No 9 - Extractive Industry	15(2)	Referral for draft LEPs in the land to which this SEPP applies.	<ul style="list-style-type: none"> • DRNSW - Mining, Exploration and Geoscience • EPA 	Repealed
SREP No 9 - Extractive Industry	15(5)	Referral for draft LEPs inconsistent with the aims of the Extractive Industry SEPP.	Planning Secretary	Repealed
SREP No 16 - Walsh Bay	16(a)	Referral for DAs in Walsh Bay.	Central Sydney Planning Committee	Repealed
SREP No 16 - Walsh Bay	16(k)	Referral for the preparation of a plan which indicates the location of, or likely location of, any archaeological material.	DPC - Heritage NSW	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SREP No 20 - Hawkesbury-Nepean River (No 2)	6(2)(f)	Referral for development on land to which this plan applies (if adjacent to NPW Act reserved or dedicated land).	DPIE - EES (NPWS)	Repealed
SREP No 20 - Hawkesbury-Nepean River (No 2)	11(19)	Concurrence for development in mapped wetlands.	<ul style="list-style-type: none"> • Planning Secretary • DPIE - EES (NPWS) 	Repealed
SREP No 24 - Homebush Bay Area	16A(2)	Referral for a draft master plan.	Planning Secretary (consultation)	Repealed
SREP No 24 - Homebush Bay Area	16A(4)	Referral for the preparation of a draft master plan.	Various - owner or lessee of the land concerned	Repealed
SREP No 24 - Homebush Bay Area	16A(7)(b)	Referral to councils affected by the proposals contained in the master plan.	Various councils	Repealed
SREP No 26 - City West	50	Referral for arrangements for the supply of water, sewerage and drainage relating to development.	Sydney Water	Repealed
SREP No 26 - City West	52 - Paragraph 1	Referral for DAs relating to land in the Ultimo-Pyrmont Precinct.	<ul style="list-style-type: none"> • DPIE - Property NSW • Planning Secretary • Council of the City of Sydney (also includes the Central Sydney Planning Committee) 	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SREP No 26 - City West	52 - Paragraph 2	Referral for DAs relating to land in the Eveleigh Precinct.	<ul style="list-style-type: none"> • Planning Secretary • TfNSW - Sydney Trains • Council of the City of Sydney (i.e. former Council of the City of South Sydney) 	Repealed except for referral to TfNSW.
SREP No 26 - City West	52 - Paragraph 3	Referral for DAs relating to land in the Bays Precinct.	<ul style="list-style-type: none"> • DPIE - Property NSW • Port Authority of NSW • TfNSW – Maritime (presumed to also include the Office of Marine Administration referral) • TfNSW - Sydney Trains (presumed to also include the Rail Access Corporation referral). • TfNSW • Inner West Council • Freight Rail Corporation (now privatised as Pacific National) 	Repealed except for referrals to TfNSW and Port Authority NSW.
SREP No 30 - St Marys	55(5)(b)	Referral for development that is likely to have an impact on an Aboriginal place.	DPC - Heritage NSW Local Aboriginal communities	Repealed
SREP No 30 - St Marys	56(1)(a)	Referral for demolition, defacing or damaging the Elizabeth Farm heritage-listed site.	DPC - Heritage NSW	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
SREP No 33 - Cooks Cove	17(1)(a)	Referral of a wetlands environmental management plan for any development on land within the Cooks Cove site.	<ul style="list-style-type: none"> • Planning Secretary • DPIE - EES • DRNSW - DPI - Fisheries 	Repealed DRNSW - DPI – Fisheries referral only
SREP No 33 - Cooks Cove	17(1)(b)	Referral of a soil and water management plan for any development on land within the Cooks Cove site.	<ul style="list-style-type: none"> • Planning Secretary • DPIE - EES • DRNSW - DPI - Fisheries 	Repealed DRNSW - DPI – Fisheries referral only

LEPs

Ballina LEP 1987	15(1)	Concurrence for certain development on land adjoining arterial roads in specified zones.	TfNSW – Roads	Repealed
Blue Mountains LEP 2005	48(4)(a)	Referral for development on protected land that requires the disposal of wastewater that it is to be connected to a reticulated sewerage system.	Sydney Water	Repealed
Blue Mountains LEP 2005	133(2) & (3)	Concurrence for development adjoining the Regional Transport Corridor (Road) zone.	TfNSW – Roads	Repealed
Blue Mountains LEP No 4	Schedule 7 - Lilianfels Avenue (b)	Concurrence for the design and height of buildings at Lilianfels Avenue, Katoomba.	Planning Secretary	Repealed
Gosford LEP 2014	Sch 1, cl 1(4)(b)	Concurrence for merit assessment matters including height, design, car parking relating to Avoca Beach Theatre.	Planning Secretary	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
Kiama LEP 1996	Part of cl 47AC(3) and (4)(a)	Referral for draft master plans.	Planning Secretary and Planning Minister (approval)	Repealed
Leichhardt LEP 2000	Sch 1 - Part 1 156–160 Bridge Road, Glebe	Concurrence for a DA made in respect of “Hamilton”, located at 156 Bridge Road, Glebe.	Planning Secretary	Repealed
Lord Howe Island LEP 2010	35(2)(g)	Referral for foreshore area development proposed to be carried out on land that is also within Zone 9 ‘Marine Park’.	Marine Estate Management Authority	Repealed
Penrith LEP 2010	8.4(5)(b)	Concurrence for the erection or alteration of applicable buildings with floor space ratio of up to 10% greater than in clause 4.4 or a height of up to 10% greater than in clause 4.3.	Planning Secretary	Repealed
Shoalhaven LEP 1985	46(4A)(b)	Referral for certain development of land at Tallow Wood Road, West Burrill Lake.	DPIE – EES	Repealed
Singleton LEP 1996	14B(3)	Referral for development in the Whittingham Industrial Estate.	Planning Secretary	Repealed
South Sydney LEP 1998	48(a)	Referral for development on any of the land which is shown bounded by a mapped area.	DCJ – Housing	Repealed
Sydney LEP 2005	108(2)	Referral for the preparation of a draft master plan.	Planning Secretary	Repealed

SEPP or LEP amended	Concurrence or referral clause	Summary	Concurrence or referral authority	Amendment
Sydney LEP 2012	6.41(3)(b)	Concurrence if a new building or increased GFA is proposed on specified land.	TfNSW	Repealed
Tweed City Centre LEP 2012	6.10(7)(b)	Concurrence for the erection or alteration of applicable buildings with floor space ratio of up to 10% more than in clause 4.4 or a height of up to 10% higher than in clause 4.3.	Planning Secretary	Repealed
Warringah LEP 2000	Appendix A - Locality A4 Myoora Road	Referral for maintenance dredging and extractive operations.	DPIE – EES	Repealed
Warringah LEP 2000	Appendix A - Localities A1-A5	Referral for certain development within Cowan Creek Catchment.	DPIE – Water Group	Repealed
Warringah LEP 2000	Schedule 11, cl 4	Referral for the preparation of a plan of management for koala feed tree species.	DPIE - EES (NPWS)	Repealed
Warringah LEP 2000	Schedule 11, cl 5 & 6	Referral for approval of a koala plan of management.	Planning Secretary	Repealed
Wollongong LEP 1990	38A(5)	Referral for the preparation and adoption of a Master Plan for the Innovation campus site.	Planning Secretary	Repealed

Part 3 Division 2 of the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* has been amended by inserting clause 6.5(3)(h) from the Standard Instrument LEP Foreshore building line model local clause.

Appendix C – Acronyms

Term	Definition
DA	Development application
DCJ	Department of Communities and Justice
DCS	Department of Customer Service
DPC	Department of Premier and Cabinet
DPIE	Department of Planning, Industry and Environment Also referred to as 'the Department'
DPI	Department of Primary Industries (department under DRNSW)
DRNSW	Department of Regional NSW
EES	Environment, Energy and Science Group (under DPIE)
EIS	Environmental impact statement
EPA	Environmental Protection Authority
DC&LM	(former) Department of Conservation and Land Management
LGA	local government area
NPWS	National Parks and Wildlife Service
RFS	Rural Fire Service
TAHE	Transport Asset Holding Entity
TfNSW	Transport for NSW
SCS	Soil Conservation Service