



## PLANNING SYSTEM

### State environmental planning policies

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| <b>Issued</b>   | 26 June 2009 |
| <b>Related</b>  |              |

# State Environmental Planning Policy (Repeal of REP Provisions) 2009

The purpose of this circular is to advise councils of the repeal of certain regional environmental plans through State Environmental Planning Policy (Repeal of REP Provisions) 2009, which takes effect on 26 June 2009.

## Introduction

As of 1 July 2009, regional environmental plans (REPs) will no longer be part of the hierarchy of environmental planning instruments in NSW. This removal of the REP layer is intended to simplify the State's planning system.

Existing REPs will be deemed to be State environmental planning policies (SEPPs) under the new Division 2, Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

State Environmental Planning Policy (Repeal of REP Provisions) 2009 (the SEPP) has been prepared in order to remove a number of REPs from the planning system before all current REPs are deemed to be SEPPs.

The Department is also reviewing all the remaining REPs as part of the planning reforms.

## Scope of the SEPP

The aim of the SEPP is to repeal certain REPs and certain provisions in other REPs that are redundant.

The SEPP is an 'amending instrument' that repeals the following seven REPs:

- Hunter Regional Environmental Plan 1989
- Sydney Regional Environmental Plan No 6—Gosford Coastal Areas
- Sydney Regional Environmental Plan No 7—(Multi-Unit Housing: Surplus Government Sites)
- Sydney Regional Environmental Plan No 10—(Blue Mountains Regional Open Space)
- Sydney Regional Environmental Plan No 14—Eastern Beaches
- Sydney Regional Environmental Plan No 21—Warringah Urban Release Areas
- Sydney Regional Environmental Plan No 27—Wollondilly Regional Open Space.

These REPs are considered to be unnecessary as either their purpose has been to amend other environmental planning instruments and no longer serve any ongoing purpose, or their policy provisions have been superseded by other planning mechanisms.

The SEPP also amends 13 REPs to remove 55 obsolete clauses, which have already served their purpose by inserting amendments into interim development orders, planning scheme ordinances or local environmental plans.

## Effect of the SEPP

The SEPP is considered to be primarily administrative in nature with minimal effect on planning processes.

Councils should note that the seven REPs repealed by this SEPP will no longer need to be specified on section 149 planning certificates.

Councils are also advised that the REPs repealed by this SEPP should not be considered in relation to development applications in terms of section 79C(a)(i) of the EP&A Act.

## Further information

State Environmental Planning Policy (Repeal of REP Provisions) 2009 is available on the NSW legislation website [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

A separate planning circular has also been prepared, which outlines the commencement of amendments to Part 3 of the EP&A Act on 1 July 2009.

Note: This and other Department of Planning circulars are published on the web at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

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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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