

Staged implementation

The Government is taking a staged approach to the commencement of the new Act to ensure a smooth transition to the new measures.

While most of the changes will commence on 1 March 2018, there will be a number of other changes that will involve further design and consultation.

These new features of the planning system, will commence in a staged manner, as illustrated in the table below:

NEW OBLIGATION	ESTIMATED COMMENCEMENT
Ending transitional arrangements for Part 3A	Early 2018
Local planning panels	Early 2018
Statement of reasons	Mid 2018
Changes to concurrences and referrals	Late 2018
Changes to conditions for major projects	Late 2018
Enforceable undertakings	Late 2018
Local strategic planning statements	Mid to late 2019
LEP check	Late 2019
Community participation plans	Late 2019
Improvements to complying development	Late 2019
Building and subdivision	Late 2019
Standard format development control plans	Mid 2020

This will provide time for councils, communities, industry and practitioners to understand and prepare for the new requirements, including by updating their documents and forms to reflect the new structure.

Most of the changes will come into effect from 1 March 2018. Other changes will take longer to switch on and will involve further consultation.

New features such as community participation plans and local strategic planning statements will be introduced over time to ensure all stakeholders can prepare for changes, supported by appropriate guidance, templates and other resources.

This page will be regularly updated with the details of how the staged implementation will be carried out.

To learn more about the changes to the Act see [Part 1 - New Objects of the Act](#).

Amendments to the Environmental Planning and Assessment Act 1979

New references

January 2018

Where have the Sections gone?

The table below contains the expected new numbering of many of the sections of the Act regularly used by councils and other practitioners in their forms and templates.

Please note this numbering is based on the unofficial consolidated version of the updated Act available on the Department's website. Please note the changes do not yet have legal effect. The Act will not be amended to reflect these changes until they commence on 1 March 2018. We recommend checking the numbering once the changes commence and the official consolidated version of the updated Act has been released.

Previous section of the Act	Description	Updated section reference in the Act
Sec 55	Planning proposals	Sec 3.33
Sec 76	Development that does not need consent	Sec 4.1
Sec 76A	Development that needs consent	Sec 4.2
Sec 76B	Development that is prohibited	Sec 4.3
Sec 77A	Designated development	Sec 4.10
Sec 78A	Application	Sec 4.12
Sec 79B	Consultation and concurrence	Sec 4.13
Sec 79C	Evaluation	Sec 4.15
Sec 80	Determination	Sec 4.16
Sec 80A	Imposition of conditions	Sec 4.17
Sec 82A	Review of determination	Secs 8.2, 8.3, 8.4, 8.5
Sec 82B	Review where development application not accepted	Secs 8.2, 8.3, 8.4
Sec 82C	Review procedures generally	Sec 8.5
Sec 82D	Effect of review decisions	Sec 8.5
Sec 83	Date from which consent operates	Secs 4.20, 8.13
Sec 85	What is a "complying development certificate"?	Sec 4.27
Sec 89	Determination of Crown development applications	Sec 4.33
Sec 91	What is "integrated development"?	Sec 4.46
Sec 93F	Planning agreements	Sec 7.4
Sec 94	Contribution towards provision or improvement of amenities or services	Sec 7.11
Sec 94A	Fixed development consent levies	Sec 7.12
Sec 95	Lapsing of consent	Sec 4.53
Sec 96	Modification of consents—generally	Sec 4.55
Sec 97	Appeal by applicant—development applications	Secs 8.7, 8.10
Sec 106-109B	Existing uses	Secs 4.65–4.70
Sec 109D	Certifying authorities	Sec 6.17
Sec 109E	Principal certifying authorities	Sec 6.5
Sec 110	Definitions (Definition of an Activity – Environmental Assessment)	Sec 5.1
Sec 117	Directions by the Minister	Sec 9.1

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Sec 119D	Powers of investigation officers to enter premises	Sec 9.16
Secs 121A-121ZS	Orders	Secs 9.3 - 9.37 and Sch 5
Sec 125	Offences against this Act and the regulations	Secs 9.37, 9.50
Sec 149	Planning certificates	Sec 10.7
Sec 149A	Building certificates	Sec 6.26

Where can I find out more

- Call on 1300 305 695.
- If English isn't your first language, please call 131 450. Ask for an interpreter in your language and then request to be connected to our Information Centre on 1300 305 695.

Email legislativeupdates@planning.nsw.gov.au