

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**Minister's approval under section 2.11(4)**

I, Rob Stokes MP, Minister for Planning and Public Spaces, approve the Independent Planning Commission delegating its functions as a consent authority under clause 55 of the *Environmental Planning and Assessment Regulation 2000* as set out in the attached instrument, under section 2.11(4) of the *Environmental Planning and Assessment Act 1979*.

Dated: 31st July 2020

A handwritten signature in blue ink, appearing to read 'Rob Stokes', is written over the printed name below.

The Hon. Rob Stokes MP  
**Minister for Planning and Public Spaces**

## **Independent Planning Commission's Delegation Protocol**

The delegation from the Independent Planning Commission to officers of the Department of Planning, Industry and Environment of its consent authority function to agree to or refuse to agree to amendments or variations to a development application under clause 55 of the *Environmental Planning and Assessment Regulation 2000* is given in broad terms.

Where the delegated power is to be exercised by the officers of the Department, notice of the proposed decision to agree or refuse to agree to the amendment or variation of the development application must be provided to the Commission within 7 days of the making of the amendment/variation request.

The Independent Planning Commission requires its delegates within the Department of Planning, Industry and Environment not to exercise this power where the Department's assessment report in relation to the development application has been referred to the Commission for determination.

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### INSTRUMENT OF DELEGATION

The Independent Planning Commission, (**Commission**) under section 2.11(4) of the *Environmental Planning and Assessment Act 1979*, delegates to the officers of the Department of Planning, Industry and Environment who are assigned to the roles in Column 2 of the table in Schedule 1 to this instrument (whether in a permanent or temporary capacity) the functions identified in Column 1 of the table in Schedule 1.

This delegation takes effect on the date that it is executed by the Commission, following approval by the Minister for Planning and Public Spaces.

**Dated: 4 August 2020**



**Mary O'Kane**  
Chair  
Independent Planning Commission

#### Schedule 1

Column 1	Column 2
Function	Delegate
Function as a consent authority under clause 55 of the <i>Environmental Planning and Assessment Regulation 2000</i> of determining to agree or refuse to agree to an applicant amending or varying a development application for State Significant Development.	(a) Senior Executive Band 3 role having responsibility for assessment of State Significant Development applications (b) Senior Executive Band 2 role who report to the officer identified in paragraph (a) (c) Senior Executive Band 1 role who report to the officers identified in paragraph (b)

#### Definitions:

In this instrument, a reference to 'Senior Executive Band' is a reference to the relevant senior executive band established under the *Government Sector Employment Act 2013* in the Department of Planning, Industry and Environment.