

Direction to the Planning Assessment Commission

Schedule 3 to the *Environmental Planning and Assessment Act 1979* (the Act)

I, the Minister for Planning and Infrastructure, under Schedule 3 of the Act and clause 268V of the *Environmental Planning and Assessment Regulation 2000*, direct the Planning Assessment Commission (**Commission**):

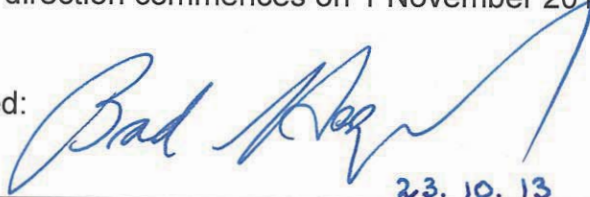
- (a) to be constituted by the same members, nominated by the chairperson, in exercising the following functions (including functions delegated to it) in respect of the same proposal:
- reviewing a proposal (including, if requested to do so, holding a public hearing);
 - determining an application under Part 3A, Part 4 or Part 5.1 of the Act, including modification applications, in respect of a proposal.

The chairperson may nominate a different member(s) to constitute the Commission when carrying out its determination function, if a member(s) who constituted the Commission when it reviewed the same proposal is, for any reason, unavailable.

- (b) to provide a copy of its findings and recommendations on a review conducted by it (**final report**) to the Director-General, where the Minister is the consent authority for the proposal.

This direction commences on 1 November 2013.

Dated:



23. 10. 13

The Hon, Brad Hazzard, MP
Minister for Planning and Infrastructure

Definitions:

In this Direction,

Act means the *Environmental Planning and assessment Act 1979*

Application

In respect of Part 4 of the Act

- an application made under section 78A of the Act for consent to carry out Part 4 development or State significant development

In respect of Part 5.1 of the Act

- an application made under section 115X of the Act to carry out State significant infrastructure

In respect of Part 3A of the Act

- an application made under section 75E of the Act for approval to carry out a project;
- an application made under section 75M of the Act for approval of a concept plan for a project; and
- a single application made under section 75M(3) of the Act for approval of a concept plan for a project and for approval to carry out any part or aspect of the project

Chairperson means the person appointed by the Minister as the chairperson of the Commission

Consent authority means:

In respect of Part 4 of the Act

- the consent authority that determines the application under section 80 of the Act or the modification application under sections 96 or 96AA of the Act

In respect of Part 5.1 of the Act

- the approval authority that determines the application under section 115ZB of the Act or the modification application under section 115ZI of the Act

In respect of Part 3A of the Act

- the approval authority that determines the application under section 75J or s75O of the Act or the modification application under section 75W of the Act

Modification application means:

In respect of Part 4 of the Act

- an application made under section 96 or section 96AA of the Act for the modification of a consent granted for Part 4 development or State significant development

In respect of Part 5.1 of the Act

- a request made under section 115ZI to modify an approval to carry out State significant infrastructure

In respect of Part 3A of the Act

- a request made under section 75W of the Act to modify an approval to carry out a project, including an approval of a concept plan for a project

Part 4 development means development which requires development consent under Part 4 of the Act and for which the Minister is the consent authority, but excludes State significant development

Project means a transitional Part 3A project within the meaning of clause 2 of Schedule 6A to the Act

Proposal means any, including any aspect or part of any, development, activity, infrastructure or project to which the Act applies

State significant development has the same meaning given by Division 4.1 of Part 4 of the Act

State significant infrastructure has the same meaning given by Part 5.1 of the Act