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## SPECIAL SUPPLEMENT

### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

#### Instrument of Delegation

I, the Director-General of the Department of Planning and Infrastructure, under section 23 of the *Environmental Planning and Assessment Act 1979*:

- (1) revoke all previous delegations of my functions the subject of this Instrument;
- (2) delegate the functions identified in Column 2 of Schedule 1 (and all other functions under the Act, the *Environmental Planning and Assessment Regulation 2000* and environmental planning instruments as are incidental or related to the exercise of those functions) to the staff of the Department identified in Column 3 of Schedule 1.

Dated: 23 September 2011.

SAM HADDAD,  
Director-General, Department of Planning and Infrastructure

## Schedule.1

Item	Function	Delegate
<i>Environmental Planning and Assessment Act 1979</i>		
1.	My functions under Part 3A, Part 4 and Part 5.1 of the Act.	(a) Deputy Director-General, Development Assessment and Systems Performance (b) Deputy Director-General, Plan Making and Urban Renewal.
2.	My functions under Part 3A, Part 4 and Part 5.1 of the Act, other than my functions under: (a) section 75L, and (b) section 115ZA.	(a) Deputy Director-General, Development Assessment and Systems Performance (b) Deputy Director-General, Plan Making and Urban Renewal (c) Executive Director, Major Projects Assessment (d) Executive Director, Urban Renewal and Major Sites (e) Directors in the Major Projects Assessment Division (f) Directors in the Urban Renewal and Major Sites Division.
<i>Environmental Planning and Assessment Regulation 2000</i>		
3.	My functions under the following Parts or Schedules of the Regulation: (a) Part 1A, (b) Part 4, (c) Part 6, (d) Part 10, (e) Part 15 (other than my functions under clause 262B), and (f) Schedule 2.	(a) Deputy Director-General, Development Assessment and Systems Performance (b) Deputy Director-General, Plan Making and Urban Renewal (c) Executive Director, Major Projects Assessment (d) Executive Director, Urban Renewal and Major Sites (e) Directors in the Major Projects Assessment Division (f) Directors in the Urban Renewal and Major Sites Division.
4.	My functions under clause 164A of the Regulation.	(a) Deputy Director-General, Development Assessment and Systems Performance (b) Deputy Director-General, Plan Making and Urban Renewal (c) Director, Sustainable Systems Division, Office of Corporate Governance and Policy.
5.	My functions under clause 262B of the Regulation.	(a) Director, Sustainable Systems Division, Office of Corporate Governance and Policy.
<i>State Environmental Planning Policy (State and Regional Development) 2005 (State and Regional Development SEPP)</i>		
6.	My functions under the following clauses of the State and Regional Development SEPP: (a) clause 8(2), and (b) clause 14(2).	(a) Deputy Director-General, Development Assessment and Systems Performance (b) Deputy Director-General, Plan Making and Urban Renewal.
<i>State Environmental Planning Policy (Major Development) 2005 (Major Development SEPP)</i>		
7.	My functions under Schedule 3 of the Major Development SEPP, other than my function of certifying that satisfactory arrangements have been made for the provision of designated State public infrastructure.	(a) Deputy Director-General, Development Assessment and Systems Performance (b) Deputy Director-General, Plan Making and Urban Renewal.
8.	My functions under clause 14 of Part 10 of the Major Development SEPP.	(a) Executive Director, Major Projects Assessment (b) Executive Director, Urban Renewal and Major Sites (c) Directors in the Major Projects Assessment Division (d) Directors in the Urban Renewal and Major Sites Division.

<i>Miscellaneous</i>		
9.	<p>My functions under the following:</p> <ul style="list-style-type: none"> <li>(a) conditions of a project approval under sections 75J(4) and 75W of the Act,</li> <li>(b) terms of a concept plan approved under section 75O of the Act or a modification of a concept plan under section 75W of the Act,</li> <li>(c) conditions of consent under Part 4 of the Act, and</li> <li>(d) conditions of an approval for State significant infrastructure under sections 115ZB and 115ZI of the Act.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Deputy Director-General, Development Assessment and Systems Performance</li> <li>(b) Deputy Director-General, Plan Making and Urban Renewal</li> <li>(c) Executive Director, Major Projects Assessment</li> <li>(d) Executive Director, Urban Renewal and Major Sites</li> <li>(e) Directors in the Major Projects Assessment Division</li> <li>(f) Directors in the Urban Renewal and Major Sites Division.</li> </ul>

## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

### Instrument of Delegation

I, the Minister for Planning and Infrastructure, pursuant to section 23 of the *Environmental Planning and Assessment Act 1979* (**the Act**):

1. Revoke the previous delegation to the Planning Assessment Commission of my functions under Part 3A of the Act dated 28 May 2011;
2. Delegate to the Planning Assessment Commission the functions identified in Item 1 of Schedule 1 (and any functions under the Act or any other Act as are incidental or related to the exercise of those functions) in respect of the applications specified in Schedule 2 and subject to the terms, limitations and restrictions in Schedule 3; and
3. Delegate to the Planning Assessment Commission the functions identified in Item 2 of Schedule 1 (and any functions under the Act or any other Act as are incidental or related to the exercise of those functions) subject to the terms, limitations and restrictions in Schedule 3.

This delegation takes effect from 1 October 2011.

Dated: 14 September 2011.

The Hon. BRAD HAZZARD, M.P.,  
Minister for Planning and Infrastructure

#### Schedule 1

1. My functions under the Act related to the determination of applications including, but not limited to, my functions under:
  - (a) sections 80, 80A, 89D(2), 89E, 93I, 94, 94A, 94B, 94C, 94CA, 94EF, 94F, 95(2), 96 and 96AA of the Act in respect of Part 4 development and State significant development, as appropriate;
  - (b) sections 115ZB, 115ZC and 115ZI in respect of State significant infrastructure; and
  - (c) sections 75J, 75JA, 75O, 75P, 75R(3A), 75W, 75Y and 75YA in respect of projects to which Part 3A of the Act applies.
2. My functions related to the making of a local environmental plan under section 59 of the Act in circumstances where section 89E(6) of the Act applies.

#### Schedule 2

Applications made before or after 1 October 2011 (including reportable political donation applications) other than applications made by or on behalf of a public authority.

#### Schedule 3

Where the Planning Assessment Commission (**Commission**) proposes, in accordance with section 93I(3) of the Act, to impose a condition or a term of approval or make a determination which would require an applicant or proponent to enter into a voluntary planning agreement to which the Minister or the Corporation is a party, the Commission must consult with the Minister in respect of any such condition, term of approval or determination before determining the application under this delegation.

**Definitions:**

In this Instrument,

**Applicant** means a person who applies to the Minister for consent to carry out development under Part 4 of the Act, including State significant development.

**Application** means:

***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; and
- 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 (**modification application**).

***In respect of Part 5.1 of the Act***

- an application made under section 115X of the Act for approval to carry out State significant infrastructure; and
- a request made under section 115ZI to modify an approval 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;
- a single application made under section 75M(3A) 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; and
- a request made under section 75W of the Act to modify an approval to carry out a project or an approval of a concept plan for a project.

**Corporation** means the corporation sole incorporated under section 8 of the Act.

**Critical State significant infrastructure** has the same meaning given by section 115T of the Act.

**Minister** means the Minister for Planning and Infrastructure.

**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.

**Previous related application** means:

***In respect of Part 4 of the Act***

- the application for consent to any previous stage of a staged development application within the meaning of section 83B of the Act; and
- for modification applications, the application for development consent the subject of the modification application or a previous modification application to modify that consent.

***In respect of Part 5.1 of the Act***

- the application for approval of any previous stage of a staged infrastructure application within the meaning of section 115ZD of the Act; and
- for requests to modify an approval, the application for approval of State significant infrastructure the subject of the modification request or a previous modification request to modify that approval.

***In respect of Part 3A of the Act***

- the application for approval to carry out a part project for which an application for approval to carry out another part of the project is made under section 75E of the Act;
- for applications to carry out a project (or part project), the application for approval of the concept plan for the project; and
- for requests to modify an approval to carry out a project (or part project) or an approval of a concept plan, any previous application or request made under Part 3A of the Act in respect of the relevant project.

**Project** means development that was, before 8 April 2011, declared to be a project to which Part 3A of the Act applied.

**Proponent** has the same meaning given by section 75A and 115T of the Act.

**Public authority** has the same meaning given by section 4 of the Act, but excludes a local authority.

**Reportable political donation application** means an application in respect of which a political disclosure statement under section 147 of the Act has been made or an application where such a statement was made in respect of a previous related application.

**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.

**Note.**

In accordance with section 23(8)(a2) of the Act, this Instrument does not apply to applications for State significant infrastructure (SSI) where the SSI has been declared to be critical SSI.

## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

## Instrument of Delegation

I, the Minister for Planning and Infrastructure, pursuant to section 23 of the *Environmental Planning and Assessment Act 1979* (the Act):

1. Revoke all previous delegations of my functions the subject of this Instrument, subject to Schedule 4;
2. Delegate the functions identified in Column 2 of Schedule 1, subject to the specified limitations (and all other functions under the Act and any other Act as are incidental or related to the exercise of those functions) to the staff of the Department of Planning and Infrastructure holding the positions referred to in Column 3 of Schedule 1;
3. Delegate the functions identified in Column 2 of Schedule 2, subject to the specified limitations (and all other functions under the Act and any other Act as are incidental or related to the exercise of those functions) to the staff of the Sydney Olympic Park Authority holding the positions referred to in Column 3 of Schedule 2 in relation to development on land within the Sydney Olympic Park site within the meaning of Part 23 of Schedule 3 to the *State Environmental Planning Policy (Major Development) 2005*;
4. Delegate the functions identified in Schedule 3, subject to the specified limitations (and all other functions under the Act and any other Act as are incidental or related to the exercise of those functions) to the Council of the City of Sydney in relation to development on land within the Redfern-Waterloo Authority sites within the meaning of Part 5 of Schedule 3 to the *State Environmental Planning Policy (Major Development) 2005*; and
5. Delegate the functions identified in Schedule 5, subject to the specified limitations (and all other functions under the Act and any other Act as are incidental or related to the exercise of those functions) to Canada Bay Council in relation to development on land to which *Sydney Regional Environmental Plan No. 29 – Rhodes Peninsula* applies.

This delegation takes effect from 1 October 2011.

Dated: 14 September 2011.

The Hon. BRAD HAZZARD, M.P.,  
Minister for Planning and Infrastructure

## Schedule 1

Delegation to staff of the Department of Planning and Infrastructure (DP&I)

Item	Function	Delegate
<i>Functions under the Environmental Planning and Assessment Act 1979</i>		
1.	Certifying a person to be the proponent under section 75A of the Act.	DP&I staff: (a) Director-General.
2.	Amending or revoking the declaration of a project under section 75B of the Act.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal (d) Executive Director, Major Projects Assessment (e) Executive Director, Urban Renewal and Major Sites.
3.	Approving or disapproving the carrying out of a project under section 75J of the Act.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance

	<p>This delegation applies only to applications where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made, and</p> <p>(c) there are less than 25 public submissions in the nature of objections.</p>	<p>(c) Deputy Director-General, Plan Making and Urban Renewal.</p>
4.	<p>Giving or refusing to give approval for a concept plan for a project under section 75O of the Act.</p> <p>This delegation applies only to applications (including single applications under section 75M(3A)) where:</p> <p>(a) the project the subject of the application is consistent (in the opinion of the delegate) with the Metropolitan Plan for Sydney or a relevant Regional Strategy or Sub-Regional Strategy prepared by the DP&amp;I and endorsed by the Minister, and</p> <p>(b) the relevant local council has not made an objection, and</p> <p>(c) a political disclosure statement has not been made, and</p> <p>(d) there are less than 25 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal</p>
5.	<p>My functions under section 75P of the Act.</p> <p><b>Note.</b> These functions are only exercisable if approval is given for a concept plan for a project under section 75O.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal.</p>
6.	<p>Determining a modification request under section 75W of the Act.</p> <p>This delegation applies only to modification requests where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made, and</p> <p>(c) there are less than 25 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal</p> <p>(d) Executive Director, Major Projects Assessment</p> <p>(e) Executive Director, Urban Renewal and Major Sites.</p>
7.	<p>Determining a modification request under section 75W of the Act.</p> <p>This delegation applies only to modification requests where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made, and</p> <p>(c) there are less than 10 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Directors in the Major Projects Assessment Division</p> <p>(b) Directors in the Urban Renewal and Major Sites Division.</p>
8.	<p>Determining a modification request under section 75W of the Act.</p> <p>This delegation applies only to modification requests where:</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and</p>



	<p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has been made, but only in respect of a previous related application, and</p> <p>(c) there are less than 10 public submissions in the nature of objections.</p>	Urban Renewal.
9.	<p>Determining development applications under section 80 of the Act.</p> <p>This delegation applies only to applications where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made,</p> <p>(c) there are less than 25 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal</p> <p>(d) Executive Director, Major Projects Assessment</p> <p>(e) Executive Director, Urban Renewal and Major Sites.</p>
10.	<p>Determining development applications under section 80 of the Act.</p> <p>This delegation applies only to applications where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made, and</p> <p>(c) there are less than 10 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Directors in the Major Projects Assessment Division</p> <p>(b) Directors in the Urban Renewal and Major Sites Division.</p>
11.	<p>Determining development applications under section 80 of the Act.</p> <p>This delegation applies only to applications:</p> <p>(a) in relation to land to which <i>State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007</i> applies, and</p> <p>(b) where there are less than 10 submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Team Leader, Alpine Resorts Team.</p>
12.	<p>My functions under section 89D of the Act.</p> <p><b>Note.</b> These functions are only exercisable where a staged development application is made in respect of State significant development.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal.</p>
13.	<p>Determining development applications for State significant development under section 89E of the Act.</p> <p>This delegation applies only to applications where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made, and</p> <p>(c) there are less than 25 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal.</p>
14.	<p>Determining development applications for State significant development under section 89E of the Act.</p>	<p>DP&amp;I staff:</p> <p>(a) Executive Director, Major Projects Assessment</p>

	<p>This delegation applies only to applications where:</p> <ul style="list-style-type: none"> <li>(a) the relevant local council has not made an objection, and</li> <li>(b) a political disclosure statement has not been made, and</li> <li>(c) there are less than 10 public submissions in the nature of objections.</li> </ul>	(b) Executive Director, Urban Renewal and Major Sites.
15.	<p>Determining applications to extend the lapsing period of development consents under section 95A of the Act.</p>	<p>DP&amp;I staff:</p> <ul style="list-style-type: none"> <li>(a) Director-General</li> <li>(b) Deputy Director-General, Development</li> <li>(c) Assessment and Systems Performance</li> <li>(d) Executive Director, Major Projects Assessment</li> <li>(e) Directors in the Major Projects Assessment Division.</li> </ul>
16.	<p>Determining modification applications under sections 96 and 96AA of the Act.</p> <p>This delegation applies only to applications where:</p> <ul style="list-style-type: none"> <li>(a) the relevant local council has not made an objection, and</li> <li>(b) a political disclosure statement has not been made, and</li> <li>(c) there are less than 25 public submissions in the nature of objections.</li> </ul>	<p>DP&amp;I staff:</p> <ul style="list-style-type: none"> <li>(a) Director-General</li> <li>(b) Deputy Director-General, Development</li> <li>(c) Assessment and Systems Performance</li> <li>(d) Executive Director, Major Projects Assessment</li> <li>(e) Executive Director, Urban Renewal and Major Sites.</li> </ul>
17.	<p>Determining modification applications under sections 96(1), 96(1A) and 96AA of the Act. This delegation applies only to applications where:</p> <ul style="list-style-type: none"> <li>(a) the relevant local council has not made an objection, and</li> <li>(b) a political disclosure statement has not been made, and</li> <li>(c) there are less than 10 public submissions in the nature of objections.</li> </ul>	<p>DP&amp;I staff:</p> <ul style="list-style-type: none"> <li>(a) Directors in the Major Projects Assessment Division</li> <li>(b) Directors in the Urban Renewal and Major Sites Division.</li> </ul>
18.	<p>Determining modification applications under sections 96 and 96AA of the Act.</p> <p>This delegation applies only to applications:</p> <ul style="list-style-type: none"> <li>(a) in relation to land to which <i>State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007</i> applies, and</li> <li>(b) where there are less than 10 submissions in the nature of objections.</li> </ul>	<p>DP&amp;I staff:</p> <ul style="list-style-type: none"> <li>(a) Team Leader, Alpine Resorts Team.</li> </ul>
19.	<p>Determining modification applications under sections 96 and 96AA of the Act.</p> <p>This delegation applies only to modification applications where:</p> <ul style="list-style-type: none"> <li>(d) the relevant local council has not made an objection, and</li> <li>(e) a political disclosure statement has been made, but only in respect of a previous related application, and</li> </ul>	<p>DP&amp;I staff:</p> <ul style="list-style-type: none"> <li>(a) Director-General</li> <li>(b) Deputy Director-General, Development Assessment and Systems Performance</li> <li>(c) Deputy Director-General, Plan Making and Urban Renewal.</li> </ul>

	(f) there are less than 10 public submissions in the nature of objections.	
20.	My functions as a certifying authority under Part 4A of the Act.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal (d) Executive Director, Major Projects Assessment (e) Executive Director, Urban Renewal and Major Sites (f) Directors in the Major Projects Assessment Division (g) Directors in the Urban Renewal and Major Sites Division.
21.	My functions as a certifying authority under Part 4A of the Act.  This delegation applies only in relation to land to which <i>State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007</i> applies.	DP&I staff: (a) Team Leader, Alpine Resorts Team.
22.	Approving or disapproving the carrying out of State significant infrastructure under section 115ZA of the Act. This delegation applies only to applications where: (a) the relevant local council has not made an objection, and (b) a political disclosure statement has not been made, and (c) there are less than 25 public submissions in the nature of objections.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal.
23.	Approving or disapproving the carrying out of State significant infrastructure under section 115ZA of the Act.  This delegation applies only to applications where: (a) the relevant local council has not made an objection, and (b) a political disclosure statement has not been made, and (c) there are less than 10 public submissions in the nature of objections.	DP&I staff: (a) Executive Director, Major Projects Assessment (b) Executive Director, Urban Renewal and Major Sites.
24.	Determining a modification request under section 115ZI of the Act.  This delegation applies only to modification requests where: (a) the relevant local council has not made an objection, and (b) a political disclosure statement has not been made, and (c) there are less than 25 public submissions in the nature of objections.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal (d) Executive Director, Major Projects Assessment (e) Executive Director, Urban Renewal and Major Sites.
25.	Determining a modification request under section 115ZI of the Act.	DP&I staff: (a) Directors in the Major Projects Assessment Division

	<p>This delegation applies only to modification requests where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has not been made, and</p> <p>(c) there are less than 10 public submissions in the nature of objections.</p>	<p>(b) Directors in the Urban Renewal and Major Sites Division.</p>
26.	<p>Determining a modification request under section 115ZI of the Act.</p> <p>This delegation applies only to modification requests where:</p> <p>(a) the relevant local council has not made an objection, and</p> <p>(b) a political disclosure statement has been made, but only in respect of a previous related application, and</p> <p>(c) there are less than 10 public submissions in the nature of objections.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal.</p>
27.	<p>My functions under Divisions 2A, 2B and 2C of Part 6 of the Act.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal</p> <p>(d) Executive Director, Major Projects Assessment</p> <p>(e) Executive Director, Urban Renewal and Major Sites</p> <p>(f) Directors in the Major Projects Assessment Division</p> <p>(g) Directors in the Urban Renewal and Major Sites Division.</p>
28.	<p>My functions under the following provisions of the Act:</p> <p>(a) section 118L(2)(a),</p> <p>(b) Division 2A of Part 6, and</p> <p>(c) sections 149A to 149G.</p> <p>This delegation applies only in relation to land to which <i>State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007</i> applies.</p>	<p>DP&amp;I staff:</p> <p>(a) Team Leader, Alpine Resorts Team.</p>
<b>Functions under the Environmental Planning and Assessment Regulation 2000</b>		
29.	<p>Determining whether to reject applications under clause 8D of the Regulation.</p>	<p>DP&amp;I staff:</p> <p>(a) Director-General</p> <p>(b) Deputy Director-General, Development Assessment and Systems Performance</p> <p>(c) Deputy Director-General, Plan Making and Urban Renewal</p> <p>(d) Executive Director, Major Projects Assessment</p> <p>(e) Executive Director, Urban Renewal and Major Sites</p> <p>(f) Directors in the Major Projects Assessment Division</p> <p>(g) Directors in the Urban Renewal and Major Sites Division.</p>

30.	Determining whether to direct that an application be determined as if the amendments made by Schedule 1 to the <i>Environmental Planning and Assessment (Infrastructure and Other Planning Reform) Act 2005</i> had not been made under clauses 8J(4A) or 8J(5) of the Regulation.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Executive Director, Major Projects Assessment.
31.	Forming an opinion that development was State significant development under clause 8J(7) of the Regulation.  <b>Note.</b> The reference to State significant development refers to the meaning that term had before the commencement of Part 3A and not to its current meaning in the Act.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Executive Director, Major Projects Assessment.
32.	Determining whether to approve a development consent being treated as a Part 3A approval for the purposes of section 75W of the Act under clause 8J(8) of the Regulation.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Executive Director, Major Projects Assessment (d) Directors in the Major Projects Assessment Division.
33.	My functions under clause 8M(2) of the Regulation.  This delegation only extends to matters where the delegate exercising these functions has (as delegate) revoked the declaration of a project under Part 3A.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal (d) Directors in the Major Projects Assessment Division (e) Directors in the Urban Renewal and Major Sites Division.
34.	My functions as either a planning authority, consent authority or certifying authority under the following Parts or Schedules of the Regulation: (a) Part 4, (b) Part 6, (c) Part 8, (d) Part 9, (e) Part 15, and (f) Schedule 3.  <b>Note 1.</b> These functions relate to development contributions including the giving of public notice of proposed planning agreements, procedures for development applications, certification of development, fire safety matters and fees.  <b>Note 2.</b> Some of the functions relate to Part 3A of the Act (see section 75R(4) of the Act).	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal (d) Executive Director, Major Projects Assessment (e) Executive Director, Urban Renewal and Major Sites (f) Directors in the Major Projects Assessment Division (g) Directors in the Urban Renewal and Major Sites Division.
35.	My functions under clause 55 and Divisions 1 and 2 of Part 15.  This delegation applies only in relation to land to which <i>State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007</i> applies.	DP&I staff: (a) Team Leader, Alpine Resorts Team.

<b>Functions under State Environmental Planning Policy (Major Development) 2005</b>		
36.	Determining whether to initiate an investigation into a proposal to amend Schedule 3 to the Major Development SEPP under clause 8(1) of that SEPP.  This delegation applies only where the development is consistent (in the opinion of the delegate) with a relevant Regional Strategy or Sub-Regional Strategy prepared by the DP&I and endorsed by the Minister.	DP&I staff: (a) Director-General (b) Deputy Director-General, Plan Making and Urban Renewal.
<b>Functions under Sydney Regional Environmental Plan No. 26 – City West</b>		
37.	My functions as consent authority in relation to urban development plans and master plans under the following clauses in <i>Sydney Regional Environmental Plan No. 26 – City West</i> : (a) clause 38, (b) clause 40, and (c) clause 44.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal.
<b>Functions under Sydney Local Environmental Plan 2005</b>		
38.	My functions as consent authority in relation to master plans under the following clauses in <i>Sydney Local Environmental Plan 2005</i> : (a) clause 106, and (b) clause 110.	DP&I staff: (a) Director-General (b) Deputy Director-General, Development Assessment and Systems Performance (c) Deputy Director-General, Plan Making and Urban Renewal.

**Definitions:**

In Schedule 1,

**Objection** means a submission in the nature of an objection, and does not include draft conditions requested to be imposed by the relevant local council on the consent or approval.

**Political disclosure statement** means a statement required to be made under section 147 of the Act, and includes a statement made in respect of a previous related application.

**Previous related application** means:

**In respect of Part 4 of the Act**

- the application for consent to any previous stage of a staged development application within the meaning of section 83B of the Act; and
- for modification applications, the application for development consent the subject of the modification application or a previous modification application to modify that consent.

**In respect of Part 5.1 of the Act**

- the application for approval of any previous stage of a staged infrastructure application within the meaning of section 115ZD of the Act; and
- for requests to modify an approval, the application for approval of State significant infrastructure the subject of the modification request or a previous modification request to modify that approval.

**In respect of Part 3A of the Act**

- the application for approval to carry out a part project for which an application for approval to carry out another part of the project is made under section 75E of the Act;
- for applications to carry out a project (or part project), the application for approval of the concept plan for the project; and

- for requests to modify an approval to carry out a project (or part project) or an approval of a concept plan, any previous application or request made under Part 3A of the Act in respect of the relevant project.

*Public submissions* refers to submissions received from the general public during the statutory exhibition process of applications, and does not include any submissions received from public authorities.

**Note.**

A petition or a single submission that is signed by multiple parties is taken to be one submission for the purposes of Schedule 1.

**Schedule 2**

Delegation to staff of the Sydney Olympic Park Authority (SOPA)

<b>Item</b>	<b>Function</b>	<b>Delegate</b>
<b><i>Functions under the Environmental Planning and Assessment Act 1979</i></b>		
1.	Determining development applications under section 80 of the Act and applications to extend the lapsing period of development consents under section 95A of the Act.  This delegation applies only to applications where: (a) SOPA is not the applicant of the application (unless the application only relates to temporary development for a period of up to 12 months), and (b) SOPA will not receive annual income or other commercial benefits (not being development contributions) as a result of the development of a value greater than \$250,000.	SOPA staff: (a) Chief Executive Officer (b) Executive Manager, Urban Planning and Design
2.	Determining modification applications under sections 96 and 96AA of the Act.	SOPA staff: (a) Chief Executive Officer (b) Executive Manager, Urban Planning and Design
3.	My functions as a certifying authority under Part 4A of the Act.	SOPA staff: (a) Chief Executive Officer (b) Executive Manager, Urban Planning and Design
4.	My functions under Division 2A of Part 6 of the Act.	SOPA staff: (a) Chief Executive Officer (b) Executive Manager, Urban Planning and Design
<b><i>Functions under the Environmental Planning and Assessment Regulation 2000</i></b>		
5.	My functions as either a planning authority, consent authority or certifying authority under the following Parts or Schedules of the Regulation: (a) Part 4, (b) Part 6, (c) Part 8, (d) Part 9, (e) Part 15, and (f) Schedule 3.  <b>Note.</b> These functions relate to development contributions including the giving of public	SOPA staff: (a) Chief Executive Officer (b) Executive Manager, Urban Planning and Design

	notice of proposed planning agreements, procedures for development applications, certification of development, fire safety matters and fees.	
<b>Functions under State Environmental Planning Policy (Major Development) 2005</b>		
6.	My functions as consent authority under clauses 31(2) and 31(4) of Part 23 of Schedule 3 to the Major Development SEPP.  <b>Note.</b> These functions relate to heritage conservation.	SOPA staff: (a) Chief Executive Officer (b) Executive Manager, Urban Planning and Design

### Schedule 3

Delegation to the Council of the City of Sydney

Item	Function
<b>Functions under the Environmental Planning and Assessment Act 1979</b>	
1.	Determining development applications under section 80 of the Act.
2.	Determining applications to extend the lapsing period of development consents under section 95A of the Act.
3.	Determining modification applications under sections 96 and 96AA of the Act.
4.	Imposing a condition under Division 6 of Part 4 of the Act in accordance with section 30 of the <i>Redfern-Waterloo Authority Act 2004</i> .  <b>Note.</b> This function relates to the imposition of conditions for affordable housing contributions.
5.	My functions as a certifying authority under Part 4A of the Act.
6.	My functions under Division 2A of Part 6 of the Act.
<b>Functions under the Environmental Planning and Assessment Regulation 2000</b>	
7.	My functions as either a planning authority, consent authority or certifying authority under the following Parts or Schedules of the Regulation: (a) Part 4, (b) Part 6, (c) Part 8, (d) Part 9, (e) Part 15, and (f) Schedule 3.  <b>Note.</b> These functions relate to development contributions including the giving of public notice of proposed planning agreements, procedures for development applications, certification of development, fire safety matters and fees.
<b>Functions under the Redfern-Waterloo Authority Act 2004</b>	
8.	Imposing a condition under section 31 of the <i>Redfern-Waterloo Authority Act 2004</i> .  <b>Note.</b> This function relates to the imposition of conditions for development contributions, other than for affordable housing.
<b>Functions under State Environmental Planning Policy (Major Development) 2005</b>	
9.	My functions as consent authority under the following clauses in Part 5 of Schedule 3 to the Major Development SEPP: (a) whether to approve exempt development guidelines under clause 17, and (b) whether to approve design competition guidelines under clause 22.
10.	My functions as consent authority under the following clauses in Part 5 of Schedule 3 to the Major Development SEPP: (c) clause 27(2), and (d) clauses 28(3), 28(5) and 28(6).  <b>Note.</b> These functions relate to heritage conservation.



11.	<p>Imposing a condition requiring an applicant or proponent pay a levy of the percentage (authorised by a contributions plan referred to in section 32 of the Redfern-Waterloo Authority Act 2004) of the proposed cost of carrying out the development in accordance with section 31(2) of the <i>Redfern-Waterloo Authority Act 2004</i>.</p> <p><b>Note.</b> This function relates to the imposition of conditions for development contributions applied towards the provision, extension or augmentation of public amenities or public services.</p>
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#### Schedule 4

In relation to the delegation of my functions to the Redfern-Waterloo Authority in the Instrument of Delegation dated 25 January 2010 (published in the NSW Government Gazette No. 30 on 5 February 2010, pg. 489):

1. items 13, 19, 10(a), 10(b) and 10(e) of that delegation continue to apply to any application made but not finally determined on 1 October 2011 (**pending applications**); and
2. that delegation is revoked in respect of pending applications upon determination of those applications.

#### Schedule 5

Delegation to Canada Bay Council

Item	Function
<b><i>Functions under the Environmental Planning and Assessment Act 1979</i></b>	
1.	<p>Modifying an approval or disapproving a modification request under section 75W of the Act.</p> <p>This delegation applies only to modification requests where the modification, if approved, does not increase:</p> <p>(a) the total gross floor area of all buildings within each Precinct as approved by the Minister, and</p> <p>(b) the height of any building involving additional habitable level(s), unless the Director-General has approved that increase.</p>
2.	<p>Determining modification applications under sections 96 and 96AA of the Act.</p> <p>This delegation applies only to modification requests where the modification, if approved, does not increase:</p> <p>(a) the total gross floor area of all buildings within each Precinct as approved by the Minister, and</p> <p>(b) the height of any building involving additional habitable level(s), unless the Director-General has approved that increase.</p>
<b><i>Functions under the Environmental Planning and Assessment Regulation 2000</i></b>	
3.	<p>My functions as consent authority under Division 12 of Part 6 and clause 256 of the Regulation.</p> <p><b>Note.</b> These functions relate to modification applications and fees for those applications.</p>

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