

STATEMENT

Change to the consent authority for Tallawarra Lands, Yallah (MP 09_0131 MOD 1)

The abovementioned modification will now be determined by the Department of Planning, Industry and Environment (the Department).

This change follows amendments to the Minister for Planning and Public Spaces' delegation of certain development assessment functions under the *Environmental Planning and Assessment Act 1979* (EP&A Act) in response to the recommendations of the Productivity Commissioner's report (the Report) on the Independent Planning Commission. The Report was released in December 2019 and can be viewed at <http://productivity.nsw.gov.au/ipc-review>.

The Report recommends that modification applications not be referred to the Commission for determination for a number of reasons including:

- an approved State significant project has already been subject to a comprehensive assessment process under the EP&A Act
- the scope of modifications and their potential impacts is far more constrained
- procedural fairness has been provided for the originally approved project

This update to the Minister's delegation came into effect on 13 March 2020. The change has implications for some projects currently under assessment by the Department, in that some projects and modifications that previously would have been determined by the Independent Planning Commission will now be determined by the Department.

Please be assured that the Department will carefully assess the merits of the proposed modification of the Tallawarra Lands Concept Plan, paying particular attention to the issues raised in submissions from members of the community, Council and State agencies. The Department's assessment and recommendation will be made publicly available on its website before the application is determined.

Please note that the delegations do not apply to applications that had already been referred to the Independent Planning Commission for determination prior to the delegation coming into effect.

If you have any questions, please contact Brendon Roberts on (02) 9274 6422 or email at brendon.roberts@planning.nsw.gov.au.