



New South Wales

Commencement Proclamation

under the

Environmental Planning and Assessment Amendment Act 2008 No 36

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Environmental Planning and Assessment Amendment Act 2008*, do, by this my Proclamation, appoint 3 November 2008 as the day on which the following provisions of that Act commence:

- (a) Schedule 1.2 [21],
- (b) Schedule 2.1 [1], [2], [6], [7], [10]–[12], [39], [40], [42]–[44], [46]–[50], [52], [53] and [55],
- (c) Schedule 2.1 [3] (but only to the extent that it inserts the definitions of *independent hearing and assessment panel*, *Planning Assessment Commission* and *planning assessment panel*),
- (d) Schedule 2.1 [8] (but not to the extent that it inserts section 23 (1) (g)),
- (e) Schedule 2.1 [9] (but only to the extent that it inserts section 23 (1A)),
- (f) Schedule 2.1 [13] (but only to the extent that it inserts Divisions 1, 2 (other than sections 23D (1) (d) and 23F (3)), 4 and 6 (other than sections 230 (2) and (4) and 23P) of Part 2A,
- (g) Schedule 2.1 [45] (but only to the extent that it inserts section 118 (7B) and (7C)),
- (h) Schedule 2.1 [51] (but only to the extent that it inserts section 118 (12) (d)),
- (i) Schedule 2.1 [54],
- (j) Schedule 2.1 [56] (but only to the extent that it inserts Schedule 3),
- (k) Schedule 2.2 [1]–[9], [11]–[15], [27], [47]–[54] and [59]–[74],
- (l) Schedule 2.2 [16] (but not to the extent that it omits section 80 (8)),
- (m) Schedule 2.2 [75] (but only to the extent that it inserts the heading to Division 3 of Part 21 of Schedule 6 and clause 124),

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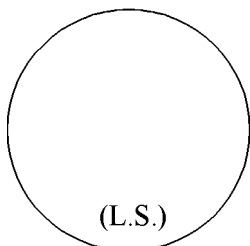
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Explanatory note

- (n) Schedule 2.3 [1]–[4] and [6]–[10],
- (o) Schedule 2.4,
- (p) Schedule 2.6,
- (q) Schedule 2.7,
- (r) Schedule 2.8,
- (s) Schedule 2.9,
- (t) Schedule 4.1 [1],
- (u) Schedule 4.1 [2] (but only to the extent that it inserts the definition of *accredited certifier*),
- (v) Schedule 4.1 [6], [9], [15] and [23].

Signed and sealed at Sydney, this 29th day of October 2008.

By Her Excellency's Command,



KRISTINA KENEALLY, M.P.,
Minister for Planning

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence certain provisions of the *Environmental Planning and Assessment Amendment Act 2008* that provide for the following:

- (a) the establishment and functions of the Planning Assessment Commission and independent hearing and assessment panels,
- (b) the repeal of provisions relating to Commissions of Inquiry,
- (c) protection from challenge of Ministerial decisions relating to the appointment of planning assessment panels to exercise councils' planning powers,
- (d) requiring the person having the benefit of a development consent or complying development certificate to notify the principal certifying authority before the commencement of certain building work or subdivision work,
- (e) changes to the procedures for replacing principal certifying authorities,
- (f) enabling the Minister for Planning to suspend, in certain circumstances, a council's authority to exercise some or all of its functions as a certifying authority,
- (g) amendments consequential on those changes.

BY AUTHORITY
