

# ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

## INSTRUMENT OF DELEGATION

I, the Director-General of the Department of Planning (the Department), under Section 23(1)(d) of the *Environmental Planning and Assessment Act, 1979* agree to delegate to Bega Valley Shire Council the functions conferred on me by Part 3A of the *Environmental Planning and Assessment Act, 1979* in relation to a proposed 8 lot subdivision of Lots 24, 25 & 88 DP 750190 and Lot 158 DP 750236, Wallagoot Lane, Jellat Jellat, subject to the following conditions:

1. The delegation may only be exercised in relation to a project application lodged by Jellat Pastoral Co. for an 8 lot subdivision of Lots 24, 25 & 88 DP 750190 and Lot 158 DP 750236, Wallagoot Lane, Jellat Jellat in the Bega Valley local government area, as described in documentation from the proponent dated 12 July 2006 and any modifications to that project application, if approved;
2. Council shall consult with the Department in the preparation of any amendment that may be required to the Director-General's requirements for the Environmental Assessment before they are issued to the proponent;
3. Council shall undertake public consultation and notification of the project application in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* and provide the Department with copies of the Environmental Assessment for the proposal;
4. Council shall forward copies of all submissions received during the exhibition period to the Department at the conclusion of the exhibition period;
5. Council shall undertake environmental assessment of all aspects of the project application in accordance with the *Environmental Planning and Assessment Act 1979* and relevant environmental planning instruments;
6. Council shall consult with the Department and submit a draft Director-General's Environmental Assessment report (pursuant to section 75I) to the Department for comment on behalf of the Minister prior to finalising the report for submission to the Minister;
7. Council shall forward a copy of the draft instrument of approval and proponent's Statement of Commitments to be agreed to by the Department on behalf of the Minister prior to approval;
8. Council shall forward to the Department 10% of the project application fee as remuneration for procedural costs;
9. Council shall forward an electronic copy of the Director-General's Environmental Assessment report, advice and recommendations (pursuant to section 75J) of the project application, including any Statement of Commitments, to the Department to enable publication on the Department's website;
10. In the event that the Minister establishes an Independent Hearing and Assessment Panel to assess the project, Council shall forward an electronic copy of the Panel's report to the Director-General within the time required by the Minister; and
11. Council shall be responsible for all aspects of compliance of any approval issued (should the project be approved), unless otherwise agreed to by the Minister.

Dated at Sydney this

25<sup>th</sup> day of August

2007



Sam Haddad  
**Director-General**  
Department of Planning