



Planning


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* (the Act) delegate to the City of Canada Bay Council (Council) the functions conferred on me under Part 3A of the Act, subject to the following conditions:

1. The delegation may only be exercised in relation to a project application lodged by Billbergia Developments (the Proponent) for a proposal to construct a mixed use development at the sites known as 2A and 3A of Precinct B, at 40 Walker Street, Rhodes, and any modifications to that project, if approved.
2. The delegation may only be exercised in relation to my functions under Sections 75H, 75I and 75W of the Act.
3. Council shall consult and seek comment from the Department during the review of the environmental assessment under Section 75H prior to informing the Proponent that the environmental assessment is adequate for public exhibition.
4. Council shall undertake the public consultation and notification of the project application in accordance with Part 3A of the Act and relevant regulations.
5. Council shall forward electronic copies of all submissions received during the exhibition period to the Department at the conclusion of the exhibition period.
6. Council shall consult and seek comment from the Department prior to notifying the Proponent of any requirement to provide a response to submissions or a Preferred Project Report pursuant to Section 75H of the Act.
7. 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 prior to finalising the report for determination.
8. Council shall forward a copy of the draft Instrument of Determination including conditions of approval and the Proponent's Statement of Commitments to be agreed to by the Department on behalf of the Planning Assessment Commission prior to submitting the final Director-General's environmental assessment report to the Department.
9. Council shall forward an electronic copy of the following to the Department to enable publication on the Department's website: the Statement of Commitments (including any drafts or revisions) when received and accepted by Council; any documents required to be published by Clause 8G of the Regulations made under the Act and the final draft of the Instrument of Determination pursuant to Section 75J of the Act.

Dated at Sydney this 27th day of August 2010


Sam Haddad
Director General