

Environmental Planning and Assessment Act 1979 Instrument of Delegation for Functions under the Act and the Environmental Planning and Assessment Regulation 2021 (Planning Secretary) June 2024

Under the *Environmental Planning and Assessment Act 1979* (the Act)

I, Kiersten Fishburn, Planning Secretary, under section 2.4 of the Act, make the following Instrument of Delegation.

Dated this 20 day of December 2024



Kiersten Fishburn

Planning Secretary

Environmental Planning and Assessment Act 1979 Instrument of Delegation for Functions under the Act and the Environmental Planning and Assessment Regulation 2021 (Planning Secretary) June 2024

under the *Environmental Planning and Assessment Act 1979*

1. Name

This Instrument is the Environmental Planning and Assessment Act 1979 Instrument of Delegation for Functions under the Act and the Environmental Planning and Assessment Regulation 2021 (Planning Secretary) June 2024.

2. Commencement

This Instrument commences on the day on which it is signed.

3. Interpretation

1. In this Instrument:

Act means the *Environmental Planning and Assessment Act 1979*.

Planning Secretary means the Secretary of the Department of Planning, Housing and Infrastructure.

Regulation means the *Environmental Planning and Assessment Regulation 2021*.

2. Unless otherwise defined in this Instrument, words and expressions that are defined in the Act and the Regulation have the same meaning in this Instrument.
3. Unless otherwise specified, a reference to an Act includes a reference to the Act as it exists from time to time and any regulations or instruments under that Act.

4. Delegation of functions

I, **Kiersten Fishburn**, Planning Secretary, **delegate** the exercise of the statutory functions conferred or imposed under the section, clause or provision of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* as set out in Schedule 1 to this Instrument in the manner detailed in that schedule, subject to clause 5.

5. Delegation Limitations and Conditions

Any delegation in this instrument is subject to the specific conditions and limitations identified in the tables to Schedule 1.

Note: Schedule 1 follows.

Schedule 1

- Table 1 – Homebush Bay West Development Control Plan 2004 (as amended by Homebush Bay West Development Control Plan 2004 Amendment No. 1, adopted on 9 July 2013)
- Table 2 – Wentworth Point Precinct Development Control Plan (adopted on 7 August 2014 and amended on 26 October 2021)

Schedule 1

Table 1 – Homebush Bay West Development Control Plan 2004 (as amended by Homebush Bay West Development Control Plan 2004 Amendment No. 1, adopted on 9 July 2013)

No.	Legislative Provision	Function being delegated	Condition	Delegate
1.1	<p><i>Environmental Planning and Assessment Act 1979</i></p> <p>Part 3, Division 3.6</p> <p><i>Environmental Planning and Assessment Regulation 2021</i></p> <p>Part 2, Division 2</p>	<p>All my functions in relation to development control plans relating to development on land to which the Homebush Bay West Development Control Plan 2004 (as amended by Homebush Bay West Development Control Plan 2004 Amendment No. 1, adopted on 9 July 2013) applies.</p> <p>This includes my functions in relation to 'Draft Homebush Bay West Development Control Plan Amendment No. 2'.</p> <p>Note: Homebush Bay West Development Control Plan 2004 no longer applies to land to which the Wentworth Point Precinct Development Control Plan (adopted on 7 August 2014 and amended on 26 October 2021) applies.</p>	<p>Consideration of the “<i>Draft Homebush Bay West Development Control Plan, Amendment 2 Submissions Report</i>” dated June 2024 prepared by the Department of Planning, Housing and Infrastructure is required before a decision whether or not to approve the ‘Draft Homebush Bay West Development Control Plan Amendment No. 2’, with or without alterations, is made.</p>	City of Parramatta Council

Table 2 – Wentworth Point Precinct Development Control Plan (adopted on 7 August 2014 and amended on 26 October 2021)

No.	Legislative Provision	Function being delegated	Condition	Delegate
1.1	<p><i>Environmental Planning and Assessment Act 1979</i></p> <p>Part 3, Division 3.6</p> <p><i>Environmental Planning and Assessment Regulation 2021</i></p> <p>Part 2, Division 2</p>	<p>All my functions in relation to the Wentworth Point Precinct Development Control Plan (adopted on 7 August 2014 and amended on 26 October 2021).</p>		<p>City of Parramatta Council</p>