

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) agree to delegate to Fairfield City Council (Council) the functions conferred on me by Part 3A of the Act and Part 1A of the *Environmental Planning and Assessment Regulation 2000* (the Regulations), subject to the following conditions:

1. The delegation may only be exercised in relation to a concept plan application and Stage 1 project application lodged by the Bonnyrigg Partnership for the Bonnyrigg Living Centres Project as described in the letter (and its attachment) dated 21 December 2005 from the Director-General of Housing to the Director-General of Planning (tagged (1)) and any modifications to that Concept Plan and / or Stage 1 project application, if approved;
2. The Department will retain the 25% fee accompanying the two applications as remuneration for procedural costs and one copy of the applications, preliminary assessments, and any other documents accompanying the request for Director-General Environmental Assessment Requirements;
3. Council will consult with the Department in the preparation of Director General's Environmental Assessment Requirements and incorporate any amendments before their being issued to the Bonnyrigg Partnership;
4. Council will consult and seek the comment of the Department prior to informing the Bonnyrigg Partnership that the Environmental Assessments for either the concept plan or project application are acceptable;
5. Council will undertake public consultation and notification of the concept plan and project application in accordance with the Act and the Regulations and provide the Department with copies of the Proponent's Environmental Assessments for the two proposals;
6. Council will forward copies of all submissions received during the exhibition period(s) to the Department at the conclusion of the exhibition period(s);
7. Council will undertake environmental assessments of all aspects of the concept plan and project application in accordance with the Act and relevant environmental planning instruments;
8. Council shall consult with the Department and submit two individual draft Director-General's environmental assessment reports (pursuant to Section 75i) for the concept plan and project application to the Department for comment on behalf of the Minister prior to finalising those reports for submission to the Minister;

9. Council will forward a copy of the draft instruments of approval and the proponent's Statements of Commitments to be agreed to by the Department on behalf of the Minister prior to approval;
10. Council will forward an electronic copy of the following to the Department to enable publication on the Department's website: the Bonnyrigg Partnership's Environmental Assessments once accepted by Council; the Statements of Commitments (including any drafts or revisions) when received and accepted by Council; any material required by Clause 8G of the Regulations; and the final drafts of the Director-General's environmental assessment reports, advice and recommendations pursuant to sections 75J and 75O of the project application and concept plan, respectively;
11. In the event that the Minister establishes an Independent Hearing and Assessment Panel pursuant to Section 75G of the Act 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
12. Council shall be responsible for all aspects of compliance of any approvals issued (should the concept plan and / or project application be approved), unless otherwise agreed to by the Minister.

Dated at Sydney this

11th

day of

April

2007

Sam Haddad

Sam Haddad
Director General
Department of Planning