

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Instrument of Delegation

I, the Minister for Planning, under section 2.4 of the *Environmental Planning and Assessment Act 1979* (the Act), delegate my consent authority functions referred to in Column 2 of Schedule 1 to this Instrument to the authority in Column 3 of Schedule 1 to this Instrument for the purpose of Part 4 of the Act, provided that the development is not State significant development.

Interpretation

In this instrument:

- (a) a reference to council has the same meaning as in the *Local Government Act 1993*.

Dated: 21/11/22


The Hon. Anthony Roberts MP
Minister for Planning

Schedule 1

| Item | Function | Delegate |
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| State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP) | | |
| 1. | <p>My consent authority functions under:</p> <ul style="list-style-type: none">• section 6.25(2)(a) of the BC SEPP except for development carried out for one or more of the following purposes:<ul style="list-style-type: none">○ Above-water boat lifts;○ Advertisements;○ Advertising structures;○ Aids to navigation;○ Aviation facilities;○ Boat lifts;○ Charter and tourism boating facilities;○ Commercial port facilities;○ Dredging;○ Floating boat platforms;○ Flora and fauna enclosures;○ Houseboats;○ Maintenance dredging;○ Mooring pens;○ Private landing facilities;○ Private landing steps;○ Private marinas;○ Private swimming enclosures;○ Public boardwalks; | <p>Council of the local government area in which the development is proposed to be carried out or if the development is proposed to be carried out on land that is not within a local government area, the council of the local government area that is nearest to the land where the development is proposed to be carried out.</p> |

| Item | Function | Delegate |
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| | <ul style="list-style-type: none"> ○ Public water transport facilities; ○ Single moorings; ○ Skids; ○ Slipways ○ Subdivision of land owned by Transport for NSW that is in or abutting the Foreshores and Waterways Area. ● section 6.25(2)(b) of the BC SEPP, ● section 6.25(2)(c) of the BC SEPP. | |
| 2. | <p>My consent authority functions under section 6.25(2)(a) of the BC SEPP for development carried out for one or more of the following purposes:</p> <ul style="list-style-type: none"> ○ Above-water boat lifts; ○ Advertisements; ○ Advertising structures; ○ Aids to navigation; ○ Aviation facilities; ○ Boat lifts; ○ Charter and tourism boating facilities; ○ Commercial port facilities; ○ Dredging; ○ Floating boat platforms; ○ Flora and fauna enclosures; ○ Houseboats; ○ Maintenance dredging; ○ Mooring pens; ○ Private landing facilities; ○ Private landing steps; ○ Private marinas; ○ Private swimming enclosures; ○ Public boardwalks; ○ Public water transport facilities; ○ Single moorings; ○ Skids; ○ Slipways; ○ Subdivision of land owned by Transport for NSW that is in or abutting the Foreshores and Waterways Area. | Transport for NSW |