



Instrument of Delegation

Environmental Planning and Assessment Act 1979

Delegation of Functions from Local Planning Panel to Chief Executive Officer and / or Director Shire Planning

Pursuant to s2.20(8) of the Act and a resolution passed at a duly convened meeting of the Panel held on 16 July 2019, the Panel delegates to the Chief Executive Officer and/or the Director Shire Planning of the Council, in accordance with this instrument of delegation, the Functions specified or described in Schedule 1, subject to the conditions and limitations specified in Schedule 2.

By resolution of the Panel dated 16 July 2019

1. Definitions

1.1 In this instrument:

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

Council means Sutherland Shire Council.

Development assessment report means a report prepared by Council's staff after assessment of the development application and provided to the Panel

Function means a function of the Local Planning Panel within the meaning of the Act.

Director Shire Planning means the person appointed to the position of Director Shire Planning and acting pursuant to delegation under section 378 of the *Local Government Act 1993*.

Panel means Local Planning Panel.

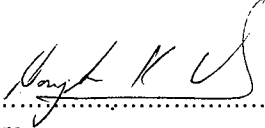
Planning Appeal means an appeal commence pursuant to ss 8.7, 8.8, 8.9 of the Act and any subsequent appeal arising from a decision in those proceedings.

2. Commencement

2.1 This delegation commences immediately.

ACKNOWLEDGEMENT

I, Manjeet Grewal, Chief Executive Officer of Council, acknowledge receipt of, and understand, the terms of this instrument of delegation.



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Signature
Chief Executive Officer
Dated: 25/7/2019

I, Peter Barber, Director Shire Planning of Council, acknowledge receipt of, and understand, the terms of this instrument of delegation.



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Signature
Director Shire Planning
Dated: 25/7/2019

SCHEDULE 1

Functions Delegated

1. The functions of the Panel as referred to in s8.15(4) of the Act.

Note: This Schedule must be read in conjunction with Schedule 2.

SCHEDULE 2

Conditions & Limitations on Delegation

1. The Council is to give notice of any Planning Appeal (to which section 8.15(4) of the Act applies) to the Panel within seven (7) days of being served with the appeal.
2. In the case of a Planning Appeal relating to a decision of the Panel that is contrary to the recommendation of a development assessment report, the Council will:
 - a. consult with the Chair of the Panel that made the relevant decision as to the conduct of the Planning Appeal.

- b. engage with the Chair of the Panel in accordance with the Sutherland Shire Councils' Planning Panel Appeal Procedure, unless a different level of involvement is agreed between the Panel and Council; and
 - c. seek instructions from the Panel to settle any of these appeals.
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