



# *Government Gazette*

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# GOVERNMENT NOTICES

## Planning and Environment Notices

### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

#### Instrument of Appointment

I, the Secretary of the Department of Planning and Environment, under section 119B of the *Environmental Planning and Assessment Act 1979* appoint, as investigation officers, those persons who for the time being hold the positions or roles referred to in column 3 of Schedule 1 to this Instrument of Appointment (whether in a permanent or temporary capacity), to exercise the powers of an investigation officer referred to in column 2 of Schedule 1 to this Instrument under Part 6, Division 1C of the *Environmental Planning and Assessment Act 1979* and any regulations made under that Act.

Carolyn McNally  
Secretary, Department of Planning and Environment

Dated, this 27th day of January 2016

#### Schedule 1

#### Appointment of Investigation Officers

Column 1	Column 2	Column 3
Item	Power	Investigation Officer
<b>Functions under the <i>Environmental Planning and Assessment Act 1979</i></b>		
1.	<p>Powers of entry and search of premises</p> <p>All the powers of an investigation officer under sections 119D, 119F and 119G.</p>	<p><b>NSW Police Force</b></p> <p>(a) A police officer of the rank of Inspector or above, if the officer holds a reasonable suspicion that the premises are used by or associated with a criminal group as defined in Division 5 of Part 3A to the <i>Crimes Act 1900</i>.</p> <p><i>Note 1: The use of the premises as a brothel is insufficient grounds alone for the exercise of these powers.</i></p> <p><i>Note 2: These powers do not extend to premises used only for residential purposes.</i></p> <p>(b) A police officer below the rank of Inspector, when called on to assist as part of entry or inspection of premises as outlined in (a) above.</p>

(n2019-1894)