



# *Government Gazette*

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ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

GOVERNMENT SECTOR FINANCE ACT 2018

Instrument of Delegation

The Planning Ministerial Corporation, being the corporation constituted by section 2.5 of the *Environmental Planning and Assessment Act 1979*, under section 2.4 of that Act and section 9.10 of the *Government Sector Finance Act 2018*:

- (a) delegates the functions identified in Schedule 1 to employees of the Department in the roles specified in that Schedule, and
- (b) delegates the power to expend money out of the Sydney Region Development Fund referred to in section 7.36 of the Act to those employees for the purposes of the functions delegated, and
- (c) revokes the delegation by the Corporation that took effect on 27 June 2018.

A delegation of a function by this instrument is also subject to the limitations specified in Schedule 1 in relation to the function. In particular, a delegate may not expend money, in exercising a function, above the amount specified in Schedule 1 in respect of the delegate. For the purpose of determining the amount of any proposed expenditure, an employee may disregard the amount of any Goods and Services Tax that may be payable in respect of that expenditure.

This instrument does not affect any other delegation under section 2.4 of the *Environmental Planning and Assessment Act 1979* or under the *Government Sector Finance Act 2018* apart from the delegation that is revoked by this instrument referred to above.

To the extent necessary, this instrument, in so far as it relates to functions under Part 6 of the *Government Sector Finance Act 2018*, also operates as a delegation by the Planning Secretary as the accountable authority of the Planning Ministerial Corporation.

The affairs of the Corporation must be managed by the Planning Secretary in accordance with any directions of the Minister. Accordingly, an employee may only exercise the Corporation's functions, under this instrument, in accordance with any directions of the Minister.

**Interpretation**

In this instrument:

- (a) a reference to an employee of the Department in a role is a reference to an employee of the Department who is assigned or temporarily assigned to that role under the *Government Sector Employment Act 2013*, and
- (b) a reference to a role using the specific title of the role includes a reference to a role with substantially the same responsibilities, and
- (c) **Corporation** means the Planning Ministerial Corporation constituted by section 2.5 of the *Environmental Planning and Assessment Act 1979* (being a continuation of the corporation constituted as the "Minister administering the *Environmental Planning and Assessment Act 1979*" under section 8 of that Act immediately before the repeal of that section by the *Environmental Planning and Assessment Amendment Act 2017*), and
- (d) **Department** means the Department of Planning, Industry and Environment.

Planning Secretary

on behalf of the Planning Ministerial Corporation

Dated: 19/11/19

**SCHEDULE 1**

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Any exercise of a delegation by which expenditure is committed or incurred must only take place if the expenditure or commitment is within Corporation's approved recurrent or capital budget as applicable and funds are available.

**PART 1**

ID NO	SOURCE	DELEGATION DESCRIPTION <i>(including reference to legislation where applicable)</i>	DELEGATES						OTHER
			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5		
		<b>1. ACQUISITION OF LAND</b>							
		The following functions of the Corporation in relation to its acquisition of land in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991 (Just Terms Act)</i> or otherwise:  Just Terms Act							
		(a) To approve the entry into an agreement for the acquisition of land not available for public sale (as referred to in section 38 of the Just Terms Act) and to make an offer as to the purchase price for the land.	\$12M	\$9M	\$6M	\$100,000	Not conferred	Not conferred	
		(b) Where land has been compulsorily acquired by notice published in the Gazette (under section 19 of the Just Terms Act), to make an offer of compensation to any person entitled to compensation under the Just Terms Act.	\$12M	\$9M	\$6M	\$100,000	Not conferred	Not conferred	
	EPA Act CORP	(c) Where the Governor has approved that land be compulsorily acquired, to approve the entry into an agreement under section 30 of the Just Terms Act.	\$12M	\$9M	\$6M	\$100,000	Not conferred	Not conferred	
1	LA (JTC) Act GSF Act	(d) Where an objection or an appeal has been made to the Land and Environment Court under Division 5 of Part 3 of the Just Terms Act, to reach an agreement during proceedings regarding the payment of compensation.  The amount of compensation offered or agreed to in exercising any of the functions described in paragraph (a), (b), (c) or (d) may not exceed the amount specified in the column opposite corresponding to the delegate's level. However, a delegate may vary the offer made, even though the amount of the varied offer exceeds the amount specified in the column opposite, as long as the amount of the varied offer does not exceed:  (i) the initial amount offered by more than 10% of that initial amount, and (ii) the amount specified for the delegate's level by more than 10%.  <b>Clause 31 of Schedule 2 to the Environmental Planning and Assessment Act 1979 and section 50 of the Interpretation Act 1987 (and Just Terms Act).</b>	\$12M	\$9M	\$6M	\$100,000	Not conferred	Not conferred	

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**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

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		DELEGATES						
ID NO	SOURCE	DELEGATION DESCRIPTION <i>(including reference to legislation where applicable)</i>	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	OTHER
		<p><u>Land available for public sale (as described in section 5 (3) of the Just Terms Act)</u></p> <p>(e) To approve the purchase of land available for public sale and to make an offer as to the purchase price for the land.</p> <p>The amount offered to purchase the land may not exceed the amount specified in the column opposite corresponding to the delegate's level. However, a delegate may vary the offer made, even though the amount of the varied offer exceeds the amount specified in the column opposite, as long as the amount of the varied offer does not exceed:</p> <p>(i) the initial amount offered by more than 10% of that initial amount, and                      (ii) the amount specified for the delegate's level by more than 10%.</p> <p><b>Section 50 of the Interpretation Act 1987</b></p> <p><u>Land given to the Corporation</u></p> <p>(f) To accept land given to the Corporation (by gift inter vivos, devise or bequest) and to agree to the condition of any such gift.</p> <p><b>Clause 31 (3) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p> <p><b>Note: "Land" includes an interest in land. Accordingly, the above delegation applies to the acquisition of an interest. However, see also items 4, 13 and 14 of this Schedule for delegations relating specifically with easements, rights-of-way and covenants.</b></p>	\$12M	\$9M	\$6M	\$100,000	Not conferred	Not conferred
		<p><b>2. HARDSHIP</b></p> <p>To form an opinion that an owner of land will suffer hardship if there is any delay in the acquisition of land under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p><b>Section 24 of the Land Acquisition (Just Terms Compensation) Act 1991</b></p>	Not Conferred	Not Conferred	Not Conferred	Not Conferred	Not conferred	Not conferred

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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	OTHER
3	EPA Act CORP	<p><b>3. SALE OR OTHER DISPOSAL OF LAND</b></p> <p>The following functions in relation to the sale or other disposal of land of the Corporation:</p> <p>(a) To approve the sale (with or without conditions relating to matters set out in clause 30 (2) (a) to (d) of Schedule 2 to the EPA Act), exchange or other disposal of or dealing with land of the Corporation, including to approve the sale at public auction of the land in one or more parcels.</p> <p>However, a delegate may approve the sale, exchange, disposal or dealing in relation to the land only if:</p> <p>(i) the estimated value of the land (following a valuation by a qualified valuer) does not exceed the amount specified in the column opposite corresponding to the delegate's level, and</p> <p>(ii) in the case of a sale, the sale price or reserve price, as the case may be, determined by the delegate, is not less than the estimated value.</p> <p>(b) To vary the sale price. The amount by which the sale price may be varied may not be less than the initial price determined by the Corporation (including by a delegate of the Corporation) by more than 10% of that initial price.</p> <p>(c) To approve the transfer to or vesting of land in NSW Government agencies or local councils where the transfer of land or vesting is in accordance with the Corporation's approved land transfer program. The estimated value of the transferred land may not exceed the amount specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 (1) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p> <p><b>Note: "Land" includes an interest in land.</b></p>	\$12M	\$9M	\$GM	\$100,000	Not conferred	Not conferred

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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	
4	EPA Act CORP	<p><b>4. EASEMENTS AND RIGHTS OF WAY</b></p> <p>The following functions in relation to easements and rights-of-way:</p> <p>(a) to grant, acquire or vary easements or rights-of-way,                      (b) to agree to (or procure) the removal, release, termination or cancellation of an easement or right-of-way,                      whether the easement or right of way is for the benefit of land of the Corporation or imposes a burden on any such land.</p> <p>This delegation of functions in relation to easements and rights-of-way does not apply where:</p> <p>(a) the easement or right-of-way is granted or acquired (or otherwise dealt with) by the Corporation in connection with the sale or other disposal, or acquisition, of other land by the Corporation and as part of that transaction, or                      (b) the easement or right-of-way is acquired by the Corporation over land in connection with the Corporation's disposal of some or all of its other interests in that land and as part of that transaction.</p> <p>In the above circumstances, the delegation of functions under item 1 or 3 of this Schedule (as the case may require) applies in relation to the dealing with the easement or right-of-way as part of the larger transaction involved.</p> <p><b>Clauses 30 and 31 of Schedule 2 to the <i>Environmental Planning and Assessment Act 1979</i> and section 50 of the <i>Interpretation Act 1987</i>.</b></p>	Conferred	Conferred	Conferred	Conferred	Not conferred	Not conferred

**SCHEDULE 1**

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ID NO	SOURCE	DELEGATION DESCRIPTION (including reference to legislation where applicable)	DELEGATES						
			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	OTHER	
		<b>5. PROPERTY MANAGEMENT</b>							
		<b>(a) General Property Management</b>							
		To manage land of the Corporation (other than the functions relating to management of land expressly described in the following paragraphs of this item).							
5	EPA Act CORP GSF Act	A delegate may not commit expenditure in relation to the management of the land that exceeds the amount specified in the column opposite corresponding to the delegate's level.	\$4M	\$3M	\$2M	\$200,000	\$20,000		Not conferred
		<b>Clause 30 (4) (4) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b>							
		<b>(b) To cause work to be done</b>							
		To cause any work to be done on or in relation to any land of the Corporation (or any other land, with consent of the person in whom it is vested or owned) for the purpose of rendering it fit to be used for any purpose for which it may be used under any environmental planning instrument which applies to the land.							
6	EPA Act CORP GSF Act	A delegate may not commit to expenditure on the work to be done on or in relation to the land that exceeds the amount specified in the column opposite corresponding to the delegate's level.	\$4M	\$3M	\$2M	\$200,000	\$20,000		Not conferred
		<b>Clause 30 (4) (h) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b>							
		<b>(c) To erect or alter building</b>							
		To erect, alter, repair and renovate buildings on, and make other improvements to or otherwise develop, land of the Corporation (or any other land with the consent of a person in whom it is vested or owned).							
7	EPA Act CORP GSF Act	A delegate may not commit to expenditure on the building work or other improvements or development on land that exceeds in total the amount specified in the column opposite corresponding to the delegate's level.	\$2.5M	\$2M	\$1M	\$50,000	\$5,000		Not conferred
		<b>Clause 30 (4) (g) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b>							

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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5		
8	EPA Act CORP	<p><b>(d) Leasing or licensing of land</b> To grant, vary or terminate a lease or licence over land of the Corporation. A delegate may not grant, vary or terminate a lease or licence if the term of the lease or licence exceeds or will exceed the term specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	25 years	20 years	15 years	5 years	Not conferred	Not Conferred	
9	EPA Act CORP	<p><b>(e) Dedication of land</b> To dedicate any land of the Corporation, by notification published in the Gazette, as a reserve for public recreation or other public purposes and fence, plant and improve any such reserve.</p> <p><b>Clause 30 (4) (i) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	Not conferred	Not conferred	Not conferred	Not conferred	Not conferred	Not conferred	
10	EPA Act CORP GSF Act	<p><b>(f) Location of Utility Services</b> To provide or arrange, on such terms and conditions as may be agreed upon, for location of utility services within or adjoining or in the vicinity of land of the Corporation. A delegate may not commit to expenditure in relation to the location or relocation of utility services that exceeds the amount specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 (4) (d) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	\$2.5M	\$2M	\$1M	\$50,000	Not conferred	Not conferred	
11	EPA Act CORP GSF Act	<p><b>(g) Subdivision and re-subdivision of land</b> To subdivide and re-subdivide, and consolidate subdivided or re-subdivided, land of the Corporation. A delegate may not commit to expenditure in relation to the subdivision, re-subdivision and consolidation of land that exceeds the amount specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 (4) (e) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	\$4M	\$3M	\$2M	\$200,000	Not conferred	Not conferred	



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12	EPA Act CORP GSF Act	<p><b>(h) To set out and construct roads</b></p> <p>To set out and construct roads on land of the Corporation or on land of which the Corporation has exclusive possession, or on any other land with consent of the person in whom it is vested or owned, and to hold all necessary consultations in relation to such roads.</p> <p>A delegate may not commit to expenditure in relation to the setting out or construction of roads that exceeds the amount specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 (4) (f) and (5) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	\$2.5M	\$2M	\$1M	\$200,000	Not conferred	Not conferred
13	EPA Act CORP	<p><b>(i) Variation of Covenants or Encumbrances</b></p> <p>To vary or release covenants (whether positive covenants or restrictions on use) or other encumbrances on title (including those for the benefit of the land of the Corporation) as required for the management of the Corporation's landholdings.</p> <p>This delegation of functions in relation to the variation or release of covenants and other encumbrances does not apply where the covenant is varied or released by the Corporation in connection with the sale or other disposal, or acquisition, of land by the Corporation and as part of the same transaction. In that case, the delegation of functions under item 1 or 3 of this Schedule (as the case may require) applies in relation to dealing with the covenant or encumbrance as part of the larger transaction.</p> <p><b>Clause 30 (1) and (4) (a) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	Conferred	Conferred	Conferred	Not conferred	Not conferred	Not conferred

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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	OTHER
14	EPA Act CORP	<p><b>(j) Covenants - creation</b> To enter into a covenant (including a restriction on use), whether the covenant is for the benefit of land of the Corporation or imposes a burden on any such land.</p> <p>This delegation in relation to the creation of covenants does not apply where the covenant is entered into by the Corporation in connection with the sale or other disposal, or acquisition, of land by the Corporation and as part of that transaction. In that case, the delegation of functions under item 1 or 3 of this Schedule (as the case may require) applies in relation to entry into the covenant as part of the larger transaction.</p> <p><b>Clauses 30 and 31 (1) and (2) of Schedule 2 to the Environmental Planning and Assessment Act 1979 and section 50 of the Interpretation Act 1987</b></p>	Conferred	Conferred	Conferred	Not conferred	Not conferred	Not conferred
15	EPA Act CORP	<p><b>(k) Caveats - lodging and release</b> To approve lodging or releasing (or "lifting") a caveat with respect to land in which the Corporation claims an interest.</p> <p><b>Clause 30 of Schedule 2 to the Environmental Planning and Assessment Act 1979 and section 50 of the Interpretation Act 1987</b></p>	Conferred	Conferred	Conferred	Conferred	Not conferred	Conferred
16	EPA Act CORP	<p><b>(l) Caveats - withdrawal</b> To approve the withdrawal of a caveat with respect to land in which the Corporation claims an interest.</p> <p><b>Clause 30 of Schedule 2 to the Environmental Planning and Assessment Act 1979 and section 50 of the Interpretation Act 1987</b></p>	Conferred	Conferred	Conferred	Not conferred	Not conferred	Not conferred

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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	OTHER
17	EPA Act CORP GSF Act	<p><b>(m) Surveys, plans, valuations and associated fee for service contractor engagements</b></p> <p>To cause surveys to be made, and plans of surveys to be prepared, in relation to land of the Corporation or in relation to any land proposed to be acquired by the Corporation and engage "fee for service" contractors for valuations and other associated reports, to be prepared in relation to such land.</p> <p>A delegate may not commit expenditure in relation to surveys and obtaining valuations and other reports that exceeds the amount specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 (4) (b) and (6) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	\$2.5M	\$2M	\$1M	\$50,000	\$5,000	Not conferred
18	EPA Act CORP GSF Act	<p><b>(n) Demolition</b></p> <p>To demolish, or cause to be demolished, any building on land of the Corporation of which it has exclusive possession.</p> <p>A delegate may not commit expenditure in relation to demolition of a building that exceeds the amount specified in the column opposite corresponding to the delegate's level.</p> <p><b>Clause 30 (4) (c) of Schedule 2 to the Environmental Planning and Assessment Act 1979</b></p>	\$2.5M	\$2M	\$1M	\$50,000	\$5,000	Not conferred
19	EPA Act CORP	<p><b>(o) Entry into agreements under Biodiversity Conservation Act 2016</b></p> <p>To enter into, vary or terminate a biodiversity stewardship agreement under the Biodiversity Conservation Act 2016 or any other agreement under that Act or the National Parks and Wildlife Act 1974.</p> <p><b>Clause 30 (1) and (4) of Schedule 2 to the Environmental Planning and Assessment Act 1979 and section 50 of the Interpretation Act 1987.</b></p>	Conferred	Conferred	Conferred	Not conferred	Not conferred	Not conferred

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20	EPA Act <b>CORP</b>	<p>(p) Exercise rights of land owner under <i>Environmental Planning and Assessment Regulation</i> (Paper subdivisions)</p> <p>To exercise the rights (and discharge the obligations) of an owner of land under Part 16C (Paper subdivisions) of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>Clause 30 (4) (a) of Schedule 2 to the <i>Environmental Planning and Assessment Act 1979</i> and section 50 of the <i>Interpretation Act 1987</i>.</p>	Conferred	Conferred	Conferred	Not conferred	Not conferred	Not conferred
21	EPA Act LA (JTC) Act	<p>(q) Give notice under section 21 of the <i>Just Terms Act</i></p> <p>To give written notice that land has been designated by the Corporation for future acquisition by it for a public purpose, for the purposes of section 21 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>Section 21 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> and clause 31 of Schedule 2 to the <i>Environmental Planning and Assessment Act 1979</i>, together with section 50 of the <i>Interpretation Act 1987</i>.</p>	Conferred	Conferred	Conferred	Conferred	Not conferred	Not conferred
		<b>6. PLANNING AGREEMENTS</b>						
22	EPA Act CORP	<p>To enter into, amend or revoke a planning agreement under section 93F of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Section 7.4 of the <i>Environmental Planning and Assessment Act 1979</i>, together with section 50 of the <i>Interpretation Act 1987</i>.</p>	Conferred	Conferred	Not conferred	Not conferred	Not conferred	Not conferred
		<b>7. ISSUE OF ASSESSMENT NOTICES</b>						
23	EPA REG	<p>To exercise the functions of the Corporation under clause 278 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>Clause 278 of the <i>Environmental Planning and Assessment Regulation 2000</i></p>	Conferred	Conferred	Conferred	Not conferred	Not conferred	Not conferred



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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5		
		<b>9. ENGAGEMENT OF CONTRACTOR - WH&amp;S REG</b>							
25	WORK, HEALTH AND SAFETY REG	To engage a person as a principal contractor for a construction project for the purposes of the <i>Work, Health and Safety Regulation 2017</i> where the need for the engagement arises from the terms of an agreement with respect to the development of land.  <b>Clause 30 (1) and (4) of Schedule 2 to the Environmental Planning and Assessment Act 1979 and section 50 of the Interpretation Act 1987.</b>	Conferred	Conferred	Conferred	Not Conferred	Not Conferred	Not Conferred	Not Conferred
		<b>10. GOODS AND SERVICES</b>							
26	EPA Act CORP GSF Act	To incur or commit expenditure, and authorise payment, from the Sydney Region Development Fund (or other Development Fund under s 7.36 of the EPA Act) for goods or services provided, or to be provided, by the Department of Planning and Environment, to enable the Corporation to exercise its functions, including to pay the salaries of staff employed for that purpose.  A delegate may not commit to or incur expenditure (or authorise payment) above the amount specified in the column opposite corresponding to the delegate's level.  <b>Section 7.36 of the Environmental Planning and Assessment Act 1979</b>	\$2.5M	\$2M	\$1M	\$50,000	\$5,000	Not conferred	Not conferred
		<b>11. PAYMENT OUT OF SRDF FOR OTHER PURPOSES</b>							
27	EPA Act CORP GSF Act	To commit or incur expenditure, and authorise payment, from the Sydney Region Development Fund (or other Development Fund under s 7.36 of the EPA Act):  (i) for the development of land for the purpose of an improvement program (as referred to ins 7.36 (4) of the EPA Act) approved by the Corporation, and  (ii) for any other purpose referred to in s 7.36 (3) or (5) of the EPA Act, not being for the purpose of exercising a particular function delegated by another item of this Schedule.	\$2.5M	\$2M	\$1M	\$50,000	\$5,000	Not conferred	Not conferred

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			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	OTHER	
		<b>12. EXERCISE OF OTHER FUNCTIONS</b>							
28	EPA Act CORP	To exercise any other function of the Corporation, not being the subject of any other item of this Schedule.	Conferred	Conferred	Conferred	Not Conferred	Not Conferred	Not Conferred	Not Conferred

<b>DELEGATION LEVELS for Part 1 of this Schedule</b>	
<b>Level</b>	<b>Department of Planning, Industry and Environment (OPIE)</b>
	<b>Office of Strategic Lands (OSL)</b>
1	Deputy Secretary, Housing and Property, DPIE, any other Deputy Secretary in DPIE with responsibility for the management of the Corporation, and in the case of ID No 27 relating to the Sydney Region Development Fund, the Deputy Secretary, Corporate Services, OPIE
2	Executive Director reporting to the Deputy Secretary, Housing and Property, and any other Deputy Secretary with responsibility for the management of the Corporation
3	Director, OSL
4	Employees of OPIE reporting directly to the Director, OSL
5	Employees of OPIE (within OSL) reporting directly to an employee at Level 4
Other	Employees of OPIE (within OSL) reporting directly to an employee at Level 5, with responsibilities related to a property portfolio

<b>DEFINITIONS: for Part 1 of this Schedule</b>	
1.	<b>Corp</b> and <b>Corporation</b> mean the Planning Ministerial Corporation constituted by section 2.5 of the <i>Environmental Planning and Assessment Act 1979</i> ;
2.	<b>EPA Act</b> means the <i>Environmental Planning and Assessment Act 1979</i> ;
3.	<b>GSF Act</b> means the Government Sector Finance Act 2018;
4.	<b>LA(JTC) Act</b> means the <i>Land Acquisition (Just Terms Compensation) Act 1997</i> ;
5.	<b>Land</b> includes any interest in land;
6.	<b>Land of the Corporation</b> means land vested in or owned by the Corporation.
7.	<b>Work, Health and Safety Reg</b> means the <i>Work, Health and Safety Regulation 2017</i> .

**SCHEDULE 1**

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Any exercise of a delegation by which expenditure is committed or incurred must only take place if the expenditure or commitment is within Corporation's approved recurrent or capital budget as applicable and funds are available.

**PART 2**

ID NO	SOURCE	DELEGATION DESCRIPTION <i>(including reference to legislation where applicable)</i>	DELEGATES					LEVELS
			LEVEL 1	LEVEL2	LEVEL 3	LEVEL4		
29	EPA Act CORP GSF Act	To exercise the Corporation's investment powers and to do such things as are necessary or incidental to the exercise of those powers.  A delegate may not make an investment or realise an investment if the value of the investment exceeds the amount specified in the column opposite corresponding to the delegate's level.  <b>Section 7.36 of the EPA Act, and Part 6 of the GSF Act and Schedule 1 to that Act</b>	\$30M	\$20M	\$15M	\$10M	Not Conferred	
30	EPA Act GSF Act	To manage the Corporation loan portfolio in accordance with Departmental policy.  Expenditure may not exceed the amount specified in the column opposite corresponding to the delegate's level.	\$30M	\$20M	\$15M	\$15M	\$500,000 (up to \$5M if co-signed by OPIE DSCS or Director, Finance)	
31		To write off a debt regarded as irrecoverable, in accordance with any relevant Treasurer's direction, if the amount of the debt does not exceed the amount specified in the column opposite corresponding to the delegate's level.	\$10M	\$1M	\$100,000	\$20,000	Not conferred	

**DELEGATION LEVELS for Part 2 of this Schedule**

Level	Department of Planning, Industry and Environment (OPIE) Office of Strategic Lands (OSL)
1	Deputy Secretary, Corporate Services, OPIE (DSCS)
2	Deputy Secretary, Housing and Property, OPIE and any other Deputy Secretary in OPIE with responsibility for the management of the Corporation
3	Executive Director reporting to a Deputy Secretary at Level 2 or DSCS
4	Director, OSL, and Director, Finance
5	Employees of OPIE reporting directly to the Director, OSL or Director, Finance

**DEFINITIONS: for Part 2 of this Schedule**

1. **Corp and Corporation** mean the Planning Ministerial Corporation constituted by section 2.5 of the *Environmental Planning and Assessment Act 1979*.
2. **EPA Act** means the *Environmental Planning and Assessment Act 1979*;
3. **GSF Act** means the *Government Sector Finance Act 2018*.