

Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, in pursuance of section 94E of the *Environmental Planning and Assessment Act 1979*, give the following Direction.



Minister for Planning and Infrastructure

Dated: **19 JUN 2013**

1 Name of Direction

This Direction is the *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013*.

2 When Direction takes effect

This Direction takes effect on 16 July 2013.

3 Consent authorities to which Direction is given

(1) This Direction is given to the following councils:

- (a) Ballina Shire Council,
- (b) Lake Macquarie City Council,
- (c) Maitland City Council,
- (d) Wyong Shire Council.

(2) This Direction also applies to any joint regional planning panel when exercising consent authority functions of any of the councils referred to in subclause (1).

4 Amendment of Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012* is amended as set out in Schedule 1.

Schedule 1 Amendments

[1] Clause 9

Insert after clause 8:

9 Pending applications when amending Direction 2013 takes effect

- (1) The amendments made to this Direction by the *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013* (the “*Amendment Direction 2013*”) extend to development applications made to a council, but not finally determined, before those amendments take effect.
- (2) The amendments made to this Direction by the *Amendment Direction 2013* do not apply to:
 - (a) any application for modification of a development consent that was granted before the *Amendment Direction 2013* takes effect, and
 - (b) any condition of a development consent that was granted before the *Amendment Direction 2013* takes effect.

Note. The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013* took effect on 16 July 2013.

[2] Schedule 1

Omit item 9 (b) and insert instead:

- (b) the Belmont Catchment, the Charlestown Catchment, the Glendale Catchment or the Toronto Catchment in the *Lake Macquarie Section 94 Contributions Plan No. 1 – Citywide*, or
- (c) Coorangbong (local roads sub-catchment 1), excluding North Cooranbong and Highland Avenue Urban Release Area, Highland Avenue URA (local roads sub-catchment 3) and Morisset (local roads sub-catchment 9B) in the *Lake Macquarie City Council Development Contributions Plan 2012 – Morisset Contributions Catchment*.

[3] Schedule 2

Insert the following items, in appropriate numerical order, and re-number the other items appropriately:

- (1) Land within the Ballina Shire Council Local Government Area identified as Precinct A - Cumbalum Urban Release Area on the map marked ‘Cumbalum Urban Release Area Precinct A’ held at the head office of the Department of Planning and Infrastructure.

- (16) Land within the Wyong Local Government Area identified as Warnervale Town Centre in *Warnervale Town Centre Development Contributions Plan 2012*, other than land that is within a Warnervale District Release Area referred to in item 20 (b) of Schedule 1.

[4] Schedule 2

Omit item 7 (as re-numbered) and insert instead:

- (7) Land within the Maitland City Local Government Area identified as:
- (a) the Lochinvar Urban Release Area in draft *Lochinvar Section 94 Contributions Plan 2012* (being the area shown as Lochinvar Contributions Catchment in Figure 1), as exhibited between 12 December 2012 and 13 February 2013, or
 - (b) the Thornton North Release Area in the *Thornton North Section 94 Contributions Plan 2008*.
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