

# Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012

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:

## 1 Name of Direction

This Direction is the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012*.

## 2 When Direction takes effect

This Direction takes effect on 28 August 2012.

## 3 Consent authorities to whom Direction is given

(1) This Direction is given to:

- (a) local councils, and
- (b) Sydney district planning panels and regional planning panels.

In this Direction, a reference to a consent authority is a reference to a local council or planning panel to whom the Direction is given.

(2) To avoid doubt, this Direction also applies to:

- (a) any local planning panel when exercising, on behalf of a council, the functions of the council as a consent authority, and
- (b) any other officer or employee of such a council to whom the council delegates its functions as a consent authority.

## 4 No cap on contributions for development on Schedule 1 land

This Direction does not apply to a development consent to the extent that it authorises the carrying out of development on any land identified in Schedule 1, but applies to the carrying out of development on all other land within the State.

## 5 Definitions

(1) In this Direction:

- (a) **2017 Amendment Direction** means the *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017*, and
- (b) **condition** means a condition under section 94 (1) or (3) of the *Environmental Planning and Assessment Act 1979*, and
- (c) **dwelling** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile, and
- (d) **IPART** means the Independent Pricing and Regulatory Tribunal established by the *Independent Pricing and Regulatory Tribunal Act 1992*, and
- (e) **residential accommodation** has the same meaning as in the standard local environmental planning instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*, and
- (f) **residential lot** means a lot created by the subdivision of land for the purpose of a dwelling, not being a lot that, in the opinion of the consent authority, is to be further subdivided for the purpose of creating lots for the purpose of dwellings.

**Note.** See section 4B of the *Environmental Planning and Assessment Act 1979* for the meaning of “subdivision of land”.

- (2) A reference in this Direction to a development consent that authorises a dwelling is a reference to a development consent that authorises the erection of the dwelling or the use of a building or part of a building as a dwelling.

**Note.** See section 4 (2) of the *Environmental Planning and Assessment Act 1979* for interpretation of the phrase “erection of a dwelling”.

- (3) A reference in this Direction to an IPART reviewed contributions plan is a reference to a contributions plan that satisfies all of the following:
  - (a) IPART has reviewed the contributions plan (or a draft of the plan) in accordance with assessment criteria set out in any applicable practice note, including whether the facilities to which the contributions plan relates are on any essential works list set out in the practice note,
  - (b) IPART has published a report of its review on its website and forwarded it to the Minister for Planning,
  - (c) following the forwarding of the report to the Minister, the Minister (or a nominee of the Minister) has advised the relevant council as to any amendments required to the contributions plan,
  - (d) the Minister’s (or nominee’s) advice to the council has been published on the website of the Department of Planning and Environment,
  - (e) the relevant council has approved the plan, and has made any amendments to the plan, in accordance with the written advice of the Minister or the Minister’s nominee.

An applicable practice note, referred to in paragraph (a), is the *Revised Local Development Contributions Practice Note: For the assessment of Local Contributions*

*Plans by IPART*, issued by the Department of Planning and Environment, February 2014, as amended or replaced from time to time.

- (4) For the purposes of this Direction, a contributions plan does not cease to be an IPART reviewed contributions plan even though it is amended, if the amendment:
  - (a) does not expand the types of residential accommodation for which a contribution may be required, or the circumstances in which a contribution may be required for residential accommodation, and
  - (b) does not expand the circumstances in which a contribution may be required for subdivision of land into residential lots, and
  - (c) does not result in an increase in the amount of the contribution that may be required to be made for development for residential accommodation or subdivision into residential lots, and
  - (d) does not expand the area to which the contributions plan applies, and
  - (e) does not alter the public amenities and public services for which contributions may be required to be made.
- (5) To avoid doubt, a contributions plan does not cease to be an IPART reviewed contributions plan only because that plan is amended by another contributions plan to specify that a complying development certificate for development of a kind to which the plan otherwise applies must be issued subject to a condition requiring the payment of a contribution.
- (6) A reference in subclause (4) and (5) to an amendment to a contributions plan includes a reference to a contributions plan that is amended by repealing the plan and re-making it with amendment.
- (7) Notes in this Direction do not form part of this Direction.

## **6 Maximum amount of monetary contributions under s 94**

- (1) This clause applies to a development consent to the extent that it authorises one or more dwellings or the subdivision of land into residential lots.
- (2) A consent authority must not grant development consent (other than for development on land identified in Schedule 2) subject to a condition requiring the payment of a monetary contribution that:
  - (a) in the case of a development consent that authorises one or more dwellings, exceeds \$20 000 for each dwelling authorised by the consent, or
  - (b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20 000 for each residential lot authorised to be created by the development consent.
- (3) A consent authority must not grant development consent for development on any land identified in Schedule 2 subject to a condition requiring the payment of a monetary contribution that:

- (a) in the case of a development consent that authorises one or more dwellings, exceeds \$30 000 for each dwelling authorised by the consent, or
  - (b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$30 000 for each residential lot authorised to be created by the development consent.
- (4) A consent authority may, in a particular case, require, as a condition on the grant of development consent, the payment of a monetary contribution that exceeds the maximum amount of the contribution calculated in accordance with subclause (2) or (3), but only with both the written agreement of the applicant for the consent and the written approval of the Minister, given before the condition is imposed.
- (5) This clause does not apply to the imposition (after the 2017 Amendment Direction takes effect) of a condition in accordance with an IPART reviewed contributions plan.

**6A Raising cap on contributions in specified precincts after 2017 amendment direction**

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to land to which any of the specified contributions plans apply when the 2017 amendment direction takes effect and authorises one or more dwellings on the land or subdivision of the land into residential lots.
- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds the amount specified in the table below for the relevant period (being the period in which the development consent is granted).

	<b>Relevant period</b>	<b>Maximum amount of contribution</b>
1	Date on which 2017 amendment direction takes effect to 31 December 2017	\$30,000 for each dwelling or each residential lot
2	1 January 2018 to 30 June 2018	\$35,000 for each dwelling or each residential lot
3	1 July 2018 to 30 June 2019	\$40,000 for each dwelling or each residential lot
4	1 July 2019 to 30 June 2020	\$45,000 for each dwelling or each residential lot
5	On and from 1 July 2020	An amount determined in accordance with the applicable contributions plan, if the contributions plan is a specified contributions plan as in force at the date on which the 2017 amendment direction takes effect or an IPART reviewed contributions plan

- (3) In this clause, *specified contributions plan* means any of the following:

### **The Hills Shire**

- Contributions Plan No.13 – North Kellyville Precinct
- The Hills Section 94 Contributions Plan (CP) No.15 – Box Hill Precinct
- Contributions Plan No.12 – Balmoral Road Release Area
- The Hills Section 94 Contributions Plan (CP) No.16 – Box Hill North Precinct

### **Blacktown**

- Section 94 Contributions Plan No.20 – Riverstone & Alex Avenue Precincts
- Section 94 Contributions Plan No.24 – Schofields Precinct
- Section 94 Contributions Plan No.22 – Area 20 Precinct
- Section 94 Contributions Plan No.21 – Marsden Park

### **Wollongong**

- draft West Dapto Section 94 Development Contributions Plan 2017

- (4) For the purposes of this clause, the draft West Dapto Section 94 Contributions Plan 2017 as attached to the minutes of the meeting of Wollongong City Council of 3 April 2017 is taken to be the plan that applies to the relevant land when the 2017 amendment direction takes effect.
- (5) To avoid doubt, this clause continues to apply in relation to land to which a specified contributions plan as in force at 28 July 2017 applies (or applied) even if:
- (a) that plan is amended or repealed, or
  - (b) any new or amended contributions plan that applies to the land also applies to other land.

Accordingly, a monetary contribution may be imposed as a condition of consent for development on any such land, if allowed by the applicable contributions plan, up to the maximum amounts set out in items 1 to 4 of the table to subclause (2), irrespective of whether the amended plan or the new plan is an IPART reviewed contributions plan.

- (6) If, on or after 1 July 2020, the contributions plan that applies when development consent is granted is not the relevant specified contributions plan as in force at 28 July 2017 or an IPART reviewed contributions plan, the consent authority must not grant development consent subject to a condition requiring the payment of a monetary contribution that exceeds \$30,000 for each dwelling or each residential lot.

**Note.** The plans listed above as in force at the date the 2017 amendment direction took effect can be viewed on the website of the Department of Planning and Environment. The 2017 amendment direction took effect on its date of publication in the Government Gazette, namely 28 July 2017.

The specified contributions plans were reviewed by IPART before the 2017 amendment direction took effect.

### **6B Raising cap in Rockdale Urban Renewal Area after 2017 amendment direction**

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to land to which the draft *Rockdale Contributions Plan 2016 – Urban Renewal Area* (as submitted to IPART for review) applies and authorises one or more dwellings on the land or subdivision of the land into residential lots.

**Note.** The *Rockdale Contributions Plan 2016 – Urban Renewal Area* (as submitted to IPART for review in 2016) can be viewed on the website of the Department of Planning and Environment.

- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds the amount specified in the table below for the relevant period (being the period in which the development consent is granted).

	<b>Relevant period</b>	<b>Maximum amount of contribution</b>
1	Date on which the 2017 amendment direction takes effect to 31 December 2017	\$20,000 for each dwelling or each residential lot
2	1 January 2018 to 30 June 2018	\$25,000 for each dwelling or each residential lot
3	1 July 2018 to 30 June 2019	\$30,000 for each dwelling or each residential lot
4	1 July 2019 to 30 June 2020	\$35,000 for each dwelling or each residential lot
5	On and from 1 July 2020	An amount determined in accordance with the applicable contributions plan, if the contributions plan is an IPART reviewed contributions plan

- (3) To avoid doubt, this clause continues to apply in relation to land to which draft *Rockdale Contributions Plan 2016 – Urban Renewal Area* (as submitted to IPART for review) applies even if:
- (a) that draft contributions plan, when approved under the *Environmental Planning and Assessment Act 1979*, is amended, or
  - (b) the contributions plan, as approved, is amended or repealed, or
  - (c) any new or amended contributions plan that applies to the land also applies to other land.

Accordingly, a monetary contribution may be imposed as a condition of consent for development on any such land, if allowed by the applicable contributions plan, up to the maximum amounts set out in items 1 to 4 of the table to subclause (2), irrespective of whether the contributions plan is an IPART reviewed contributions plan.

- (4) If, on or after 1 July 2020, the contributions plan that applies when development consent is granted is not an IPART reviewed contributions plan, the consent authority must not grant development consent subject to a condition requiring the payment of a monetary contribution that exceeds \$30,000 for each dwelling or each residential lot.

**6C Raising cap in Camden and Liverpool contributions areas after 2017 amendment direction**

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to land to which a Camden/Liverpool contributions plan applies when the 2017 amendment direction takes effect and authorises one or more dwellings on the land or subdivision of the land into residential lots.
- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds the amount specified in the table below for the relevant period (being the period in which the development consent is granted).

	<b>Relevant period</b>	<b>Maximum amount of contribution</b>
1	Date on which the 2017 amendment direction takes effect to 31 December 2017	\$30,000 for each dwelling or each residential lot
2	1 January 2018 to 30 June 2018	\$35,000 for each dwelling or each residential lot if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan (when consent is granted) and \$30,000 for each dwelling or each residential lot in any other case
3	1 July 2018 to 30 June 2019	\$40,000 for each dwelling or each residential lot if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan (when consent is granted) and \$30,000 for each dwelling or each residential lot in any other case
4	1 July 2019 to 30 June 2020	\$45,000 for each dwelling or each residential lot if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan (when consent is granted) and \$30,000 for each dwelling or each residential lot in any other case
5	On and from 1 July 2020	An amount determined in accordance with the applicable Camden/Liverpool contributions plan if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan or another IPART reviewed contributions plan (when consent is granted), and \$30,000 for each dwelling or each residential lot in any other case

- (3) In this clause, *Camden/Liverpool contributions plan* means any of the following:

**Liverpool**

- Liverpool Contributions Plan 2008 (Edmondson Park)
- Liverpool Contributions Plan 2014 Austral and Leppington North Precincts
- Liverpool Contributions Plan 2014 – East Leppington Precinct

**Camden**

- Oran Park and Turner Road Precincts Section 94 Contributions Plan

- Camden Growth Areas Contributions Plan
- Catherine Fields (Part) Precinct Section 94 Contributions Plan

**6D Raising cap in Riverstone East, Blacktown LGA, after 2018 amendment direction**

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to rezoned land in Riverstone East (within Blacktown local government area) and authorises one or more dwellings on the land or subdivision of the land into residential lots.
- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds:
  - (a) if the contributions plan that applies to the development is an IPART reviewed contributions plan when development consent is granted - the amount specified in the table below for the relevant period, and
  - (b) in any other case - \$30,000 for each dwelling or each residential lot.

(The relevant period is the period in which development consent is granted.)

	Relevant period	Maximum amount of contribution
1	1 January 2018 to 30 June 2018	\$35,000 for each dwelling or each residential lot
2	1 July 2018 to 30 June 2019	\$40,000 for each dwelling or each residential lot
3	1 July 2019 to 30 June 2020	\$45,000 for each dwelling or each residential lot
4	On and from 1 July 2020	An amount determined in accordance with the applicable contributions plan

- (3) In this clause, **rezoned land in Riverstone East** means the land identified by pink hatching and the letter “F” within Riverstone East Precinct on the North West Growth Centre Land Application Map (as land to which Blacktown Growth Centres Precinct Plan 2013 applies), adopted by *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* as at 22 August 2016.

**Note.** The relevant land application map sheets identifying the land within Riverstone East Precinct in the North West Growth Centre to which the above SEPP applies are LAP\_004, LAP\_008 and LAP\_009.

**7 Pending development applications**

- (1) This Direction extends to development applications made to a council, but not finally determined, before this Direction takes effect.
- (2) This Direction does not apply to:
  - (a) any application for modification of a development consent that was granted before this Direction takes effect, and



- (b) any condition of a development consent that was granted before this Direction takes effect.

## **8 Revocation of existing direction**

- (1) The *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011* (which took effect on 4 March 2011) is revoked.
- (2) The revocation of the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011* does not affect:
  - (a) the operation of a condition of a development consent imposed in accordance with that Direction, or
  - (b) the operation of a condition of a development consent imposed in accordance with the earlier direction under section 94E of the *Environmental Planning and Assessment Act 1979* that took effect on 16 September 2010 and that was revoked by the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011*.

## **9 Pending applications when Amending Directions take effect**

- (1) This clause applies to amendments made to this Direction by the following Directions (“Amendment Directions”):
  - (a) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013*,
  - (b) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2016*,
  - (c) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017*,
  - (d) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2018*,
  - (e) *Environmental Planning and Assessment (Local Infrastructure Contributions) Further Amendment Direction 2018*,
  - (f) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2019*.
- (2) The amendments made to this Direction by each Amendment Direction extend to development applications made to a consent authority, but not finally determined, before that Amendment Direction takes effect.
- (3) The amendments made to this Direction by each Amendment Direction do not apply to:
  - (a) any application for modification of a development consent if that consent was granted before the Amendment Direction takes effect, and
  - (b) any condition of a development consent that was granted before the Amendment Direction takes effect.

**Note 1.** The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013* took effect on 16 July 2013.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2016* took effect on its date of publication in the Government Gazette, being 23 September 2016.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017* took effect on its date of publication in the Government Gazette, being 28 July 2017.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2018* took effect on its date of publication in the Government Gazette, being 23 February 2018.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Further Amendment Direction 2018* took effect on its date of publication in the Government Gazette, being 18 January 2019.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2019* took effect on its date of publication in the Government Gazette, being 20 December 2019.

**Note 2.** Section 94EC (1A) of the *Environmental Planning and Assessment Act 1979* provides as follows:

The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.

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**Schedule 1 Land in respect of which there is no cap on the amount of the contribution by virtue of this Direction**

- (1) Land within the Bathurst Regional Local Government Area identified as Area E in the *Section 94 Contributions Plan Robin Hill - Roads and Drainage Construction*.
- (2) Land within the Blacktown City Local Government Area identified as any of the following:
  - (a) a 1980's Release Area in the *Section 94 Contributions Plan No.1 – 1980's Release Areas*,
  - (b) a catchment area in the *Section 94 Contributions Plan No.2 – Local Roadworks*,
  - (c) Catchment 1: Blacktown, Catchment 2: Rooty Hill/Mount Druitt or Catchment 3: Riverstone/Schofields in the *Section 94 Contributions Plan No.3 – Open Space in Established Residential Areas*,
  - (d) the Mount Druitt Development Area in the *Section 94 Contributions Plan No.4 – Mount Druitt Development Area*,
  - (e) the Parklea Release Area in the *Section 94 Contributions Plan No. 5 – Parklea Release Area*,
  - (f) the Metella Road Toongabbie Floodplain Catchment in the *Section 94 Contributions Plan No.15 – Metella Road Floodplain*.
- (3) Land within the Camden Local Government Area identified as:
  - (a) the Elderslie Release Area or the Spring Farm Release Area in the *Camden Contributions Plan 2011*, or
  - (b) the Narellan Release Area or the Harrington Park Release Area on the map marked 'Camden LGA – Exemptions Area' held at the head office of the Department of Planning and Infrastructure.
- (4) Land within the Campbelltown City Local Government Area identified as the Glenfield Road Urban Release Area in the *Section 94 Development Contributions Plan – Glenfield Road Urban Release Area*.
- (5) Land within the Coffs Harbour City Local Government Area identified as:
  - (a) the Wests Coffs Release Area in the *West Coffs Release Area Contributions Plan 2006*, or
  - (b) the Moonee Release Area identified in the *Moonee Developer Contributions Plan 2008*.
- (6) Land within the Hawkesbury City Local Government Area identified as the Pitt Town Residential Precinct in the *Hawkesbury Section 94 Contributions Plan 2008*.
- (7) Land within the Holroyd City Local Government Area identified as the Neil Street Precinct in the *Neil Street Precinct Section 94 Development Contributions Plan 2007*.
- (8) Land within the Ku-ring-gai Local Government Area identified as:
  - (a) zoned R3 Medium Density Residential, R4 High Density Residential, B2 Local Centre, B4 Mixed Use, B5 Business Development, B7 Business Park, SP2 Infrastructure or RE1 Public Recreation under the *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* and to which the *Ku-ring-gai Contribution Plan 2010* applies, or

- (b) zoned No 2(d3) Residential “D3” under the *Ku-ring-gai Local Environmental Plan No 194* and to which the *Ku-ring-gai Contribution Plan 2010* applies.
- (9) Land within the Lake Macquarie City Local Government Area identified as:
    - (a) the Northlakes Urban Release Area in the *Lake Macquarie Section 94 Contributions Plan No.2 – Northlakes*, or
    - (b) 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*.
  - (10) Land within the Liverpool City Local Government Area identified as Carnes Hill, Hoxton Park, Middleton Grange or Prestons in the *Liverpool Contributions Plan 2009*.
  - (11) Land within the Marrickville Local Government Area to which the *Marrickville Section 94 Contributions Plan 2004* applies.
  - (12) Land within the Palerang Local Government Area identified as Summerhill Road, Matthews Lane, the Woolshed Lane, Wanna Wanna Road, Clare Lane, Joe Rocks Road or Fernloff Road on the map marked ‘Palerang LGA – Exemptions Area’ held at the head office of the Department of Planning and Infrastructure.
  - (13) Land within the Penrith City Local Government Area identified as:
    - (a) Claremont Meadows Stage 2 in the *Claremont Meadows Development Contributions Plan Amendment No.1*, or
    - (b) Glenmore Park Stage 1 in the *Glenmore Park Stage 1 Development Contributions Plan 2008*.
  - (14) Land within the Pittwater Local Government Area identified as the Warriewood Valley Urban Release Area in the *Warriewood Valley Section 94 Contributions Plan No. 15 Amendment No.16*.
  - (15) Land within the Port Macquarie-Hastings Local Government Area identified as Kings Creek in the *Kings Creek Contributions Plan Version 2.5*.
  - (16) Land within the Queanbeyan City Local Government Area identified as the Wanna Wanna Road Precinct on the map marked ‘Queanbeyan LGA – Exemptions Area’ held at the head office of the Department of Planning and Infrastructure.
  - (17) Land within the Shoalhaven City Local Government Area identified as the Riversdale Road Area, the Parma Road Area or the Kangaroo River Bridge Area in the *Shoalhaven Contributions Plan 2010*.
  - (18) Land within The Hills Shire Local Government Area identified as any of the following:
    - (a) Kellyville/Rouse Hill in the *Section 94 Contributions Plan No.8 – Kellyville/Rouse Hill*,
    - (b) Bella Vista Village in the *Section 94 Contributions Plan No.2 – Bella Vista Village*,
    - (c) the West Pennant Hills Valley in the *Section 94 Contributions Plan No.2 – West Pennant Hills Valley*,

- (d) Crestwood in the *Section 94 Contributions Plan No.3 – Crestwood*,
  - (e) Glenhaven in the *Section 94 Contributions Plan No.4 – Glenhaven*,
  - (f) Castle Hill in the *Section 94 Contributions Plan No.5 – Castle Hill*,
  - (g) a Southern Precinct in the *Section 94 Contributions Plan No.7 – Southern Precincts*.
- (19) Land within the Tweed Local Government Area identified as Seaside City in the *Section 94 Contributions Plan No.28 – Seaside City*.
- (20) Land within the Wyong Local Government Area identified as:
- (a) The Entrance District in the *Section 94 Contributions Plan No.3 ‘The Entrance District’*, or
  - (b) the Warnervale District Release Areas in the *Section 94 Contributions Plan No.7A ‘Drainage, Water Quality, Open Space, Community Facilities and Roads – Warnervale District’*.

## Schedule 2 Land subject to the \$30,000 maximum contribution

- (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.
- (2) Land within the Camden Local Government Area identified as Harrington Grove or Mater Dei on the map marked 'Camden LGA – Greenfield Release Areas' held at the head office of the Department of Planning and Infrastructure.
- (3) Land within the Coffs Harbour City Local Government Area identified as the Hearnese Lake Release Area or Sandy Beach Release Area in the *Hearnese Lake/Sandy Beach Release Area Developer Contributions Plan 2008*.
- (4) Land within the Eurobodalla Local Government Area identified as Glenella Service Road 1c, Batehaven Greenfield Area, Broulee Greenfield Area, Dalmeny Greenfield Area, Kianga Greenfield Area, Malua Bay Greenfield Area, Bay Ridge 1c, Moruya 1c, Tomakin Greenfield Area, Longbeach Greenfield Area, Moruya South Greenfield Area, Moruya West Greenfield Area, Mystery Bay Greenfield Area, Narooma Greenfield Area, Nelligen 1c, Rosedale Greenfield Area, Central Tilba 1c or Bingi 1c on the map marked 'Eurobodalla LGA – Greenfield Release Areas' held at the head office of the Department of Planning and Infrastructure.
- (5) Land within the Greater Taree City Local Government Area identified as the Old Bar Precinct 2B or Precinct 3 in the *Old Bar Contributions Plan 2010*.
- (6) Land within Lake Macquarie Local Government Area identified as:
  - (a) North Wallarah in the *Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula (2004)*, or
  - (b) any of the following areas identified in the *Lake Macquarie City Council Development Contributions Plan – Glendale Contributions Catchment* (as at 1 December 2017): Glendale Central Urban Release Area, Glendale East Urban Release Area, Glendale West Urban Release Area and Warners Bay Urban Release Area, or
  - (c) Arcadia Vale Urban Release Area in the *Lake Macquarie City Council Development Contributions Plan – Toronto Contributions Catchment* (as at 1 December 2017), or
  - (d) the Urban Release Areas identified as Catherine Hill Bay Area 1, Catherine Hill Bay Area 2 and Nords Wharf Area 1 on the urban release area map (URA\_011) adopted by *Lake Macquarie Local Environmental Plan 2014*, as in force at 1 December 2018.
- (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,
  - (b) the Thornton North Release Area in the *Thornton North Section 94 Contributions Plan 2008*, or

- (c) the Farley Urban Release Area in *Farley Section 94 Contributions Plan 2015*, adopted 12 April 2016.
- (8) Land within the Nambucca Shire Local Government Area identified as the Contribution Catchment on Map C1 in the *Smiths Lane Local Road and Traffic Infrastructure Developer Contribution Plan 2010*.
- (9) Land within the Penrith City Local Government Area identified as:
  - (a) the WELL Precinct in the *Werrington Enterprise Living and Learning (WELL) Precinct Development Contribution Plan*, or
  - (b) Glenmore Park Stage 2 in the *Glenmore Park Stage 2 Development Contributions Plan*.
- (10) Land within the Port Macquarie-Hastings Local Government Area identified as Thrumster, Innes Peninsula, Camden Haven or Lake Cathie / Bonny Hills on the map marked 'Port Macquarie-Hastings LGA – Greenfield Release Areas' held at the head office of the Department of Planning and Infrastructure.
- (11) Land within Port Stephens Local Government Area identified as Kings Hill - Raymond Terrace on the site identification map set out on page D-160 of the *Port Stephens Development Control Plan 2014* as in force at 1 December 2018.
- (12) Land within the Queanbeyan-Palerang Regional Local Government Area identified as:
  - (a) Locations 3 and 4 on the Fernleigh/Royalla Rural Roads Contribution Map in the *Queanbeyan City Council – Section 94 Contributions Plan 2012*, or
  - (b) Googong New Town (comprising Googong New Town Urban Area and Googong New Town Hamlets) in the *Queanbeyan City Council - Section 94 Contributions Plan (Googong) 2015*, as notified on 29 April 2016, or
  - (c) South Jerrabomberra Urban Release Area in *Queanbeyan-Palerang Regional Council South Jerrabomberra Local Infrastructure Contributions Plan 2018* as adopted on 26 April 2018.
- (13) Land within Shellharbour local government area identified in *Shellharbour City Council Section 94 Contributions Plan 2016 - 8th Review Amendment 1* (as in force at 1 August 2019) as:
  - (a) Benefit Area 9 – Tullimbar Infrastructure, or
  - (b) Precinct 9 – Calderwood.
- (14) Land within Shoalhaven City Local Government Area identified in *Shoalhaven Contributions Plan 2010* as any of the following:
  - (a) Iron Bark Road Tapitallee upgrade area,
  - (b) Flannery Lane upgrade area,
  - (c) Browns Mountain Road upgrade area,
  - (d) Broger's Creek Road gravel upgrade area,
  - (e) Wattamolla Road upgrade area,
  - (f) Graham's Road/unnamed road gravel upgrade area,

- (g) Spotted Gum Drive upgrade area,
  - (h) Hart Road bitumen upgrade area,
  - (i) Sinclair Road Part 3 bitumen upgrade area,
  - (j) Bendalong Mountain Road upgrade area,
  - (k) Pointer Road upgrade area,
  - (l) Bugong Road upgrade area.
- (15) Land within the Tweed Local Government Area identified as Black Rocks, Koala Beach, West Murwillumbah, Tanglewood, Kings Forest – Casuarina Beach, SALT, West Kingscliff, Area ‘E’ (Terranora), Terranora Village, Bilambil Heights, Cobaki Lakes, Nightcap Village or Hastings Point on the map marked ‘Tweed LGA – Greenfield Release Areas’ held at the head office of the Department of Planning and Infrastructure.
- (16) Land within Wollondilly Local Government Area referred to as Wilton Growth Area in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, with boundaries shown on the Wilton Growth Area Precinct Boundary Map adopted by that Policy as at 29 July 2016 (identified as PCB\_001).
- (17) 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.
- (18) Land within the following growth centres precincts shown on the North West Growth Centre Precinct Boundary Map or the South West Growth Centre Precinct Boundary Map (other than land identified in Schedule 1), adopted by the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (as in force when the 2017 amendment direction takes effect):
- West Schofields
  - Vineyard
  - Riverstone East (other than rezoned land within Riverstone East, as defined in clause 6D)
  - Lowes Creek
  - Marylands
  - Riverstone West
  - Marsden Park North
  - Shanes Park
  - Rossmore
  - Bringelly
  - Catherine Fields
  - Catherine Fields North

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