

# **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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