



New South Wales

Environmental Planning and Assessment Amendment (Warnervale Contributions) Regulation 2008

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

KRISTINA KENEALLY, M.P.,
Minister for Planning

Explanatory note

The object of this Regulation is to prohibit a development application being determined in relation to land in the State significant site of Warnervale Town Centre, as described in *State Environmental Planning Policy (Major Projects) 2005*, until a contributions plan under section 94EA of the *Environmental Planning and Assessment Act 1979* has been approved for the State significant site.

A contributions plan is not required for the determination of a development application if:

- (a) the development application is, in the opinion of the consent authority, of a minor nature, or
- (b) the developer has entered into an agreement with the consent authority that makes adequate provision in relation to the matters that may be the subject of the contributions plan.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 80 (11) and 157 (the general regulation-making power).

2008 No 490

Clause 1 Environmental Planning and Assessment Amendment (Warnervale Contributions) Regulation 2008

**Environmental Planning and Assessment Amendment
(Warnervale Contributions) Regulation 2008**

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Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Warnervale Contributions) Regulation 2008*.

2 Amendment of Environmental Planning and Assessment Regulation 2000

The *Environmental Planning and Assessment Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 271B

Insert in appropriate order:

271B Contributions plans for Warnervale Town Centre State significant sites

- (1) Pursuant to section 80 (11) of the Act, a development application in relation to all or part of the Warnervale Town Centre State significant site must not be determined by the consent authority unless a contributions plan under section 94EA of the Act has been approved for that State significant site.
- (2) Despite subclause (1), a consent authority may dispense with the need for a contributions plan referred to in that subclause if:
 - (a) the development application is, in the opinion of the consent authority, of a minor nature, or
 - (b) the developer has entered into an agreement with the consent authority that makes adequate provision with respect to the matters that may be the subject of a contributions plan.
- (3) In this clause, *Warnervale Town Centre State significant site* means the Warnervale Town Centre, being the land to which *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 24)* applies.