

## **Environmental Planning and Assessment (Special Infrastructure Contribution – Gosford City Centre) Direction 2018**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, in pursuance of section 7.24 of the *Environmental Planning and Assessment Act 1979*, give the following Direction.



Minister for Planning

Dated: 10/10/2018

### **1 Name of Direction**

This Direction is the *Environmental Planning and Assessment (Special Infrastructure Contribution – Gosford City Centre) Direction 2018*.

### **2 When Direction takes effect**

This Direction takes effect on the date of its publication in the Gazette.

### **3 Council and other planning bodies to whom Direction is given**

- (1) This Direction is given to consent authorities in relation to development within the Gosford City Centre Special Contributions Area.
- (2) To avoid doubt, this Direction also applies to:
  - (a) any local planning panel when exercising, on behalf of the council constituted for the local government area within which the Gosford City Centre Special Contributions Area is located, the functions of the council as a consent authority, and
  - (b) any officer or employee of such a council to whom the council delegates its functions as a consent authority.

### **4 Condition for special infrastructure contribution must be imposed on grant of development application**

A consent authority must impose the following condition on the grant of development consent to a development application to carry out development within the Gosford City Centre Special Contributions Area if the consent authority determines, for the purposes of determining the fee for the development application in accordance with the *Environmental Planning and Assessment Regulation 2000*, that the estimated cost is \$1,000,000 or more:

*The developer must obtain a determination by the Planning Secretary as to whether a special infrastructure contribution is required to be made under the Environmental Planning and Assessment (Special Infrastructure Contribution – Gosford City Centre) Determination 2018 (2018 Determination). The developer must do so before the time by which a special infrastructure contribution, if made as a monetary contribution, would have to be paid under the 2018 Determination.*

*To assist the Planning Secretary in making that determination, the developer is to provide the Planning Secretary with an up-to-date estimate of the proposed cost of carrying out the development, as referred to in the 2018 Determination.*

*If the Planning Secretary determines that a special infrastructure contribution is required to be made under the 2018 Determination, a contribution must be made in accordance with that Determination (as in force when this consent takes effect).*

*A person may not apply for a construction certificate in relation to development the subject of this development consent unless the person provides, in connection with the application, written evidence from the Department of Planning and Environment that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.*

*In this condition:*

***developer** means the person having the benefit of this development consent, and  
**Planning Secretary** means the Secretary of the Department of Planning and Environment.*

**More information**

*Please contact the Department of Planning and Environment by email to:*

*SIContributions@planning.nsw.gov.au.*

**5 Pending development applications**

This Direction extends to development applications made, but not finally determined, before this Direction takes effect.

**6 Definitions**

- (1) In this Direction, **Gosford City Centre Special Contributions Area** means the special contributions area of that name, as described in Schedule 4 to the *Environmental Planning and Assessment Act 1979*.
  - (2) Words or expressions in this Direction have the same meanings as they have in the *Environmental Planning and Assessment Act 1979*.
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