



Environmental Planning and Assessment Amendment (Randwick Master Plans) Regulation 2000

under the

Environmental Planning and Assessment Act 1979

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

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Explanatory note

Randwick Local Environmental Plan 1998 (Amendment No 17) under the *Environmental Planning and Assessment Act 1979* is intended to provide that consent may not be granted for development of a site area consisting of more than 4,000 square metres of land within the City of Randwick unless a master plan has been adopted for the site area by Randwick City Council and the consent authority is satisfied that the proposed development is not inconsistent with the master plan. It is intended that exceptions will apply in accordance with specified criteria.

The objects of this Regulation are:

- (a) to prohibit a consent authority from determining a development application in respect of any such site area by granting a development consent unless the requirements referred to above have been met (or unless the need for a master plan has been waived), and
- (b) to require a consent authority, when determining a development application for land the subject of an adopted master plan, to take the master plan into consideration.

2000 No 269

Environmental Planning and Assessment Amendment (Master Plans and Development Plans) Regulation 2000

Explanatory note

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including section 157 (the general power to make regulations) and sections 79C and 80.

Environmental Planning and Assessment Amendment (Randwick Master Plans) Regulation 2000

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Randwick Master Plans) Regulation 2000*.

2 Amendment of Environmental Planning and Assessment Regulation 1994

The *Environmental Planning and Assessment Regulation 1994* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

2000 No 269

Environmental Planning and Assessment Amendment (Randwick Master Plans) Regulation 2000

Schedule 1 Amendment

Schedule 1 Amendment

(Clause 2)

Clause 110DD

Insert after clause 110DC:

110DD Master plans: sections 79C (1) (a) and 80 (11) of the Act

- (1) This clause applies to land within the City of Randwick.
- (2) Pursuant to section 80 (11) of the Act, a development application in respect of a site area consisting of more than 4,000 square metres of land to which this clause applies may not be determined by granting development consent unless:
 - (a) a master plan has been adopted by Randwick City Council for the land and the consent authority is satisfied that the proposed development is not inconsistent with the master plan, or
 - (b) the requirement for a master plan has been waived in accordance with an environmental planning instrument.
- (3) For the purposes of section 79C (1) (a) of the Act, the provisions of any master plan adopted by Randwick City Council for land to which this clause applies are prescribed as matters to be taken into consideration by the consent authority in determining a development application in respect of that land.
- (4) In this clause, *master plan* means a plan:
 - (a) that makes more detailed provision for or with respect to the development of land than a local environmental plan applying to the land, and
 - (b) that complies with any relevant requirements of such a local environmental plan and other environmental planning instruments.

BY AUTHORITY