



New South Wales

Environmental Planning and Assessment Amendment (Levies) Regulation 2007

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*.

FRANK SARTOR, M.P.,
Minister for Planning

Explanatory note

The object of this Regulation is to amend the *Environmental Planning and Assessment Regulation 2000* to prescribe the maximum percentage levy that can be collected under section 94A of the *Environmental Planning and Assessment Act 1979* (which requires applicants for development consent to pay a levy of a percentage of the proposed cost of the development).

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including sections 94A (5) and 157 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Levies) Regulation 2007*.

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 25K

Omit the clause. Insert instead:

25K Section 94A levy—maximum percentage

- (1) The maximum percentage of the proposed cost of carrying out development that may be imposed by a levy under section 94A of the Act is:
- (a) in the case of development other than development specified in paragraph (b):
 - (i) if the proposed cost of carrying out the development is up to and including \$100,000—nil, or
 - (ii) if the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000—0.5 per cent of that cost, or
 - (iii) if the proposed cost of carrying out the development is more than \$200,000—1 per cent of that cost, or
 - (b) in the case of development on land specified in the Table to this paragraph—the percentage specified in Column 2 of the Table opposite the relevant proposed cost of carrying out the development listed in Column 1 of the Table.

Table

Column 1	Column 2
Proposed cost of carrying out the development	Maximum percentage of the levy
<i>Land within the Commercial Core zone under Wollongong City Centre Local Environmental Plan 2007</i>	
Up to and including \$250,000	Nil
More than \$250,000	2 per cent

- (2) This clause is subject to any direction given by the Minister under section 94E (1) (d) of the Act.