

**ENVIRONMENTAL PLANNING AND ASSESSMENT
(CONTRIBUTIONS PLANS) AMENDMENT BILL 1992**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

Section 94 of the Environmental Planning and Assessment Act 1979 authorises a local council to require the dedication of land or a monetary contribution as a condition of development consent in certain cases. The section was amended by the Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 to prevent a council imposing such a requirement unless the council has adopted a "contributions plan" and the requirement is allowed by and is in conformity with the contributions plan. The deadline for the adoption of contributions plans was fixed at 17 December 1992.

The object of this Bill is to amend the section to postpone the date by which councils must adopt contributions plans for the purpose of imposing requirements under the section to 30 June 1993. The amended provision (section 94 (7)) will read as follows:

(7) When granting consent to a development application made on or after *the first anniversary of the date of assent to the Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 or such earlier day as may be fixed by proclamation for the purposes of this subsection* **1 July 1993**, a council may impose a condition referred to in this section *only* if it is of a kind allowed by, and is determined in accordance with, a contributions plan approved under section 94AB.

[Matter to be omitted is shown in italic type and matter to be inserted is shown in bold type.]

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the provisions of the proposed Act 16 December 1992.

Clause 3 amends section 94 (7) of the Environmental Planning and Assessment Act 1979 as detailed above.
