

LEGISLATIVE COUNCIL

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT BILL 2006

Schedule of amendments agreed to in Committee of the Whole

on Tuesday 28 March 2003

Schedule of the amendments referred to in the Legislative Council's message of 28 March 2006.

- Govt** No. 1 Page 6, Schedule 1 [15], proposed section 94EE. Insert after line 36:
- (4) In determining the level and nature of development contributions to be imposed as conditions under this Subdivision for development within a particular special contributions area (other than a growth centre), the Minister is to do one or more of the following:
 - (a) consult with owners of land in the special contributions area and other relevant stakeholders,
 - (b) publicly exhibit a proposal in relation to the level of development contributions and seek submissions within a reasonable time in relation to that proposal,
 - (c) establish a panel that, in the Minister's opinion, represents the interests of the various relevant stakeholders and consult with that panel.
- CDP** No. 2 Page 6, Schedule 1 [15], proposed section 94EE. Insert after line 36:
- (4) The determination of the Minister:
 - (a) is to contain reasons for the level and nature of the development contributions, and
 - (b) is to be made publicly available by the Minister.
- Govt** No. 3 Page 8, Schedule 1 [15], proposed section 94EG. Insert after line 2:
- (4) Before creating a special contributions area (other than a growth centre), the Minister is to consult with the peak industry organisations that the Minister considers to be relevant.
- CDP** No. 4 Page 10, Schedule 1 [19]. Insert after line 19:
- Review**
- (1) The Minister is to review Subdivision 4 of Division 6 of Part 4 of this Act to determine whether the policy objectives of that Subdivision remain valid and whether the terms of this Act remain appropriate for securing those objectives.
 - (2) The review is to be undertaken as soon as possible after the period of 3 years from the date of assent to the amending Act.

- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 3 years.

CDP No. 5 Page 11, Schedule 2. Insert after line 32:

[3] Section 117 (4A)

Insert after section 117 (4):

- (4A) Before giving a direction under subsection (2) (c), the Minister is to consult with the Local Government and Shires Associations of New South Wales and any other industry organisation the Minister considers to be relevant, in relation to the information that the Minister is proposing to seek. This requirement is in addition to the requirement under subsection (4).

CDP No. 6 Page 12, Schedule 2 [3], proposed section 118. Insert after line 35:

- (4) A panel may not exercise the functions of a council for a continuous period of more than 5 years.
- (5) If a panel exercises the functions of a council for a continuous period of more than 2 years, the Minister is, as soon as practicable after 2 years after the date on which the panel was appointed, to conduct a review of the appointment and functions of the panel.
- (6) A review under subsection (5) is to be conducted by the Minister in consultation with the Minister for Local Government, the Local Government and Shires Associations of New South Wales and any other industry organisation that the Minister considers to be relevant.

CDP No. 7 Page 13, Schedule 2 [3], proposed section 118 (5), line 2. Omit “consult with”. Insert instead “obtain the concurrence of”.

CDP No. 8 Page 13, Schedule 2 [3], proposed section 118. Insert after line 2:

- (6) The Minister may appoint a planning administrator or a panel for a reason set out in subsection (1) (b) only if the Minister has, by order published in the Gazette, provided heads of consideration for the exercise of power under subsection (1) (b), and has taken those heads of consideration into account.

CDP No. 9 Page 13, Schedule 2 [3], proposed section 118. Insert after line 6:

- (7) The Minister must, as soon as reasonably practicable after appointing a planning administrator or a panel, make the reasons for that appointment publicly available.