

No. , 1976.

A BILL

To amend the State Planning Authority Act, 1963, with respect to contributions by councils to the General Fund of the New South Wales Planning and Environment Commission.

[MR HEALEY—24 *March*, 1976.]

BE

State Planning Authority (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "State Planning Authority (Amendment) Act, 1976". Short title.

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commencement.

10 (2) Section 3 shall commence upon the day appointed and notified pursuant to section 2 (2) of the Environmental Planning Act, 1976.

3. The State Planning Authority Act, 1963, is amended— Amendment of Act No. 59, 1963.

15 (a) by inserting at the end of section 3 the following subsection:— Sec. 3. (Interpretation.)

(2) A reference in this Act to the Commission is a reference to the New South Wales Planning and Environment Commission constituted under the New South Wales Planning and Environment Commission Act, 1974.

20 (b) by inserting after section 38 (7) the following subsections:— Sec. 38. (Assessment of councils for the General Fund.)

25 (7A) Notwithstanding any other provision of this section the Commission shall, before serving an assessment on a council pursuant to subsection (1), refer the assessment to the Minister.

(7B) Where the Minister is of the opinion that, having regard to the manner in which a council liable to assessment under subsection (1) is exercising

State Planning Authority (Amendment).

5 exercising or performing its functions under the Environmental Planning Act, 1976, and under any environmental planning instrument made under that Act, an assessment in respect of that council referred to the Minister pursuant to subsection (7A) should be reduced, he may direct the Commission to reduce that assessment by such an amount as is specified in the direction.

10 (7C) Where the Minister gives a direction under subsection (7B), the Commission shall reduce the assessment to which the direction relates in accordance with the direction.

15 (c) (i) by omitting from section 39 (1) the words Sec. 39.
“an amount equivalent to the total contributions (Contribution by the Treasurer.) payable by the councils to the General Fund that year or an amount of five hundred thousand dollars, whichever amount is the lesser” and by inserting instead the words “such amount as is determined by the Treasurer”;

20 (ii) by omitting section 39 (2).



PROOF

STATE PLANNING AUTHORITY (AMENDMENT) BILL, 1976

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to empower the Minister to reduce assessments on certain councils of amounts to be paid to the General Fund of the New South Wales Planning and Environment Commission in certain circumstances;
 - (b) to remove the reference in section 39 (1) of the State Planning Authority Act, 1963, to the minimum amount (\$500,000) required to be paid by the Treasurer to the General Fund of that Commission; and
 - (c) to make other amendments of a minor or ancillary character.
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PROOF

STATE PLANNING AUTHORITY (ARTICLE 11-B) BILL, 1976

ARTICLE 11-B

The State Planning Authority shall be established by the Governor, and shall consist of the following members:—

(a) the Chief Minister; and

(b) such other persons as the Governor may think fit, and may include persons representing the various States and Union Territories.

The Governor may nominate any person to be a member of the Authority, and may remove any member thereof at any time.

The Authority shall be a body corporate and shall have perpetual succession. It shall have the power to acquire, hold and dispose of immovable and movable property, and to contract, and shall have all the powers that may be necessary for the purposes of the functions conferred on it by this Act.

The Authority shall be subject to the control and supervision of the Governor.

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