



PLANNING SYSTEM

Development contributions

Circular	PS 05–004
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Development contributions practice notes

This circular is to advise local councils, other consent authorities, the planning and development industry and the community of new practice notes on the administration of the development contributions system under Division 6 of Part 4 of the Environmental Planning and Assessment Act.

Introduction

On Friday 8 July 2005, the Environmental Planning and Assessment Amendment (Development Contributions) Act 2005 and accompanying Regulation take effect.

The EP&A Act now offers three ways in which development contributions may be collected and used, by:

- voluntary planning agreements
- fixed development consent levies
- the traditional imposition of section 94 contributions as a condition of development consent.

This flexibility and choice will improve the efficient delivery of facilities and infrastructure to communities.

Practice notes

To promote good practice in contributions planning and administration, DIPNR has prepared a series of practice notes on the development contributions system. The notes are available from the DIPNR website at:

www.dipnr.nsw.gov.au/planningreform.html.

The practice notes cover:

- section 94 contributions plans
- section 94A contributions plans
- planning agreements

The practice notes replace the section 94 contributions plans manual published by the department in 1997.

It is intended that the practice notes will be reviewed after six months. This will give practitioners the opportunity to use the practice notes and provide feedback for the review.

A feedback form will be placed on the website in the coming months and practitioners will be invited to send us their comments.

This set of practice notes will also be added to as required, over time. For example, a practice note on the development contributions in relation to the Growth Centres Commission will be issued later this year.

Further information

A copy of the EP&A Amendment (Development Contributions) Act 2005 and Regulation can be downloaded from the NSW Government legislation website at www.legislation.nsw.gov.au under legislation “As made”, or via the DIPNR website at www.dipnr.nsw.gov.au/planningreform.html.

For more information about the current reforms to the NSW planning system, visit the DIPNR website at www.dipnr.nsw.gov.au/planningreform.html.

Authorised by:

Alice Spizzo
Executive Director, Office of the Director General

Important note

This circular and the practice notes do not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by these documents.

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