

## PLANNING AGREEMENT DIRECTION

I, the Minister for Planning, give the following direction under section 7.9 of the *Environmental Planning and Assessment Act 1979*.

Minister for Planning

Dated:

### 1. Objective

The objective of this direction is to identify standard requirements for negotiating or preparing a planning agreement.

### 2. Application

This direction is given to all local councils.

### 3. Interpretation

In this direction,

***planning agreement*** means an agreement referred to in section 7.4 of the *Environmental Planning and Assessment Act 1979*.

**Note:** Section 7.4 of the *Environmental Planning and Assessment Act 1979* provides that planning agreements can require the dedication of land, payment of a monetary contribution or provision of a material public benefit (or a combination of them) to be used or applied towards a public purpose (which includes public amenities or public services, affordable housing and transport or other infrastructure).

***Secretary's Practice Note*** means the practice note issued by the Secretary of the Department of Planning and Environment, under clause 25B of the *Environmental Planning and Assessment Regulation 2000*, to assist parties in the preparation of planning agreements, as in effect when this direction is given and published on the Department's website.

### 4. Standard requirements

When negotiating or preparing a planning agreement, local councils must have regard to the Secretary's Practice Note.

### 5. Pending planning agreements

This Direction does not apply to planning agreements for which public notice was given under section 7.5(1) of the *Environmental Planning and Assessment Act 1979* before this Direction is published on the NSW Planning Portal.