

WINGECARRIBEE SHIRE COUNCIL ASSESSMENT POLICY for SECTION 94/94A DEVELOPER CONTRIBUTIONS and SECTION 64 DEVELOPMENT SERVICING PLANS

POLICY STATEMENT:

The objective of this document is to provide:

- a standard criteria to assess and calculate contributions for developments under Section 94/94A of the Environmental Planning and Assessment Act 1979 and Section 64 of the Local Government Act 1993;
- a standard procedure for the carrying out of the assessment of developments for the purposes of Section 94/94A of the Environmental Planning and Assessment Act 2008 and Section 64 of the Local Government Act 1993;
- a standard procedure for the assessment of applications for Works in Kind (WIK), Land Dedication and Material Public Benefit (MPB).

RELATED LEGISLATION, CIRCULARS OR GUIDELINES:

- *Section 64 Local Government Act 1993*
- *Sections 305 to 307 of the Water Management Act 2000*
- *Section 94 and 94A of the Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*

DOES THIS DOCUMENT REPLACE AN EXISTING POLICY, PROCEDURE OR PLAN?

- NIL

RELATED COUNCIL POLICY OR PROCEDURE:

- NIL

APPLICATION AND DISTRIBUTION

It is mandatory for all Council officials to comply with this Policy.

This Policy and Guidelines are available on Council's website under Council Policies.

APPROVED BY:

Council:

8 September 2010 MN 365/10 Item o-EP9	
EFFECTIVE: 22 September 2010	REVIEW DATE: 22 September 2012
DISTRIBUTION:	
RESPONSIBLE COUNCIL DEPARTMENT/OFFICER: Strategic Planning – Contributions/Strategic Planner	
VERSION HISTORY TABLE:	

KEY RESPONSIBILITIES

<i>Position</i>	<i>Responsibility</i>
Mayor	To lead Councillors in their understanding of, and compliance with, this Policy and Guidelines.
General Manager	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this Policy and Guidelines. To approve resources to develop, implement and review this Policy and Guidelines.
Responsible Officer	Outline responsibilities of person(s) whose role it will be to carry out most of the functions under the policy
Directors	To communicate, implement and comply with this Policy and related Guidelines.
Director of Corporate Services	To ensure (directly or through delegation) the distribution and communication of the Policy and Guidelines to specified persons. To ensure (directly or through delegation) the approved Policy and Guidelines are available in hard copy and electronically on Council's website.
Manager Organisational Development	Facilitate the provision of regular training to all Council officials on their role and responsibilities in relation to this Policy, Guidelines and related procedures.
Executive and Managers	To implement this Policy, Guidelines and related procedures. To lead staff in their understanding of, and compliance with, this Policy and Guidelines
Information Technology Manager	To assist with the development of systems to support public access to this Policy, Guidelines and related information.
All Council officials	To comply with this Policy, Guidelines and related procedures.

WINGECARRIBEE SHIRE COUNCIL ASSESSMENT POLICY for SECTION 94/94A DEVELOPER CONTRIBUTIONS and SECTION 64 DEVELOPMENT SERVICING PLANS

DIVISION: Environment and Planning

SECTION: Strategic Planning

SUBJECT: Section 94/9A Developer Contributions and Section 64
Development Servicing Plans

FILE NOS: 5701, 5702, 5701/7 & 5701/8

APPROVAL DATE:

MINUTE NO:

BACKGROUND –

This document **is not** a Development Contributions Plan under Section 94/94A of the Environmental Planning and Assessment Act 1979 or a Development Servicing Plan under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. This document is a Council Policy which intends to create a standard set of criteria and procedures for the calculation and assessment of development contributions at Wingecarribee Shire Council. The adoption of this Policy will create greater transparency in the process of calculating contributions levies and charges; and the creation and adoption of Community Infrastructure Development Contributions Plans for Council Staff, Councillors and the General Public.

OBJECTIVE –

The objective of this document is to provide:

- a standard criteria to assess and calculate contributions for developments under Section 94/94A of the Environmental Planning and Assessment Act 1979 and Section 64 of the Local Government Act 1993;
- a standard procedure for the carrying out of the assessment of developments for the purposes of Section 94/94A of the Environmental Planning and Assessment Act 2008 and Section 64 of the Local Government Act 1993;
- a standard procedure for the assessment of applications for Works in Kind (WIK), Land Dedication and Material Public Benefit (MPB).

The provision of standard criteria's, procedure's and guidelines will enable Council's staff to formulate a consistent approach to the calculation of contributions for proposed development; and the creation of new contributions plans to conform to the EPA Act 1979.



SCOPE – This Policy applies to all proposed development lodged in Council or with PCA's, as development applications or complying development, within the Wingecarribee Shire Council Local Government Area.

POLICY – Refer to Attachment.

RELATED INFORMATION –

This Policy may be amended from time to time under delegation of the General Manager.

CONTACT – Contributions/Strategic Planner

REVIEW – 2-yearly basis

P O L I C Y

Attachment:

Wingecarribee Shire Council

Assessment Policy for Section 94/94A Developer
Contributions and Section 64 Development
Servicing Plans

P O L I C Y

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1 Objectives of this Policy

The objective of this document is to provide:

- a standard criteria to assess and calculate contributions for developments under Section 94/94A of the Environmental Planning and Assessment Act 1979 and Section 64 of the Local Government Act 1993;
- a standard procedure for the carrying out of the assessment of developments for the purposes of Section 94/94A of the Environmental Planning and Assessment Act 2008 and Section 64 of the Local Government Act 1993;
- a standard procedure for the assessment of applications for Works in Kind (WIK), Land Dedication and Material Public Benefit (MPB).

The provision of standard criteria's, procedure's and guidelines will enable Council's staff to formulate a consistent approach to the calculation of contributions for proposed development; and the creation of new contributions plans to conform to the EPA Act 1979.

2 Criteria for the Calculation of Contributions for proposed Development

2.1 Introduction

The intention of this section of the policy is to nominate a relationship between the contributions levied for a single density dwelling lot (one lot with one dwelling entitlement or one equivalent tenement ET) and the contributions levied upon other development types for Section 94 and Section 64 Local Government Act and Section 306 Water Management Act 2000 (Water and Sewer Development Servicing Plans).

2.2 Contribution Rates

Schedule 1 lists the percentage-based relationships for the various residential uses.

Schedule 2 lists the criteria for assessment of load on water and sewer head-works for non-residential development.

Schedule 3 lists the percentage-based levy on the value of the development relationship for commercial industrial and retail developments, applicable only to development subject to a Section 94A Contributions Plan.

3 Works in Kind, Land Dedication and Material Public Benefit Policy

3.1 Introduction

Council may accept an offer by the applicant to provide an “in-kind” contribution (i.e. the applicant completes part or all of the work/s identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this plan.

Council may accept such alternatives in the following circumstances:

- a. The value of the works to be undertaken is at least equal to the value of the contribution that would otherwise be required under this plan; and
- b. The standard of the works is to Council’s full satisfaction; and
- c. The provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program; and
- d. [other as appropriate in the circumstances]

The value of the works to be substituted must be provided by the applicant at the time of the request and must be independently certified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Council will require the applicant to enter into a written agreement for the provision of the works.

Acceptance of any such alternative is at the sole discretion of Council. Council may review the valuation of works or land to be dedicated, and may seek the services of an independent person to verify their value. In these cases, all costs and expenses borne by the Council in determining the value of the works or land will be paid for by the applicant.

3.2 Applications

3.2.1 Application for WIK

1. Any application must be made in writing to Council, as a Section 96 Application for Modification to the Development Application. Should Council accept the application the Condition requiring the relevant contribution/s to be offset will need to be amended or deleted to be replaced with a written contract.
2. Council’s Development Contributions/Strategic Planner will be responsible for recording the application and co-ordinating the consideration of the application with the relevant Asset Manager.
3. Council will consider the Application in terms of satisfying the following criteria. Applications will need to address this criterion:

- i. **Works to be undertaken:** WIK contracts will normally only be negotiated on those works detailed in the relevant contribution plan. Application for consideration of Material Public Benefit will require approval by a Council meeting.
 - ii. **Timing of works:** No WIK contracts will be negotiated retrospectively, i.e. after works commence.
 - iii. **Community Benefit:** it can be demonstrated that approval of the application will be a significant benefit to the community.
 - iv. **Prejudicial Impact:** the Application must not prejudice the timing of the manner of the provision of the infrastructure for which the contribution is required. Prejudicial impact will have regard of all items in the Plan's Work Schedule, not only the item(s) in the application, and will consider any impacts, both negative and positive, upon service levels.
4. Prior to an Application being approved by Council, a firm value and the required quality of work will need to be set and agreed upon by the relevant Council Asset Manager. Following agreement with the Asset Manager, Council's Development Contributions/Strategic Planner will negotiate a formal WIK Contract. After this point, requests for extras will not be considered. Once commenced, non-compliance with the contract will result in non-compliance with the consent. For these reasons, construction of any item in an application will not commence until completion of the WIK Contract that outlines the fixed budget and service standard.
 5. On completion of the negotiation of the WIK Contract, the developer shall pay to Council 10% of the cost of the WIK as a security bond against the future provision of the intended works.
 6. The 10% security bond shall be returned to the developer only after 12-month maintenance period has elapsed and following certification by Asset Manager that all obligations and Works have been undertaken to the required standard detailed in the contract.
 7. Where an Application is not approved by Council, the monetary contribution, as per the Consent, remains applicable.

3.2.2 Application for Dedication of Land

1. Any application must be made in writing to Council, as a Section 96 Application for Modification to the Development Application. Should Council accept the application the Condition requiring the relevant contribution/s to be offset will need to be amended or deleted to be replaced with a condition requiring the land dedication free of cost to Council and by a certain time specified in that condition.
2. In considering whether to accept the provision of land as a partial or total offset of contribution, the Council will have regard for the following:

- i. The purpose of the land.
 - ii. Needs of the community for the land, and whether or not the land is identified for open space, recreation purposes or road widening, in an adopted Development Contributions Plan, Development Control Plan, Regional Strategy or Local Environmental Plan.
 - iii. Cost to cover the land for the intended purposes (remedial costs), whether this cost is already incurred or whether it will be incurred by Council.
 - iv. Future maintenance costs.
 - v. Environmental factors such as vegetation cover, soil condition, flood liability, bushfire risk, etc.
 - vi. Accessibility, current use and improvements.
 - vii. Proximity to the subject development site and relationship to other land identified for the same or similar purpose.
 - viii. The ability of the land to be used for the purpose for which the contribution was originally sought.
 - ix. Area location, configuration and topography of the site.
 - x. Other contributions, including works in kind, required to be provided by the applicant.
 - xi. The value of the proposed land to be dedicated in relation to the amount of the contribution required.
3. All costs of dedication are to be born by the applicant, and the land must be dedicated in a condition suited for its intended purpose.

4 References

Development Contributions Practice Notes - 2005, by the Department of Planning, New South Wales.

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

Environmental Planning and Assessment Amendment Act 2008

Local Government Act 1993

Water Directorate Technical Guidelines, Section 64 Determinations for Equivalent Tenements Guidelines; January 2005

Water Management Act 2000.

5 Schedule 1- Residential Housing & Accommodation

Table 1- Residential Housing ET Rates

Note: Refer to the Definition of a 'bedroom' in Section 8.2 of this Policy for the purposes of this table.

Note: Social Housing Providers under SEPP (Seniors Living) 2004 are exempt from S94 (Direct) Contributions

Description of Development	Unit Rate Per ET		
	S94 (Direct) Contributions Plans	Water DSP	Sewer DSP
Single Residential Lots (dwelling house)			
A Standard Residential Lot – a single density (one lot with one dwelling). Dwelling House in residential zones where lots are greater than 450m ² and less than 2000 m ²	1.00	1.00	1.00
A Large Residential Lot – a single density (one lot with one dwelling). Dwelling House in residential and rural zones where lots are greater than 2000 m ²	1.00	1.20	1.00
Dual Occupancy, Secondary Dwelling, Attached Dwellings, Semi Detached Dwelling, Multi Dwelling Housing – generally for where each dwelling is to be situated on lots less than 450m ² (but not limited to) and permanent self contained caravan park accommodation.			
One (1) bedroom dwelling	0.50	0.50	0.50
Two (2) bedroom dwelling	0.67	0.67	0.67
Three (3) bedroom dwelling or greater	1.00	1.00	1.00
Residential Flat Buildings, Serviced Apartments, Shop Top Housing Tourist and Visitor Accommodation Units (self contained).			
One (1) bedroom apartment	0.50	0.50	0.50
Two (2) bedroom apartment	0.67	0.67	0.67
Three (3) bedroom or more apartment	0.90	0.90	0.90
Tourist and Visitor Accommodation Units (not self contained)			
Shared facilities for cooking, laundry and bathrooms per bedroom that are not dormitory or bunk rooms	0.25	0.25	0.25
Shared facilities for cooking & laundry but own ensuite per bedroom that are not dormitory or bunk rooms	0.35	0.35	0.35
Shared facilities for cooking, laundry and bathrooms per bed that are dormitory or bunk rooms	0.125	0.125	0.125
Shared facilities for cooking and laundry but own ensuite per bed that are dormitory or bunk rooms	0.175	0.175	0.175
Housing for Seniors or People with a Disability (Seniors Living SEPP 2004) or Seniors Housing			
One (1) bedroom self contained (ensuite & kitchen)	0.33	0.33	0.33
Two (2) bedroom self contained	0.55	0.55	0.55
Three (3) or more bedrooms self contained	0.75	0.75	0.75
Residential Care Facilities, Hostels and Group Homes			
High Dependency/Residential Care Facility (per bed)	Nil	0.50	0.75
Low Dependency/Hostel (per bed)	0.35	0.30	0.45
Caravan Parks and/or Camping Sites			
Transient, not permanent (not self contained)	0.25	0.25	0.25
Transient, not permanent (partially self contained)	0.35	0.35	0.35
Permanent (not self contained)	0.25	0.25	0.25
Permanent (partially self contained, ensuite)	0.35	0.35	0.35
Permanent (fully self contained)	See Multi-Unit housing		

6 Schedule 2 – Commercial & Industrial

Table 2 - Commercial and Industrial ET Rates

Description of Development	Unit Rate	Water ET	Sewer ET
Non Residential			
Hospital	Per Bed	1	1
Military Camp	Per Soldier	0.16666667	0.16666667
Day School	Per Student	0.04	0.04
Boarding School	Per Student	0.16666667	0.16666667
Hotel (Service area, bar, beer garden, toilets, lounge, casino)	Per m ²	0.01	0.01
Club (Licensed)	Per m ²	0.01	0.01
Commercial			
Shops – Dry Trade	Per m ²	0.001	0.001
Shops – Florists, Supermarkets	Per m ²	0.0038	0.0038
Shops – Food Preparation & Takeaway	Per m ²	0.02	0.02
Shops – Hairdressers/Beauty Salon	Per Basin	0.50	0.79
Restaurant, Café, Canteen, Caterers and Commercial Kitchens	Per m ²	0.01	0.01
Bulky Goods Retail	Per m ²	0.0004	0.0004
Offices, Banks, Professional Rooms	Per m ²	0.002	0.002
Professional Consulting Rooms (Dentists, Doctors, Medical Consultants)	Per Room	0.40	0.63
Car Wash	Per Lane	5.7	9
Service Station Fuel Pumps	Per Lane	0.6	0.9
Vehicle Service Garages (mechanical workshops)	Per m ²	0.0025	0.0025
Car Sales Showroom (indoor)	Per m ²	0.0025	0.0025
Car Sales Open Display Area (outdoor)	Per m ²	0.0003	NIL
Entertainment			
Showground, Racecourse	Per Person	0.01	0.01
Swimming Pool	Per Pool	25	25
Multi-Purpose recreational Complex	Per m ²	0.001	0.001
Squash courts	Per m ²	0.001	0.001
Ten Pin Bowling Alley (Service Area)	Per m ²	0.01	0.01
Brothel	Per Room	0.425	0.425
Theatres	Per m ²	0.0003	0.0003
Bowling Green	Per Green	2.5	Nil
Golf Course	Per Hole	0.5	Nil
Industrial			
Multi-Purpose (future use unknown)	Per m ²	0.005	0.005
Clean Dry Trades (no showers)	Per m ²	0.0004	0.0004
Dirty Trades (with showers)	Per m ²	0.001	0.001
Wet Industrial			
Food manufacture – Dairy			
Milk	Per m ²	0.14	0.14
Cheese	Per m ²	0.085	0.085
Ice-Cream	Per m ²	0.035	0.035
Food manufacture – Fruit & Vegetables			
Cannery, Condiments, Sauces	Per m ²	0.055	0.055
Food manufacture – Meat			
Abattoirs	Per m ²	0.055	0.055
Rendering Tallow	Per m ²	0.03	0.03
Gelatine & Glue	Per m ²	0.085	0.085
Poultry	Per m ²	0.11	0.11
Small Goods	Per m ²	0.055	0.055
Food manufacture – Grain			
Flour Milling	Per m ²	0.0015	0.0015

Starch	Per m ²	0.085	0.085
Edible Oils & Fats	Per m ²	0.11	0.11
Cereals	Per m ²	0.015	0.015
Bakery	Per m ²	0.0015	0.0015
Biscuits & Cakes	Per m ²	0.015	0.015
Food manufacture – Beverages			
Beer	Per m ²	0.055	0.055
Soft Drinks & Cordials	Per m ²	0.03	0.03
Food Manufacture – Other			
Yeast	Per m ²	0.11	0.11
Confectionary	Per m ²	0.008	0.008
Salt	Per m ²	0.03	0.03
Textiles & Leather			
Tannery & Hides	Per m ²	0.055	0.055
Wool Scour	Per m ²	0.11	0.11
Felt & Carpet	Per m ²	0.03	0.03
Wool Dyeing & Spinning	Per m ²	0.03	0.03
Cotton & Synthetic	Per m ²	0.055	0.055
Dyeing & Spinning	Per m ²	0.055	0.055
Chemicals			
Oil Refinery	Per m ²	0.0015	0.0015
Pharmaceutical	Per m ²	0.015	0.015
Organic Liquids	Per m ²	0.03	0.03
Resins, Polymers & Plastics	Per m ²	0.03	0.03
Adhesives	Per m ²	0.03	0.03
Soaps & Detergents	Per m ²	0.015	0.015
Paint Manufacturing	Per m ²	0.008	0.008
Metal Processing			
Electroplating	Per m ²	0.03	0.03
Anodising	Per m ²	0.03	0.03
Galvanising	Per m ²	0.03	0.03
Batteries	Per m ²	0.015	0.015
Non-Metallic Manufacture			
Paper	Per m ²	0.008	0.008
Wood	Per m ²	0.008	0.008
Glass	Per m ²	0.008	0.008
Services			
Laundries (Laundromats)	Per Machine	0.45	0.71
Laboratories	Per m ²	0.055	0.055
Film Processing	Per m ²	0.03	0.03
Dry Industrial			
Clean Trade (no showers)	Per Person	0.04	0.04
Dirty Trade (with showers)	Per Person	0.1	0.1
Industrial Subdivision (vacant lots)	Per Lot	1.00	1.00

Note: All other developments to be assessed at time of application.

7 Schedule 3 – Section 94A Contributions

Table 3 - Indirect Levies applicable to development under the provisions of the Indirect Contributions Plan

Development Cost	Levy Amount
Where the proposed cost of carrying out the development is up to and including \$100,000	NIL
Where the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000	0.5% of the cost of the development
Where the proposed cost of carrying out the development is more than \$200,000	1% of the cost of the development

7.1 Procedure

A cost summary report is required to be submitted with all applicable development applications to allow Council to determine the contribution that will be required. The following shall be provided:

- a. A cost summary report must be completed for works with a value no Greater than \$500,000.
- b. A Quantity Surveyor's Detailed Cost Report must be completed by a registered Quantity Surveyor for works with a value greater than \$500,000.

To avoid doubt, Section 25J of the EPA Act sets out the items that are to be included in the estimation of the construction costs by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- (a) If the development involves the erection of a building, or the carrying out of engineering or construction work – the costs of or incidental to erecting the building, or carrying out the work, including the cost (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
- (b) If the development involves a change of use of land – the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
- (c) If the development involves the subdivision of land – the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.

Further Section 25J also sets out the items that are **not** to be included:

- (a) The cost of the land on which the development is to be carried out,
- (b) The costs of any repairs to any building or works on the land that are to be retained in connection with the development,
- (c) The costs associated with marketing or financing the development (including interest on any loans),
- (d) The costs associated with legal work carried out or to be carried out in connection with the development,
- (e) Project management costs associated with the development,
- (f) The cost of building insurance in respect of the development,

- (g) The cost of fittings and furnishings, including nay refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),
- (h) The costs of commercial stock inventory,
- (i) Any taxes, levies or charges (other than G.S.T.) paid or payable in connection with the development by or under any law,
- (j) The costs of enabling access by disabled persons in respect of the development,
- (k) The costs of energy and water efficiency measures associated with the development,
- (l) The cost of any development that is provided as affordable housing,
- (m) The costs of any development that is the adaptive reuse of a heritage item

Samples of a '*Cost Summary Report*' and a '*Registered Quantity Surveyor's Detailed Cost Report*', which are to be lodged with relevant Development Applications, are provided over page.

(Acknowledgement to City of Sydney for use of the model cost reports)

7.2 Sample Cost Summary Report

Cost Summary Report [Development Cost no greater than \$500,000]

DEVELOPMENT APPLICATION NO. LUA _____

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION NO. LUA _____

CONSTRUCTION CERTIFICATE NO. LUA _____

DATE: _____

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT ADDRESS:

ANALYSIS OF DEVELOPMENT COSTS:

Demolition and alterations	\$	Hydraulic services	\$
Structure	\$	Mechanical services	\$
External Walls, windows and doors	\$	Fire services	\$
Internal walls, screens and doors	\$	Lift services	\$
Wall finishes	\$	External works	\$
Floor Finishes	\$	External services	\$
Ceiling finishes	\$	Other related work	\$
Fittings and equipment	\$	Sub-total	\$

Sub-total above carried forward	\$
Preliminaries and margin	\$
Sub-total	\$
Consultant fees	\$
Other related development costs	\$
Sub-total	\$
Goods and Services Tax	\$
TOTAL DEVELOPMENT COSTS	\$

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate.
- Calculated the development costs in accordance with the definition of development costs in clause 25J of the Environmental Planning and Assessment Regulation 2000 at current prices.
- Included GST in the calculation of development cost.

Signed: _____

Date: _____

Name: _____

Position and Qualifications: _____

7.3 Sample Quantity Surveyor's Report

Registered* Quantity Surveyor's Detailed Cost Report [Development Cost in Excess of \$500,000]

*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION NO. LUA _____

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION NO. LUA _____

CONSTRUCTION CERTIFICATE NO. LUA _____

DATE: _____

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT ADDRESS:

DEVELOPMENT DETAILS:

Gross Floor Area - Commercial	m ²	Gross Floor Area - Other	m ²
Gross Floor Area – Residential	m ²	Total Floor Area	m ²
Gross Floor Area – Retail	m ²	Total Site Area	m ²
Gross Floor Area – Car Parking	m ²	Total Car Parking Spaces	
Total Development Cost	\$		
Total Construction Cost	\$		
Total GST	\$		

ESTIMATE DETAILS:

Professional Fees	\$	Excavation	\$
% of Development Cost	%	Cost per sqm of site area	\$ /m ²
% of Construction Cost	%	Car Park	\$
Demolition and Site Preparation	\$	Cost per sqm of site area	\$ /m ²
Cost per sqm of site area	\$ /m ²	Cost per Space	\$ /space
Construction – Commercial	\$	Fit-out – Commercial	\$
Cost per sqm of commercial area	\$ /m ²	Cost of per m ² of commercial area	\$ /m ²
Construction Residential	\$	Fit-out – Residential	\$
Cost per sqm of residential area	\$ /m ²	Cost per m ² of residential area	\$ /m ²
Construction – Retail	\$	Fit-out – Retail	\$
Cost per sqm of retail area	\$ /m ²	Cost per m ² of retail area	\$ /m ²

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction
- Prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors.
- Calculated the development costs in accordance with the definition of development costs in Clause 25J of the Environmental Planning and Assessment Regulation 2000 at current prices.
- Included GST in the calculation of development cost.
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQRS Cost Management Manual Volume 1, Appendix A2.

Signed: _____

Date: _____

Name: _____

Position and Qualifications: _____

8 Schedule 4 – Section 94 Contributions Condition

5101 Section 94 Contributions

Under Section 94 of the Environmental Planning and Assessment Act 1979 (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of or increase the demand for public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Developer Contributions Plans are applicable to the Development:

- **Roads & Traffic Facilities 2012 to 2031**
- **Resource Recovery Centre 2009**
- **Central Library Facility**
- **Section 94 Administration 2011 to 2031**
- **Open Space, Recreation, Community & Cultural Facilities 2013 to 2036**
- **Bundanoon** *{Bundanoon Consents Only}*

A Developer Charges – Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent. The contributions listed in the Notice of Payment must be paid prior to the release of **{Subdivision/Construction/Occupation}** Certificate.

All contributions are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics (www.abs.gov.au); Section 25I of the Environmental Planning and Assessment Regulation 2000; and Council's Developer Contributions Plans.

Copies of the Contributions Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website www.wsc.nsw.gov.au.

9 Schedule 5 – Section 94A Contributions Condition

5101(A) Section 94A Contributions

Under Section 94A of the Environmental Planning and Assessment Act 1979 (as amended), Council has satisfactorily determined that Development Contributions are applicable to this development consent, as the development is likely to require the provision of or increase the demand for public amenities and public services within the Wingecarribee Local Government Area.

The following Wingecarribee Shire Council Developer Contributions Plan is applicable to the Development:

- **Section 94A Contributions Plan**

A Developer Charges – Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent. The contributions listed in the Notice of Payment must be paid prior to the release of **{Subdivision/Construction/Occupation}** Certificate.

All contributions are indexed quarterly in accordance with upward movements in the Producer Price Index (Tables 15. Output of the General Construction Industry, Index Numbers and Percentage Changes – Index Number; Non-residential building construction (3020) New South Wales) as published by the Australian Bureau of Statistics (www.abs.gov.au); Section 25J(4) of the Environmental Planning and Assessment Regulation 2000; and Council's Developer Contributions Plans.

Copies of the Contributions Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website www.wsc.nsw.gov.au.

10 Schedule 6 – Section 64 and Section 306 Condition

5103 Certificate of Compliance

A Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained prior to the issue of **{Subdivision/Occupation}** Certificate.

Notes:

Section 64 of the Local Government Act 1993 authorises Council to issue Certificates of Compliance under Section 306 of the Water Management Act 2000. Section 64 of the Local Government Act 1993 also authorises Council to impose pre-conditions to the issuing of Certificates of Compliance.

As a precondition to the issuing of a Certificate of Compliance Council requires the payment of Developer Charges, prior to the issue of **{Construction/Subdivision/Occupation}** Certificate, as prescribed by Wingecarribee Shire Council's Development Servicing Plans:

- **Water Supply Development Servicing Plan;**
- **Sewerage Development Servicing Plan; and**
- **Stormwater Development Servicing Plan**

A developer Charges – Notice of Payment is attached to the back of this consent and outlines monetary contributions and unit rates applicable at the time of issue of this consent.

The water, sewer and stormwater head works levies are indexed quarterly in accordance with upward movements in the Consumer Price Index (All Groups, Sydney) as published by the Australian Bureau of Statistics (www.abs.gov.au); and Council's Development Servicing Plans

Copies of Development Servicing Plans are available at Wingecarribee Shire Council's Administration building Moss Vale or are available for download from Council's website www.wsc.nsw.gov.au.

The Water and Sewerage Development Servicing Plans (DSP's) were adopted by Council on 22 November 2006 and came into effect on 1 January 2007. The Stormwater DSP was adopted on 9 November 2010 and came into effect on 8 December 2010. The current charges under these Plans are listed as follows:

CPI Period	Water DSP	Sewer DSP	Stormwater DSP
1 August 2012 to 31 October 2012	\$X,XXX per ET	\$X,XXX per ET	\$X,XXX per ET
Note: The charges shown above are amounts applicable during the stated time period. These amounts will be subject to adjustment quarterly in accordance with upward movements in the Consumer Price Index (CPI) once they become operational. The CPI is published quarterly by the Australian Bureau of Statistics, www.abs.gov.au .			

Should new DSP's be prepared, it is possible that the charges may increase significantly. Draft DSP's must be advertised by Council for a period of 30-days prior to adoption.

Compliance Certificate

Compliance Certificate fees, in accordance with Council's Revenue Policy are as follows and shall be paid prior to the issue of **{Subdivision/Construction/Occupation}** Certificate:-

Water \$90 + Sewer \$90 + Stormwater \$90 = \$270.00

Prior to final release, you will need to contact Council's Environmental Assessment Branch for an inspection to ensure that Council will accept the infrastructure constructed. In response, the Development Engineer of Water and Sewer will specify requirements which will have to be met.

In the case of subdivision, the title plan of subdivision will not be certified and released by Council until the Water Management Act charges have been paid and/or secured and the approval of Council has been obtained for all works related to this infrastructure.

In the case of other forms of development, the Construction Certificate will not be issued until the Water Management Act charges have been paid and/or secured and the approval of Council has been obtained.

11 Schedule 7 – Developer Charges Notice of Payment

Notice of Payment – Developer Charges & Section 94

15/04/2014

{Recipient Address}
{Recipient Address}
{Recipient Address}

RE: {LUA No. + Development Description + Lot No. + DP No.+ Property Address }

Water and Sewerage Headworks charges are levied under Section 64 of the Local Government Act and Section 306 of the Water Management Act 2000. Other contributions are levied under Section 94 or 94A of the Environmental Planning and Assessment Act 1979 and Council's Section 94 and 94A Contributions Plans.

Contributions Levy	Units	Rate	Amount Payable
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Developer Contributions Total

Payments must be either in the form of cash, bank cheque or credit card (credit cards subject to 1% surcharge. Amex and Dinners not accepted).

IMPORTANT – The charges shown above are valid for payment until the date given below. After this period the charge will need to be recalculated due to adjustments in the Consumer Price Index and/or Producer Price Index depending on individual Plans.

DATE CHARGES ARE VALID TO – {insert date automatically i.e. last date of current CPI period}

Prepared by – {insert Council officer's name}

LUA Consent Date: {Insert Date}

Cashier Receipt No: _____

ISSUE NO: {Insert NOP issue no}

Total Paid: _____

Date Paid: _____

A COPY OF THIS NOTICE MUST BE PRESENTED WHEN MAKING PAYMENT