

FACT SHEET

Section 94A Levy Plan



What are development contributions?

Development contributions are contributions made to the provider of local public facilities by those undertaking development approved under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Contributions may be in the form of money, dedication of land or some other material public benefit (or a combination of these).

Developer contributions are a percentage, typically 0.5% or 1%, of the proposed cost of carrying out a development and will be used to help provide public infrastructure, amenities and services that are associated with new development in the City.

Section 94A development contributions

What is Section 94A?

Section 94A is a part of the EP&A Act that allows the Council to impose, as a condition of development consent, a requirement that an applicant pay a levy of the percentage of the proposed costs of carrying out the development.

How much would the levy be?

The rate of the levy is as follows:

Proposed Cost of the Development	Levy Percentage
\$0 - \$100,000	0%
\$100,001 - \$200,000	0.5%
More than \$200,000	1.0%

What is the levy for?

The levy will be used to help provide public infrastructure, amenities and services in the City. A schedule detailing the proposed levy-funded works, is contained within the Plan and a summary of this schedule is provided below:

Community Infrastructure Project	Estimated Cost of Works
Sport & Recreation	\$395,000
Buildings	\$330,000
Traffic Safety	\$250,000
Drainage	\$250,000
Town Centres	\$60,000
Footpath & Cycleways	\$320,000
Total Cost of Works	\$1,605,000

To what development does the levy apply?

The levy applies to all types of development within the Blue Mountains Local Government Area, except those identified in the Draft Plan as exempt via legislation or Council policy.

Are there any exemptions to the levy?

Contributions will not be required under the Draft Plan from development:

- a) For the purpose of disabled access;
- b) For the sole purpose of affordable housing;
- c) For the purpose of reducing a building's use of potable water (where supplied from water mains) or energy consumption;
- d) For the sole purpose of the adaptive reuse of an item of environmental heritage;
- e) That has been the subject of a condition under Section 94 under a previous development consent relating to the subdivision of the land on which the development is to be carried out.

The council may also consider exempting other development, or components of developments from paying contributions that include:

- f) Any Class 10 building or structure as defined by the *Building Code of Australia*.
- g) An application which is for the purpose of a public library, community facility, education facility, place of worship, childcare facility, public housing, public hospitals, police stations and fire stations; and
- h) Works undertaken for charitable purposes by, or on behalf of a registered charity.

When is the levy paid?

Contributions must be paid to the Council at the time specified in the condition of consent that imposes the contribution. If no such time is specified, the contribution must be paid:

- a) In relation to a Development Application, prior to the issue of the Construction Certificate or the commencement of the use of the land, whichever occurs sooner; or
- b) In relation to a Complying Development Certificate, prior to construction commencing or the commencement of the use of the land, whichever occurs sooner.

For further information contact:

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BLUE MOUNTAINS CITYWIDE COMMUNITY INFRASTRUCTURE CONTRIBUTIONS PLAN

The table below outlines the individual elements of development to assist in identifying the total development cost for a proposal.

This form must be completed and submitted with the land use application when the estimated value of the development is over \$100,000 and less than \$2.5 million.

Development Application No.: Complying Development No:

Subject Property:

SUMMARY OF DEVELOPMENT COSTS

	GST inclusive
Demolition and alterations	\$
Excavation and site preparation	\$
Decontamination or remediation	\$
Structure / building	\$
Internal services eg hydraulic, mechanical, lift services	\$
Fire services	\$
Other related works eg:	\$
landscaping, retaining walls etc	\$
onsite sewage works	\$
drainage	\$
carparking	\$
driveway	\$
connection of services eg sewer, water, gas etc	\$
TOTAL DEVELOPMENT COST	\$

APPLICANT DECLARATION

Applicant Name:

Applicant Address:

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction certificate.
- Included GST in the calculation of development cost.

Name:

Position and Qualification:

Signed:

Date: