
Fact Sheet: Potential Developer Contributions and Charges

What Contributions and Charges may apply to my Development?

Development contributions and charges are payments made during the course of the development application (DA) or Complying Development Certificate (CDC) process to enable local government (Councils) to provide public facilities and services required as a consequence of new development and protect existing infrastructure.

The following are types of contributions and charges that could be required as part of your DA:

- Section 94A
- Section 94
- Section 64 – Sewer
- Section 64 – Stormwater
- Damage to Council assets bonds
- Street Tree bonds

The fact sheet will give a brief explanation of how these contributions and charges are levied.

NOTE: This fact sheet does not determine if a contribution of charge is required or how much will be charged, it is simply a guide for stakeholders.

Section 94A Contributions

Section 94A of the *Environmental Planning and Assessment Act 1979* and the City of Wagga Wagga's Section 94A Levy Contributions Plan 2006 enable Council to levy contributions, where anticipated development will or is likely to increase the demand for public facilities. If a Section 94A contribution applies it will be put towards the provision, extension or augmentation of public facilities (or toward recouping their costs) to meet the expectations of the residents of the city.

Who pays?

Section 94A applies to the whole of the Wagga Wagga Local Government Area. The Section 94A levy applies to all development requiring development consent or a complying development certificate under the *Environmental Planning and Assessment 1979*, except:

- Where the cost of the development is under \$100,000

Fact Sheet: Potential Developer Contributions and Charges

What Contributions and Charges may apply to my Development?

- Where you are required to make a Section 94 contribution (see below),
- Where a Section 94 contribution (see below) has previously been charged.
- Where you have entered into a planning agreement with the council which specifically excludes the payment of the levy.

How much do I pay?

Contributions payable are based on a percentage (%) of the estimated cost of the development. The percentages have been established in legislation by the NSW State Government as follows:

Proposed cost of development	Percentage contribution
Up to \$100,000	Nil
\$100,001 – \$200,000	0.5%
\$200,001 +	1%

What information do I need to Submit?

A 'Cost Estimate Report' (taken from Schedule 2 of the City of Wagga Wagga S94A Levy Contributions Plan 2006) is required to be submitted if the Section 94A levy is applicable. This form can be found on Council's website and also within Council's 'Development Application Preparation & Lodgement Guide'.

The estimated cost of the proposed works must be accurate and based on the actual contract value. If you are unsure, consult an accredited quantity surveyor. If the cost of works is incorrect or understated the DA fee will also be incorrect and this could result in your application being refused or delayed. Please note this document must be signed by a suitably qualified person.

Section 94 Contributions

Section 94 of the Environmental Planning and Assessment Act 1979 and the City of Wagga Wagga's Section 94 Levy Contributions Plan 2006 enable Council to levy contribution towards the capital cost of the Council providing additional public amenities such as open space, car parking and civic improvements where anticipated development will or is likely to increase the demand for such amenities. In

Fact Sheet: Potential Developer Contributions and Charges

What Contributions and Charges may apply to my Development?

some cases the condition may relate to the dedication of land or the provision of a material public benefit.

Information about section 94 contributions is contained in the Council's contributions plan. This plan identifies the type of development for which a monetary contribution or dedication of land may be required, the formulas for calculating contributions, monetary contribution rates, and the programme of capital works on which the funds will be spent.

Who pays?

Section 94 applies to the whole of the Wagga Wagga Local Government Area. The Section 94 levy applies to the following developments:

- Subdivision or consolidation of land where a dwelling house may at a later date be approved and constructed on the subdivided or consolidated lot(s)
- Construction of residential flat building, medium density or dual occupancy buildings
- Construction of self care housing proposed as development under the SEPP

How much do I pay?

Contributions payable are calculated using the figures under Section 1.2 Contribution Rates of the Section 94 Contributions Plan 2006 that can be found on Council's website.

Section 64 (Sewer and Stormwater)

Section 64 of the Local Government Act 1993 enables a local government council to levy developer charges for sewerage and stormwater based on increased demands that new development may have on sewer and stormwater infrastructure. Depending on the type of development application that has been lodged, your notice of determination may include a condition under section 64 requiring a monetary contribution towards the cost of supplying sewerage and stormwater.

Information about section 64 contributions is contained in the following Development Servicing Plans (DSP):

Fact Sheet: Potential Developer Contributions and Charges

What Contributions and Charges may apply to my Development?

- Wagga Wagga City Council Development Servicing Plan No. 1: Sewerage Services July 2013
- Wagga Wagga City Council Development Servicing Plan – Stormwater – November 2007

Section 64 – Sewer

Who pays?

Section 64 (sewer) only applies to a development servicing plan (DSP) area within Wagga Wagga Local Government Area. This area is mapped in the above mentioned DSP (sewer) available on Councils website. The Section 64 sewer contribution applies to all development within these areas where an impact on the sewerage system would occur.

How much do I pay?

The levy is calculated based on the existing/proposed infrastructure and the impact from the development proposed. The calculations for this levy can be found in the abovementioned DSP (sewer).

Section 64 – Stormwater

Who pays?

Section 64 stormwater only applies to the following areas serviced by Wagga Wagga City Council;

- Wagga Urban west of Willans Hill
- Wagga Urban east of Willans Hill
- Estella/Boorooma
- Forest Hill
- Bomen

These areas are mapped in the above mentioned DSP (stormwater)

The Section 64 stormwater contribution applies to all development within these areas where an impact on the stormwater systems would occur.

Fact Sheet: Potential Developer Contributions and Charges

What Contributions and Charges may apply to my Development?

How much do I pay?

The levy is calculated based on the existing/proposed infrastructure and its quality in the particular area and the impact from the development proposed. The calculations for this levy can be found in the abovementioned DSP (stormwater).

Damage to Council assets bonds

To protect existing Council assets such as kerb and gutter, footpaths, street trees and sewer and stormwater systems during construction works Council may require a bond to be lodged with Council.

Who pays?

This charge can be placed on any DA that involves works or the movement of heavy machinery and goods over or on Council infrastructure. It applies to the whole Local Government Area.

How much do I pay?

The bond is calculated based on the value of the asset(s) within the construction zone and the cost associated with repair or replacement of these assets. This figure can vary greatly depending on the size of the development as larger developments will affect more assets.

Street Tree bonds

To ensure that the successful implementation of street trees occurs during any subdivision that requires the planting of street trees Council may request a bond to be lodged with Council.

Who pays?

This charge can be placed on any DA that involves street tree planting that the applicant/developer is required to undertake as a condition of development consent. The applicant can elect to undertake the works themselves through an approved Council contractor or engage Council to undertake the works by payment of bond. It applies to the Whole Local Government Area.

Fact Sheet: Potential Developer Contributions and Charges

What Contributions and Charges may apply to my Development?

How much do I pay?

The bond is calculated based on the value of the asset(s) and a two year maintenance period. The cost is \$450 per street tree required.

Further information

Copies of Councils Contributions Plans are available on Councils website at www.wagga.nsw.gov.au under the planning section and documents quick links.

To discuss damage to Councils assets bonds please call Subdivisions Section on 6926 9542

To discuss vegetation bonds please contact Councils Landscape Designer on 6926 9443.