

Section 7.12 Infrastructure Contribution

What is Section 7.12?

Section 7.12 of the Environmental Planning and Assessment Act 1979 allows Council to impose a condition of development consent requiring payment of a levy to Council in accordance with the adopted Local Infrastructure Contributions Plan 2019-2034. Section 7.12 is designed to collect funds which will go towards the provision, extension or augmentation of public amenities, infrastructure or services.

When will your development attract a Section 7.12 contribution?

Section 7.12 contributions apply to all land within the Wagga Wagga Local Government Area and applies to all development requiring development consent or a complying development certificate under the Act except:

- Where the cost of development is less than \$100,000; or
- Where a Section 7.11 Contribution has already been paid upon the subdivision of land on which the development is proposed.

Section 7.11 (formerly Section 94) Contribution has been required by Wagga Wagga City Council since 12 September 1984. This date can be used as a guide to determine if a Section 7.11 contribution has been paid and/or a section 7.12 is applicable. Residential zoned land subdivided after 12 September 1984 would have paid a Section 7.11 Contribution on a per lot basis at time of development. Council's customer service staff will be able to advise you when the lot was created by observing the registered date on the Deposited Plan.

How much will I be required to pay under Section 7.12?

Development Type – Development that has a proposed cost of carrying out the development

Development Type – Development that has a proposed cost of carrying out the development	\$7.12 contribution
Up to and including \$100,000	Nil
More than \$100,000 to \$200,000 and up to and including \$200,000	0.5% of that cost
More than \$200,000	1% of that cost

What information do I need to submit?

Please complete the Cost Summary Report.

The report sets out an estimate of the proposed cost of carrying out the development.

Council will validate all cost summary reports before they are accepted using a standard costing guide or other generally accepted costing method. Should the costing as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant's cost, engage a person to review a cost summary report.

Council encourages the use of a quantity surveyor, or industry recognized building cost indicators in the preparation of estimates for the purpose of preparing a cost summary report

Further Information

A full copy of Council's Local Infrastructure Contributions Plan is available on Councils Website at wagga.nsw.gov.au/building-and-development/plans-policies-controls/infrastructure-contribution-plans

Cost Summary Report
(Development cost greater than \$100,000)

DA No	<input type="text"/>	CDC No	<input type="text"/>	Date Issued	<input type="text"/>
Applicants Name	<input type="text"/>				
Applicants Address	<input type="text"/>				
Development Name	<input type="text"/>				
Development Address	<input type="text"/>				
Total Cost of Development*	\$	<input type="text"/>			

*Read below for a full list of exemptions to assist in calculating your Total Cost of Development

Clause 25J of the **Environmental Planning and Assessment Regulation 2000** sets out how proposed cost of carrying out development is to be determined. That clause provides as follows:

25J Section 7.12 Levy – determination of proposed cost of development

(1) *The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, 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 costs (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.*

(2) *For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.*

(3) *The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*

- (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 costs of fittings and furnishings, including any 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 GST) 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.

(4) The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.

(5) To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.

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.

Name	<input style="width: 95%;" type="text"/>	Signature	_____
Position & Qualifications	<input style="width: 95%; height: 50px;" type="text"/>	Date	<input style="width: 95%;" type="text"/>