



# Section 94A Development Contributions Plan

PREPARED FOR

Narrabri Shire Council

July 2011



**Hill PDA**

ABN 52 003 963 755  
3<sup>rd</sup> Floor 234 George Street Sydney  
GPO Box 2748 Sydney NSW 2001  
t. +61 2 9252 8777  
f. +61 2 9252 6077  
e. [sydney@hillpda.com](mailto:sydney@hillpda.com)  
w. [www.hillpda.com](http://www.hillpda.com)



## QUALITY ASSURANCE

### REPORT CONTACT:

DONNA BARBER

BA Hons Urban Studies and Planning DIP Town and Regional Planning MRTPI

**Associate**

Donna.Barber@hillpda.com

### QUALITY CONTROL

This document is for discussion purposes only unless signed and dated by a Principal of Hill PDA.

### REVIEWED BY



..... Dated 1 July 2011

SARAH HILL

B.Science (USYD), M.Urban & Regional Planning (Hons) (USYD) API, RTPi

**Practice Manager & Principal Planner**

Sarah.Hill@hillpda.com

### REPORT DETAILS:

Job Ref No: C11092

Version: Draft

Date Printed: 24/03/2015 5:03:00 PM

File Name: 11 06 08 Draft Section 94A Plan for Narrabri Shire

## CONTENTS

<b>1.</b>	<b>INTRODUCTION .....</b>	<b>6</b>
1.1	Legislative Context .....	6
1.2	The Purpose of the Plan .....	6
1.3	References and Definitions.....	7
<b>2.</b>	<b>SUMMARY SCHEDULES .....</b>	<b>8</b>
2.1	Schedule of Works.....	8
2.2	Summary of the Levies .....	8
<b>3.</b>	<b>EXPECTED DEVELOPMENT AND DEMAND FOR PUBLIC FACILITIES .....</b>	<b>9</b>
3.1	Current Population .....	9
3.2	Growth Forecasts and Trends .....	10
<b>4.</b>	<b>ADMINISTRATION OF THE PLAN.....</b>	<b>14</b>
4.1	What is the Name of this Plan?.....	14
4.2	Application of this Plan .....	14
4.3	When does this Plan Commence?.....	14
<b>5.</b>	<b>OPERATION OF THE PLAN .....</b>	<b>15</b>
5.1	Are There Any Exemptions to the Levy? .....	15
5.2	Pooling of Levies .....	16
5.3	Construction Certificates and the Obligation of Accredited Certifiers .....	16
5.4	How will the Levy be Calculated? .....	16
5.5	When is the Levy Payable? .....	17
5.6	How will the Levy be Adjusted? .....	17
5.7	Can Deferred or Periodic Payments be Made? .....	18
5.8	Accountability.....	18
5.9	Offer To Enter Into a Voluntary Planning Agreement.....	19

## LIST OF APPENDIX

- Appendix 1 - Procedure for Council to Determine the Levy Amount
- Appendix 2 - Schedule of Works
- Appendix 3 - Location of Items on Works Program
- Appendix 4 - Boundary of Narrabri Shire LGA

## LIST OF FIGURES

- Figure 1 - Comparison of Compounded Annual Rate of Growth/Decline, 1996-2036..... 11
- Figure 2 - Value of Non Residential Building Approvals (adjusted), Narrabri Shire, 2005-09 ..... 12

## LIST OF TABLES

- Table 1 - Summary of Works..... 8
- Table 2 - Summary of Section 94A Levies for Narrabri Shire ..... 8
- Table 3 - Key Demographic Statistics, 2006 ..... 10
- Table 4 - Population Estimates and Growth Forecasts Narrabri (1996 – 2036) ..... 10
- Table 5 - Residential Building Approvals, Narrabri Shire (as at 30 June 2005-09) ..... 12
- Table 6 - Adjusted Capital Investment Value of Development Approvals, 1999-2010 ..... 12
- Table 7 - Actual Change in Capital Investment Value of Development Approvals, 1999-2010 ..... 13

# 1. INTRODUCTION

## 1.1 Legislative Context

Section 94A - Fixed Development Consent Levies, of the Environmental Planning and Assessment Act 1979 provides as follows:

(1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.

(2) A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 94.

(2A) A consent authority cannot impose a condition under this section in relation to development on land within a special contributions area without the approval of:

(a) the Minister, or

(b) a development corporation designated by the Minister to give approvals under this subsection.

(3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

(4) A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.

(5) The regulations may make provision for or with respect to levies under this section, including:

(a) the means by which the proposed cost of carrying out development is to be estimated or determined, and

(b) the maximum percentage of a levy.

## 1.2 The Purpose of the Plan

In accordance with the above this Section 94A Contributions Plan (the Plan) has been prepared by Narrabri Shire Council (from here on referred to as the Council) to:

- Authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 94A of the Environmental Planning and Assessment Act 1979;

- assist Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area; and
- To publicly identify the purposes for which the levies are required.

## 1.3 References and Definitions

In this plan, unless the context or subject matter otherwise indicates or requires the following definitions apply:

- ABS means the Australian Bureau of Statistics;
- EP&A Act means the Environmental Planning and Assessment Act 1979;
- EP&A Regulation or Regulation means the Environmental Planning and Assessment Regulation 2000;
- Council means Narrabri Shire Council;
- Development contributions means a development contribution required to be paid by a condition of development consent imposed pursuant to Section 94 of the Act;
- Levy means a levy under Section 94A of the Act authorised by this Plan; and
- Public Facility and Public Infrastructure means a public amenity or public service.

## 2. SUMMARY SCHEDULES

The following schedules are included in this plan:

1. Schedule of Works; and
2. Summary of Levies.

### 2.1 Schedule of Works

The detailed schedule of works is provided at Appendix 2 and identifies the public facilities for which Section 94A levies will be required together with a summary of the anticipated expenditure on the respective items and priority for delivery. Table 1 below summarises those works.

**Table 1 - Summary of Works**

Infrastructure Type	Estimated Cost
Roads	\$6,166,000
Footpaths	\$6,429,500
Civic Improvements	\$3,200,000
Community Facilities Upgrades	\$5,250,000
Car parking	\$350,000
Environmental Improvements	\$485,000
<b>Total Cost</b>	<b>\$21,880,500</b>

Maps showing the specific public amenities and services proposed to be provided are contained in Appendix 3 of this Plan.

### 2.2 Summary of the Levies

Levies paid to Council under this Plan will be applied towards meeting the cost of provision or augmentation of new public facilities as summarised in the Schedule of Works.

The Plan will be reviewed on an annual basis to ensure income from the levy is able to match proposed expenditure.

**Table 2 - Summary of Section 94A Levies for Narrabri Shire**

Type of Development	Estimated Cost of Development	Levy (%)
Residential accommodation, commercial development, business and retail development, tourist and visitor accommodation, industrial and storage premises development, primary production, any project declared to be a project to which Part 3A of the EP & A Act applies, extractive industries, utility installations, subdivisions and all other forms of development not specifically exempted under this plan.	<\$100,000	0%
	\$100,001 - \$200,000	0.5%
	>\$200,000	1.0%



### 3. EXPECTED DEVELOPMENT AND DEMAND FOR PUBLIC FACILITIES

The following population and housing profile provides an understanding of the characteristics of the resident population in Narrabri Shire and aims to identify relevant trends. The profile assists in projecting residential population growth and determining what facilities will be required to meet the needs of the population resulting from future development.

#### 3.1 Current Population

As of the 2006, Narrabri LGA had a resident population of over 13,700 people. With respect to population change, as shown in Table 3 below, over the 10 year period between 1996 and 2006, Narrabri LGA's resident population declined by 600 people or an average annual rate of decline of -0.43%.

This trend was consistent with population trends experienced across northern rural NSW and regional Australia for the same period but is very different to NSW as a whole which over the same period experienced an average annual rate of growth of 0.94%.

Table 3 provides a high level summary of the key demographic statistics for Narrabri Shire compared to NSW (excluding Sydney SD). This shows that separate or detached houses are the dominant dwelling type across the LGA and that there is a very limited supply of medium density dwellings. The profile of households is broadly in line with that of wider NSW (excluding Sydney SD) with a comparatively high proportion of families with children residing in the LGA.

In terms of age profile, at 2006 the LGA appeared balanced with a reasonable proportion of residents of working age, although in line with national trends the population is expected to age over the coming years.

**Table 3 - Key Demographic Statistics, 2006**

Key Statistics	Narrabri LGA	NSW Excluding Sydney SD
	%	%
Separate house	89.0	83.7
Semi-detached, row or terrace	0.5	6.4
Flats	8.8	8.0
Other Dwellings	1.7	1.9
Couple Family with Children	30.9	28.2
Couple Family without Children	27.4	27.4
One parent family	10.6	11.3
Other family	0.9	0.9
Other household	3.4	4.7
Lone person household	25.1	24.7
Group household	1.8	2.9
Percentage of Population 0-14	23.1	20.4
Percentage of Population 15-24	11.1	12.5
Percentage of Population 25-49	33.2	31.7
Percentage of Population 50-64	18.2	19.0
Percentage of Population 65+	14.5	16.5

Source: ABS Census 2006

## 3.2 Growth Forecasts and Trends

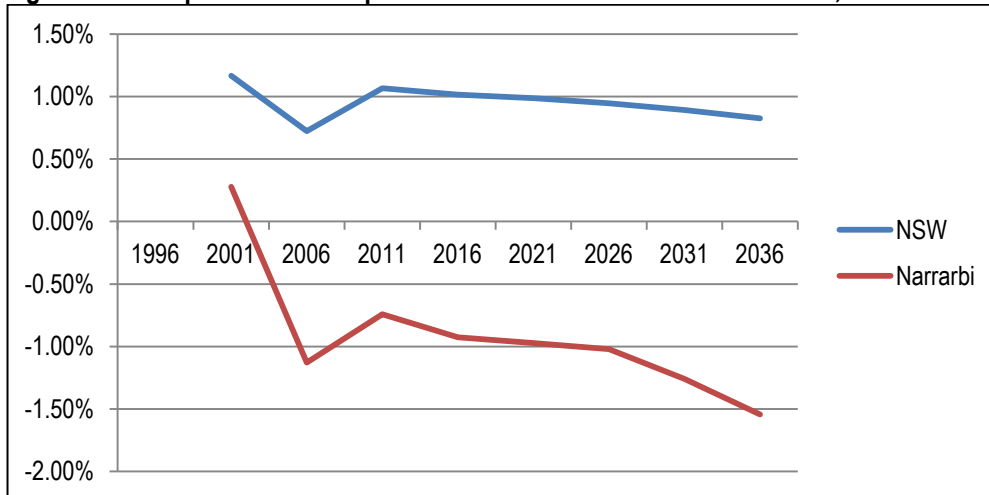
As shown in Table 4 the trend of population decline is currently forecast to continue with an estimated net loss of 3,800 people over the period from 2006-2036, at an average annual rate of -1.08% (compared to NSW at 0.96%), achieving a resident population of 9,900.

**Table 4 - Population Estimates and Growth Forecasts Narrabri (1996 – 2036)**

1996	2001	2006	2011	2016	2021	2026	2031	2036	1996-2036	2006-2036
14,300	14,500	13,700	13,200	12,600	12,000	11,400	10,700	9,900	-4,400	-3,800
	0.28%	-1.13%	-0.74%	-0.93%	-0.97%	-1.02%	-1.26%	-1.54%	-0.92%	-1.08%

Source: NSW Department of Planning and Infrastructure 2010

Analysing this trend over the 40 year period, as shown in Figure 1 the rate of population decline is anticipated to accelerate from 2026. This is a likely result of the ageing of the population combined with consistently high levels of negative migration.

**Figure 1 - Comparison of Compounded Annual Rate of Growth/Decline, 1996-2036**

Source: NSW Department of Planning and Infrastructure 2010

However, when discussing population forecasts, it is important to use caution as they are based on inferences taken from present data and historical trends and may not reflect future trends.

This means that the current forecast for Narrabri LGA should not be taken as an indicator of what will happen, but only what may happen should current trends continue. By way of example, should Narrabri LGA consider a higher level of growth to be desirable, the current forecast could be considered an undercount. Conversely, should opportunities for growth not be identified or facilitated within the LGA the existing growth rate may be an overestimate.

It is difficult to accurately predict in what ways the characteristics of the local population will change and evolve. Over the life of this Plan however, it is reasonable to anticipate that the Narrabri Shire population could reverse or stem the current trend of population decline, largely linked to the growth of the resource sector in the region and the strength of agriculture and associated spin off industries.

Additional growth factors, which could contribute to population growth include:

- Employment opportunities, particularly in the resource sector;
- Access to relatively cheap residential land and housing; and
- 'Tree changers' looking for a lifestyle change.

A review of building and development approvals provides an insight as to how the market is adapting and/or reacting to these trends providing greater certainty to Council when preparing Plans and making funding decisions.

Table 5 below shows the number of residential building approvals from 2005 to 2009. The number of dwellings approved has fluctuated significantly over the period with 28 dwellings approved in 2009, representing a 52% decrease from 58 in 2008. This is most likely a consequence of the state of the economy over recent years and is consistent with the NSW trend with the number of dwelling unit approvals across NSW dropping from a high of 50,491 in 2002 to a low of 26,546 in 2009<sup>1</sup>.

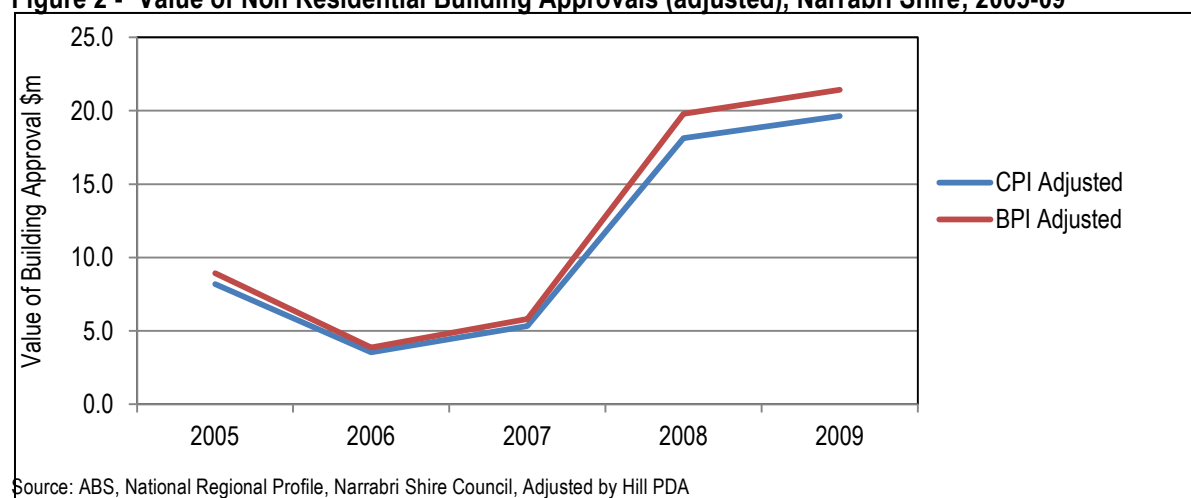
<sup>1</sup> ABS series 8731.0 Building Approvals, Australia - Number of Dwelling Units; New South Wales ;New ; Total residential building

**Table 5 - Residential Building Approvals, Narrabri Shire (as at 30 June 2005-09)**

	2005	2006	2007	2008	2009
Private Sector houses	17	33	24	46	24
Total dwelling units	19	33	24	58	28

Source: ABS National Regional Profile: Narrabri (November 2010 Release)

Analysis of ABS data relating to building approvals between 2005 and 2009 shows that whilst the number of residential approvals declined, over the same period the value of non residential building approvals within Narrabri Shire increased significantly to more than \$20m (refer to Figure 2) - adjusted to represent 2009/10 dollars. When the Capital Investment Values (CIV) of the building approvals are adjusted to take account of CPI<sup>2</sup> and BPI we can measure real growth and not inflation.

**Figure 2 - Value of Non Residential Building Approvals (adjusted), Narrabri Shire, 2005-09**

Source: ABS, National Regional Profile, Narrabri Shire Council, Adjusted by Hill PDA

Tables 6 and 7 provide a summary of Councils own data and confirm that the commercial and industrial sector has been growing with approvals granted in 2009/2010 valued at \$17m more than 1999/2000. Furthermore, the slowdown in the residential market is fairly minor with growth at less than 0.5% per annum (CPI adjusted) whereas the growth in the industrial and commercial sectors has been significant at 16.8% growth per annum (CPI adjusted).

**Table 6 - Adjusted Capital Investment Value of Development Approvals, 1999-2010**

	CPI Adjusted <sup>3</sup>	BPI Adjusted <sup>4</sup>	Not Adjusted	Net Difference CPI Adjusted	Net Difference BPI Adjusted
	1999/2000	1999/2000	2009/2010	99/00 - 09/10	99/00 - 09/10
Dwellings/Townhouses	5,943,686	6,485,792	6,439,640	495,954	-46,152
Residential and Rural Additions	2,373,901	2,590,418	2,277,932	-95,969	-312,486
Commercial Industrial Buildings	4,751,433	5,184,797	22,522,061	17,770,628	17,337,264
<b>Total Value of Work</b>	<b>13,069,020</b>	<b>14,261,007</b>	<b>31,341,581</b>	<b>18,272,561</b>	<b>17,080,574</b>

Source: Narrabri Shire Council and Hill PDA

<sup>2</sup> ABS Definition - The CPI is a current social and economic indicator that is constructed to measure changes over time in the general level of prices of consumer goods and services that households acquire, use or pay for consumption.

<sup>3</sup> Adjusted to 2009 / 2010 Dollars

<sup>4</sup> Adjusted to 2009 / 2010 Dollars

**Table 7 - Actual Change in Capital Investment Value of Development Approvals, 1999-2010**

	Actual Change CPI	Actual Change BPI	Change per Annum CPI	Change per Annum BPI
Dwellings/Townhouses	8.3%	-0.7%	0.8%	-0.1%
Residential and Rural Additions	-4.0%	-12.1%	-0.4%	-1.3%
Commercial Industrial Buildings	374.0%	334.4%	16.8%	15.8%
<b>Total Value of Work</b>	<b>139.8%</b>	<b>120%</b>	<b>9%</b>	<b>8%</b>

Source: Narrabri Shire Council and Hill PDA

Council has considered these trends which have informed the estimated demand for public facilities across the LGA.

## 4. ADMINISTRATION OF THE PLAN

### 4.1 What is the Name of this Plan?

This development contributions plan is called the Narrabri Shire Section 94A Development Contributions Plan 2011.

### 4.2 Application of this Plan

This Plan applies to all land within the Local Government Area of Narrabri Shire as shown on the Map in Appendix 4.

The Plan applies to applications for development consent and applications for complying development certificates under Part 4 of the Environmental Planning and Assessment Act 1979.

In determining a development application, Council may impose a condition of consent requiring the payment of a levy or dedication of land, in accordance with the provisions of this Plan.

The contribution rates for different types of development are provided in Table 2.

### 4.3 When does this Plan Commence?

This plan came into effect when adopted in minute number 669/2011 at the Ordinary Council meeting conducted on the 18<sup>th</sup> October 2011.

## 5. OPERATION OF THE PLAN

### 5.1 Are There Any Exemptions to the Levy?

The levy will not be imposed in respect of development:

- where the proposed cost of carrying out the development is \$100,000 or less;
- for the purpose of disabled access;
- for the sole purpose of providing affordable or social housing;
- for the purpose of reducing a building's use of potable water (where supplied from water mains) or energy;
- for the sole purpose of the adaptive reuse of an item of environmental heritage; or
- Where the development 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.

There are no additional exemptions at the time of commencement of this Plan, however, Council may consider exempting other categories of developments, or components of developments from the requirement for a levy, but only by resolution of Council.

Consideration will be given to requests for exemption for the following types of development:

- works undertaken for charitable purposes or by a registered charity;
- places of worship;
- public infrastructure for or on behalf of the NSW Government including but not limited to hospitals, public transport, police and fire stations and education facilities;
- public community infrastructure such as but not limited to libraries, community facilities, child care facilities, recreational areas, recreational facilities or car parks;
- privately funded community infrastructure, such as but not limited to education facilities, universities, and private hospitals;
- industrial, retail or commercial development, where there is no increase in floor space within an existing building;
- the continued operation of a coal mine, where rail transport is used for the transportation of coal; or
- Demolition (where there is no replacement building or development).

For an exemption to be considered any such development will need to submit a written request making the case for exemption and including details of:

- Under which point in Section 5.1 of this Plan the exemption claimed is to be considered;

- The mechanism ensuring that such development will remain in the form proposed in the future (i.e. not to increase future demand on public amenities and services); and
- Other items if applicable such as: How the development will incorporate the maintenance of the item of heritage significance? How the development will contribute to the public benefit of the community? Works in the public domain included in the development? How the residents/users will utilise existing private facilities attached to the development that replicate those types provided by Council?

## 5.2 Pooling of Levies

This Plan expressly authorises Section 94A levies be paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure of the levies are shown in the works schedule (refer to Appendix 2).

## 5.3 Construction Certificates and the Obligation of Accredited Certifiers

In accordance with Clause 146 of the Environmental Planning and Assessment (EP&A) Regulation 2000, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of levies has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with Clause 142(2) of the of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by the Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

## 5.4 How will the Levy be Calculated?

The levy will be determined on the basis of the rate as set out in the Summary Schedule (refer to Table 2). The levy will be calculated as follows:

$$\text{Levy payable} = \%C \times \$C$$

Where:

- %C is the levy rate applicable; and

- \$C is the proposed cost of carrying out the development



The proposed cost of carrying out the development will be determined in accordance with Clause 25J of the EP&A Regulations 2000. The procedure set out in Appendix 1 to this Plan must be followed to enable Council to determine the amount of the levy to be paid.

The value of the works must be provided by the applicant at the time of the request and if appropriate 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.

Without limitation to the above, Council may review the valuation of works and may seek the services of an independent person to verify the costs. If the result of a review indicates the value of the works differ from that provided, Council may determine the value of the works to be applied as the basis for any levy payable.

Contribution amounts payable can be checked with Council by contacting (02) 6799 6855 during office hours.

## 5.5 When is the Levy Payable?

A levy must be paid to Council at the time specified in the condition that imposes the levy. If no such time is specified, the levy must be paid prior to the issue of a construction certificate or complying development certificate.

## 5.6 How will the Levy be Adjusted?

Contributions required as a condition of consent under the provisions of this Plan will be adjusted at the time of payment of the contribution in accordance with the following formula:

<p><b>Contribution = \$Co + A at time of payment</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>- \$ Co is the original contribution as set out in the consent; and</li> <li>- A is the adjustment amount which is:</li> </ul> $\frac{\$Co \times ([Current\ Index^5 - Base\ Index^6])}{[Base\ Index]}$
---

**Note:** In the event that the Current Index is less than the Base Index the Current Index shall be taken as not less than the Base Index.

<sup>5</sup> Current Index (6401.0 - Consumer Price Index Australia) is the Consumer Price Index, Australia CPI: Groups, Weighted Average of Eight Capital Cities, Index Numbers and Percentage Changes as published for the last quarter by the Australian Bureau of Statistics available at the time of review of the contribution rate.

<sup>6</sup> Base Index (6401.0 - Consumer Price Index Australia) is Consumer Price Index, Australia CPI: Groups, Weighted Average of Eight Capital Cities, Index Numbers and Percentage Changes as published by the Australian Bureau of Statistics published at the date of adoption of this plan which is July 2011.

## 5.7 Can Deferred or Periodic Payments be Made?

Deferred or periodic payments may be permitted in the following circumstances:

- When the deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program; and
- In other circumstances considered reasonable by Council.

If Council agrees to accept deferred or periodic payment, Council may require the applicant to provide a bank guarantee for the full amount of the contribution or the outstanding balance on condition that:

- the bank guarantee be for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest plus any charges associated with establishing or operating the bank security;
- the bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work;
- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development;
- the bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required; and
- Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

## 5.8 Accountability

Financial management and accountability are important components of a Section 94A Development Contributions Plan. Council is responsible for the maintenance of an accurate and up to date register of all contributions. Monetary contributions received under this Plan are kept in a separate account specifically for this plan. Accounting records show the contributions received and expended, including any interest earned on invested funds for each account. These records are updated on a monthly basis.

Separate accounting records are maintained for all Council's Contributions Plans. Information on Section 94A accounts and funds relating to this Plan will be provided in a condensed format within Narrabri Shire Council's Annual Reports in accordance with the requirements of the EP&A Regulations 2000. Information is also available from Council's contribution register relating to this Plan, which can be inspected at Council during ordinary office hours.

## 5.9 Offer To Enter Into a Voluntary Planning Agreement

An applicant may offer to enter into a voluntary planning agreement (VPA) with Council under Section 93F of the EP&A Act in connection with the making of a development application, rather than pay a contribution in relation to a development. Under the planning agreement, the applicant may offer to:

- pay money;
- dedicate land;
- carry out works; or
- provide other material public benefits for public purposes.

The applicant's provision under a VPA may be additional to, or instead of paying a contribution in accordance with a condition of development consent authorised by this Plan. This will be a matter for negotiation with Council. An approach should be made to Council at an early stage in the project, prior to lodgement of any development application, to finalise any negotiations required to avoid delays as part of the development assessment process.

The offer to enter into the VPA together with a copy of the draft agreement should accompany the relevant development application.

Council will publicly notify the draft VPA and an explanatory note relating to the draft agreement along with the development application and will consider the VPA as part of its assessment of that application.

If Council agrees to enter into the VPA, it may impose a condition of development consent under Section 93I(3) of the EP&A Act 1979 requiring the agreement to be entered into and performed.

If Council does not agree to enter into the VPA, it may grant consent subject to a condition authorised by this Plan requiring the payment of a contribution.

Appendix 1 - **PROCEDURE FOR COUNCIL TO  
DETERMINE THE LEVY AMOUNT**

## **Procedure**

A cost summary report is required to be submitted to allow Council to determine the contribution that will be required. The following should be provided:

- Minor works that are demonstrated to comprise works less than \$50,000 in value do not require a cost report to be completed;
- A cost summary report must be completed for works with a value between \$50,000 and \$500,000 (refer to template over page); or
- A quantity surveyor's Detailed Cost Report must be completed by a registered quantity surveyor for works with a value greater than \$500,000 (refer to template over page).

To avoid doubt, Section 25J of the Environmental Planning and Assessment Regulation 2000 states that the proposed cost of carrying out development is to be determined by adding up all of the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- 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;
- 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; and
- 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.

The Regulation makes clear that the following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:

- the cost of the land on which the development is to be carried out;
- the costs of any repairs to any building or works on the land that are to be retained in connection with the development;
- the costs associated with marketing or financing the development (including interest on any loans);
- the costs associated with legal work carried out or to be carried out in connection with the development;
- project management costs associated with the development;
- the cost of building insurance in respect of the development;
- 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);
- the costs of commercial stock inventory;
- any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law;

- the costs of enabling access by disabled persons in respect of the development;
- the costs of energy and water efficiency measures associated with the development;
- the cost of any development that is provided as affordable housing; and
- the costs of any development that is the adaptive reuse of a heritage item.

**Sample Cost Summary Report (Development Cost No Greater than \$500,000)**

<b>Council References</b>		
Development Application No:		
Reference:		
Complying Development Certificate Application No:		
Construction Certificate No:	Date:	
<b>Applicants Details</b>		
Applicant's Name:	Applicant's Address:	
<b>Development Details</b>		
Development Name:	Development Address:	
<b>Description of Development Cost</b>	<b>Cost Estimate (\$)</b>	
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		
	<b>Sub-total</b>	

Sub-total above carried forward	
Preliminaries and margin	
<b>Sub-total</b>	
Consultant Fees	
Other related development costs	
<b>Sub-total</b>	
Goods and Services Tax	
<b>Total Development Cost</b>	

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:

Name:

Position and Qualifications:

Date:



**Sample Cost Summary Report (Development Cost in excess of \$500,000)**

This report must be completed by a Registered Quantity Surveyor (A member of the Australian Institute of Quantity Surveyors)

<b>Council References</b>		
Development Application No:		
Reference:		
Complying Development Certificate Application No:		
Construction Certificate No:	Date:	
<b>Applicants Details</b>		
Applicant's Name:	Applicant's Address:	
<b>Development Details</b>		
Development Name:		
Development Address:		
Gross Floor Area – Commercial		sqm
Gross Floor Area – Residential		sqm
Gross Floor Area – Retail		sqm
Gross Floor Area – Other		sqm
Gross Floor Area – Car Parking		sqm
<b>Total Gross Floor Area</b>		sqm
<b>Total Site Area</b>		sqm
Total Number of Car Parking Spaces		
<b>Total Development Cost</b>	\$	
<b>Total Construction Cost</b>	\$	
<b>Total GST</b>	\$	
<b>Estimate Details:</b>		
<b>Professional Fees</b>	\$	
% Of Development Cost		

% Of Construction Cost	
<b>Excavation</b>	\$
Cost per sqm of Site Area	\$
<b>Car Park</b>	\$
Cost per sqm of site area	\$
Cost Per Space	\$
<b>Demolition And Site Preparation</b>	\$
Cost per sqm of site area	\$
<b>Construction – Commercial</b>	\$
Cost per sqm of commercial area	\$
<b>Fit-Out – Commercial</b>	\$
Cost per sqm of commercial area	\$
<b>Construction – Residential</b>	\$
Cost per sqm of Residential area	\$
<b>Fit-Out – Residential</b>	\$
Cost per sqm of Residential area	\$
<b>Construction – Retail</b>	\$
Cost per sqm of Retail area	\$
<b>Fit-Out – Retail</b>	\$
Cost per sqm of Retail area	\$

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate;
- 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 the S94A Development Contributions Plan of the council of [insert] at current prices;
- included GST in the calculation of development cost; and
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed:

Name:

Position and Qualifications:

Date:

## Appendix 2 - **SCHEDULE OF WORKS**

Priority	Description			
Low (L)	Capital Works prioritised and expected to be needed from 7 – 10 years			
Medium (M)	Capital Works prioritised and expected to be needed from 3 – 7 years			
High (H)	Capital Works prioritised and expected to be needed from 1 – 3 years			
Item	Infrastructure	Location	Priority	Estimate (\$)
1.	Roads	Intersection – Airport Road and Kaputar Road Nbri	H	\$150,000
2.	Roads	Intersection – Old Gunnedah Rd and Kaputar Rd Nbri	H	\$200,000
3.	Roads	Intersection – Old Gunnedah Road and Arnold St Nbri	H	\$150,000
4.	Roads	Intersection – Maitland St and Fitzroy Street Nbri	L	\$200,000
5.	Roads	Intersection – Maitland St and Denison Street Nbri	M	\$200,000
6.	Roads	Intersection – Barwon and Doyle Street Nbri	H	\$200,000
7.	Roads	Intersection - Dangar St and Tibbereena Street Nbri	H	\$600,000
8.	Roads	Intersection – Gibbons Street and Dangar Street Nbri	M	\$600,000
9.	Roads	Intersection – Ugoa and Cooma Roads Narrabri	L	\$300,000
10.	Roads	Intersection – Mooloobar St Baranbar St Narrabri	M	\$150,000
11.	Roads	Intersection – Baranbar and Goobar St Narrabri	M	\$150,000
12.	Roads	Intersection – Yarrie Lake Road and TSR (IPS, Canz)	H	\$150,000
13.	Roads	Intersection – Yarrie Lake Road and Rail Crossing	L	\$200,000
14.	Roads	Intersection – Old Turrawan Road and New England Highway	H	\$200,000
15.	Roads	Old Turrawan Bridge Widening and approach works	H	\$2,000,000
16.	Footpaths	Footpaths / Cycleway – Old Gunnedah Rd / Arnold to Fitzroy St Nbri	H	\$242,500
17.	Footpaths	Footpaths Fitzroy Maitland to Saunders Narrabri	M	\$96,000
18.	Footpaths	Footpaths Nandewar Fitzroy to Killarney	M	\$280,000
19.	Footpaths	Footpaths Killarney Nandewar to Tibereena	M	\$98,000
20.	Footpaths	Footpaths Barwan Killarney to Wee Waa Road Intersection	L	\$145,000
21.	Footpaths	Footpaths Tibereena Killarney to Fitzroy St Nbri	M	\$280,000
22.	Footpaths	Footpaths Dangar Tibereena to Gibbons St	H	\$56,000
23.	Footpaths	Footpaths Gibbons Dangar to Elizabeth Nbri	M	\$240,000
24.	Footpaths	Footpaths Elizabeth Gibbons to Narrabri Creek	M	\$102,000
25.	Footpaths	Footpaths Narrabri Creek Elizabeth St to Dangar St	M	\$360,000
26.	Footpaths	Footpaths Wangi Place Gibbons to Narrabri Creek	M	\$90,000
27.	Footpaths	Foot Bridge Western Narrabri Creek to Eastern Side of Narrabri Creek North East of Wangi Place.	L	\$350,000
28.	Footpaths	Footpaths Narrabri Creek Dangar Street to Violet Street Narrabri	L	\$128,000
29.	Footpaths	Footpaths Narrabri Creek Violet Street to Narrabri Creek near Arnold Street	L	\$292,000
30.	Footpaths	Footpaths Guest Street Violet Street to Riverside Drive Narrabri	M	\$250,000
31.	Footpaths	Footpaths Riverside Drive Guest Street to McKenzie Street	L	\$80,000
32.	Footpaths	Footpaths McKenzie Street Riverside Drive to Grace Street Narrabri	L	\$74,000
33.	Footpaths	Footpaths Grace Street Mckenzie Street to Gibbons Street Narrabri	L	\$70,000
34.	Footpaths	Footpaths Gibbons Street Grace Street to Dangar Street Narrabri	M	\$220,000
35.	Footpaths	Dangar street / Cooma Road Gibbons Street to Ugoa Street Narrabri	H	\$184,000
36.	Footpaths	Ugoa Street Dangar Street to Walowa St Narrabri	M	\$232,000
37.	Footpaths	Walowa Street, Ugoa to Mooloobar Street Narrabri	M	\$180,000
38.	Footpaths	Ugoa Street Walowa Street to Baranbar Street Nbri	M	\$80,000

Priority		Description		
Low (L)		Capital Works prioritised and expected to be needed from 7 – 10 years		
Medium (M)		Capital Works prioritised and expected to be needed from 3 – 7 years		
High (H)		Capital Works prioritised and expected to be needed from 1 – 3 years		
Item	Infrastructure	Location	Priority	Estimate (\$)
39.	Footpaths	Baranbah Street, Ugoa Street to Mooloobar Street Nbr	L	\$153,000
40.	Footpaths	Mooloobar Street Baranbar to Cooma Road Nbr	M	\$240,000
41.	Footpaths	Cooma Road Mooloobar to Ugoa Street Narrabri	H	\$280,000
42.	Civic Improvements	Tibereena Street Dewhurst to Fitzroy Street Narrabri	H	\$400,000
43.	Civic Improvements	Tibereena Street Dewhurst to Killarney Narrabri	H	\$400,000
44.	Civic Improvements	Maitland Street Killarney to Dewhurst Street Narrabri	H	\$600,000
45.	Civic Improvements	Maitland Street Dewhurst to Fitzroy Street Narrabri	H	\$600,000
46.	Civic Improvements	Lloyd Tibereena to Barwon Street Narrabri	M	\$250,000
47.	Civic Improvements	Doyle Tibereena to Barwon Street Narrabri	M	\$250,000
48.	Civic Improvements	Dewhurst Street Tibereena to Barwon	M	\$250,000
49.	Civic Improvements	Bowen Street Tibereena to Barwan	M	\$250,000
50.	Civic Improvements	Denison Street Tibereena to Barwan	M	\$100,000
51.	Car parking	Upgrades to Car parking Barwan Street	M	\$350,000
52.	Environmental Improvements	Planting of trees - Cooma Road Mooloobar Street to Ugoa Street	M	\$175,000
53.	Environmental Improvements	Planting of Trees – Dangar Street Gibbons to Tibereena	M	\$150,000
54.	Environmental Improvements	Roundabout Cooma Road, Kelvin Vickery Avenue and Newell Highway Intersection West Narrabri	H	\$90,000
55.	Environmental Improvements	Roundabout Cooma Road and Mooloobar Street Narrabri	M	\$70,000
56.	Community Facilities Upgrades	Narrabri Lake Recreational Area	M	\$750,000
57.	Community Facilities Upgrades	Swimming Pool upgrades / Expansion	M	\$3,000,000
58.	Community Facilities Upgrades	Airport Expansion / Renewal	H	\$1,500,000
59.	Roads	Intersection Wee Waa Street and Boston Road Bbri	H	\$200,000
60.	Roads	Railway Crossing approach Boston Street Rail crossing Bbri	H	\$150,000
61.	Footpaths	Footpath and Cycleway - Boston Street / Carooloa Road from Wee Waa Street to Boggabri quarry on Carooloa Road Bbri	H	\$300,000
62.	Roads	Road width extensions Carooloa Road Boggabri	M	\$366,000
63.	Footpaths	Wee Waa Street Grantham Street to Boston Street Bbr	M	\$260,000
64.	Footpaths	Grantham, Wee Waa to Laidlaw Street Boggabri	M	\$55,000
65.	Footpaths	Laidlaw Street Grantham to Boston Street Boggabri	M	\$260,000
66.	Footpaths	Boston Street Laidlaw to Wee Waa Street	M	\$55,000
67.	Civic Improvements	Merton Street Brent to Dalton Street	M	\$100,000
68.	Footpaths	Mitchell / Boolcarrol Road from Maitland Street to Warrior Street Wee Waa	M	\$280,000
69.	Footpaths	Warrior Street Boolcarrol to Rose Street Wee Waa	M	\$92,000
70.	Footpaths	Rose Street from Warrior Street to Maitland Street	M	\$270,000
71.	Footpaths	Maitland Street from Rose Street to Mitchell Street	M	\$55,000

For the purposes of section 94 (3) of the Act, the cost of providing public amenities or public services is to be indexed annually (as specified in the relevant contributions plan) in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

**Appendix 3 - LOCATION OF ITEMS ON WORKS  
PROGRAM**

**Appendix 4 - BOUNDARY OF NARRABRI SHIRE  
LGA**