



FACT SHEET

Section 94A Levy Plan

What are development contributions?

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

These contributions are required to be authorised by a formal Development Contributions Plan prepared in accordance with the Environmental Planning and Assessment Act, 1979 and its Regulations, 2000.

Lithgow City Council is proposing to levy these contributions through a Section 94A Development Contributions Plan.

These contributions are distinct and separate from developer contributions towards water and sewer infrastructure works that are authorised under the Local Government Act and Water Management Act.

Who pays Section 94A contributions?

Generally, the Section 94A Development Contributions Plan applies to all development within the Local Government Area that has a development cost in excess of \$100,000. However there are some circumstances where land or development will or may be exempt from the Plan. These circumstances are detailed in Section C7 of the Plan.

Most notably, the levy will **NOT** apply to development that has been subject to a condition under Section 94 of the EP & A Act under a previous development consent relating to the subdivision of land on which the development is to be carried out. Council staff will be able to advise if this exemption will apply to your development at the time you make your pre application enquiries regarding your development.

How much do I need to pay and how is the levy calculated?

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

Estimated Cost of Development	Percentage (%) Contribution/Levy
All development types valued at \$100,000 or less	Nil
All development types valued at \$100,001 and up to \$200,000	0.5%
All development types valued in excess of \$200,000	1%

Council will require a cost summary report to be submitted with the application to certify the estimated costs of development. These requirements are detailed in Appendix C of the Plan.

Example:

I am building a new home.	The certified estimated cost of development is	\$250,000.00
Applicable Percentage is 1%	Required Contribution Payable is	\$2,500.00

When do I have to pay the levy?

Generally, S94A contributions must be paid prior to the release of the Construction Certificate (CC) or Complying Development Certificate (CDC).

What are the funds to be used for?

The Plan details an \$8.01 million dollar works schedule to be partially funded from the development contributions levied to the value of \$4.05 million dollars. This works schedule includes roads and traffic management facilities; open space and recreation facilities; civic, community and cultural facilities and emergency service facilities.

Most notably the Plan will provide for key high traffic rural roads construction and rehabilitation; construction of a foot and cycleway linking South Bowenfels to Lithgow town centre; Stage 2 of the Lithgow Aquatic Centre Redevelopment; Adventure Playground, Union Theatre upgrades and improvement to Lithgow CBD and Endeavour Park Amenities. Please refer to Appendix A of the Plan to view the full proposed works schedule.

The making of a development contributions plan places a financial obligation on Council to deliver the public amenities and services which it has identified and for which development contributions are then sought. In this regard, the financial expenditure outlined in the works schedule has been integrated with Council's 2012/13 Operations Plan and 2012/2015 Delivery Program and the Long Term financial Plan.

Without the significant injection of funds from the development contributions plan, many of these projects would not be able to be undertaken at all or would at the very least be significantly delayed.

When will the money collected be spent?

The works schedule in Appendix A of the Plan identifies the planned timing for expenditure for each of the projects commencing in 2012/2013. The works schedule covers a ten year plan.

Will more than one Section 94 development contributions plan apply?

No. Upon commencement of this new plan all other Development Contributions Plans will be repealed.

The remaining unspent funds collected under these previous plans will be rolled over into the new system and will be expended on the works schedule projects as identified.

How can I find out more information?

If you require further information please contact Council's Policy and Planning Division on 02 63549999.