

Queanbeyan

Section 7.12 Fixed Levy

Development Contributions Plan

2019



Queanbeyan-Palerang Regional Council

List of Amendments

This Plan was originally adopted by Queanbeyan-Palerang Regional Council on 22 January 2020 and came into effect on **14 April 2020**. The Plan has been subsequently amended as set out in the following table:

Amendment	Amendment Summary	Adopted by Council	Notified
1.			

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Executive Summary

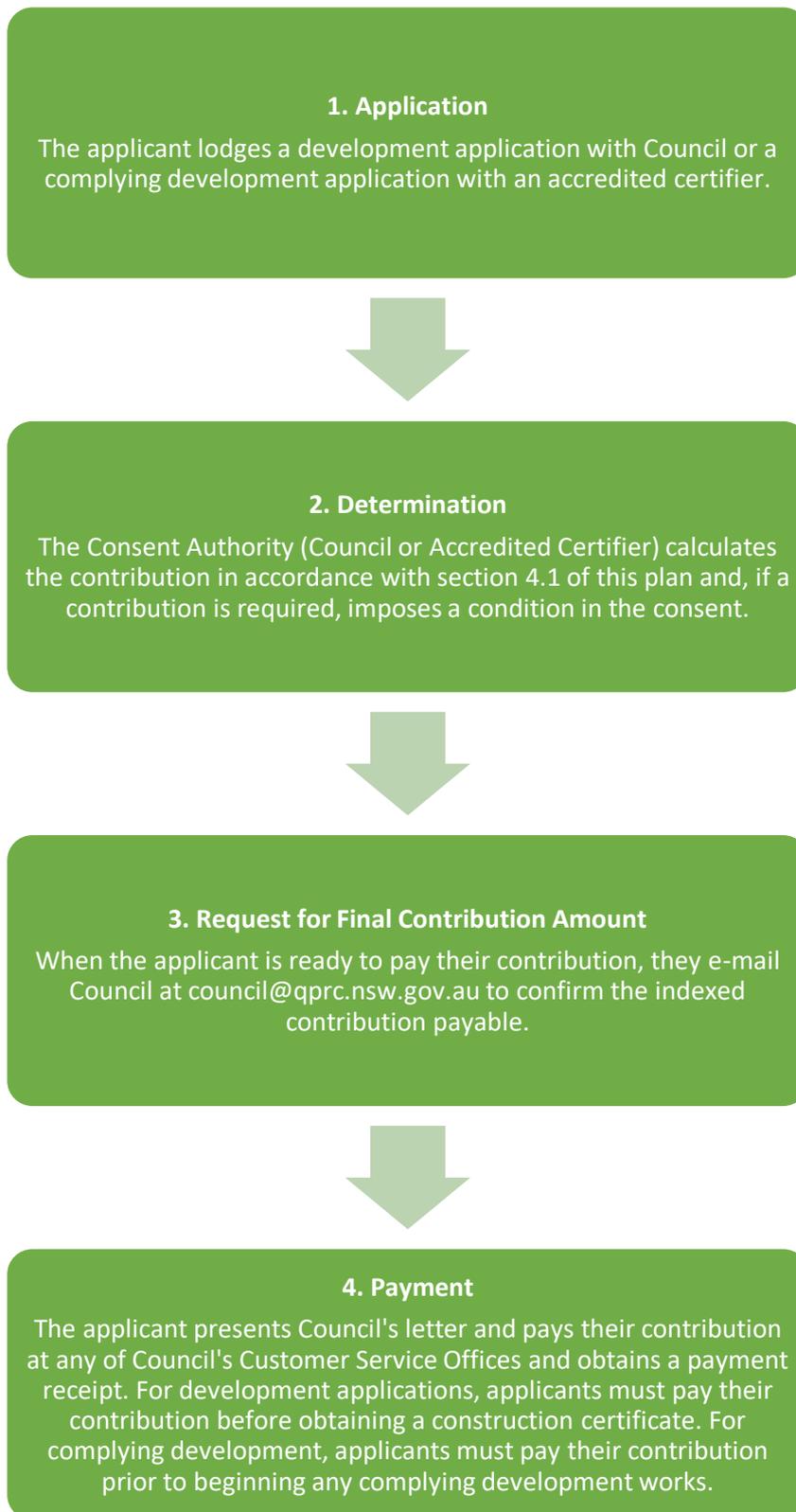
This plan has been prepared under section 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and provides for Queanbeyan-Palerang Regional Council (the Council) to collect contributions from development for development within most areas of the City of Queanbeyan (Figure 2). These contributions will take the form of money.

This plan describes:

- where contributions are required,
- what development contributions apply to,
- how the contribution rates have been determined, and
- what infrastructure the contributions will fund.

The key steps applicants need to follow in using this plan are summarised both below and at Figure 1.

Figure 1: Key Steps in determining and paying the contribution



Demand for local infrastructure

Overall up to 2036 the population of the Queanbeyan-Palerang Local Government Area is expected to grow by 20,637 or an average growth of 1.53%. However whilst future growth is expected within the City of Queanbeyan outside of the greenfield sites this growth is more difficult to determine and to establish a clear nexus with. Accordingly, Council has determined a section 7.12 contribution plan be established for the existing urban area of Queanbeyan.

Monies paid to Council under a condition authorised by this plan are to be applied by Council towards meeting the cost of one or more of the public facilities that will be (or have been) provided within the area as listed in the works schedule at Appendix 1.

Where this plan applies

This plan applies to certain land within the City of Queanbeyan area as shown at Figure 2 (page 11).

Development to which this plan applies

This plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 of the EP&A Act in respect of development on land to which this plan applies.

Calculating the contribution

Consent authorities, including Council and accredited certifiers, are responsible for determining any contribution in accordance with this plan. The consent authority will calculate the contribution on the basis of the following:

Table 1 – Contribution By Development Cost

Proposed Cost of Development	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	1.0%

Contributions collected by Council under this plan will be used to fund public facilities as listed in the works schedule at Appendix 1 and summarised below.

Table 2– Summary of Works Schedule Costs by Category of Works

Public Facilities	Estimated Costs (s7.12 funds only)	%
Buildings and other structures	\$26,820,000	81.90%
Land (Community Land and CBD)	\$1,500,000	4.58%
Parks and recreation	\$600,000	1.83%
Roads and Transport	\$1,139,058	3.48%
Cycleways and Footpaths	\$2,688,500	8.21%
Total Value of Program	\$32,747,558	100%

1. Introduction

1.1 What is the name of this plan?

This plan is called *Queanbeyan section 7.12 Development Contributions Plan 2019*.

1.2 When does this plan commence?

This plan commenced on **14 April 2020** and repeals *Queanbeyan City Council Section 94 Contributions Plan 2012* to the extent it applies to land covered under this plan.

1.3 Purposes of this plan

The purposes of this plan are to:

- authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act');
- require a certifying authority (Council or an accredited certifier) to impose, as a condition of issuing a complying development certificate, a requirement that the applicant pay to Council a levy determined in accordance with this plan;
- assist the Council to provide appropriate public facilities required to maintain and enhance amenity and service delivery within the Queanbeyan urban area; and
- identify the purposes for which the contributions are required.

1.4 Land to which this plan applies

This plan applies to land in Queanbeyan as shown at Figure 2.

1.5 What does Section 7.12 of the EP&A Act provide?

Section 7.12 of the EP&A Act 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 7.11.*
- (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.

1.6 Development to which this plan applies

This Plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 Development assessment and consent of the EP&A Act in respect of development on land to which this plan applies.

1.7 Payment of a levy as a condition of issuing a complying development certificate

This Plan authorises a certifying authority (the Council or an accredited certifier) to issue a complying development certificate in respect of development to which this Plan applies subject to a condition requiring the applicant to pay the Council a levy of 0.5% or 1% of the proposed cost of carrying out the development, as outlined in Table 3 below. Conditions authorised by this Plan are subject to any direction given by the Minister under section 7.17 of the Act from time to time, and this Plan authorises the imposition of conditions which are in accordance with any such direction. Any direction given by the Minister under section 7.17 of the Act and in force from time to time may be attached to this Plan, but does not form part of this Plan for the purposes of the Act.

Table 3 – Contribution By Development Cost

Proposed Cost of Development	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	1.0%

1.8 Are there any exemptions to the levy?

The section 7.12 contributions provided for by this plan will not be imposed on development in the following circumstances:

- Where the proposed cost of carrying out the development is \$100,000 or less;
- Development for the purposes of providing disabled access;
- For the sole purpose of providing affordable housing including development undertaken by a social housing provider as defined under *State Environmental Planning Policy (Affordable Rental Housing) 2009*;
- For the purpose of reducing the consumption of mains supplied potable water or reducing the energy consumption of a building;
- For the sole purpose of the adaptive reuse of an item identified in Council's Heritage Schedule in the LEP;
- That has been the subject of a contribution condition under previous development consent relating to subdivision of the land on which the development is to be carried out unless the proposed works increase demand on Council infrastructure; or
- Where the application is submitted by or on behalf of Queanbeyan-Palerang Regional Council.

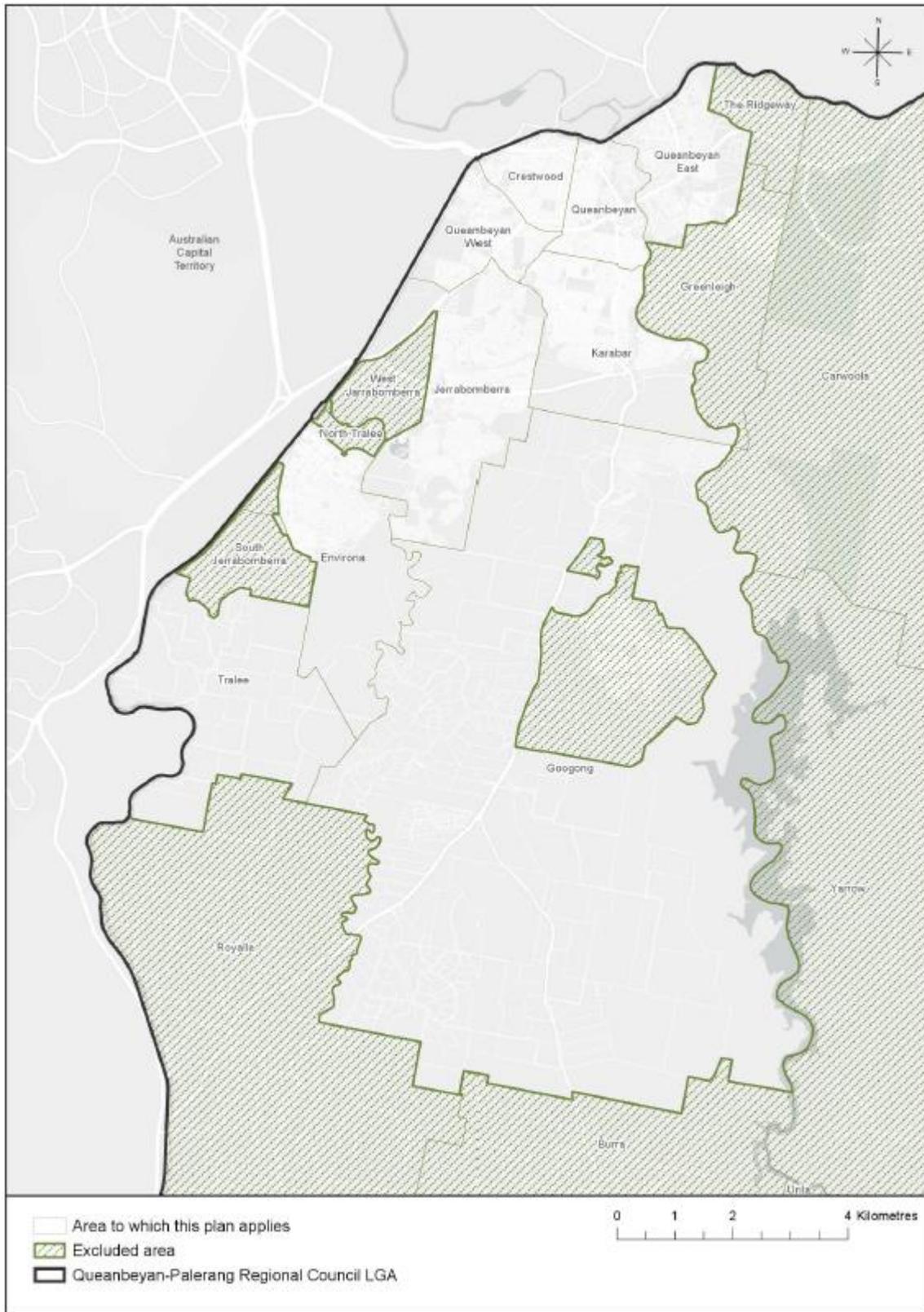
Council may consider exempting the following development, or components of a development from a contribution under this plan:

- a) Development undertaken for public schools;
- b) Development associated with providing infrastructure funded by a section 7.12 levy; and
- c) Development that involves rebuilding or repair of damage resulting from declared natural disasters (such as flooding or bushfires) under the NSW State Emergency Management Plan.

Those applicants which seek exemption from a levy under this Plan must provide a comprehensive submission to the Council, which clearly demonstrates how the proposed development falls within one of the development types defined above, prior to the Council determining whether such an exemption applies. In considering any application for an exemption the Council will take into account:

- a) the extent to which the proposed development comprises or includes the provision, extension or augmentation of public amenities or public services that provide a public benefit, and/or
- b) whether the applicant is affected by any adverse financial circumstance which will impact on its ability to fund the payment of any levy which is imposed in accordance with this Plan.

Figure 2 – Land to Which this Contributions Plan Applies



1.9 Payment of a levy as a condition of development consent

This Plan authorises the Council to grant consent to development to which this Plan applies, subject to a condition requiring the applicant to pay a levy to Council, being 0.5% or 1% of the proposed cost of carrying out the development, as outlined in Table 4 below. Conditions authorised by this Plan are subject to any direction given by the Minister under section 7.17 of the Act from time to time, and this Plan authorises the imposition of conditions which are in accordance with any such direction. Any direction given by the Minister under section 7.17 of the Act and in force from time to time may be attached to this Plan, but does not form part of this Plan for the purposes of the Act.

Table 4 – Contribution By Development Cost

Proposed Cost of Development	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	1.0%

1.10 Savings and Transitional Arrangements

- a) Development Applications approved prior to the commencement date of the new plan will have contributions calculated in accordance with the Contributions Plan in place at the time the DA was determined.
- b) Where a modification to an application approved prior to adoption of the new Contributions Plan generated additional development contributions, these additional contributions shall be calculated in accordance with this plan.
- c) Development Applications lodged prior to adoption of the new plan but not yet approved will have contributions calculated based on this plan.

2. Expected Development And Demand For Public Facilities

2.1 Queanbeyan Residential and Economic Strategy

The *Queanbeyan Residential and Economic Strategy 2031* sets out the broad framework for development and growth in Queanbeyan to the year 2031.

This strategy is complemented by a number of other plans and documents which identify the physical and social infrastructure needs and capacities within the Queanbeyan urban area – in particular the Queanbeyan CBD. These documents include but are not limited to:

- *Queanbeyan-Palerang Regional Council Community Strategic Plan and Delivery Plan 2018 – 2028;*
- *QPRC Integrated Transport Strategy 5 February 2019;*
- *Queanbeyan CBD Spatial Masterplan Plan - Refresh April 2019;*
- *Queanbeyan CBD Transformation Strategy – June 2017;*
- *Sports Facilities Strategic Plan – June 2017;*
- *Queanbeyan CBD Retail Growth Strategy – September 2018;*
- *QPRC Digital Economy and Smart Community Strategy;*
- *Disability Inclusion Action Plan 2017 – 2021; and*
- *Queanbeyan Car Parking Strategy 2018-28;*

Contributions collected under this plan will be used to fund projects set out in these respective strategies and as detailed in the works schedule at Appendix 1.

2.2 Anticipated Population Growth

According to the Australian Bureau of Statistics, Queanbeyan-Palerang's population is projected to grow significantly into the future as shown in the table below:

Table 3: Population Forecasts for Queanbeyan-Palerang Regional Council LGA

Year	Population
2016	58,119
2021	61,832
2026	66,593
2031	72,177
2036	78,756

Source: Population and household forecasts, 2016 to 2036 (Prepared by forecast id - ABS December 2017)

As shown, the total population increase anticipated for the Queanbeyan-Palerang Local Government Area is 20,637. This represents an average annual population growth of approximately 1.53%.

This new population will generate additional demands for new public facilities as well as place additional demands on existing facilities used by the current population. This is

particularly likely in the Queanbeyan Central Business District and the existing urban area where there is already an established population of residents using existing facilities.

However, there is some uncertainty as to where new development or redevelopment may occur within the existing Queanbeyan urban area. Unlike greenfield sites where a clear nexus can be established between a new population and the infrastructure required to serve that population, this is more difficult in existing urban areas where rate of in-fill development, and the infrastructure required to serve that new population, is more difficult to determine.

Accordingly, Council has determined a section 7.12 contribution plan be established for the existing urban area of Queanbeyan. The subsequent levies set out in this plan will enable the collection of contributions for the purposes of augmenting and providing new public facilities. Monies paid to Council under a condition authorised by this plan are to be applied by Council towards meeting the cost of one or more of the public facilities that will be (or have been) provided within the area as listed in the works schedule at Appendix 1.

Although it is Council's intention that all of the public facilities identified in the schedule will be provided as soon as possible in accordance with timing and priorities indicated, this will depend on the rate at which development occurs.

2.3 Anticipated Demand For Facilities

Council has had regard to the following matters in determining a relationship between expected population growth and the likely demand for infrastructure:

- a) The current demographic information as shown in Table 3 above;
- b) The likelihood this new population will require the provision of additional public facilities;
- c) The likelihood this new population will diminish the existing population's access to existing public facilities if these facilities are not expanded or enhanced;
- d) The expected increase in traffic as a consequence of this new population;
- e) The availability, status and capacity of the existing transport (roads, bridges, paths, ramps and cycleways) network to service this new population;
- f) The increasing pressures already being felt to upgrade or modify infrastructure which has not been built with an ageing population in mind; and
- g) The increased pressures of peak volumes of coastal traffic at weekends and holidays.

Any contributions levied under this plan will contribute to the operation and maintenance of these and other facilities required for the new population. Levies will not be imposed on a development application or complying development certificate if a section 7.11 contribution is otherwise required.

It is proposed the contributions will contribute to the provision, extension or augmentation or recoupment of costs of public infrastructure and services drawn from the infrastructure and facilities strategies and associated the priority point score mechanism set out below.

The expected types of development are, but not limited to:

- Single dwellings;
- Residential Flat buildings and multi unit developments;
- Mixed use developments;

- Alterations and additions (including secondary dwellings);
- Commercial development;
- Industrial development;
- Tourist and visitor accommodation;
- Aged care development; and
- Electricity Generating Works.

The types of development covered by this plan will employ significant numbers of workers during construction and are likely to have a significant increases in the resident population beyond the expected growth without these developments and investment in the CBD. It is likely that infill and CBD developments will have an impact on the existing urban road network carrying extra traffic and cater for the impact of light and heavy vehicle movements to and from these developments.

It is therefore reasonable that these developments should contribute via a section 7.12 levy to infrastructure and service provision for items such as roads and bridges, traffic facilities, waste facilities, CBD car parking, civic improvements, public buildings, cycleways, footpaths, sporting grounds and recreational grounds that will be utilised by such developments and their contractors and employees. Without this levy the existing population's enjoyment and the standard of facility or service will diminish with increased use.

2.4 Prioritising Infrastructure Contributions

The amount of contributions that Council will be able to collect is only 1% of the overall development costs throughout the area to which this plan applies and only if the development cost is greater than \$200,000. This means that only some of the projects listed in the Works Schedule are likely to be completed as part of this plan noting that that other funding will contribute to many projects including grant funding, and other Council funding such as section 7.11 Contributions and rates. Accordingly, Council has developed a transparent scoring mechanism to assess each project where the following criteria in Table 2 have been taken into consideration

Table 4: Mechanism for Priority Scoring

Council Project	Points
Is the project identified as a high priority in a Council strategy or plan?	2
Is the project identified as a medium priority in a Council strategy or plan?	1
Is the project located within the CBD for the whole population to benefit?	1
Is the shared path, footway or cycleway part of a route leading to the CBD?	1
Is the project happening in a suburb which is forecast to increase in population?	1

As set out at Appendix 1, each work item has been given a respective score against these criteria in order to establish a priority for these works.

3. Infrastructure and Facilities to Be Funded By This Plan

3.1 Works Schedule

The various infrastructure and facilities to be funded by this plan are set out in the works schedule shown at Appendix 1.

Monies paid to the Council under a condition authorised by this plan are to be applied towards meeting the cost of the public facilities listed in Appendix 1.

Maps illustrating the respective locations where contributions collected under this plan will be expended are shown at Appendix 2.

4. ADMINISTRATION AND OPERATION OF THE PLAN

4.1 Maximum Percentage of Fixed Levy Contribution

As shown at Table 2, the maximum percentage of the proposed cost of carrying out development that may be imposed by a levy under section 7.12 of the EP&A Act is:

- a) if the proposed cost of carrying out the development is up to and including \$100,000 — nil, or
- b) if the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000 — 0.5 per cent of that cost, or
- c) if the proposed cost of carrying out the development is more than \$200,000 — 1 per cent of that cost

4.2 How will the levy be calculated?

The levy will be determined on the basis of the rate as set out in summary schedule. The levy will be calculated as follows:

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

Where:

- %C is the levy rate applicable
- \$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 Regulation as outlined below.

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 persons with a disability 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.*

A development application or an application for a complying development certificate is to be accompanied by a detailed cost report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the Regulation.

The following cost reports must be submitted by the applicant:

- Where the proposed cost of carrying out the development is less than \$500,000, a cost summary report prepared and certified by a building industry professional, or
- Where the proposed cost of carrying out the development is \$500,000 or more, a detailed cost report prepared and certified by a registered quantity surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

The cost summary report or quantity surveyor's detailed cost report is to be prepared in the form specified in Appendix 4 and 5 of this plan.

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. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant and no construction certificate will be issued until such time that the levy has been paid.

4.3 When is the levy payable?

A levy must be paid to the 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.

4.4 How will the levy be adjusted?

In accordance with clause 25J(4) of the Regulation and, for the purposes of this Plan, the proposed cost of carrying out development is to be indexed to reflect quarterly variations in the Consumer Price Index, All Group Index Number for Sydney between the date the proposed cost was determined by Council and the date the levy is paid.

The levy required is to be adjusted at the time of payment of the levy in accordance with the following formula, and applying quarterly adjustments to the CPI where necessary:

Levy at time of payment = \$C + A

Where:

- **\$C** is the original contribution as set out in the consent as per Table 2 in Part A of this plan.
- **A** is the adjustment amount which is:

$$\frac{\$C \times ([\text{Current CPI} - \text{Base CPI}])}{[\text{Base CPI}]}$$

Where:

- **Current CPI** is the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics and available at time of payment.
- **Base CPI** is the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics at the date of certification of the cost report.

Note: In the event that the Current CPI is less than the previous CPI, the Current CPI shall be taken as not less than the previous CPI.

4.5 Cost estimate reports must accompany all applications

A development application or an application for a complying development certificate is to be accompanied by a report, prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the Regulation. The following types of report are required:

- Where the proposed cost of carrying out the development is less than \$5,000,000, a cost summary report in accordance with Appendix 4, or
- Where the proposed cost of carrying out the development is \$5,000,000 or more, a cost summary report in accordance with Appendix 5.

The cost summary report or quantity surveyor's detailed cost report is to be prepared in the form specified in Appendix 4 and 5 of this plan.

4.6 Approved persons for the provision of cost estimate reports

For the purpose of clause 25J(2) of the Regulation, the following persons are approved by the Council to provide an estimate of the proposed cost of carrying out development in the following circumstances:

- Where the proposed cost of carrying out the development is less than \$5,000,000, a cost summary report prepared and certified by a building industry professional, or
- Where the proposed cost of carrying out the development is \$5,000,000 or more, a detailed cost report prepared and certified by a registered quantity surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Upon reviewing a cost summary report or detailed cost report, the Council may, at the applicant's cost, require a further estimate to be provided by a registered quantity surveyor,

The Council may, at the applicant's cost, engage a person referred to in this clause to review a report submitted by an applicant in accordance with clause 4.5.

4.7 Refunds

Council's policy is that there are generally no refunds of 7.12 levy payments made under this plan. Council may however consider giving a refund in the case of a surrendered development consent provided that:

- a) The development application has not lapsed; and
- b) The surrendered development consent takes effect in accordance with the *Environmental Planning and Assessment Act 1979*; and
- c) No demolition, building, engineering or construction work has physically commenced that results in gross floor area on the site.

4.8 Construction Certificates and the obligation of Accredited Certifiers

This plan requires a certifying authority (Council or an accredited certifier) to impose a condition on a complying development certificate requiring an applicant for a complying development certificate to pay Council a levy prior to the commencement of any construction works on site in accordance with the provisions of Table 2 in Part of this plan.

In accordance with clause 146 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), 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 the 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.

Any development consent issued by a private certifier must include the standard condition of consent shown at Appendix 3 of this plan.

4.9 Pooling of levies

This plan expressly authorises section 7.12 levies collected under this plan 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 in Appendix 1.

This plan also expressly authorises that unspent monies collected under previous contribution plans are to be expended on works identified in those plans where those works have been carried across to the Works Schedule included in this plan.

Where works identified in previous plans are no longer considered necessary then this plan authorises that the unspent monies be transferred to this plan and spent on the works identified in the Works Schedule which are similar to the works categories included in the previous contribution plans. The Works Schedule will indicate where this is the case.

4.10 Deferred or periodic payments

The Council may allow deferred or periodic payment of monetary section 7.12 levies for staged development applications only, subject to consideration of a written application made to the Council.

The decision to accept a deferred or periodic payment is at the sole discretion of the Council, which will consider:

- a) the reasons provided by the applicant requesting a deferred or periodic payment,
- b) whether the applicant has provided the Council with adequate security in relation to the deferred or periodic payment,
- c) any other relevant circumstances of the case.

If the Council determines to allow the application, the arrangements relating to the deferred or periodic payment will not take effect until the applicant has entered into a written agreement with the Council reflecting the terms of the Council's approval.

The Council may, as a condition of accepting deferred or periodic payment, require the provision of a bank guarantee where:

- a) the guarantee is by an Australian bank for the total or outstanding contribution amount plus interest.
- b) the guarantee requires the bank to unconditionally pay the guaranteed sum to the Council at the time specified in the agreement.
- c) the applicant will be required to pay all costs incurred in the establishment, operation, administration or discharge of the bank guarantee.
- d) the bank's obligations are discharged when payment to the Council is made in accordance with the guarantee, or when the Council notifies the bank in writing that the guarantee is no longer required, or if the related consent lapses.

5. Dictionary

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

Applicant	Means the person, company or organisation submitting a development application.
Apportionment	Means the adjustment of a contribution (usually a percentage) to ensure the contributing population only pays for its share of the total demand for the facility.
Catchment	Means a geographic or other defined area to which a contributions plan applies.
Community facility	Means a building or place owned or controlled by the Council or a body of persons which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but does not include a building or place elsewhere defined in this section.
Complying development	Means development that can be approved by an accredited certifier.
Contribution	Means the dedication of land, the making of a monetary contribution or the provision of a material public benefit, as referred to in the <i>EP&A Act</i> .
Contributions plan	Means a contributions plan referred to in the <i>EP&A Act</i> .
Council	Means Queanbeyan-Palerang Regional Council.
Development	Means: <ul style="list-style-type: none"> • the use of land, • the subdivision of land, • the erection of a building, • the carrying out of a work, • the demolition of a building or work, • any other act, matter or thing that may be controlled by an environmental planning instrument.
Developer contribution	Means a monetary contribution, the dedication of land free of cost or the provision of a material public benefit.
EP&A Act	Means the <i>Environmental Planning & Assessment Act, 1979</i> , as amended.
EP&A Regulations	Means the <i>Environmental Planning & Assessment Regulation 2000</i> , as amended.
LEP	Means a local environmental plan made by the Minister under the <i>EP&A Act</i> .
LGA	Means Queanbeyan-Palerang Local Government Area
Planning agreement	Means a voluntary agreement referred to in section 7.4 of the <i>Environmental Planning and Assessment Act 1979</i> .

Planning authority	<p>Means:</p> <ul style="list-style-type: none"> • A council, or • The Minister, or • The Planning Ministerial Corporation, or • A development corporation (within the meaning of the <i>Growth Centres (Development Corporations) Act 1974</i>), or • A public authority declared by the EP&A Regulations to be a planning authority for the purposes of this Division
Public benefit	<p>Is the benefit enjoyed by the public as a consequence of a development contribution.</p>
Public facilities	<p>Means any public amenity or public service, as referred to in the EP&A Act, including a "community facility" and a "recreation facility", the need for which has increased or been created by development.</p>
Public purpose	<p>Includes (without limitation) any of the following:</p> <ul style="list-style-type: none"> • the provision of (or the recoupment of the cost of providing) public amenities or public services, • the provision of (or the recoupment of the cost of providing) affordable housing, • the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land, • the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure, • the monitoring of the planning impacts of development, • the conservation or enhancement of the natural environment.
Works-in-kind	<p>Means the construction or provision of the whole or part of a public facility that it identified in a works schedule in a contributions plan</p>
Works schedule	<p>Means the schedule of the specific public facilities for which contributions may be required, and the likely timing of provision of those public facilities based on projected rates of development, the collection of development contributions and the availability of funds from supplementary sources</p>

6. References

The following reference documents have been utilised in the preparation of this section 7.12 Plan:

- *Queanbeyan Local Environment Plan 2012*;
- Queanbeyan-Palerang Regional Council Community Strategic Plan and Delivery Plan 2018 – 2028;
- Department of Infrastructure, Planning and Natural Resources – Development Contribution Practice Notes – July 2005;
- Department of Planning – Circular PS06-020 6 December 2006 - Changes to the Application of section 94A of the EP&A Act - Ministerial Direction;
- *Environmental Planning and Assessment Act 1979*;
- *Environmental Planning and Assessment Regulation 2000*;
- QPRC Integrated Transport Strategy 5 February 2019;
- Queanbeyan CBD Spatial Masterplan Plan - Refresh April 2019;
- Queanbeyan CBD Transformation Strategy – June 2017;
- Sports Facilities Strategic Plan – June 2017;
- Queanbeyan CBD Retail Growth Strategy – September 2018;
- QPRC Digital Economy and Smart Community Strategy;
- Disability Inclusion Action Plan 2017 – 2021; and
- Queanbeyan Car Parking Strategy 2018-28;

Appendix 1: Works Schedule

Public Facilities		Location	Estimated Costs	Estimated Timeframe	Score
Buildings and other structures					
Community Facilities					
1.	Recoup monies for the Q Cultural Centre	Queanbeyan CBD	\$1,750,000	High	4
2.	Refurbishment of Bicentennial Hall	Queanbeyan CBD	\$1,500,000	High	4
		Total	\$3,250,000		
Car Parks					
3.	Design and construct new multi-storey car park including public domain area around car park	Queanbeyan CBD	\$21,400,000	High	4
		Total	\$21,400,000		
Parks Buildings and Facilities					
4.	Improve amenities and increase storage	High Street Playing Field	\$550,000	High	3
5.	Install off field goals	Letchworth Sporting Field	\$35,000	High	2
6.	Install irrigation tank and pump	Seiffert Oval	\$65,000	Medium	2
7.	Replace lower amenities block	Wright Park	\$1,520,000	High	3
		Total	\$2,170,000		

Public Facilities		Location	Estimated Costs	Estimated Timeframe	Score
Land (Community and CBD)					
8.	River corridor path down to Barracks flat (from Glenrock drain)	River Path	\$1,500,000	Medium	3
		Total	\$1,500,000		
Parks and Recreation					
9.	Improved Archery Club facilities	Hoover Road Reserve	\$350,000	High	2
10.	Seal gravel car park	Riverside Oval	\$90,000	Medium	2
11.	Improve junior fields irrigation	Taylor Park	\$160,000	High	3
		Total	\$600,000		
Roads and Transportation					
12.	Ellerton Drive Extension (EDE)	Linking OCR to Ellerton Drive	\$1,139,058	High	3
		Total	\$1,139,058		
Footpaths and Cycleways					
13.	1130m along East side of Queanbeyan River between Granville Close and Dodsworth St.	Greenleigh	\$169,500	Medium	3
14.	680m along Queanbeyan River	Queanbeyan	\$102,000	Medium	3
15.	1330m shared path along Queanbeyan River	Between Riverside Plaza and Ellerton Drive	\$399,000	High	4
16.	380m shared path along Ellerton Drive	Between Kings Highway and Mowatt Street	\$113,000	High	3
17.	700m shared path along Morisset Street	Between Queanbeyan River and Brad Haddin Oval	\$210,000	High	3
18.	560m connections to shared path that uses the underpass	Lanyon Drive	\$167,000	High	3

	Public Facilities	Location	Estimated Costs	Estimated Timeframe	Score
19.	1870m shared Path between Southbar Road and Lowe Street	Karabar – to CBD	\$562,000	High	3
20.	1880m shared path along Lanyon Dr from Southbar to Esmond Ave.	Jerrabomberra	\$564,000	High	3
21.	180m connection from Wanniasa St to Carinya over bridge	Queanbeyan	\$53,000	High	3
22.	60m Edwin Land Parkway (ELP) crossing near shops	Jerrabomberra	\$18,000	High	3
23.	1,590m along Fergus Road between Tharwa and Cooma St	Queanbeyan	\$24,000	High	3
24.	620m along Gilmore Place between Tharwa and Lanyon	Queanbeyan West	\$9,500	High	3
25.	140m along Telopea PI between Crest Park Parade and Southbar	Queanbeyan West	\$2,000	High	3
26.	170m From Letchworth Park to Maloney St	Queanbeyan West	\$2,500	High	3
27.	1,030 Southbar Road from Donald Rd to Cooma St.	Karabar	\$52,000	High	2
28.	2,200m along Yass Rd and Ellerton Drive	Queanbeyan East	\$166,000	Medium	2
29.	Refuge Island Uriarra Rd east of Richard Ave	Crestwood	\$25,000	High	4
30.	Refuge Island – Campbell St near Morton St	Queanbeyan	\$25,000	High	4
31.	Refuge Island – Morton St near Stornaway Road	Queanbeyan	\$25,000	Medium	3
		Total	\$2,688,500		
All Total Costs under the plan			\$32,747,558		

A map showing the location of the works and public facilities is included in Appendix 2.

Appendix 2: Where Will Contributions Be Spent?



Appendix 3: Standard Condition CDC

Standard Section 7.12 development consent condition for Complying Development Certificates

In accordance with section 7.21(1) of the *Environmental Planning and Assessment Act 1979* and Section 4.8 of this plan, accredited certifiers must impose the following condition on complying development certificates where a contribution is required in accordance with this plan:

Pursuant to section 7.21 of the Environmental Planning and Assessment Act 1979, and Council's section 7.12 Contribution Plan a contribution of \$x ⁽¹⁾ must be paid to Queanbeyan-Palerang Regional Council towards the cost of works as outlined in the contribution plan. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 7.12 Development Contributions Plan.

The amount payable of monetary developer contributions will be indexed on 1 July each year in accordance with the Contribution Plan and the following formula:

$$\text{New Contribution Rate} = \text{Current Contribution} \times \frac{\text{Current CPI}}{\text{Previous year's CPI}}$$

Payment must be made to Council before the commencement of construction or works approved by the Complying Development Certificate.

The Contributions Plan may be inspected at <https://www.qprc.nsw.gov.au/Building-Development/Planning-Zoning>.

Notes:

(1) Insert the total amount of contributions using the calculation methodology outlined in this plan

Appendix 4: Cost Summary Report

To be used where Development Cost is contested and below \$5,000,000

DEVELOPMENT APPLICATION No.

DATE:

CONSTRUCTION CERTIFICATE No.

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT NAME:

DEVELOPMENT ADDRESS:

ANALYSIS OF DEVELOPMENT COSTS

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	\$	Sub-total	\$

Sub-total above carried forward	\$
Preliminaries and margin	\$
Sub-total	\$
Consultant Fees	\$
Other related development costs	\$
Sub-total	\$
Goods and Services Tax	\$
TOTAL DEVELOPMENT COST	\$

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:

Appendix 5: Detailed Cost Report

Registered* Quantity Surveyor's Detailed Cost Report Development Cost in excess of \$5,000,000

*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No.
CONSTRUCTION CERTIFICATE No.
APPLICANT'S NAME:
APPLICANT'S ADDRESS:
DEVELOPMENT NAME:
DEVELOPMENT ADDRESS:

DATE:

DEVELOPMENT DETAILS:

Gross Floor Area – Commercial	m ²	Gross Floor Area – Other	m ²
Gross Floor Area – Residential	m ²	Total Gross Floor Area	m ²
Gross Floor Area – Retail	m ²	Total Site Area	m ²
Gross Floor Area – Car Parking	m ²	Total Car Parking Spaces	
Total Development Cost	\$		
Total Construction Cost	\$		
Total GST	\$		

ESTIMATE DETAILS:

Professional Fees	\$	Excavation	\$
% of Development Cost	%	Cost per square metre of site area	\$ / m ²
% of Construction Cost	%	Car Park	\$
Demolition and Site Preparation	\$	Cost per square metre of site area	\$ / m ²
Cost per square metre of site area	\$ / m ²	Cost per space	\$ /space
Construction – Commercial	\$	Fit-out – Commercial	\$
Cost per square metre of site area	\$ /m2	Cost per m2 of commercial area	\$ /m2
Construction – Residential	\$	Fit-out – Residential	\$

Cost per square metre of residential area	\$ /m2	Cost per m2 of residential area	\$ /m2
Construction – Retail	\$	Fit-out – Retail	\$
Cost per square metre of retail area	\$ /m2	Cost per m2 of retail area	\$ /m2

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 clause 25J of the Environmental Planning and Assessment Regulation 2000 at current prices.*
- *included GST in the calculation of development cost.*
- *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: