

Woolgoolga Town Centre S7.12 Contributions Plan

Adopted: December 2023



Contents

Glossary & Abbreviations	3
Executive Summary.....	4
1 Section 1 – Background	9
1.1 Purpose of this Plan.....	9
1.2 Where this Plan applies	10
1.3 Development this Plan applies to	10
1.4 Development that is exempt from this Plan	10
1.5 Administration	11
1.5.1 Relationship to previous plans	11
1.5.2 Transitional arrangements	11
1.5.3 Use of contributions	11
1.5.4 Pooling of funds	11
1.5.5 Review of this Plan	12
2 How to use this Plan.....	13
2.1 Calculating the contribution	13
2.1.1 Calculating the cost of development.....	13
2.2 Imposing the contribution.....	13
2.2.1 Indexation.....	13
2.3 Paying the contribution.....	14
2.3.1 When to pay.....	14
2.3.2 Deferred or periodic payments.....	14
2.3.3 How to pay	14
2.4 Alternatives to monetary contributions	15
2.5 Obligations for Accredited Certifiers	15
2.5.1 Complying development certificates.....	15
2.5.2 Construction certificates	15
Appendix A: Work Schedule	16
Appendix B: Works Map.....	17
Appendix C: Cost Summary Report.....	18
Appendix D: Detailed Cost Summary Report	20
Appendix E: 25J Section 7.12 levy – determination of proposed cost of development.....	22

GLOSSARY & ABBREVIATIONS

Meanings of terms and abbreviations used in the Plan are provided below:

Applicant means the person, company or organisation submitting a development application.

CDC means complying development certificate.

Consent authority has the same meaning as in the EP&A Act but also includes a registered certifier responsible for issuing a complying development certificate.

Cost summary report means a report prepared by a suitably qualified person that sets out the proposed cost of carrying out of development as defined in clause 25J of the EP&A Regulation. A standard cost summary report is shown in Appendix C.

City means City of Coffs Harbour.

DPE means the Department of Planning and Environment.

EP&A Act means the NSW Environmental Planning and Assessment Act 1979.

EP&A Regulation means the NSW Environmental Planning and Assessment Regulation 2000.

LEP 2013 means the Coffs Harbour Local Environmental Plan 2013.

LGA means local government area.

Local infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

Material public benefit means something provided by an applicant, other than the dedication of land or the payment of a monetary contribution, which does not relate to an item appearing in the works schedule of a contributions plan.

Plan means Woolgoolga Town Centre S7.12 Contributions Plan 2024.

Proposed cost of development means the cost of the development proposed in a development application of a complying development application under the provisions of clause 25J of the EP&A Regulation.

Social housing provider has the same meaning as in State Environmental Planning Policy (Housing) 2021.

Works in kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan.

EXECUTIVE SUMMARY

This Plan authorises the City of Coffs Harbour ('City') to collect contributions of money, land, or both from development to contribute towards funding for local infrastructure needed by the relevant development. The Plan describes where a contribution is required, what development it applies to, how to calculate the contribution and how to pay the contribution. The key steps applicants need to follow in using this Plan are summarised in this section and at Figure 2.

What is the purpose of this Plan?

Woolgoolga's role in the Coffs Harbour region has fundamentally changed, and will continue to change, from a thoroughfare to a destination town due to completion of the Pacific Highway Bypass and a retail chain supermarket on Solitary Island Way. Furthermore, Woolgoolga, and the wider Northern Beaches district, is forecast to become the next hub for population growth in the region.

The above changes provided the impetus for the City to adopt the Woolgoolga Town Centre Masterplan "Masterplan" which focuses on the roles and linkages between the existing business areas, improving overall urban quality and accommodating growth in a manner that respects the sensitive environmental context and valued township character.

Following on from the Masterplan, the City commissioned a new Movement and Place Plan for the town centre to help determine which infrastructure projects will be required to achieve the vision set out by the Masterplan. The key themes of the projects identified in the Movement and Place Plan are inter-related and include improving walkability of the town centre (and cycling options) through a combination of path and public realm improvements (including street trees); providing new kerb and gutter infrastructure; addressing drainage issues; improving public transport options; and providing additional car parking.

The purpose of this Plan is to facilitate the funding of select key priority infrastructure projects via S7.12 contributions. As priority infrastructure projects are completed overtime, the City is able to update this Plan to include more projects identified by the Movement and Place Plan in order of their identified priority.

Section 7.12 of the Environmental Planning and Assessment Act 1979 (EP&A Act) authorises a consent authority to require contributions in the form of a percentage levy of the cost of development toward the provision, extension or augmentation of public services or public amenities, if it has adopted a contributions plan.

This Plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) and having regard to the latest practice notes issued by the NSW Department of Planning and Environment (DPE).

Where does this Plan apply?

The Woolgoolga town centre currently serves as the primary retail hub for the towns along the northern coast of the LGA. The full line supermarket, along with hospitality and retail establishments ensure it is the preferred destination for coastal townships within a short drive.

The importance of the town centre within the Northern Beaches District will increase further as it is redeveloped in accordance with the vision set out in the Masterplan. It is anticipated that the revitalised town centre will provide more floor area for retail and commercial land uses. The increased amenity provided by upgrades to key streets within the town centre in conjunction with active infrastructure for walking and cycling will make it a more attractive destination for more residents in the district.

In consideration of the increased importance of the redeveloped Woolgoolga Town Centre, this Plan will collect contributions from the areas shown in the map provided by Figure 1.

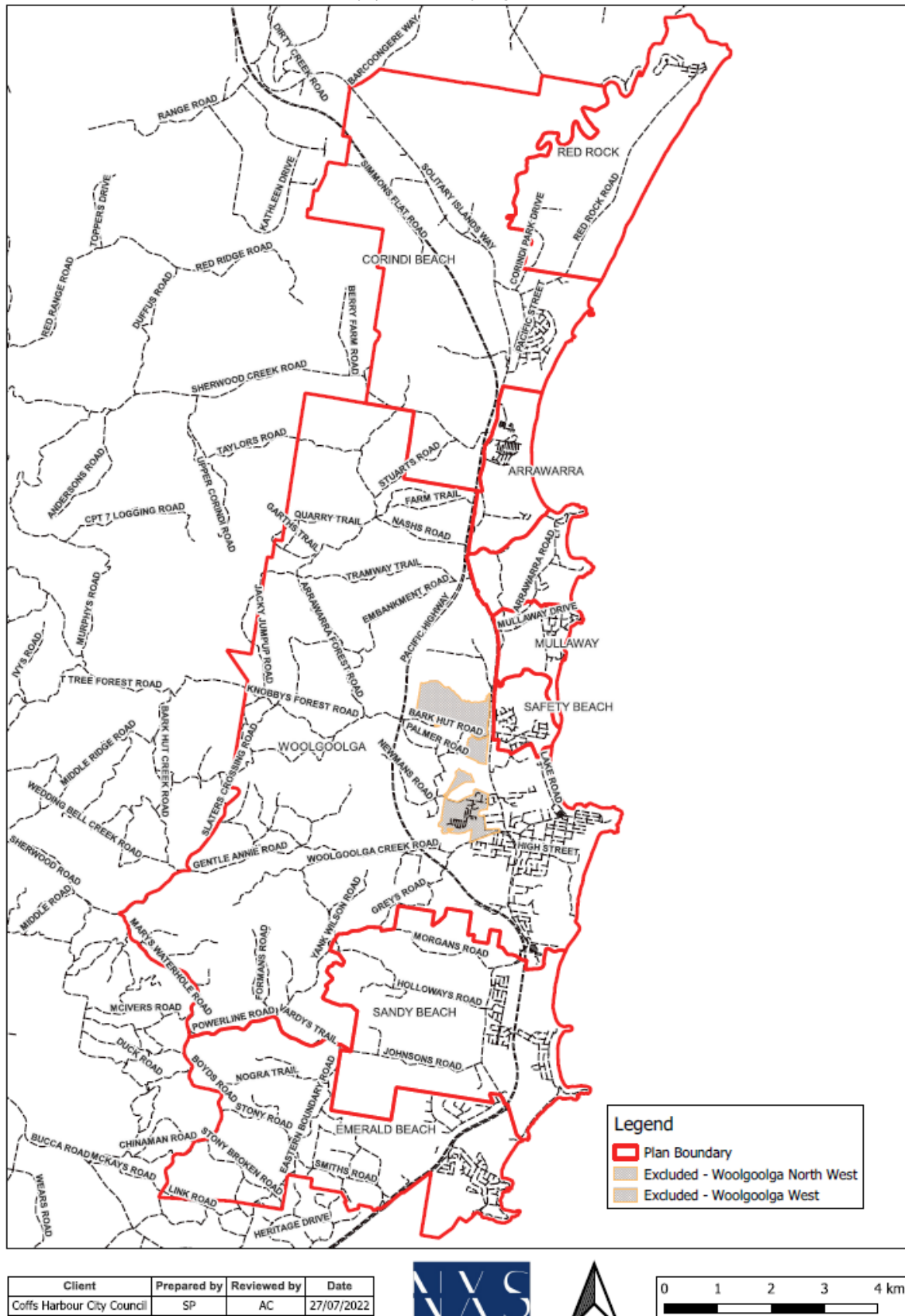


Figure 1: Plan area

Which development does this Plan apply to?

This Plan applies to development that needs consent, including complying development with a development cost of \$100,000 or more. Certain development specified in Section 1.4 is excluded from the need to pay a contribution under this Plan. This includes development listed in this Plan's works schedule, undertaken by or on behalf of the City.

Which facilities are being funded by this Plan?

Appendix A: Work Schedule contains a schedule of the facilities being funded by this Plan. A map showing the location of the projects is provided in Appendix B: Works Map.

What is the contribution amount?

Development that this Plan applies to will be required to pay a S7.12 contribution as per the rates shown in Table 1 below:

Table 1: S7.12 Contributions Rates

Development Cost	S7.12 Contribution Amount
Development that has a proposed cost of carrying out the development up to \$100,000	Nil
\$100,000 and up to and including \$200,000	0.5% of development cost
More than \$200,000	1% of development cost

If the development cost (calculated in accordance with Section 2.1):

- Is over \$75,000, applicants must provide a completed Cost Summary Report with their development application or complying development certificate. This can be downloaded from the City's website, or from Appendix C: Cost Summary Report of this Plan. The consent authority will use this to determine the development cost and associated contribution required, if any.
- Is between \$500,000 - \$1,000,000, the Cost Summary Report must be prepared by licensed builder or civil engineer.
- Is over \$1,000,000, a Detailed Cost Summary Report must be prepared by a quantity surveyor registered by the Australian Institute of Quantity Surveyors engaged by or on behalf of the applicant, at the applicant's cost. This can be downloaded from the City's website, or from Appendix D: Detailed Cost Summary Report of this Plan.

How can a contribution be required?

If a contribution is payable, the consent authority will include a condition in the consent or, in the case of complying development, the complying development certificate (CDC) specifying the contribution payable. Accredited certifiers are responsible for ensuring that a condition is imposed on a CDC in accordance with this Plan. They must notify the City of their determination within two (2) days of making the determination, in accordance with section 130(4) of the EP&A Regulation.

The City will index the contribution payable for inflation at the time of payment using quarterly updates to the Roads and Bridge Construction Producer Price Index (RBI) for NSW.

How is the contribution paid?

In the case of a development application, the condition of consent requiring the contribution will require the contribution to be paid prior to the issue of a subdivision certificate or construction certificate, as outlined in Section 2.3.1.

In case of a CDC, applicants must pay their contribution before commencing the complying development works.

Applicants should contact the City's Contributions Team on (02) 6648 4000 or email contributions@chcc.nsw.gov.au for information relating to payment options.

The City will provide a hard copy receipt confirming receipt of payment. In the case of a development application, applicants can provide a copy of the receipt to their accredited certifier to assist with obtaining a construction certificate.

The key steps applicants need to follow are summarised in Figure 2.

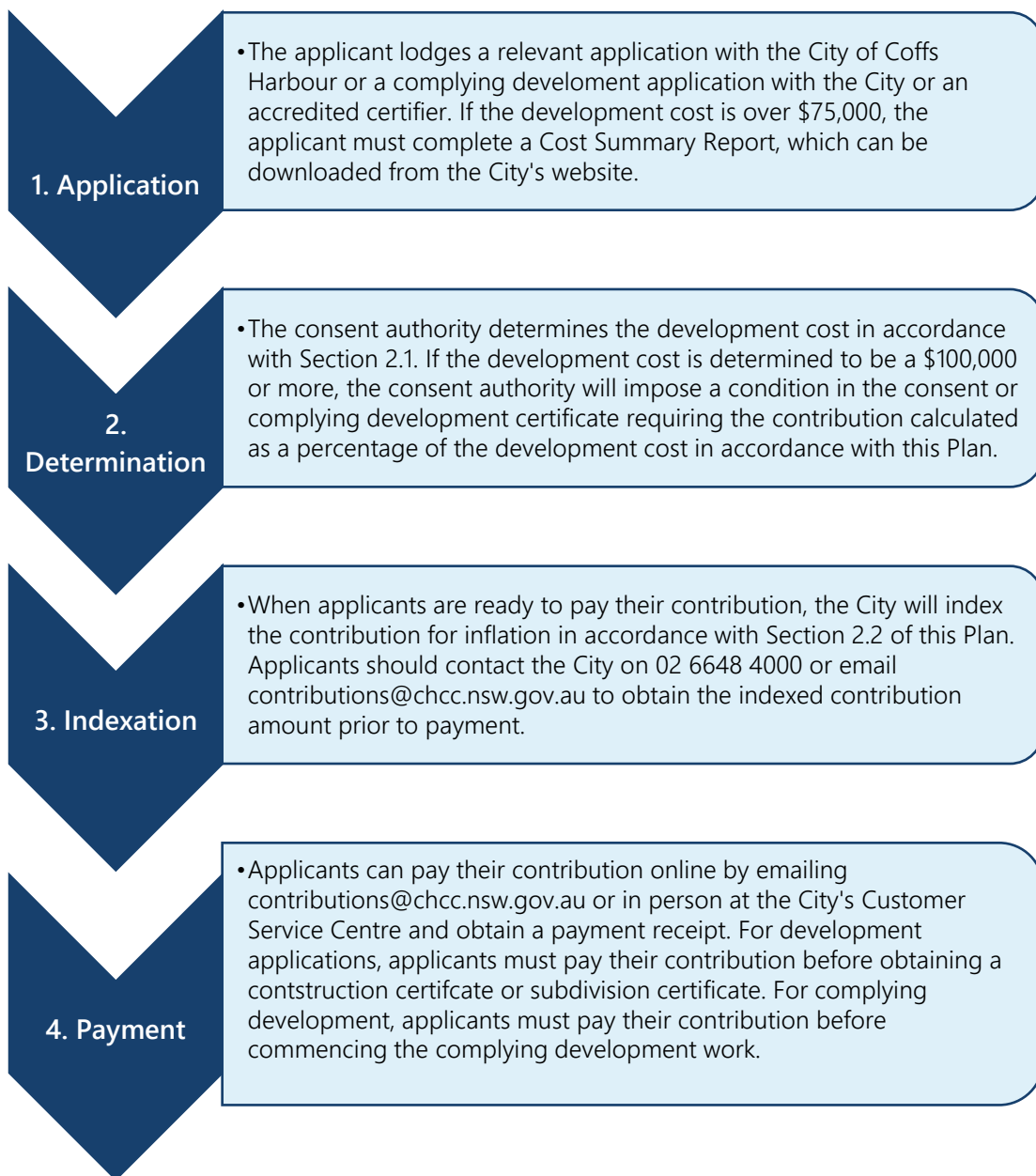


Figure 2: Key steps in determination and payment of a S7.12 contributions under this plan

1 SECTION 1 – BACKGROUND

1.1 Purpose of this Plan

This Plan is called the Woolgoolga Town Centre S7.12 Contributions Plan 2024. The Plan was formally adopted by the City on 14 December 2023 and commenced on 1 February 2024. This Plan enables the City to collect contributions from development towards infrastructure needed by the people that will live and work in the plan area.

Woolgoolga's role in the Coffs Harbour region has fundamentally changed and will continue to change, from a thoroughfare to a destination town due to completion of the Pacific Highway Bypass and a full line retail chain supermarket on Solitary Islands Way.

The North Coast Regional Plan 2041 notes that the North Coast of NSW's enticing lifestyle will continue to attract new residents, requiring a minimum of 41,300 extra homes to meet population growth. The Coffs Harbour Local Growth Management Strategy 2020 identifies that approximately 14,000 of these new homes will be required within the Coffs Harbour Local Government Area. Coffs Harbour's Northern Beaches District (Sandy Beach, Corindi, Woolgoolga West, Emerald Beach and Safety Beach) is predicted to become not only a major hotspot for the predicted growth in population, but also a major growth centre nationally. The projected growth will present new economic, population and environmental opportunities and challenges.

Woolgoolga's population demographics will also change with 90 per cent of the region's population growth to 2041 comprising people aged over 65 years¹. Currently, over 20 per cent of residents are aged over 65 years, with this percentage of population continuing until 2041². The ageing population along with forecast lower occupancy ratios, will require a greater proportion of multi-unit dwellings in future to provide accessible and adaptable housing choices.

In light of the changing dynamics of Woolgoolga, the City prepared the Woolgoolga Town Centre Masterplan which focuses on the roles and linkages between the existing business areas, improving overall urban quality and accommodating growth in a manner that respects the sensitive environmental context and valued township character.

The City's Woolgoolga Movement and Place Plan 2023³ has identified projects that will help to deliver the vision of a new town centre serving the sub region. The key themes of the projects identified in the Movement and Place Plan are inter-related and include improving walkability of the town centre (and cycling options) through a combination of path and public realm improvements (including street trees); providing new kerb and gutter infrastructure; addressing drainage issues; improving public transport options; and providing additional car parking.

This Plan will fund the cost of select key priority infrastructure projects to support the new vision for the town centre.

The main purpose of this Plan is to authorise:

- The consent authority, when granting consent to an application to carry out development to which this Plan applies; or
- The City or a registered certifier, when issuing a CDC for development to which this Plan applies,

¹ Woolgoolga Town Centre Masterplan, Coffs Harbour City Council, 2018

² *Id* (informed decisions). <https://id.com.au>

³ Woolgoolga Movement and Place Plan 2023

to require a fixed development levy under section 7.12 of the EP&A Act to be made towards the provision, extension or augmentation of:

1. Future local infrastructure required as a consequence of future development in the Plan area, or
2. Existing infrastructure that has been provided in anticipation of, or to facilitate, future development.

Other purposes of this Plan are to:

- Provide the framework for the efficient and equitable determination, collection and management of s7.12 development contributions in the Plan area.
- Replace the City's existing s7.11 contribution plans that apply to the Plan area.

1.2 Where this Plan applies

The Plan applies to land within the Plan boundary, except for the excluded areas, as shown in Figure 1.

1.3 Development this Plan applies to

Subject to the exemptions listed in Section 1.4, this Plan applies to development with a proposed cost of that development of \$100,000 or more.

1.4 Development that is exempt from this Plan

The following development is excluded from the need to pay a contribution under this Plan:

- Development for the purpose of the adaptive re-use of an item of environmental heritage contained in the City's Environmental Heritage Schedule in the LEP.
- Development for the sole purpose of providing affordable housing or social housing by a social housing provider.
- Dwelling houses that replace an existing dwelling house, or a dwelling house that existed on the land at the date this Plan commenced.
- Dwelling houses (including alterations and additions) on land that was the subject of a section 7.11 contribution on the initial subdivision of that land.
- Development by a social housing provider for the purposes of seniors housing as defined in State Environmental Planning Policy (Housing) 2021.
- Alterations and additions to a residential dwelling where the cost of works is less than \$100,000.
- Development exempt from section 7.12 levies by way of a direction made by the Minister for Planning. Copies of the current directions are available to download from the Department of Planning and Environment website.
- Development that involves rebuilding or repair of damage resulting from declared natural disasters (such as flooding or bushfires) by the NSW State Government.

For the City to consider claims for exemption from contributions under this Plan, the development application should include a comprehensive submission arguing the case for exemption, which includes the following details:

- For an affordable or social housing development – evidence that the applicant is a 'social housing provider' and that the development meets the relevant definitions provided in State Environmental Planning Policy (Housing) 2021, for the purposes of satisfying the Section 7.17 Direction.
- Any other information the City requests due to the particular circumstances of the case.

If the City is satisfied the development is consistent with the relevant exclusion, it will exclude the development from the need to pay a contribution. In the case of a complying development issued by an accredited certifier, the City must vary any exclusions in writing.

1.5 Administration

1.5.1 Relationship to previous plans

This Plan repeals the following contributions plans from the area subject to the land covered by this Plan, being:

- Coffs Harbour Administration Levy Contributions Plan 2019
- Coffs Harbour Surf Rescue Facilities Plan 2019
- Coffs Harbour Open Space Contributions Plan 2019
- Coffs Harbour Road Network Contributions Plan 2019
- Hearn's Lake / Sandy Beach Release Area Contributions Plan 2018

The City is committed to providing infrastructure in the Hearn's Lake/Sandy beach release area that meets the aims of the Hearn's Lake / Sandy Beach Release Area Developer Contributions Plan 2018.

The following contributions plans should be read in conjunction with this Plan including:

- City of Coffs Harbour's Development Servicing Plans (DSPs)
- Woolgoolga Release Areas Contributions Plan 2024

1.5.2 Transitional arrangements

This Plan applies to development consents and modifications as set out below:

- An application that has been submitted, but not determined, prior to the adoption of this plan shall be determined in accordance with the provisions of the plan that applies at the date of determination of the application. That is, the plan in force as at the date of determination will apply.
- Any modifications to an existing approval shall be determined in accordance with the plan that applied at the date of the original determination.

1.5.3 Use of contributions

The City will allocate contributions under the Plan to local infrastructure in accordance with the works schedule provided in Appendix A: Work Schedule. Priorities for allocating contributions and delivering the works is as per the works schedule.

1.5.4 Pooling of funds

This Plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this Plan and any other contributions plan approved by the City to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this Plan is the timing of infrastructure provision as set out in the works schedule of this Plan in Appendix A: Work Schedule. Any monies that were paid and required to be paid under the predecessor plans listed in Section 1.5.1 may be pooled with contributions under this Plan and applied to the works schedule in this Plan.

1.5.5 Review of this Plan

The City will review the Plan at least every five years to ensure it addresses community needs, responds to changes in development conditions and reflects the City's priorities.

2 HOW TO USE THIS PLAN

2.1 Calculating the contribution

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate in Table 1 by the proposed cost of the development where it is over \$100,000 subject to Section 1.4 (exempted development).

The total s7.12 levy for any individual development is:

$$\text{Contributions amount}(\$) = \%C \times \$C$$

Where:

%C is the applicable percentage rate (refer to Table 1)

\$C is the proposed cost of carrying out the development (refer to Section 3.3)

If **\$C**:

- Is over \$75,000, applicants must provide a completed Cost Summary Report with their development application or complying development certificate. This can be downloaded from the City's website, or from Appendix C: Cost Summary Report of this Plan. The consent authority will use this to determine the development cost and associated contribution required, if any.
- Is between \$500,000 - \$1,000,000, the Cost Summary Report must be prepared by licensed builder or civil engineer.
- Is over \$1,000,000, a Detailed Cost Summary Report must be prepared by a quantity surveyor registered by the Australian Institute of Quantity Surveyors engaged by or on behalf of the applicant, at the applicant's cost. This can be downloaded from the City's website, or from Appendix D: Detailed Cost Summary Report of this Plan.

Without limitation, the City may appoint a suitably qualified person to review the estimate of the proposed cost of development. This review is to be undertaken at the applicant's cost.

2.1.1 Calculating the cost of development

Section 7.12 contributions are calculated as a percentage of the cost of development. Clause 25J of the EP&A Regulation sets out how the proposed cost of carrying out development is determined.

An extract of this clause, as it existed at the time this Plan was made is shown in Appendix E: 25J Section 7.12 levy – determination of proposed cost of development.

2.2 Imposing the contribution

2.2.1 Indexation

At the time of payment, the City will index the contribution in accordance with quarterly updates to the Roads and Bridge Construction Producer Price Index (RBI) for NSW using the formula below. If the current RBI is less than the previous RBI, the current RBI shall be taken as not less than the previous RBI.

Indexed
development
contribution

$$C_{\text{payment}} = \frac{C_{\text{consent}} \times RBI_{\text{payment}}}{RBI_{\text{consent}}}$$

Where:

C_{consent}	the original development contribution required by the development consent
RBI_{payment}	is the NSW Roads and Bridges Construction Producer Price Index as published by the Australian Bureau of Statistics at the time of payment
RBI_{consent}	is the NSW Roads and Bridges Construction Producer Price Index as published by the Australian Bureau of Statistics at the time of consent.

2.3 Paying the contribution

2.3.1 When to pay

The contributions amount required to be paid by a condition imposed on the development consent in accordance with this Plan is to be paid at the time specified in the condition.

The condition will provide for payment as follows:

- For development involving subdivision – the contribution must be paid before the release of the subdivision certificate.
- For development involving construction – the contribution must be paid before the release of a construction certificate.
- For a development involving both construction and subdivision (e.g. dual occupancy) – the contribution must be paid prior to the construction certificate or the subdivision certificate, whichever occurs first.
- For other types of development, the contribution must be paid prior to the issue of an occupation certificate.
- For works authorised under a CDC, the contributions are to be paid before any work authorised by the certificate commences, as required by [clause 136L](#) of the EP&A Regulation.

2.3.2 Deferred or periodic payments

The City may accept an application for deferral of contributions under this Plan. The applicant must apply using the City's online application form. All applications made must comply with the City's Deferred Contributions Policy. The policy and online application form are available on the City's website.

2.3.3 How to pay

Applicants should contact the City's Contributions Team on (02) 6648 4000 or email the contributions team on contributions@chcc.nsw.gov.au for information relating to payment options.

The City will provide a hard copy receipt confirming receipt of payment. In the case of a development application, applicants can provide a copy of the receipt to their accredited certifier to assist with obtaining a construction certificate.

2.4 Alternatives to monetary contributions

The City may at its discretion accept the dedication of land and/or provision of a material public benefit or works-in-kind in part or full satisfaction of a monetary contribution under this Plan.

Generally, only land or works directly associated with the infrastructure included in this Plan may be considered as a material public benefit or works-in-kind in satisfaction of the monetary contributions. If the City agrees to an alternative to a monetary contribution, it will accept it under the terms of a planning agreement.

Applicants should refer to the City's Works-in-Kind, Dedication of Land and Voluntary Planning Agreement Policies for the City's requirements regarding these alternatives.

2.5 Obligations for Accredited Certifiers

2.5.1 Complying development certificates

This Plan requires that, in relation to an application made to a registered certifier for a CDC:

- the registered certifier must, if a CDC is issued, impose a condition requiring a levy, if such a levy is authorised by this Plan
- the amount of the levy that the registered certifier must so impose is the amount determined in accordance with this section
- the registered certifier must ensure the terms of the condition be in accordance with this section.

This section details the requirements registered certifiers must have regard to and provides draft conditions for a development consent for s7.12 levy contributions either for a development consent or for a CDC.

Procedure for determining the s7.12 levy amount for development

Determine the s7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under Section 2.1 of this Plan using the rates included in Table 1 of this Plan and taking into account any exempt development specified in Section 1.4.

2.5.2 Construction certificates

It is the responsibility of a private certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.

The private certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the City in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

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

Appendix A: Work Schedule

This Plan will fund select key priority projects from the Woolgoolga Town Centre Masterplan and Movement and Place Plan initially. Following the successful completion of these projects, this Plan will be updated to incorporate additional infrastructure projects. Table 2 provides the names, expected costs and delivery timeframes for the initial projects that will be funded by this Plan.

Table 2: Works Schedule

ID	Project	Cost	Indicative Timing
CP-1	Market Street, north side between Queen and Carrington Streets to formalise on-street car parking	\$967,809	5-10 years
CP-2	Fawcett Street, west side from Trafalgar Lane to Trafalgar Street to formalise on-street car parking	\$76,960	5-10 years
SU-1	Beach Street, between Nightingale and Queen Streets	\$6,474,367	5-10 years
SU-2	Nightingale Street, from Beach Street to Market Street	\$1,204,915	5-10 years
BP-1	Northern Entry Shared Path	\$149,232	5-10 years
SP-1	West Woolgoolga Connection Shared Path	\$544,822	5-10 years
Total		\$9,418,105	

Appendix B: Works Map



Appendix C: Cost Summary Report

COST SUMMARY REPORT

Development Cost no greater than \$1,000,000

DEVELOPMENT APPLICATION No: _____ Reference: _____

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: _____

CONSTRUCTION CERTIFICATE No: _____ Date: _____

APPLICANTS NAME: _____

APPLICANTS 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	
Demolition and alterations	
Lift services	
Wall finishes	
External works	
Floor finishes	
External services	
Ceiling finishes	
Other related work	
Fittings and equipment	
Preliminaries and margin	
Subtotal	
Consultant fees	
Other related development costs	
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 costs.

Signed: _____ Date: _____

Name: _____

Position and Qualifications: _____

Appendix D: Detailed Cost Summary Report

DETAILED COST SUMMARY REPORT REGISTERED* QUANTITY SURVEYOR'S DETAILED COST REPORT

Development Cost in excess of \$1,000,000

*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No: _____ Reference: _____

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: _____

CONSTRUCTION CERTIFICATE No: _____ Date: _____

APPLICANTS NAME: _____

APPLICANTS ADDRESS: _____

DEVELOPMENT NAME: _____

DEVELOPMENT ADDRESS: _____

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 m ² of site area	
% of construction cost		Car Park	
Demolition and Site Preparation		Cost per m ² of site area	
Cost per m ² of site area		Cost per space	
Construction Commercial		Fit out – Commercial	
Cost per m ² commercial area		Cost per m ² of commercial area	
Construction Residential		Fit-out - Residential	
Cost per m ² of residential area		Cost per m ² of residential area	
Construction Retail		Fit out - Retail	

Cost per m ² of retail area		Cost per m ² of retail area	
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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 Woolgoolga Town Centre s7.12 Contributions Plan at current prices.
- Included GST in the calculation of development costs.
- 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: _____ Date: _____

Name: _____

Position and Qualifications: _____

Appendix E: 25J Section 7.12 levy – determination of proposed cost of development

25J Section 7.12 levy—determination of proposed cost of development

- 1) The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:
 - a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination, or remediation,
 - b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
 - c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing, and registering the plan of subdivision and any related covenants, easements, or other rights.
- 2) For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.
- 3) The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:
 - a) the cost of the land on which the development is to be carried out,
 - b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,
 - c) the costs associated with marketing or financing the development (including interest on any loans),
 - d) the costs associated with legal work carried out or to be carried out in connection with the development,
 - e) project management costs associated with the development,
 - f) the cost of building insurance in respect of the development,
 - g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion, or intensification of a current use of land),
 - h) the costs of commercial stock inventory,
 - i) any taxes, levies, or charges (other than GST) paid or payable in connection with the development by or under any law,
 - j) the costs of enabling access by disabled persons in respect of the development,
 - k) the costs of energy and water efficiency measures associated with the development,
 - l) the cost of any development that is provided as affordable housing,
 - m) the costs of any development that is the adaptive reuse of a heritage item.

- 4) The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.
- 5) To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.