

## **Section 7.12 Local Infrastructure Contribution Plan 2025**

Adopted 15 April 2025 for commencement 01 July 2025



## Table of Contents

1.	Executive Summary .....	4
1.1	Purpose and objectives of the Plan .....	4
1.2	Nature of future development .....	4
1.3	Life of the Plan .....	4
1.4	Other funding sources .....	4
1.5	Treatment of funds collected prior to the commencement of this Plan .....	5
1.6	Works schedule.....	5
1.7	Structure of this Plan .....	5
2.	Introduction .....	6
2.1	Name of the Plan .....	6
2.2	Abbreviations and definitions used in the Plan .....	6
2.3	Commencement of the Plan .....	6
2.4	Purpose and objectives of the Plan .....	6
2.5	Area to which the Plan applies .....	6
2.6	Operation period of this Plan .....	6
2.7	Relationship with other contributions plans .....	7
2.8	Savings and transitional arrangements .....	7
3.	Administration of the Plan.....	8
3.1	Development to which this plan applies .....	8
3.2	Calculating the contributions.....	8
3.3	Calculating the cost of works.....	9
3.4	Exemptions .....	9
3.5	Refunding contributions .....	10
3.6	Imposing contributions.....	10
3.7	Payment of the contribution .....	10
3.8	Indexation of contributions .....	11
3.9	Construction certificates and the obligations of Accredited Certifiers.....	11
3.10	Complying Development and the obligation of Accredited Certifiers.....	11
3.11	Pooling of levies.....	12
3.12	Deferred or periodic payment of levies.....	12
3.13	Alternatives to payment of the levy .....	13
3.14	Accounting and management of funds .....	14
3.15	Treatment of funds received prior to the commencement of this Plan .....	14

3.16	Monitoring and review of the Plan and contributions .....	14
4.	Forecast development and demand for infrastructure .....	15
4.1	Local Strategic Planning Statement .....	15
4.2	Forecast development .....	15
4.3	Demand for public facilities and services .....	15
5.	References .....	16
	Appendix A - Abbreviations and Definitions.....	17
	Appendix B - Determining the proposed Cost of Development .....	19
	Appendix C – Cost Summary Report Templates .....	21
	Appendix D - Model Conditions of Consent .....	25
	Appendix E – Works Schedule .....	26
	Appendix E – Map.....	28

# 1. Executive Summary

## 1.1 Purpose and objectives of the Plan

This Plan is the Draft Local Infrastructure Plan for Narrandera Shire Council (Council) and has been put together to meet the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021. It allows Council or an Accredited Certifier to levy contributions from developments to fund public amenities and services.

This Plan aims to ensure that adequate public facilities are available for future developments and to prevent the existing community from bearing the costs associated with these facilities. Additionally, the Plan establishes the administrative framework for the collection, spending, accounting, and review of development contributions in a fair manner. In doing so, it ensures both public and financial accountability.

## 1.2 Nature of future development

Whilst the Local Strategic Planning Statement (LSPS) forecast a decrease in population, this is not considered to be a reflection what is currently happening or expected to occur. Instead, it is anticipated that up to 2035, the population of the Narrandera Shire Council Local Government Area (LGA) will grow by 500 people.

The Narrandera LGA is experiencing a considerable amount of change, with investment into the industrial areas and regional renewable energy projects resulting in the attraction of support industry to the area. Sustained growth in our traditional rural industries such as agriculture and support industries are expected. Local advancements and societal shifts, such as the reticulation of sewer in Barellan and growing industry attraction in Narrandera, are predicted to result in an increase in population of 500 people over the next 10 years.

This future development will require new, extended, or augmented public amenities and services.

## 1.3 Life of the Plan

The Plan covers a 10-year planning period, aligning with Council's 10-year financial plan, and generally fitting in with various NSW State Government and Council strategies. It also falls within the timeframe of residential and employment forecasts used by Council for planning and infrastructure purposes.

The levy payable under this Plan will be indexed from the date of determination until the date of payment of the contribution. Additionally, the development costs used to calculate the levy under this Plan will be indexed from the date of the cost estimate to the date of determination.

## 1.4 Other funding sources

Contributions sought by this Plan may only partially fund infrastructure listed in this Plan. Council will draw upon other funding sources to meet the residual costs to deliver such infrastructure.

## 1.5 Treatment of funds collected prior to the commencement of this Plan

Funds levied and collected under previous Development Contributions Plans will be used to deliver community infrastructure of a similar facility category for which they were originally collected and spent within the same catchment from within which they were levied.

Table 1 Summary of Contribution Rates

Cost of Development	Contribution levy rate %
All development valued up to and including \$100,000	0%
All development valued between \$100,000 to \$200,000	0.5%
All development valued in excess of \$200,000	1%

## 1.6 Works schedule

Contributions sought through this Plan will be used to fund, in part or in full, the public amenities and services set out in the Schedule of Works at **Appendix E**.

## 1.7 Structure of this Plan

- Section 1 – Executive Summary (this section).
- Section 2 – Introduction, identifies the name of the Plan, its commencement date, the purpose, aims and objectives of the Plan, the land and forms of development which the Plan applies and the Plan's relationship to other plans, reports and policies.
- Section 3 – Administration and Operation of the Plan, outlines the types of public amenities and services addressed by the Plan, describes how and when contributions are to be made and provide details regarding the ongoing management of the Plan.
- Section 4 – Forecast Development and Demand for Infrastructure, outlines the residential and employment generating development forecast to occur during the life of this Plan and the plans, strategies and other documents that have contributed to the works schedule for this Plan.
- Appendix A – Abbreviations and definitions
- Appendix B – Determining the proposed Costs of Development
- Appendix C – Cost Summary Report Templates
- Appendix D – Model Conditions of Consent
- Appendix E – Rollover funds, Catchments and Work Schedules
- Appendix F – Map

## 2. Introduction

This Plan has been prepared to determine the Section 7.12 local infrastructure levy that applies and the public facilities that are to be funded by the levy.[Name of the Plan](#)

This plan is the Draft Narrandera Section 7.12 Local Infrastructure Contributions Plan 2025.

### 2.2 Abbreviations and definitions used in the Plan

The meanings of key words and terms used in this Plan are contained in **Appendix A** Abbreviations and Definitions.

### 2.3 Commencement of the Plan

This Plan has been prepared pursuant to the provisions of the Environmental Planning and Assessment Act 1979 (the Act) and the Environmental Planning and Assessment Regulation 2021 (the Regulation).

- The Plan will be adopted following public exhibition of the draft version of the Plan.
- This plan is anticipated to commence in July 2025.

### 2.4 Purpose and objectives of the Plan

The Plan's purpose and objectives 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.
- To assist Council to provide the appropriate public facilities that are required to maintain and enhance amenity and service delivery within the area.
- To ensure that the existing community is not burdened by the provision of public facilities required as a result of future development.
- To publicly identify the purposes for which the levies are required.
- To govern the application of money paid to Council under a condition authorised by this Plan.

### 2.5 Area to which the Plan applies

This Plan applies to the entire Narrandera Shire Council LGA identified in **Appendix F** Map.

### 2.6 Operation period of this Plan

The Plan is intended to cater for a 10-year planning period from 2022 to 2032 with this period generally aligning with the Integrated Planning and Reporting Framework, Long Term Financial Plan and Resourcing Strategy.

The Plan will be monitored and, if necessary, the works schedule may be amended to account for infrastructure works that have been delivered or for which there has been a change in the estimated costs or timing.

In line with Delivery Program, the Plan will be reviewed every four years.

## 2.7 Relationship with other contributions plans

This plan repeals the following contributions plans:

- Narrandera Section 94A Contributions Plan 2014
- Narrandera Shire Council Section 94 Contributions Plan – Pine Hill 1994

Contributions imposed on developments under the above plans and paid to or held by Council will be applied to completing the works shown in **Appendix E**.

## 2.8 Savings and transitional arrangements

There are no savings or transitional provisions under this Plan. That is, if a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application shall be determined in accordance with the provisions of this Plan.

If a modification application pursuant to s4.55 or s4.56 of the Act has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined in accordance with the contributions plan that applied at the date that the original development consent was granted.

This Plan does not affect any conditions imposed under a previous plan(s). Any application made under the Act to modify a development consent issued before the commencement date of this Plan will be determined against the plan that applied at the date the consent was originally determined.

### 3. Administration of the Plan

#### 3.1 Development to which this plan applies

This Plan applies to:

- Residential development (excluding single dwellings)
- Subdivisions
- Seniors living (integrated facilities, hostels, and residential care facilities)
- Rural industries, agriculture and agritourism
- Industrial development
- Retail shops, business premises, commercial premises, offices
- Educational establishments
- Tourist and visitor accommodation
- Eco-tourist facilities
- All other development, including renewable energy developments.

Exemptions to this Plan are identified in 3.4.

#### 3.2 Calculating the contributions

The maximum percentage of the proposed cost of carrying out development that may be imposed by a development levy for development is:

*Table 2 - Maximum percentage Levy for Development*

Cost of Development	Contribution levy rate %
All development valued up to and including \$100,000	0%
All development valued between \$100,000 to \$200,000	0.5%
All development valued in excess of \$200,000	1%

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

$$\text{Levy payable} = \%C \times (\$C - E)$$

Where:

- %C** is the levy rate applicable
- \$C** is the proposed cost of carrying out the development
- E** is the exemptions as per Clause 208 of the Environmental Planning and Assessment Regulations 2021.



### 3.3 Calculating the cost of works

The proposed cost of carrying out the development will be determined in accordance with clause 208 of the EP&A Regulation. The procedures set out for submitting a development application (included in this plan) must be followed to enable Council to determine the amount of the levy to be paid.

The proposed cost may be adjusted before payment of a development levy, to reflect annual variations to readily accessible index figures adopted by the Plan between the day on which the proposed cost was determined by the consent authority and the day by which the development levy must be paid.

The genuine estimate of the cost of works must be supplied at the time an application is lodged. When determining the estimated cost of works, applicants must have regard to [Planning Circular PS 21-022 Calculating the genuine estimated cost of development](#).

Consistent with this circular, development applications are to be estimated in accordance with the following:

- for development up to \$100,000, the estimated cost be estimated by the applicant or a suitably qualified person, with the methodology used to calculate that cost submitted with the development application.
- for development between \$500,000 and \$3 million, a suitably qualified person should prepare the cost estimate and submit it, along with the methodology, with the development application.
- for development more than \$3 million, a detailed cost report prepared by a registered quantity surveyor.

Note: A **suitably qualified person** is a builder who is licensed to undertake the proposed works, a registered architect, a qualified and accredited building designer, a registered quantity surveyor, or a person who is licensed and has the relevant qualifications and proven experience in costing of development works at least to a similar scale and type as is proposed.

Cost Summary Report Templates are available in **Appendix C**.

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 2.3.

### 3.4 Exemptions

This plan does not apply to the following types of development:

- Where the proposed cost of carrying out the development is \$100,000 or less
- A single dwelling house
- Dwelling house that replaces an existing dwelling house
- Development ordinarily incidental or ancillary to the use of a dwelling house, such as a swimming pool, garages, sheds, carports, decks and the like
- Alterations, fit outs, or refurbishment of an existing development, where there is no enlargement, expansion, increase in floor area or intensification of the current use (208)(4)(g)
- An application for demolition (where there is no replacement building or development)
- An application by or on behalf of Council for community infrastructure, such as, but not limited to libraries, community facilities, waste management facilities, recreation areas, recreation facilities and carparks

- Development for the sole purpose of adaptive re-use of an item of environmental heritage contained in Council's Heritage Schedule 5.10 in the Narrandera Local Environmental Plan 2013
- Development for the sole purpose of providing affordable housing assessed under the State Environmental Planning Policy (Housing) 2021
- Development that involves the rebuilding or repair of damage resulting from declared natural disasters by the NSW State Government, such as flooding or bushfires
- Not for profit or charity groups – the standard of evidence required is:
  - A Certificate of Registration with the Australian Charities and Not-for-Profit Commission; or
  - A Notice of Endorsement as a Deductible Gift Recipient, issued by the Australian Taxation Office (ATO); or
  - A Notice of Endorsement for Charity Tax Concessions, issued by the ATO.

Council will not provide exemptions to development contributions made under this Plan other than exemptions or discounts outlined above or outlined by a Ministerial direction under Section 7.17 Directions by Minister of the EP&A Act.

Council does not apply discounts to the payment of development contributions unless otherwise stated in this Plan.

### 3.5 Refunding contributions

The EP&A Act and Regulation do not make provision for refunds for contributions and there is no express power for a Council to refund contributions already paid in accordance with a condition of consent. However, Council at its complete discretion, may consider a refund where:

- A consent has been modified under the Act resulting in a reduction of the contributions payable; or
- Contributions have been paid but development has not commenced and will not proceed in accordance with the consent. In this instance, the consent will need to be surrendered in accordance with the provisions of the Act.

In each case, Council will consider refunding contributions if it has not been spent and the refund will not impact on Council's ability to deliver the works outlined in the Works Schedule. The applicant must apply for a refund in writing within 12 months of the payment of the contribution.

### 3.6 Imposing contributions

In accordance with the Act, a development levy under this Plan will be imposed as a condition of development consent, or as a condition on a Complying Development Certificate. Model Conditions of Consent are available in **Appendix D**.

### 3.7 Payment of the contribution

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 as per the following:

- Development involving building work – prior to the issue of the Construction Certificate
- Complying Development – prior to the issue of the Complying Development Certificate
- In the case of Development Applications where no Construction Certificate or Occupation Certificate is required – prior to the commencement of works or use.

Where an application is dealt with by an Accredited Certifier other than Council, the development consent shall not operate unless the amount required by the consent under this Plan is paid to Council. The amount of any monetary contribution to be paid will be the contribution payable at the time of consent and, depending upon the time of payment, will be subject to reasonable adjustment due to movements in the Consumer Price Index and/or changes to the rates indicated within this Plan.

### 3.8 Indexation of contributions

This Plan authorises Council to undertake these indexed based changes without the necessity of preparing a new or amending the contributions plan. This is to ensure that the value of contributions is not eroded over time by movements in the Consumer Price Index, land value increases, the capital costs of construction of facilities and administration of the Plan, or through changes in the costs of studies to support the Plan.

Contributions required as a condition of development consent will be adjusted at the time of payment using the following formula:

$$\text{CP} = \frac{\text{CDC} \times \text{Current Index}}{\text{Base Index}}$$

Where:

- i. **CP** is the amount of the contribution calculated at the time of payment
- ii. **CDC** is the amount of the original contribution as set out in the development consent
- iii. **Current Index** is the Consumer Price Index  
All Groups Index for Sydney (as currently available from the Australian Bureau of Statistics at the time of payment).
- iv. **Base Index** is the Consumer Price index  
All Groups Index for Sydney which applied at the time of calculation as shown on the development consent.

### 3.9 Construction certificates and the obligations of Accredited Certifiers

In accordance with the Act and the Regulation, a certifying authority must not issue a Construction Certificate or an Occupation Certificate applicable under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with the 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 Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

### 3.10 Complying Development and the obligation of Accredited Certifiers

In accordance with the Act, Accredited Certifiers must impose a condition on a Complying Development Certificate requiring monetary contributions in accordance with this Plan for all types of development,

except for those development that are exempt from charges as per clause 3.4 or those listed under clause 208 of the Regulation.

The conditions imposed must be generally consistent with Council's standard condition for Complying Development Certificates (see **Appendix D**) and be strictly in accordance with this Plan. It is the professional responsibility of an Accredited Certifier to inform themselves of any amendments to this Plan (including current indexed rates), to accurately calculate the contribution and to apply the development contributions condition correctly in accordance with Council's current consent condition requirements.

It is also the professional responsibility of an Accredited Certifier to ensure that any applicable monetary contributions have been paid to Council prior to the timings referred to in 3.7.

### 3.11 Pooling of levies

This Plan expressly authorises monetary contributions 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.

### 3.12 Deferred or periodic payment of levies

Deferred or periodic payments may only be permitted in:

- Circumstances where the applicant can demonstrate to Council that the payment of contributions in accordance with clause 3.7 is unreasonable, and Council accepts deferred or periodic payment; or
- Circumstances where the developer intends to make a contribution by way of works in-kind or land dedication in lieu of a cash contribution in a future stage of the one development and Council and the developer have a legally binding agreement for the provision of the works or dedication; or
- In other circumstances determined to be reasonable by Council; or
- They will not jeopardise the timely provision of works or land identified within the Plan; or
- They will not adversely impact on the cash flow of the Plan.

All requests for deferred or periodic payment of contributions are required to be made in writing and may only be accepted (in writing) where:

- There are valid reasons for the deferral or periodic payment (as outlined above)
- They will not adversely impact on the administration or operation of the Plan
- They will not jeopardise the timely provision of works or land identified within the Plan
- They will not adversely impact on the cash flow of the Plan.

The conditions under which Council may accept payment by way of periodic payment for a staged development are that:

- The instalment be paid before the work commences on the relevant stage of the development
- The amount to be paid at each stage is to be calculated on a pro-rata basis in proportion to the overall development.

Matters that will be considered for deferral requests include:

- The financial position of the contribution scheme,
- The extent of any loan borrowing,
- Future Capital commitments,
- Whether or not infrastructure works essential for the initial development can be deferred,
- Whether or not development/land release can be staged to more appropriately match infrastructure requirements and commitments.
- Under certain circumstances, an applicant may also request in writing, a deferral or variation of the contribution through a Voluntary Planning Agreement (Division 7.1 – Subdivision 2 of the Environmental Planning & Assessment Act 1979).

Should a deferred or periodic payment be accepted by Council, a suitable bank guarantee, to the value of the outstanding contributions is to be lodged.

The conditions under which Council may accept deferred settlement by way of lodgement of a bank guarantee are that:

- The bank guarantee be by an Australian bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to twelve months interest,
- The Bank unconditionally pays the guaranteed sum to Council if Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work whichever occurs first,
- 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 in accordance with the development consent,
- The Bank's obligations are discharged when payment to Council is made in accordance with this guarantee or when Council notifies the Bank in writing that the guarantee is no longer required.

### 3.13 Alternatives to payment of the levy

If an applicant does not wish to pay the section 7.12 levy applicable to their development, they may offer to enter into a Voluntary Planning Agreement with Council under Section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with the making of a development application or in an application for a modification.

The applicant's provision under a planning agreement may be additional to or instead of paying a levy in accordance with a condition of development consent authorised by this Plan. This will be a matter of negotiation with Council. The offer to enter into the planning agreement together with the draft agreement should accompany the relevant development application.

Acceptance of an offer to enter into a voluntary planning agreement is at the sole discretion of Council and payment of the section 7.12 levy will be required if Council does not agree to the offer.

### 3.14 Accounting and management of funds

Separate accounting records are maintained for all development contributions made to Council under this Plan and a Development Contributions Register will be maintained by Council in accordance with the Regulation.

Council is also required to publish details of development contributions accounts annually and this is undertaken as part of Council's annual financial reporting cycle.

### 3.15 Treatment of funds received prior to the commencement of this Plan

Funds levied and received under previous plans will be used to deliver public amenities of a similar facility type as the funds were originally received.

Funds levied and received under previous plans will be spent within the same catchment from which they were levied.

### 3.16 Monitoring and review of the Plan and contributions

It is intended that this Plan be monitored and reviewed on a regular basis as it contains forecasts of future development, including likely future population and the likely demands and costs of providing community infrastructure for that population.

The cost of works proposed by the Plan (including land values) may also require review over time if there is a concern that the indexation of costs may not be adequately reflecting actual current costs.

Council's aim is that all forecasts, costs, and assumptions are reviewed and adjustments and/or amendments as appropriate will be made at four-yearly intervals after the date of adoption of this Plan.

The Plan may also be amended to address the matters listed in the Regulation. In particular, the Plan may be amended from time to time to reflect indexation of contributions and the cost of works without the need for public exhibition.

## 4. Forecast development and demand for infrastructure

### 4.1 Local Strategic Planning Statement

The Narrandera Local Strategic Planning Statement (LSPS) was adopted by Council in August 2020. The LSPS planning priorities, strategic directions and actions provide the rationale for land use planning decision making and how land will be used to achieve the community's broader goals.

### 4.2 Forecast development

The Narrandera LGA is experiencing a considerable amount of change, with investment into the industrial areas and regional renewable energy projects attracting support industry to the area. Sustained growth in the traditional rural industries such as agriculture and support industries are expected.

Whilst the LSPS forecast a decrease in population, this is not considered to reflect what is currently happening or anticipated to occur. Local advancements and societal shifts, such as reticulation of sewer in Barellan and industry attraction in Narrandera, are predicted to result in an increase in population of 500 people over the next 10 years. This significant public and private investment in the region is likely to drive population growth and increase the demand for public facilities.

There is also estimated to be an increase in non-residential development over this 10-year period comprising of the creation and development of approximately 85.25 hectares of industrial land, of which 48 hectares has already been sold for development. This future development will require new, extended or augmented public amenities and services.

### 4.3 Demand for public facilities and services

The increased usage of and demand for new transport and social infrastructure as a consequence of the forecast additional development will, in most cases, exceed the capacity of existing public facilities in the LGA. It will therefore be necessary that new and embellished transport and social infrastructure be provided to cater for the anticipated demand of future development.

## 5. References

The following legislation, plans and policies, studies, technical guides, and other information have been used to formulate the contents of the Plan:

- Australian Bureau of Statistics (2016) Census Data
- Environmental Planning & Assessment Act 1979 Environmental Planning & Assessment Regulation 2021
- Infrastructure Contributions Practice Note Review Policy Paper October 2021
- Narrandera Local Housing & Employment Zone Land Strategy 2022
- Narrandera Local Strategic Planning Statement 2020
- Section 7.12 fixed development consent levies Practice Note 2021



## Appendix A - Abbreviations and Definitions

Words and phrases used in this plan have the same meaning as the terms defined the EP&A Act, or the Standard Instrument – Principal Local Environmental Plan (SI LEP).

In this plan, the following words and phrases have the following meanings:

**Accredited Certifier** means a registered certifier are independent regulators of building construction and subdivision work, that are registered and regulated by NSW Fair Trading.

**Act** means the Environmental Planning and Assessment Act 1979.

**affordable housing** means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

**Applicant** means the person(s) or organisation(s) submitting a development application.

**ATO** means the Australian Taxation Office.

**CDC** means complying development certificate.

**Consent authority** has the same meaning as in the EP&A Act but also includes an Accredited Certifier responsible for issuing a complying development certificate.

**Consumer Price Index (CPI)** is a standard measure of price movements published by the Australian Bureau of Statistics.

**Council** means Narrandera Shire Council.

**DCP** means a Development Control Plan adopted by Council under the Act.

**Development** has the meaning under Section 4 of the Act which in relation to land means:

- a. the use of land; and
- b. the subdivision of land; and
- c. the erection of a building; and
- d. the carrying out of a work; and
- e. the demolition of a building or work; and
- f. any other Act, matter or thing that may be controlled by an environmental planning instrument.

**Development consent** means consent under Part 4 of the Act to carry out development and includes, unless expressly excluded, a complying development certificate.

**Development levy** means a levy referred to in the Act, section 7.12.

**Development levy condition** means a condition of development consent, referred to in the Act, section 7.12, requiring the payment of a levy.

**LEP** means a Local Environmental Plan made by the Minister under the Act.

**LGA** means Local Government Area.

**Material public benefit** means a facility or work which is offered by a developer as a finished entity either in return for a reduction in the amount of monetary contributions required for the same category of contribution or as an additional or partial additional benefit under a Planning Agreement;

**Ministerial Direction** means a Direction by the Minister pursuant to Section 7.9 or Section 7.17 of the Act.

**Planning agreement** means a planning agreement referred to in the Act.

**Public infrastructure** means:

- a. public amenities and public services, and
- b. affordable housing, and
- c. transport infrastructure

but does not include water supply or sewerage services.

**Regulation** means the Environmental Planning and Assessment Regulation 2021

## Appendix B - Determining the proposed Cost of Development

### 208 Determination of proposed cost of development—the Act, s 7.12(5)(a)

- (1) The proposed cost of carrying out development must be determined by the consent authority by adding up all the costs and expenses that have been or will be incurred by the applicant in carrying out the development.
- (2) The costs of carrying out development include the costs of, and costs incidental to, the following—
  - a) if the development involves the erection of a building or the carrying out of engineering or construction work—
    - (i) erecting the building or carrying out the work, and
    - (ii) demolition, excavation and site preparation, decontamination or remediation,
  - b) if the development involves a change of use of land—doing anything necessary to enable the use of the land to be changed,
  - c) if the development involves the subdivision of land—preparing, executing and registering—
    - (i) the plan of subdivision, and
    - (ii) the related covenants, easements or other rights.
- (3) In determining the proposed cost, a consent authority may consider an estimate of the proposed cost that is prepared by a person, or a person of a class, approved by the consent authority to provide the estimate.
- (4) The following costs and expenses must not be included in an estimate or determination of the proposed cost—
  - a) the cost of the land on which the development will be carried out,
  - b) the costs of repairs to a building or works on the land that will be kept in connection with the development,
  - c) the costs associated with marketing or financing the development, including interest on 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 for the development,
  - g) the costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land,
  - h) the costs of commercial stock inventory,
  - i) the taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law,
  - j) the costs of enabling access by people with disability to the development,
  - k) the costs of energy and water efficiency measures associated with the development,
  - l) the costs of development that is provided as affordable housing,
  - m) the costs of development that is the adaptive reuse of a heritage item.
- (5) The proposed cost may be adjusted before payment of a development levy, as specified in a contributions plan, to reflect quarterly or annual variations to readily accessible index figures

adopted by the plan between the day on which the proposed cost was determined by the consent authority and the day by which the development levy must be paid.

**Example—**

A contributions plan may adopt the Consumer Price Index.

- (6) To avoid doubt, this section does not affect the determination of the fee payable for a development application.

## Appendix C – Cost Summary Report Templates

<h3>Cost Summary Report</h3> <p>Development Cost over \$500,000 and less than \$3,000,000</p>	
	Date
Applicant name	
Proposed development	
Development address	

ANALYSIS OF DEVELOPMENT COSTS	
Demolition and alterations	\$
Engineering and Earthworks	\$
Structure	\$
External walls, windows and doors	\$
Internal walls, screens and doors	\$
Wall finishes	\$
Floor finishes	\$
Ceiling finishes	\$
Lighting	\$
Fittings and equipment	\$
Hydraulic Services	\$
Mechanical Services	\$
Fire Services	\$
Lift Services	\$
External Works	\$
External Services	\$

Landscaping	\$
Other related works	\$
<b>SUB-TOTAL</b>	\$
Consultant fees	\$
Goods & Services Tax	\$
<b>TOTAL DEVELOPMENT COST</b>	\$

I certify that I have:

- Inspected the plans the subject of the application for development consent, complying development or construction certificate.
- Calculated the development costs in accordance with the definition of development costs in clause 208 of the *Environmental Planning & Assessment Regulation 2021*.
- Included GST in the calculation of development cost.

<b>Name</b>	
<b>Signed</b>	
<b>Position &amp; Qualification</b>	
<b>Date</b>	

Note: For development up to \$500,000, the estimated cost must be estimated by the applicant or a suitably qualified person, with the methodology used to calculate that cost submitted with the development application.

Note: For development between \$500,000 and \$3 million, a suitably qualified person must prepare the cost estimate and submit it, along with the methodology, with the development application.

A **suitably qualified person** is: a builder who is licensed to undertake the proposed works, a registered architect, a qualified and accredited building designer, a registered quantity surveyor or a person who is licensed and has the relevant qualifications and proven experience in costing of development works at least to a similar scale and type as is proposed.

# Cost Summary Report

Development Cost more than \$3,000,000

	Date
Applicant name	
Proposed development	
Development address	

## DEVELOPMENT DETAILS

Gross Floor Area – Commercial	m <sup>2</sup>	Gross Floor Area – Other	m <sup>2</sup>
Gross Floor Area – Residential	m <sup>2</sup>	Total Gross Floor Area	m <sup>2</sup>
Gross Floor Area – Retail	m <sup>2</sup>	Total Site Area	m <sup>2</sup>
Gross Floor Area Car Parking	m <sup>2</sup>	<b>Total car parking spaces</b>	
<b>Total Development Cost</b>	\$		
<b>Total Construction Cost</b>	\$		
<b>Total GST</b>	\$		

## ESTIMATE DETAILS

<b>Professional fees</b>	\$	<b>Excavation</b>	\$
% of Development cost	%	Cost per m <sup>2</sup> of site area	\$ / m <sup>2</sup>
% of Construction cost	%	<b>Car Park</b>	\$
<b>Demolition and site preparation</b>	\$	Cost per m <sup>2</sup> of site area	\$ / m <sup>2</sup>

<b>Cost per m2 – site area</b>	\$ / m2	Cost per space	\$
<b>Construction – Commercial</b>	\$	Fit out – Commercial	\$
<b>Cost per m2 – commercial area</b>	\$ / m2	Cost per m2 – commercial area	\$ / m2
<b>Construction Residential</b>	\$	Fit out – residential	\$
<b>Cost per m2 – residential area</b>	\$ / m2	Cost per m2 – residential area	\$ / m2
<b>Construction – retail</b>	\$	Fit out - retail	\$
<b>Cost per m2 – retail area</b>	\$ / m2	Cost per m2 – retail area	\$ / m2

I certify that I have:

- Inspected the plans the subject of the application for development consent, complying development 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 (AIQS).
- Calculated the development costs in accordance with the definition of development costs in clause 208 of the Environmental Planning & Assessment Regulation 2021.
- 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 2.

<b>Name</b>	
<b>Signed</b>	
<b>Position &amp; Qualification</b>	
<b>Date</b>	

**Note:** For development more than \$3 million, a detailed cost report must be prepared by a registered\* quantity surveyor.

\*A member of the Australian Institute of Quantity Surveyors



## Appendix D - Model Conditions of Consent

The following model Conditions of Consent may be used for Development Consents and Complying Development Certificates.

### Model Development Condition of Consent

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and the Narrandera Section 7.12 Local Infrastructure Contributions Plan 2025 (the Plan), a monetary contribution of \$**[insert total amount]** must be paid to Council for the purposes of the provision, extension or augmentation of public amenities and services within the [insert catchment] catchment.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the Narrandera Section 7.12 Local Infrastructure Contributions Plan 2025. The contribution is to be paid before **[insert requirement]**. It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contribution has been paid to Council in accordance with the above timeframe.

Council's Plan may be viewed at <https://www.narrandera.nsw.gov.au> or a copy may be inspected at Council's Offices during normal business hours.

### Model Complying Development Condition

Pursuant to Section 4.28(6) of the Environmental Planning and Assessment Act 1979, and the Narrandera Section 7.12 Local Infrastructure Contributions Plan 2025 (the Plan), a monetary contribution of \$**[insert total amount]** must be paid to Council for the purposes of the provision, extension or augmentation of public amenities and services within the [insert catchment] catchment.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the Narrandera Section 7.12 Local Infrastructure Contributions Plan 2025. The contribution is to be paid before **[insert requirement]**. It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contribution has been paid to Council in accordance with the above timeframes.

Council's Plan may be viewed at <https://www.narrandera.nsw.gov.au> or a copy may be inspected at Council's Offices during normal business hours.

## Appendix E – Works Schedule

The table below identifies the projects in which the funds will be partly or wholly used in the future. Note, the timings detailed below are indicative and may vary depending on the availability of grants and other funding streams.

FUTURE PROJECT LIST			
Title	Description/Comments	Estimated Capital Cost	Year of works
<b>Economic grants</b>			
Lake Talbot	Water deepening - physical works	\$2,200,000	2026
<b>Active transport /road safety</b>			
Grong Grong footpaths	Construction of a pedestrian walkway connecting Berrembed/Junee and Narrandera Streets	\$280,000	2027
Larmer St pedestrian bridge	Construction of a pedestrian bridge across the canal on the western end of Larmer Street	\$560,000	2026
Larmer St shared path	Construction of a pedestrian shared path connecting Midgeon and Elizabeth Streets	\$300,000	2027
Old Wagga Road shared path	Construction of a pedestrian shared path on Old Wagga Road connecting the urban area to Rocky Water Holes	\$880,000	2029
<b>General infrastructure</b>			
Narrandera Town entrance statement	Sign, landscaping and water feature on Lot 10 Larmer Street	\$250,000	2025
Public Art	Narrandera, Barellan and Grong Grong	\$300,000	Ongoing
Barellan Toilets	Expand toilets in main street to meet demand from bus groups	\$250,000	2030
Barellan Main St beautification	Undertake an upgrade/ beautification program of the main street areas (landscaping, footpaths, etc)	\$250,000	2025
Barellan Pool	Renewal of the existing 50m pool and filtration system	\$2,500,000	2028
Barellan Pool	Major refurbishment / fitout - changeroom - kiosk	\$350,000	2029
Changing places facility	Adult change facility with hoist and change table (Narrandera and Barellan)	\$250,000 per unit	2031

Lake Talbot Water Park	Stage 3 – upgrade of top amenities, kiosk and extend decking	\$800,000	2032
Maree Bashir Park	Adventure playground (youth)	\$750,000	2030
Maree Bashir Park	Construction of a permanent stage	\$300,000	2032
Henry Mathieson Oval	BBQ shelter, scoreboard and cricket pitch	\$80,000	2028

## Appendix E – Map

The map below identifies the Narrandera Local Government Area to which this Plan applies (see clause 2.5).

