

Richmond
Valley
Council



**CERTIFIED IN ACCORDANCE WITH THE
ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979
AND REGULATION 2021**

DRAFT
RICHMOND VALLEY COUNCIL
SECTION 7.12 CONTRIBUTIONS PLAN
(FORMERLY S.94A CONTRIBUTIONS PLAN)
(AS AMENDED)

VERSION	DATE EFFECTIVE	COMMENTS	APPROVED BY COUNCIL
Version 1	1 July 2010		15 June 2010
Version 2	8 January 2014		17 December 2013
Version 3	<<add new date>>	2024 Revision of the plan	<<add new date>>

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SUMMARY TABLES

The following summary tables are included in this plan:

- Percentage levy by category; and
- Public facilities for which contributions will be sought.

Subject to the provisions of this Plan and any direction issued by the Minister for Planning under section 7.17 (formerly s.94E) of the *Environmental Planning and Assessment Act 1979* (the Act 1979), a levy will be imposed as a condition of development consent on all relevant applications, where the proposed cost of development exceeds \$100,000.

The levy will be based on a fixed rate percentage of the proposed cost of the development. Table 1.1 indicates the applicable rate.

Table 1.1 Summary schedule for maximum 7.12 contributions.

PROPOSED COST OF DEVELOPMENT	LEVY (%)
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5%
More than \$200,000	1.0%

Table 1.2 lists the proposed public amenities or public services to be funded by the contributions. These public amenities and public services will be provided by Council over the next five to ten years, subject to adequate income being collected from development levied under this Plan.

Table 1.2 Public amenities for which levies will be sought

The schedule of works outlines the proposed works associated with the life of this Plan. The actual timing of works during the ten-year life will depend on the quantum of contributions collected.

CORAKI		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
Coraki Riverside Park	\$25,000	2024/2025
Coraki Museum	\$45,000	2024/2025
Coraki	\$100,000	2025/2026
Coraki Riverside Park	\$100,000	2029/2030
Windsor Park	\$250,000	2029/2030
Coraki Community Centre (Old SES Shed)	\$500,000	2033/2034

CASINO		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
Colley Park	\$150,000	2024/2025
Elsmer Jones Park	\$35,000	2024/2025
NRRT	\$150,000	2024/2025
Casino Band Hall	\$60,000	2024/2025
Crawford Square	\$130,000	2024/2025
Casino Drill Hall	\$30,000	2024/2025
Footpath/bike path Connection	\$230,000	2024/2025
Crawford Square	\$35,000	2025/2026
Richmond Park - Geenibeinga Jabiru Wetlands	\$400,000	2025/2026
Casino Indoor Sports Stadium	\$150,000	2026/2027
Crawford Square	\$275,000	2026/2027
Casino Drill Hall	\$650,000	2027/2028
Civic Hall	\$350,000	2028/2029
Albert Park	\$250,000	2031/2032

RAPPVILLE		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
Rappville Hall	\$50,000	2024/2025

BROADWATER/RILEYS HILL		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
Broadwater	\$60,000	2024/2025
Rileys Hill Community Centre	\$50,000	2024/2025

EVANS HEAD		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
Evans Head Scout Hall & Community Garden	\$65,000	2024/2025
Evans Head Senior Citizen Hall Improvement	\$100,000	2024/2025
Airforce Beach access upgrade	\$200,000	2024/2025
Evans Head Recreation Hall	\$65,000	2024/2025
Evans Head - Park Street	\$200,000	2025/2026
Stan Payne Oval	\$200,000	2027/2028
Paddon Park	\$150,000	2028/2029
Reserve behind co-op	\$150,000	2030/2031

WOODBURN		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
Woodburn Oval	\$130,000	2025/2026
Woodburn CBD	\$200,000	2026/2027
Woodburn Boxing Club	\$200,000	2031/2032

THROUGHOUT THE LOCAL GOVERNMENT AREA		
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION
PAMP (Pedestrian Mobility Acces Plan)	\$60,000	Annually
Civic Pride	\$60,000	Annually from 2024-2032

1. ADMINISTRATION AND OPERATION OF THE PLAN

1.1 Overview of Section 7.12 (formerly 94A) of the Environmental Planning and Assessment Act 1979

Section 7.12 (formerly 94A) of the *Environmental Planning and Assessment Act 1979* (the Act 1979) allows Council to adopt a contributions plan that enables the consent authority to apply a fixed percentage levy on the cost of development.

Section 7.12 (formerly 94A) allows the consent authority to impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by this contribution plan, of the proposed cost of carrying out the development.

The levy required to be paid by a condition imposed under section 7.12 is to be collected as a means of providing, extending, or augmenting 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 provision of this contributions plan.

1.2 Name of this contributions plan

This contributions plan is called the Richmond Valley Council Section 7.12 Contributions Plan (as Amended) (formerly the Richmond Valley Council Section 94A Development Contributions Plan). The Plan has been drafted to include all public amenities and public services deemed to be required to meet the demands of development within the Richmond Valley Council Local Government Area, for the life of this Plan. This Plan repeals the following previous contributions plans:

- The Council of Casino Contributions Plan 1995; and
- Richmond River s.94 Contributions Plan 2000

The plan also repeals the following three contributions plans, to the extent that they operate over land now located within Richmond Valley Council:

- Copmanhurst s.94 Contributions Plan - Bushfire;
- Copmanhurst s.94 Contributions Plan - Community Facilities and Roads; and
- Copmanhurst s.94 Contributions Plan - Heavy Haulage.

1.3 What are the purposes of this contributions plan?

The primary purposes of this contributions plan are:

- to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a levy determined in accordance with this plan pursuant to section 7.12 of the Act 1979;
- to assist the Council to provide the appropriate public amenities which 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 amenities required as a result of future development;
- to publicly identify the purposes for which the levies are required; and
- to govern the application of money paid to the Council under a condition authorised by this plan.

1.4 Application of this plan

This plan applies to all land within the local government area (LGA) of Richmond Valley Council, as shown on **Illustration 1.1** below.

This Plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 of the *Act 1979* in respect of development on land to which this Plan applies, and that is not excluded in accordance with Part 1.13 of this Plan.

It is noted that pursuant to clause 1(d) of section 7.17 (formerly s.94E) of the *Act 1979*, the Minister for Planning may issue a direction in relation to “the type or area of development in respect of which a condition under section 7.12 (formerly 94A) may be imposed and the maximum percentage of that levy”.

Relevant directions can be found at:

[Local infrastructure contributions policy | Planning \(nsw.gov.au\)](#)

At the time this Plan was made the Minister had issued directions exempting certain development from section 7.12 (formerly s.94A) levies. For the sake of clarity, levies will not be imposed on development:

- a. where the proposed cost of carrying out the development is \$100,000 or less; or
- b. for the purpose of disabled access; or
- c. for the sole purpose of providing affordable housing; or
- d. for the purpose of reducing a building’s use of potable water (where supplied from water mains) or energy; or
- e. for the sole purpose of the adaptive reuse of an item of environmental heritage; or
- f. on land that was earlier subdivided in accordance with a development consent that contained a requirement for a section 7.11 (formerly s.94) contribution; or
- g. seniors housing, as defined in the State Environmental Planning Policy (Housing) 2021, which is undertaken by a social housing provider; or
- h. any other Ministerial direction released following the adoption of this plan.

In addition, the following types of development are exempted from making a contribution under this Plan:

- a. Public amenities or infrastructure proposed by a public authority; and
- b. Industrial, retail or commercial development where there is no increase in floor space within an existing building.

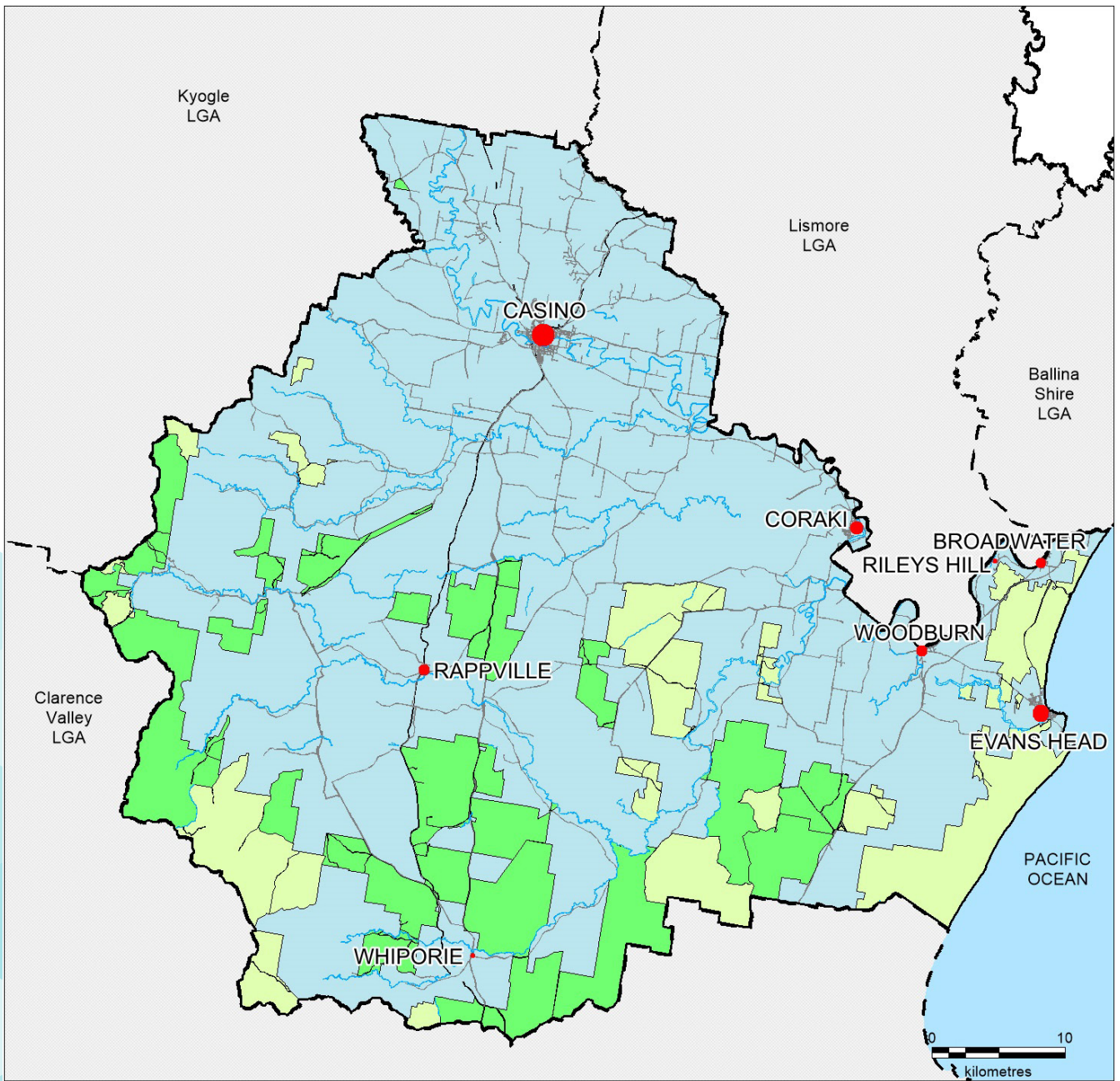


Illustration 1.1 Richmond Valley Council Area

1.5 What does Section 7.12 (formerly s.94A) of the Act provide?

Section 7.12 (formerly s.94A) of the Act 1979 provides as follows:

7.12 Fixed development consent levies (cf previous s.94A)

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.
5. The regulations may make provision for or with respect to levies under this section, including-
 - a. the means by which the proposed cost of carrying out development is to be estimated or determined, and
 - b. the maximum percentage of a levy.

1.6 When does this development contributions plan commence?

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

This Plan came into effect from the date on which public notice of the Council's decision to approve the Plan was published pursuant to the former cl. 31(4)) of the *EP&A Regulation 2000*. Subsequent plans or amendments come into effect upon notice of the Council's decision to approve that plan or amendment being published on the Council's website or such later date specified in the notice pursuant to clause 214(4) of the *Regulation 2021*.

This Amended Plan was adopted by Council at its Meeting of <<add new date>> and came into force on <<add new date>>.

1.7 Pooling of levies

This Plan expressly authorises section 7.11 (formerly s.94) contributions or section 7.12 (formerly s.94A) levies paid for different purposes under this Plan or any other contributions plan applying to land in the Richmond Valley LGA to be pooled and applied progressively for those purposes. The priorities for the expenditure of the levies are shown in the works schedule in this Plan.

Pursuant to clause 212(6) (formerly cl.27(3)) of the *Regulation 2021*, a contributions plan may authorise monetary development contributions or development levies for different purposes to be pooled and applied progressively for the different purposes only if the Council is satisfied that the pooling and progressive application will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

1.8 Complying development and the obligation of accredited certifiers

Accredited certifiers must impose a condition on a Complying Development Certificate, requiring monetary contributions in accordance with this Plan which satisfies the following criteria:

- The levy charged is calculated in accordance with Table 1.1 of this Contributions Plan; and
- Where a development consent for a subdivision was issued by the Council prior to the adoption of a Section 7.11 (formerly s.94) Contributions Plan, and no Section 7.11 (formerly s.94) contribution was paid, any development application for a new dwelling will be required to pay a contribution in accordance with this Plan.

The conditions imposed must be consistent with Council's standard Section 7.12 (formerly s.94A) consent conditions and be strictly in accordance with this Contributions Plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the Section 7.12 (formerly s.94A) condition correctly.

1.9 Construction certificates and the obligation of accredited certifiers

In accordance with clause 20 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (the *Certification Regulation 2021*) (formerly cl.146 of the *EP&A Regulation 2000*), a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of levies has been satisfied. In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with clause 13 of the *Certification Regulation 2021* (formerly cl.142(2) of the *Regulation 2000*). Failure to follow this procedure may render such a certificate invalid.

1.10 How will the levy be calculated?

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

Levy payable = %C x \$C

Where:

%C is the levy rate applicable

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

For example, a development valued at \$350,000 would require the following calculation:

Levy payable = 1% x \$350,000.00

Levy payable = \$3,500.00

For example, a development valued at \$150,000 would require the following calculation:

Levy payable = 0.5% x \$150,000.00

Levy payable = \$750.00

Calculating the cost of work

The proposed cost of carrying out the development will be determined in accordance with clause 208 (formerly cl.25J) of the Regulation 2021. The procedures set out in Section 5 of 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, as specified in the contributions plan, 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 value of the works must be provided by the applicant 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 \(nsw.gov.au\)](#).

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 1, with the methodology used to calculate that cost submitted with the Development Application;
- for development between \$100,000 and \$3 million, a suitably qualified person should prepare the cost estimate and submit it, along with the methodology, with the Development Application; or
- for development more than \$3 million, a detailed cost report prepared by a registered quantity surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualification to verify the cost of the development should be submitted with the Development Application.

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.

1.11 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.

1.12 How will the levy be adjusted?

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

$$\text{Contribution at time of payment} = \frac{\$Co \times \text{Current Index}}{\text{Base Index}}$$

Where:

\$Co is the original contribution as set out in the consent or complying development certificate
Current Index is the *Consumer Price Index (All Groups Index)* for Sydney as published by the Australian Statistician at the time of the payment of the contribution; and

Base Index is the *Consumer Price Index (All Groups Index)* for Sydney as published by the Australian Statistician which applied at the time of the issue of the development consent or complying development certificate.

The Australian Bureau of Statistics updates the index value on a quarterly basis.

Note: The contribution payable will not be less than the contribution specified on the development consent or complying development certificate.

1.13 Circumstances where Section 7.12 (formerly 94A) Contributions may be waived

Section 7.12 (formerly s.94A) Contributions may be waived when there are exceptional circumstances such as compassionate grounds, for example where the development is a replacement due to storm, flood, or fire.

The General Manager is authorised by this Plan to waive contributions where satisfactory written evidence has been presented that demonstrates exceptional circumstances exist.

The General Manager will inform the Council of any concessions granted at the earliest opportunity.

Note. Section 7.17 (formerly s.94E) of the Act 1979 authorises the Minister to direct a consent authority as to the type or area of development in respect of which a condition under section 7.12 (formerly s.94A) may be imposed and the maximum percentage of the levy.

The Minister has issued several directions relating to the maximum levy percentage and to types of development that cannot be levied. These directions are subject to change and can be viewed on the Department of Planning Housing and Infrastructure's website - [Local infrastructure contributions policy | Planning \(nsw.gov.au\)](#)

2. EXPECTED DEVELOPMENT AND DEMAND FOR PUBLIC FACILITIES

The Richmond Valley Council works program, as it appears in this Plan, has been developed based on population projections undertaken by the Council, the Australian Bureau of Statistics and the NSW State Government.

The Richmond Valley Council Growth Management Strategy 2023 predicts that over the next 20 years, there could be a further 4,100 persons populating the Richmond Valley LGA.

The majority of this growth will occur in Richmond Valley's major town, Casino, and in the coastal village of Evans Head. As a result, there will be increased demands on a range of infrastructure that the Council provides, which in turn will necessitate the provision of road upgrades, new parks, sports grounds, community centres, walkways, and cycleways.

Accordingly, the majority of public works proposed to be funded by this Plan will occur in Casino and Evans Head. The works proposed to occur in Casino include upgrades to Colley Park, Richmond Park, Casino Indoor Sports Stadium and Crawford Square, and construction of additional footpath and bikeway.

Works proposed to occur in Evans Head include upgrades to Airforce Beach, Stan Payne Oval, Paddon Park, construction of additional footpath and bikeway, and additional car parking facilities.

In addition, it is proposed to construction of new footpaths and cycleways, the provisions of disability access ramps and similar structures, and the capital improvements to open space recreations and greening program for landscaping and tree planting throughout Richmond Valley LGA.

It is expected that these infrastructure upgrades will ameliorate the pressures of the increasing population.

3. WORKS SCHEDULE

The schedule of works outlines the works proposed associated with the life of this Plan. The actual timing of works during the ten-year life will depend on the quantum of contributions collected.

CASINO			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
Colley Park	\$150,000	2024/2025	Master Plan Implementation, Footpaths, playgrounds, building connections
Elsmer Jones Park	\$35,000	2024/2025	Basketball Court & Landscaping
NRRT	\$150,000	2024/2025	Embellishments (Chairs, Shelters, Signage)
Casino Band Hall	\$60,000	2024/2025	Toilet & Kitchen Installation
Crawford Square	\$130,000	2024/2025	Shade Structures
Casino Drill Hall	\$30,000	2024/2025	New Lighting throughout facility
Footpath/bike path Connection	\$230,000	2024/2025	Queen Elizabeth Park, Northern Rivers Rail Trail to Casino CBD
Crawford Square	\$35,000	2025/2026	Small Basketball Court & Landscaping
Richmond Park - Geenibeinga Jabiru Wetlands	\$400,000	2025/2026	Implementation from Masterplan, Including toilets, landscaping, environmental protection
Casino Indoor Sports Stadium	\$150,000	2026/2027	Climbing Wall, Acoustic Treatment
Crawford Square	\$275,000	2026/2027	Carpark
Casino Drill Hall	\$650,000	2027/2028	New building with amenities for relocation of Historical Society
Civic Hall	\$350,000	2028/2029	Building facade and amenities including kitchen
Albert Park	\$250,000	2031/2032	Masterplan Implementation

RAPPVILLE			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
Rappville Hall	\$50,000	2024/2025	Acoustic Treatment

CORAKI			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
Coraki Riverside Park	\$25,000	2024/2025	Footpaths, picnic shelters, seating, landscaping.
Coraki Museum	\$45,000	2024/2025	Toilet Upgrades
Coraki	\$100,000	2025/2026	Public Toilet Upgrade
Coraki Riverside Park	\$100,000	2029/2030	Public Toilet Upgrade
Windsor Park	\$250,000	2029/2030	Tennis Wall and Amenities
Coraki Community Centre (Old SES Shed)	\$500,000	2033/2034	Augmentation of building as community neighbourhood centre.

WOODBURN			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
Woodburn Oval	\$130,000	2025/2026	Masterplan Implementation
Woodburn CBD	\$200,000	2026/2027	Place Plan Implementation
Woodburn Boxing Club	\$200,000	2031/2032	Landscaping, Carpark, Community Garden

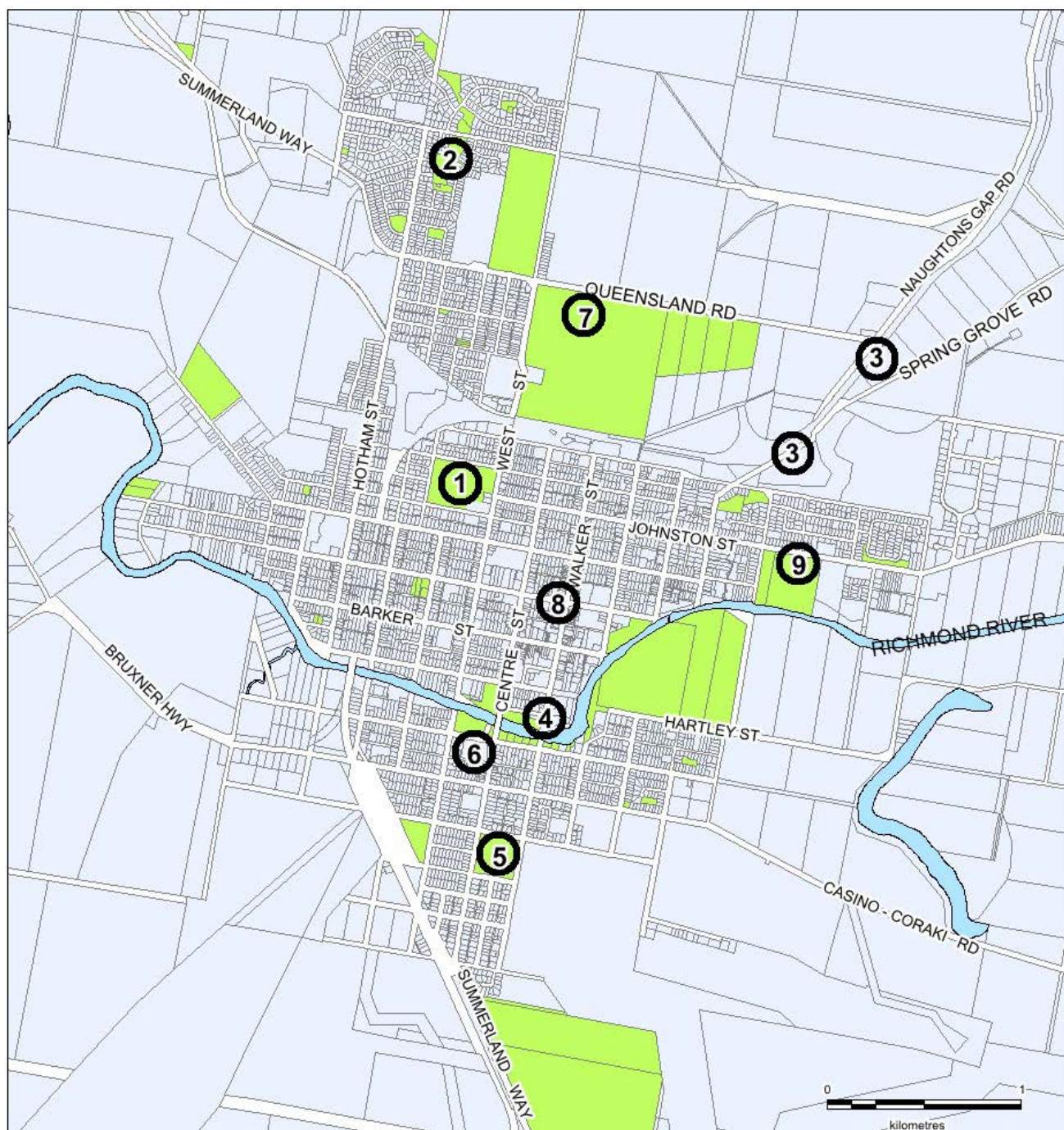
BROADWATER/ RILEYS HILL			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
Broadwater	\$60,000	2024/2025	Place Plan Implementation
Rileys Hill Community Centre	\$50,000	2024/2025	Playground Facilities

EVANS HEAD			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
Evans Head Scout Hall & Community Garden	\$65,000	2024/2025	Toilet Renewals
Evans Head Senior Citizen Hall Improvement	\$100,000	2024/2025	Augmentation, toilet facilities upgrade, security upgrades
Airforce Beach Access Upgrade	\$200,000	2024/2025	Access Upgrades
Evans Head Recreation Hall	\$65,000	2024/2025	Toilet Renewal
Evans Head - Park Street	\$200,000	2025/2026	Parking Facilities
Stan Payne Oval	\$200,000	2027/2028	Masterplan Implementation, Grandstand fencing
Paddon Park	\$150,000	2028/2029	Shelters, picnic tables, landscaping, parking improvements
Reserve Behind Co-op	\$150,000	2030/2031	Formalise and upgrade access, bollards, amenities, shelters

THROUGHOUT THE LOCAL GOVERNMENT AREA			
PUBLIC FACILITIES	ESTIMATED COST (\$)	APPROX. YEAR OF CONSTRUCTION	COMMENT
PAMP (Pedestrian Mobility Access Plan)	\$60,000	Annually	New footpaths and cycleways. Provision of disability access ramps and similar structures.
Civic Pride	\$60,000	Annually from 2024-2032	Capital Improvements to open space recreations and greening program for landscaping and tree planting within the LGA, Total \$480,000.

4. WORKS SCHEDULE MAPS

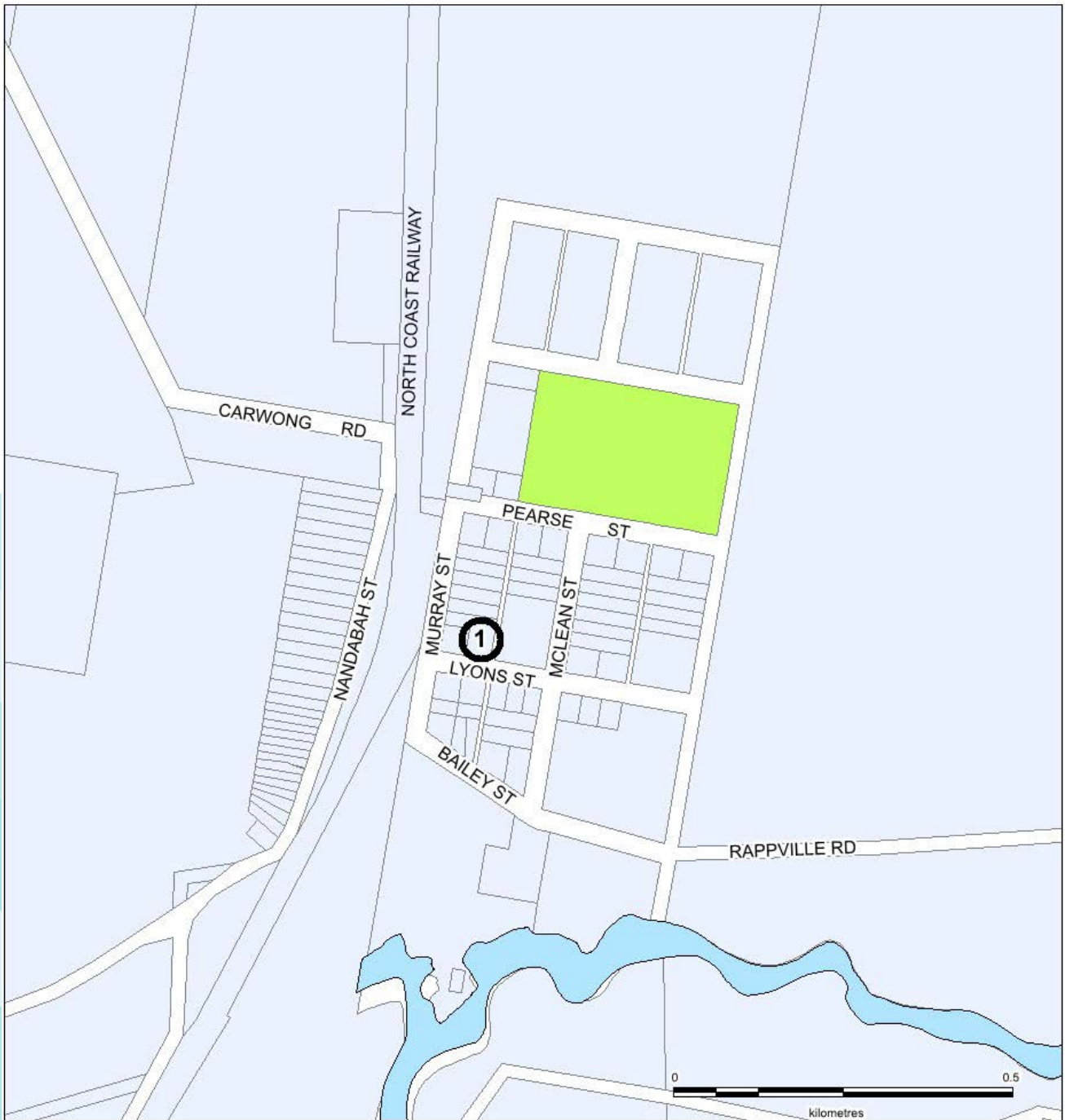
Casino



1	Colley Park and Casino Indoor Stadium	6	Casino Drill Hall
2	Elsmer Jones Park	7	Richmond Park - Geenibeinga Jabiru Wetlands
3	NRRT	8	Civic Hall
4	Casino Band Hall	9	Albert Park
5	Crawford Square		

Illustration 4.1 - Works Schedule Map for Greater Casino

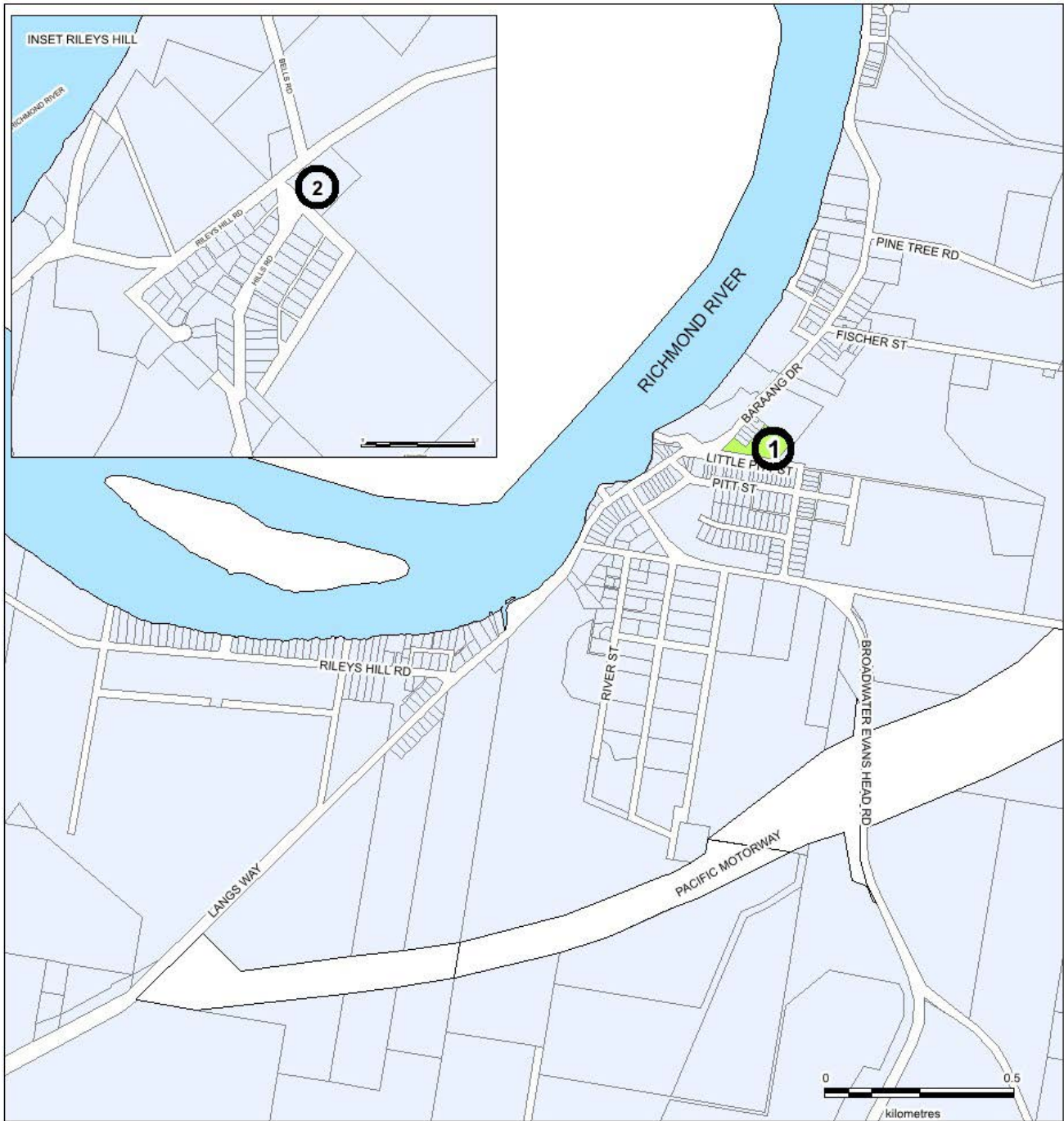
Rappville



1	Rappville Hall		

Illustration 4.2 - Works Schedule Map for Rappville

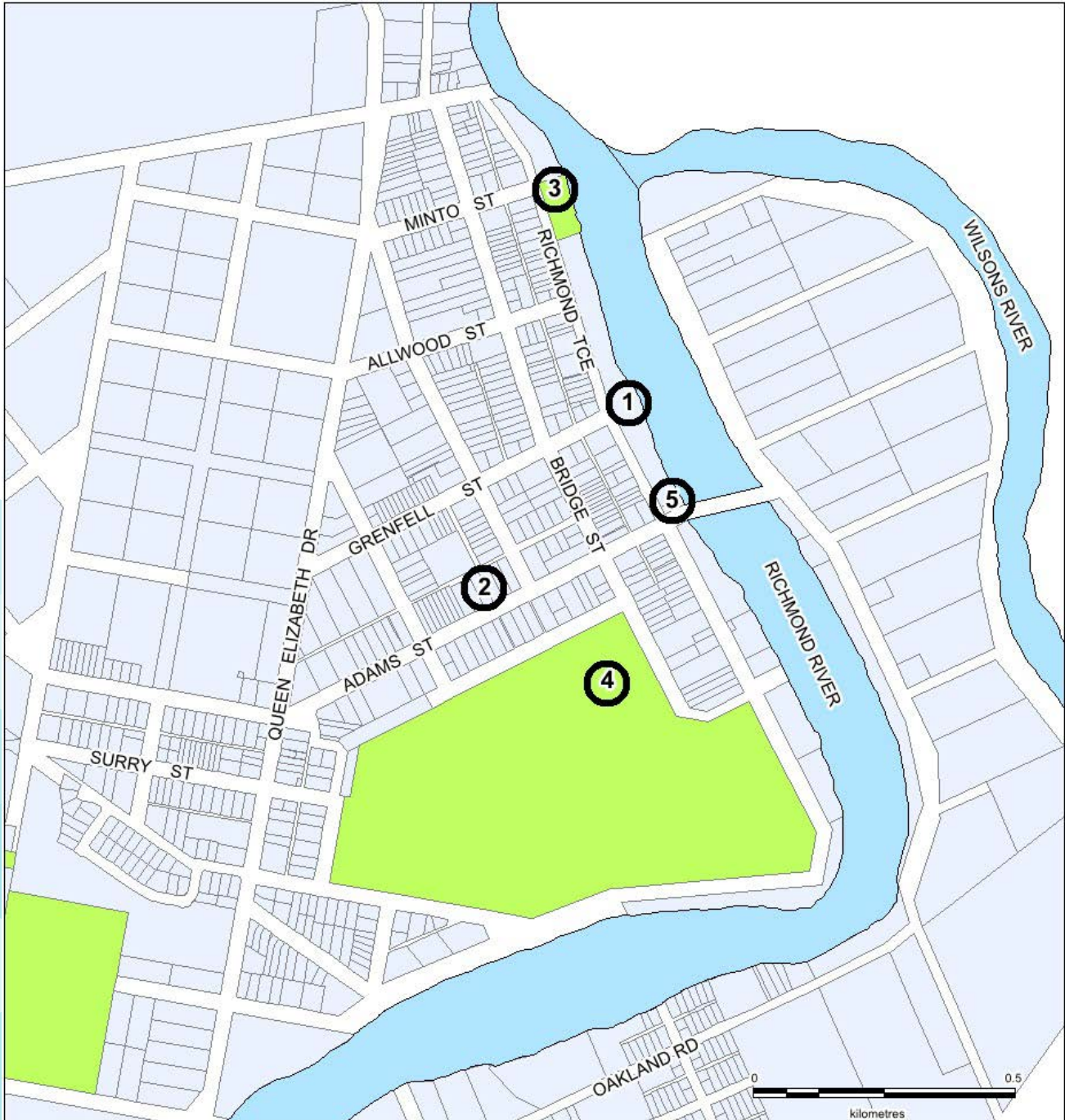
Broadwater/ Rileys Hill



1	Broadwater		
2	Rileys Hill Community Centre		

Illustration 4.3 - Works Schedule Map for Broadwater/ Rileys Hill

Coraki



1	Coraki Riverside Park		
2	Mid Richmond Museum		
3	Coraki Amenities		
4	Windsor Park		
5	Coraki Community Centre		

Illustration 4.4 - Works Schedule Map for Coraki

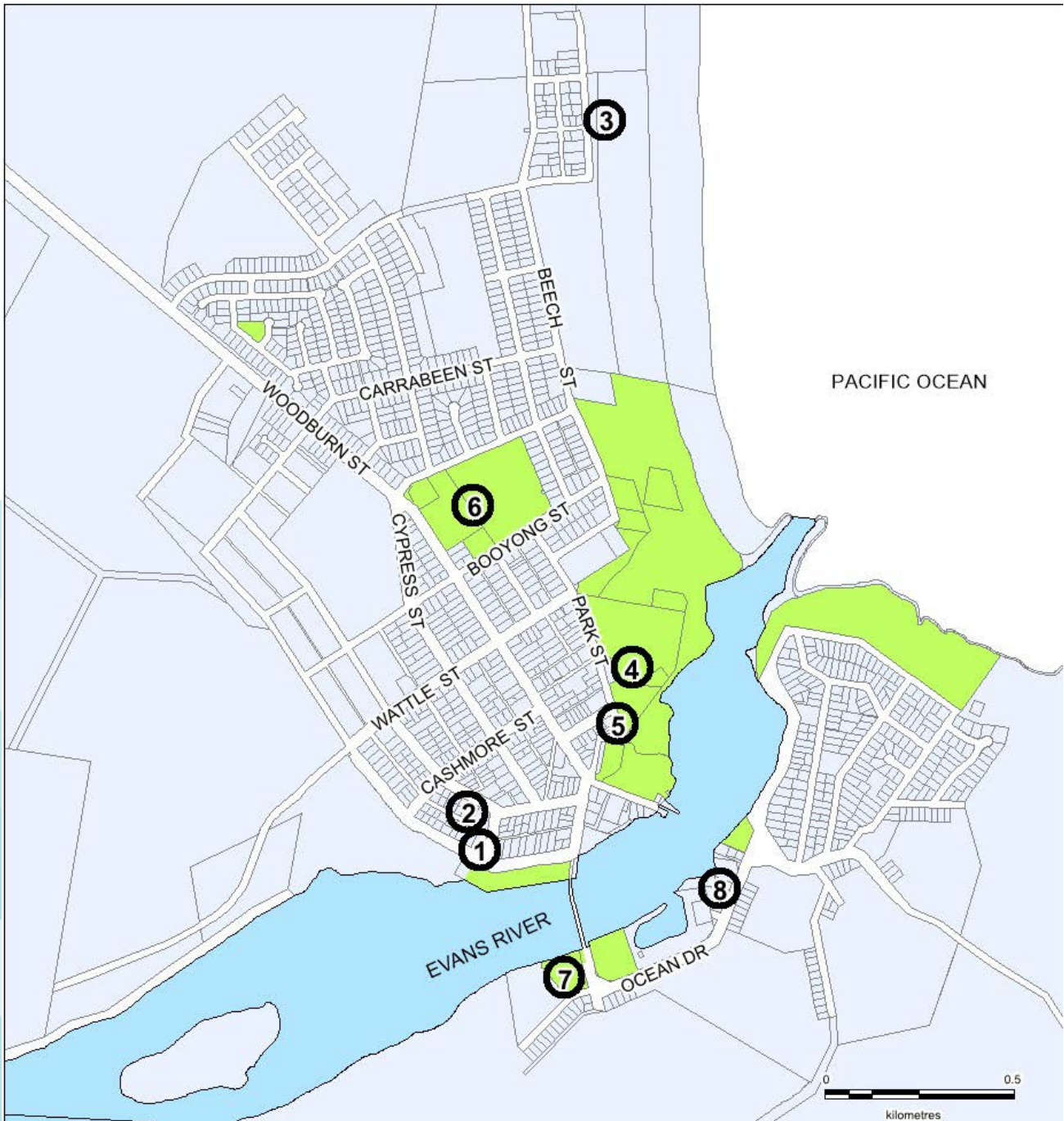
Woodburn



1	Woodburn Oval		
2	Woodburn CBD		
3	Woodburn Boxing Club		

Illustration 4.5 - Works Schedule Map for Woodburn

Evans Head



1	Evans Head Scout Hall	6	Stan Payne Oval
2	Evans Head Senior Citizens Hall	7	Paddon Park
3	Airforce Beach Access	8	Reserve behind Co-op
4	Evans Head Recreation Hall		
5	Park Street		

Illustration 4.6 - Works Schedule Map for Evans Head

5. PROCEDURE FOR ESTIMATING THE COST OF DEVELOPMENT

A cost summary report is required to be submitted with each development application, to allow Council and / or an accredited certifier to determine the contributions that will be required.

For works with a value less than \$3,000,000 the cost summary report must be completed by a person who, in the opinion of the Council / accredited certifier, is suitably qualified. A Quantity Surveyor's Detailed Cost Report must be completed by a registered Quantity Surveyor for works with a value greater than \$3,000,000.

To avoid doubt, section 208 (formerly cl. 25J) of the Regulation 2021 sets out the things that are included in the estimation of the construction costs 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—
 - 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.

Note, pursuant to clause 208(4) of the Regulations 2021, the following costs and expenses must not be included in an estimate or determination of the proposed costs-

- 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.

Examples of the required Cost Summary Reports are included below.

COST SUMMARY REPORT

(Development Cost no greater than \$3,000,000.00)

Development Application No. Reference:

Complying Development Certificate Application No.

Construction Certificate No. Date:

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 208 of the *Environmental Planning and Assessment Regulation 2021* at current prices.
- Included GST in the calculation of development cost.

Signed: _____

Name: _____

Position & Qualifications: _____

Date: _____

REGISTERED* QUANTITY SURVEYOR'S DETAILED COST REPORT

(Development Cost in excess of \$3,000,000.00)

*A member of the Australian Institute of Quantity Surveyors

Development Application No. Reference:

Complying Development Certificate Application No.

Construction Certificate No. Date:

Applicant's Name: _____

Applicant's Address: _____

Development Name: _____

Development Address: _____

Development Details:

Gross Floor Area - Commercial	<input type="text"/> m ²	Gross Floor Area - Other	<input type="text"/> m ²
Gross Floor Area - Residential	<input type="text"/> m ²	Total Gross Floor Area	<input type="text"/> m ²
Gross Floor Area - Retail	<input type="text"/> m ²	Total Site Area	<input type="text"/> m ²
Gross Floor Area - Car Parking	<input type="text"/> m ²	Total Car Parking Spaces	<input type="text"/>
Total Development Cost	\$ <input type="text"/>		
Total Construction Cost	\$ <input type="text"/>		
Total GST	\$ <input type="text"/>		

Estimate Details:

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

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 s.7.12 Contributions Plan of Council of Richmond Valley 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: _____

Name: _____

Position & Qualifications: _____

Date: _____