



SECTION 7.12 CONTRIBUTIONS PLANS

What is a Section 7.12 Contributions Plan?

Section 7.12 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* allows a levy, based on a percentage of the development cost, to be imposed when a development consent or complying development certificate is issued.

What does the levy cover?

Levies paid to Burwood Council will be applied towards the provision, extension or augmentation of public facilities, or towards recouping the cost of their provision, extension or augmentation.

Which Section 7.12 Contributions Plan applies?

There are two Section 7.12 Contributions Plans applying in the Burwood Local Government Area. One plan applies to land within the Burwood Town Centre, while the other applies to land outside the Burwood Town Centre. Refer to the enclosed map for a description of the Burwood Town Centre.

What is the applicable levy?

The relevant Contributions Plan must always be referred to for complete details. However, the following is a summary of the applicable levies.

- **Land Inside the Burwood Town Centre**

| Proposed Cost of Carrying Out Development | Levy Percentage |
|---|-----------------|
| Up to and including \$250,000 | Nil |
| More than \$250,000 | 4 per cent |

- **Land Outside the Burwood Town Centre
for All Development (Excluding Alterations and Additions to a Dwelling House)**
Example: Apply this levy to a granny flat, dual occupancy, or commercial development

| Proposed Cost of Carrying Out Development | Levy Percentage |
|--|-----------------|
| Up to and including \$100,000 | Nil |
| More than \$100,000, up to and including \$200,000 | 0.5 per cent |
| More than \$200,000 | 1 per cent |

- **Land Outside the Burwood Town Centre
for Alterations and Additions to a Dwelling House**
Example: Apply this levy to a knock-down-rebuild of a dwelling house, garage ancillary to a dwelling house, or house demolition

| Proposed Cost of Carrying Out Development | Levy Percentage |
|--|-----------------|
| Up to and including \$100,000 | Nil |
| More than \$100,000, up to and including \$300,000 | 0.5 per cent |
| More than \$300,000 | 0.25 per cent |

How is the development cost determined?

Clause 25J of the *Environmental Planning and Assessment (EP&A) Regulation 2000* specifies the items that should and should not be included in the calculation of the cost of carrying out development.

Do the contributions apply to Complying Development?

Yes. Contributions are required as a condition of consent on Complying Development Certificates, whether the Certificate is issued by a private accredited certifier or the Council. The Plans contain a suggested condition of consent for use by private accredited certifiers.

What is the responsibility of an accredited certifier?

Section 7.21 of the *EP&A Act 1979* requires an accredited certifier to impose a condition requiring a contribution in relation to the Complying Development. It is therefore incumbent upon accredited certifiers to check Council's relevant Contributions Plan to determine its requirements before issuing a Complying Development Certificate and to attach conditions as required.

When are the contributions required to be paid?

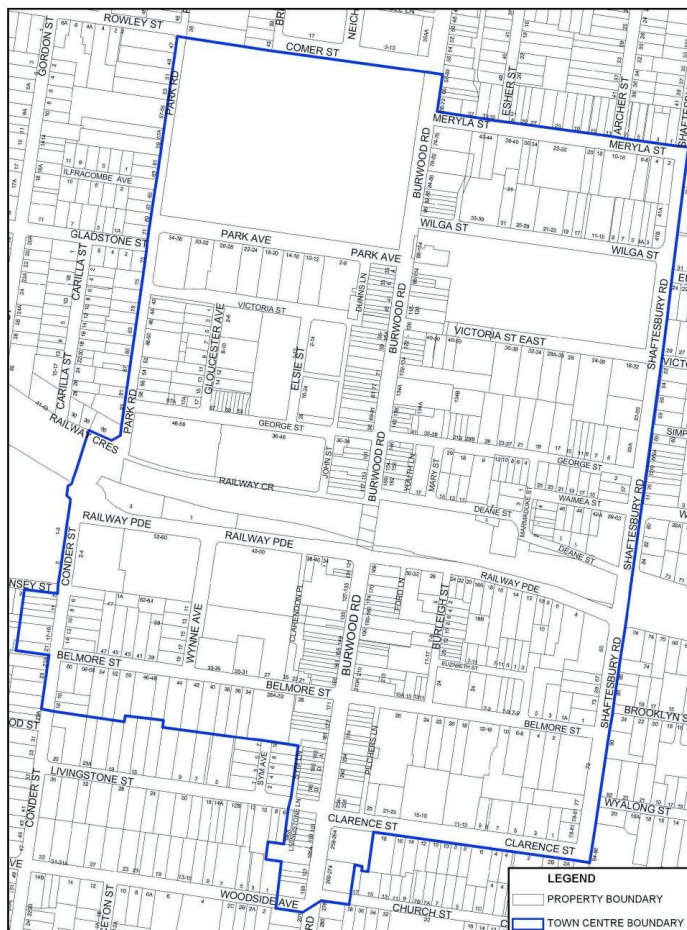
For Complying Development, contributions are required to be paid within two days of the issue of the Complying Development Certificate. For Development Applications, contributions are to be paid prior to the release of the Construction Certificate.

How may payments be made?

The payment of a Section 7.12 contribution over an amount of \$5,000 may only be paid by Bank Cheque (i.e. personal or company cheques will not be accepted). Contributions of \$5,000 or less may be paid by cash, EFTPOS, cheque or credit card. Payments by credit card may be subject to a surcharge.

Do the contributions apply to fit outs of shops and commercial premises?

Yes. However, it is recommended that you refer to Clause 25J of the *Environmental Planning and Assessment Regulation 2000* as some fittings and furnishings may not be included in the calculation of the cost of carrying out development.



Will Section 7.12 payments be adjusted?

Clause 25J(4) of the *EP&A Regulation 2000* allows Council to adjust a Section 7.12 contribution between the date of the consent and the time of payment of the contribution. Council will generally adjust the contribution amount at the time of payment based on the Consumer Price Index issued quarterly by the Australian Bureau of Statistics.

Image Left: Map of the Burwood Town Centre