

## New Section 94A Levies by local councils

**M**embers should be aware that a number of local councils have recently adopted Section 94A development Contribution Plans. These Plans allow the council to charge a maximum 1% levy on developments. The levy provides additional funding to council to build and maintain local infrastructure, equivalent to Section 94 contributions. Councils can select what type of building work triggers the requirement to pay the levy and many are applying it to residential building work. You should check the contributions plan in your council area to find out whether the project you are carrying out will have the levy applied.

The table below lists the councils in NSW that have adopted a Section 94A Plan, many other councils are the process of adopting a Plan. As a result of HIA's lobbying, the Minister for Planning has announced a number of proposed amendments which will ban councils from charging this 1% levy on any works less than \$100,000. This means that the majority of dwelling renovations and other minor developments (eg. a garage or pergola) will be exempt. For development valued between \$100,000 and \$200,000, council will only be able to charge a maximum 0.5% levy.

HIA made a submission to the Minister requesting him to intervene and prevent councils from "double dipping" for a section 94A levy on a lot that has already paid a section 94 contribution at the subdivision stage. As a result, the Minister has made it clear that levies cannot be charged twice and can only be imposed either at subdivision stage or when the home is built. These changes will be effective from 1 December 2006.

This levy is applied via a condition on the development consent. HIA advises members to be aware of these levies and look for any conditions which may alter the costs associated for the owner. ■

### NSW COUNCILS WITH SECTION 94A PLAN

City of Canada Bay  
 Fairfield City Council  
 Hawkesbury City Council  
 Junee Shire Council  
 Kogarah Municipal Council  
 Maitland City Council  
 Mid-Western Regional Council  
 Murray Shire Council  
 Port Stephens Council  
 Warringah Council  
 Waverly Council  
 Woollahra Municipal Council  
 Wollongong City Council



ABOVE: 2006 NSW Display Home Of The Year - Eden Brae Homes Pty Limited

## New Options for Threatened Species

**T**he Threatened Species Conservation Amendment (Biodiversity Banking) Bill 2006 passed through parliament recently. An amendment was passed which will limit the application of the BioBanking Scheme to the local Government areas of Cessnock, Lake Macquarie, Maitland, Newcastle and Port Stephens on a 2 year trial period.

In mid 2007, the NSW government will be implementing a Biodiversity Banking and Offsets Scheme to address the clearing of native vegetation for urban development and the impact it has on biodiversity values, including threatened species.

BioBanking is a market-based approach to help slow biodiversity loss caused by development and simplify the development assessment process. BioBanking allows 'biodiversity credits' to be generated by landowners who commit to enhance and protect biodiversity values on their land. These credits can then be sold. Developers can buy these credits and use them to counterbalance (offset) the impacts on biodiversity values that are likely to occur as a result of development.

HIA made a detailed submission, supporting the implementation of the scheme but requesting a number of important changes to the initial scheme including a 2 year trial period which was amended accordingly.

**Find out more about the biodiversity banking process at:**  
<http://www.epa.nsw.gov.au/threatspec/biobankscheme.htm>