

Section 94 Development Contributions

What are development contributions?

Development contributions are payments made by developers to enable Council to provide public facilities and services required as a consequence of new development. Section 94 of the Environmental Planning and Assessment Act 1979 is the principal legislation enabling Council to levy these contributions.

Who pays development contributions?

Generally development contributions are only levied on developments which subdivide land or provide additional dwellings on a lot. A development application for a single dwelling on an existing lot does not usually pay development contributions.

What is a Section 94 contributions plan?

A contributions plan is a public document prepared by Council which displays the Council's policy for the assessment, collection, expenditure and administration of Section 94 contributions. Councils may only levy Section 94 contributions if they have prepared and exhibited a contributions plan.

What contribution plans apply to my development?

Council currently has four section 94 contribution plans:

- The Maitland City Wide Section 94 Contributions Plan 2006 which applies to development across the whole of the LGA
- The Thornton North Section 94 Contributions Plan 2008 which applies to development within the Thornton North Urban Release Area
- The Lochinvar Section 94 Contributions Plan 2014 which applies to development within the Lochinvar Urban Release Area
- The Farley Section 94 Contributions Plan 2015 which applies to development within the Farley Urban Release area

How are development contributions calculated?

A Section 94 development contribution is essentially the conversion of the value of the works contained in the works schedule of the Section 94 plan into a "per person" or "per lot" base.

What can development contributions fund?

Under the current legislation, contributions can only be applied to the capital funding of facilities and cannot be used to fund maintenance or reoccurring expenses.

The works schedules of Council's Section 94 Plans include local infrastructure such as roads, cycleways, sportsgrounds, parks and community facilities.

Why does the amount payable vary from the amount shown on my development consent?

In order to reduce the eroding effect on the value of works by inflation, the contribution rates specified in the contribution plans and all outstanding contributions are indexed at least annually in accordance with the consumer price index.

How do I find out how much my Section 94 development contributions are?

Current contribution rates are available from Council's Development Contribution Administrator by calling 4934 9861 or from Council's web page at -

www.maitland.nsw.gov.au/PlanningDevel/S94Plans/S94ContributionRates