

# KU-RING-GAI COMPLIANCE LEVY

## About the compliance levy

From 1 July 2018, all new Development Applications (DAs) will be subject to a compliance levy.

The new levy is included in Council's Fees and Charges for 2018/19 that was adopted at the Ordinary Meeting of Council on 26 June 2018.

## How much will it cost?

A compliance levy of 0.2% of the cost of works or Capital Investment Value will be charged on each development application.

## Why is this fee being charged?

With the increase in population and development in the Ku-ring-gai Council area, there are greater demands on Council to ensure compliance with legislation. There is also an expectation in the community that Council officers are available to take effective action. The Levy will allow Council to engage additional resources and will also ensure the reimbursement of the costs incurred by Council in investigating and enforcing compliance with the requirements of the Environmental Planning and Assessment Act.

The compliance levy was introduced to ensure Development Compliance Officers and Planners can undertake investigations into unauthorised construction works and related activities more efficiently. The levy will enable Council to improve response times to complaints and take effective action where necessary.

## How is the levy charged?

The fee will be charged at the time of lodgement of a Development Application. The levy does not apply to modification applications or requests to review determinations in respect of DAs (pursuant to Section 4.55 and Section 8.2 of the Environmental Planning and Assessment Act, respectively).

The compliance levy is charged pursuant to the provisions of Section 608 of the Local Government Act.

## Why is the levy charged at lodgment and not required as a condition of consent?

Clause 4.17 of the Environmental Planning and Assessment Act 1979 controls the imposition of conditions on development consents does not permit a condition to be imposed on a consent for the payment of a compliance levy. Therefore, the compliance levy is required to be paid upon lodgement.

## Will the compliance levy be refunded if a DA is withdrawn?

Yes, 100% of the compliance levy will be refunded if your development application is withdrawn.

## Will the compliance levy be refunded if a DA is refused or the consent has expired?

Yes, 100% of the compliance levy will be refunded if your development application is refused or the consent has expired.

For any further queries please contact:  
[kmc@kmc.nsw.gov.au](mailto:kmc@kmc.nsw.gov.au)

