

gln.

planning
consulting
strategy

DRAFT KEMPSEY LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2022

GLN Planning Pty Ltd Trading as GLN Planning
ABN 39 585 269 237

A Level 10, 70 Pitt Street Sydney NSW 2000
P GPO Box 5013, Sydney NSW 2001
E info@glnplanning.com.au
T (02) 9249 4109 F (02) 9249 4111

glnplanning.com.au

Draft Kempsey Local Infrastructure Contributions Plan 2022

(Excludes South West Rocks)

Prepared for

KEMPSEY
Shire Council

By

gln.
planning
consulting
strategy

ABN 39 585 262 237
A Level 10, 70 Pitt Street, Sydney 2000 P GPO Box 5013, Sydney NSW 2001
T (02) 9249 4100 F (02) 2949 4111 E info@glnplanning.com.au

Planning Institute Australia
Registered Planner

Date of final issue:

File Path:	C:\Users\Peter McKenna\Dropbox (GLN Planning)\Public\Projects\Active\11564 Kempsey Shire Council Developer Contributions Plan Review\New CPs\Draft CP\KSC LICP 2022 Draft.docx
Project Manager:	Peter McKenna
Client:	Kempsey Shire Council
Project Number:	11564

The purpose for which this report may be used and relied upon is limited for that which it was commissioned. Copyright in the whole and every part of this document belongs to Kempsey Shire Council

Document History and Status

Version	Issue To	Qty	Date	Prepared by	Reviewed by
Draft v2	Council	1e	1/11/2022	PM	JC
Draft V3	Council	1e	19/1/2023	PM	JC

Table of Contents

Glossary of terms and abbreviations v

Plan summary 1

Summary of contribution rates 1
Summary of proposed infrastructure 2
Plan overview 2
Plan structure 3

1 Is a contribution required and how is it calculated? 5

1.1 Name of the plan 5
1.2 Purposes of the plan 5
1.3 What land and development does this plan apply to? 6

1.3.1 Land 6
1.3.2 Developments affected by the plan 8
1.3.3 What development is exempted from contributions or levies? 8

1.4 Which type of contribution applies? 9
1.5 What are the contribution rates? 11

1.5.1 Section 7.11 contribution rates for Type (a) development 11
1.5.2 Section 7.11 contribution rates for Type (c) development 11
1.5.3 Section 7.12 fixed development consent levy rates for type (b) development 12

1.6 How to calculate a contribution amount 12

1.6.1 Calculating a section 7.11 contribution for a Type (a) development 12
1.6.2 Calculating a section 7.12 levy for a Type (b) development 13
1.6.3 Calculating a section 7.11 contribution for a Type (c) development 13
1.6.4 Worked examples 13

2 How is a contribution imposed on a development? 17

2.1 Monetary contributions 17
2.2 Section 7.11 contributions 17

2.2.1 Land contributions 17
2.2.2 Cap on monetary section 7.11 contributions for residential development 17
2.2.3 Adjustment to contribution rates 18
2.2.4 Latest rates to be used 18

2.3 Section 7.12 fixed development consent levies 19

2.3.1 Determining the proposed cost of carrying out a development 19
2.3.2 Cost Summary Report must accompany development application 19

2.3.3 Who may provide a Cost Summary Report? 19

2.4 Obligations of accredited certifiers 20

2.4.1 Complying development certificates 20
2.4.2 Construction certificates 23

3 How and when can a contribution requirement be settled? 24

3.1 Timing of payments 24
3.2 Indexing of contribution and levy amounts in consents 24
3.3 Deferred or periodic payments 25
3.4 Can the contribution be settled by dedicating land or undertaking works? 25

4 Other administration matters 28

4.1 Relationship of this plan to other contributions plans 28
4.2 Commencement and transitional arrangements 28
4.3 Pooling of contributions funds 28
4.4 Accountability and access to information 28

Tables

Table 1 Section 7.11 contribution rates for Type (a) developments 11
Table 2 Section 7.11 contribution rates for Type (c) developments 11
Table 3 Section 7.12 levy rates for Type (b) developments 12
Table 4 Assumed occupancy rates for calculating contributions and demand credits 12

Figures

Figure 1 Land to which plan applies 6
Figure 2 Excluded South West Rocks Contributions Plan Area 7
Figure 3 Process to identify when a contribution is levied under this plan 10

Appendices

Appendix A: Infrastructure demand and the calculation of the contribution rates
Appendix B: Infrastructure schedule and location maps
Appendix C: Cost summary reports

Glossary of terms and abbreviations

Words and phrases used in this plan have the same meaning as the terms defined in the Kempsey Local Environmental Plan 2013, or the Environmental Planning and Assessment Act 1979, except as provided for below.

In this plan, the following words and phrases have the following meanings:

Applicant means the person, company or organisation submitting a development application.

CDC means complying development certificate.

Consent authority has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a complying development certificate.

Council means Kempsey Shire Council.

DA means development application.

EP&A Act means the NSW Environmental Planning and Assessment Act 1979.

EP&A Regulation means the NSW Environmental Planning and Assessment Regulation 2021.

ESA means equivalent standard axles

GFA means 'gross floor area' and has the same meaning as the term contained in the Dictionary of KLEP 2013.

KLEP 2013 means the Kempsey Local Environmental Plan 2013

LGA means local government area

Local infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

Material public benefit means something provided by an applicant, other than the dedication of land or the payment of a monetary contribution, which does not relate to an item appearing in the works schedule of a contributions plan.

Serviced land means land that is either currently serviced with Council reticulated water and sewerage services or proposed to be serviced with the infrastructure because it is contained within an urban release area.

Works in kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan.

Plan summary

Summary of contribution rates

The contribution rates that apply to developments as at the June quarter 2022. The s7.11 contribution rates are subject to indexation under sections 2.2.3 and 2.2.4 of this plan.

Section 7.11 contribution rates for residential developments

	Per resident in a group home or hostel	Per 1 bedroom dwelling, secondary dwelling, boarding house room, or self-contained seniors housing dwelling	Per 2 bedroom dwelling, secondary dwelling, boarding house room, or self-contained seniors housing dwelling	Per 3 or more bedroom dwelling, or lot with a dwelling entitlement
Kempsey LGA excluding South West Rocks				
Open space and recreation facilities	$237	$308	$379	$569
Roads and active transport facilities	$3,071	$3,992	$4,913	$7,370
Plan administration and management	$50	$65	$79	$119
Total	**$3,357**	**$4,365**	**$5,372**	**$8,058**
Equivalent Tenement (ET)	**0.42ET**	**0.54ET**	**0.66ET**	**1ET**

Section 7.11 contribution rate for extractive industries, mines and other heavy vehicle haulage uses including the transportation of fill for flood mounds or land filling/excavation

Basis of levying	Contribution rates
Amount of material hauled	$0.0569 per tonne per kilometre of haul road used

Section 7.12 levy rates

Development type	Levy rate
Development that has a proposed cost of carrying out the development:	
• up to and including $100,000	Nil
• more than $100,000 and up to and including $200,000	0.5% of that cost
• more than $200,000	1% of that cost

Summary of proposed infrastructure

The contributions that are made by developers will be applied by Council to deliver the schedule of infrastructure works shown in **Appendix B** to this plan. A summary of the infrastructure types and costs are shown below:

- Open space, recreation and public domain works including the Crescent Head foreshore park, Clyde Street Mall in Kempsey, Riverside Park in Kempsey, upgrades to playing fields, playground, skate parks, amenities buildings, fencing and lighting
- Roads upgrades, traffic facilities, share paths, footpaths, pedestrian accessibility and cycleways

Contributions anticipated to be made under this plan will fund only a portion of these costs, as shown in the table below, with the balance coming from other sources (such as grants).

Summary of proposed infrastructure costs

Type of local infrastructure	Total cost of works	Cost attributable to new development*
Open space and recreation facilities	$11,034,554	$517,658
Roads and active transport facilities	$87,050,216	$6,706,695
Plan administration and management	$108,365	$108,365
Total	**$98,193,135**	**$7,332,718**

*These are the contributions anticipated from development under section 7.11 of this Plan. Contributions levied and received under section 7.12 will be used to co-fund the works contained in the works schedule of this Plan.

More details on the demand for local infrastructure, the relationship of the local infrastructure with the expected development, and specific facilities to be provided are included in the **Appendices** to this plan.

Plan overview

The Kempsey LGA has an estimated residential population of approximately 30,344 people in 2022[1]. Future residential development in the area over the next 14 years is expected to accommodate approximately 3,814 additional residents[2].

This population growth will create additional demands for new and upgraded local infrastructure, including open space and recreation facilities, public domain enhancements, and roads.

Over half of the development that will accommodate the additional residents will occur within South West Rocks (1,980 residents), with the remainder of the development occurring within the remainder of the LGA (1,834 residents).

[1] Community profile – profile.i.d the population experts based on ABS census data.

[2] Population forecasts – forecast.i.d the population experts.

The existing South West Rocks Section 94 Contributions Plan 2008 and South West Rocks Section 94A Contributions Plan 2009 applies to development within South West Rocks.

This plan applies to development that occurs throughout the remainder of the Kempsey LGA excluding South West Rocks. The land to which the plan applies is shown in Figures 1 and 2.

Contributions of land, works and money from the developers of land in the Kempsey LGA will be a key source funding for infrastructure.

Sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises a council (if it has adopted a contributions plan) and other consent authorities to require contributions of land or money from developments toward the provision, extension or augmentation of local infrastructure, if the development is likely to require the provision of or increase the demand for that infrastructure.

This plan's primary purpose is to authorise Kempsey Shire Council (**Council**), a planning panel or an accredited certifier to impose conditions on development consents or complying development certificates (**CDC**s) requiring section 7.11 contributions or section 7.12 fixed rate levies from development to which the plan applies.

This plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**); and having regard to the latest practice notes issued by the Secretary of the Department of Planning and Environment.

Plan structure

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers. A brief description of each section is provided below:

Section 1 – Is a contribution required and how is it calculated?

This section describes the types of developments required to make contributions, developments that are exempt from making contributions and a flow chart to determine if a development will be required to make contributions and what type of contribution that will be. To aid understanding, the section also provides worked examples on the calculation of contribution amounts for a selection of developments.

Section 2 – How is a contribution imposed on a development?

This section explains how conditions of consent will be used to require contributions and levies, and the way in which contribution rates will be adjusted over time to reflect changes in infrastructure costs. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

Section 3 – How and when can a contribution requirement be settled?

This section explains how contribution amounts are adjusted over time, how consent conditions requiring the payment of contributions can be settled, typically by cash payment. It also provides Council's requirements for considering alternative means to satisfy contribution requirements under this plan, such as using works-in-kind agreements.

Section 4 – Other administration matters

This section outlines other administrative arrangements applying to the operation of this plan.

Appendices

The appendices include:

Appendix A: a discussion on the anticipated infrastructure demand and how the section 7.11 contribution rates in the plan have been determined

Appendix B: the schedule and location maps of the local infrastructure that is to be delivered under the plan. Interactive location maps can be found at https://experience.arcgis.com/experience/447324c50a8b4ad898e1a598f11259e1/

Appendix C: a cost summary report to be used for section 7.12 development cost assessments.

1 Is a contribution required and how is it calculated?

1.1 Name of the plan

This plan is called Kempsey Local Infrastructure Contributions Plan 2022.

1.2 Purposes of the plan

The main purpose of this plan is to authorise:

- the consent authority, when granting consent to an application to carry out development to which this plan applies; or
- the Council or an accredited certifier, when issuing a CDC for development to which this plan applies,

to require **either** a contribution (under section 7.11 of the EP&A Act) **or** a fixed development levy (under section 7.12 of the EP&A Act) to be made towards the provision, extension or augmentation of:

(a) future local infrastructure required as a consequence of future development in the Kempsey LGA, excluding development within South West Rocks where the existing South West Rocks Section 94 Contributions Plan 2008 and South West Rocks Section 94A Contributions Plan 2009 apply instead (refer to Figure 1).

(b) existing infrastructure that has been provided in anticipation of, or to facilitate, future development.

Section 1.2 of this plan describes the developments that are subject to section 7.11 contributions or section 7.12 levies under this plan.

Other purposes of this plan are as follows:

- to provide the framework for the efficient and equitable determination, collection and management of development contributions in the Kempsey LGA.
- to establish the relationship between the expected development and proposed local infrastructure to demonstrate that the section 7.11 contributions required under this plan are reasonable.
- to ensure that the broader Kempsey community is not unreasonably burdened by the provision of local infrastructure that is required as a result of development in the Kempsey LGA.

1.3 What land and development does this plan apply to?

1.3.1 Land

This plan applies to the Kempsey Local Government Area, excluding South West Rocks. Refer to **Figures 1 and 2**.



Figure 1 Land to which plan applies

Source: Kempsey Shire Council

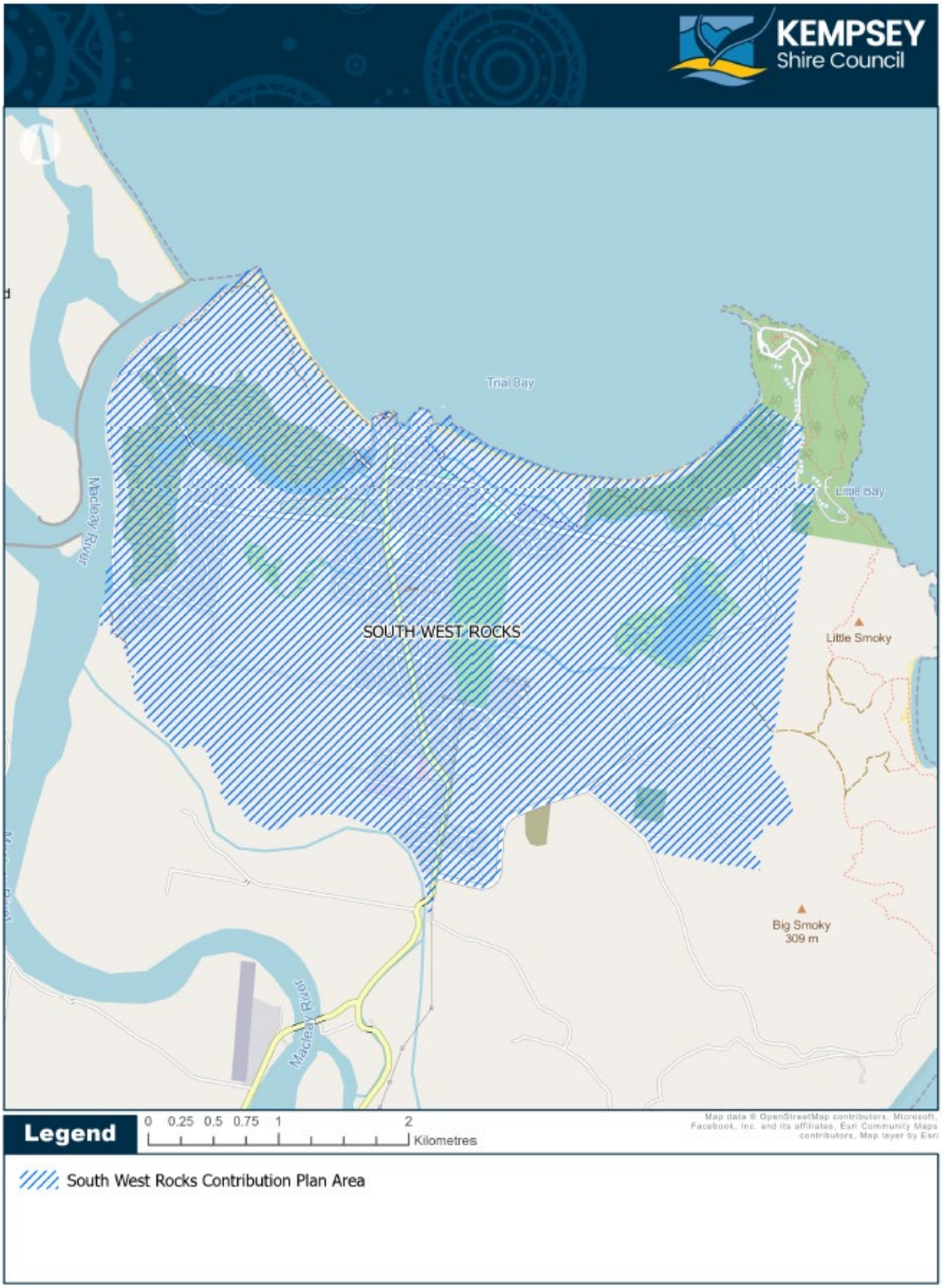


Figure 2 Excluded South West Rocks Contributions Plan Area

Source: Kempsey Shire Council

1.3.2 Developments affected by the plan

Subject to the exemptions listed in Section 1.3.3, this plan applies to the following development types:

Type (a) development: New development (including the subdivision of land) that would result in a net increase in residents on the land.

Type (b) development: development other than Type (a) development and Type (c) development, and where the proposed cost of that development is more than $100,000.

Type (c) development: development involving increased heavy vehicle movements on local and regional roads related to the exportation or importation of material including:

- extractive industries, mines and quarries; and
- other heavy vehicle haulage uses including the transportation of fill to facilitate the development of land (including the importing of fill or the removal of excavated material) or for the construction of flood mounds.

1.3.3 What development is exempted from contributions or levies?

The following types of developments are exempt from contributions under this plan:

- the construction of residential development with demand less than or equal to the s.7.11 credit provided to the lot at the time of subdivision.
- seniors housing development undertaken by registered charities or not-for-profit organisations.
- development for the purpose of the adaptive re-use of an item of environmental heritage contained in Council's Heritage Schedule in the KLEP 2013. The exemption does not apply to new structures on the same site.
- development for the sole purpose of providing affordable housing when the development is carried out by a registered community housing provider or social housing provider as defined in *State Environmental Planning Policy (Housing) 2021*.
- replacement dwellings where the number of bedrooms is less than or equal to the original dwelling.
- development exempted from section 7.11 contributions or section 7.12 levies[3] by way of a direction made by the Minister for Planning. Copies of the current directions are available to download from the Department of Planning and Environment website.
- public amenities, services and facilities provided by Council, including any works contained in the works schedule of this Plan.

[3] or the corresponding sections 94 and 94A of the EP&A Act that existed immediately before the commencement of the Environmental Planning and Assessment Amendment Act 2017

- development that involves rebuilding or repair of damage resulting from declared natural disasters (such as flooding or bushfires) by the NSW State Government, but only to the extent that the development is the same size or has the same number of bedrooms as the original development.

- Type (c) development which imports extracted material or fill that has been sourced from an approved extractive industry development or excavation site located within the LGA and where a heavy vehicle haulage contribution has or will be levied under the development approval applicable to that development.

Application for exemptions

Registered charities, not-for-profit organisations or social housing providers seeking exemptions for seniors housing or for affordable housing, must provide appropriate documentation from the Australian Taxation Office or other government body for confirmation of their charity, not-for-profit[4] or social housing provider status with the Development Application to enable Council to determine whether or not the development meets the exemption criteria under section 1.3.3.

1.4 Which type of contribution applies?

Development that is subject to this plan will be levied either a section 7.11 contribution or a section 7.12 levy.

The type of contribution that applies to the development will be determined as follows:

- **Type (a) developments** will be subject to a condition requiring the payment of a **section 7.11 contribution.**

- **Type (b) developments** will be subject to a condition requiring the payment of a **section 7.12 levy.**

- **Type (c) developments** will be subject to a condition requiring the payment of a **section 7.11 contribution.**

Where a single development application comprises a mix of type (a) and (b) developments, either a section 7.11 contribution or a section 7.12 levy will be imposed. The following procedure will be followed to determine the type of contribution and the amount of the contributions:

- if application of a section 7.12 levy to the whole development yields a higher contribution amount than application of a section 7.11 contribution to the whole development, then a section 7.12 levy calculated on the whole development shall be imposed; or

- if application of a section 7.12 levy to the whole development yields a lower contribution amount than application of a section 7.11 contribution on the whole development, then a section 7.11 contribution shall be imposed.

[4] As registered with the Australian Charities and Not-for profits Commission.

Figure 3 shows the process to identify whether a development is to be levied contributions under this plan.

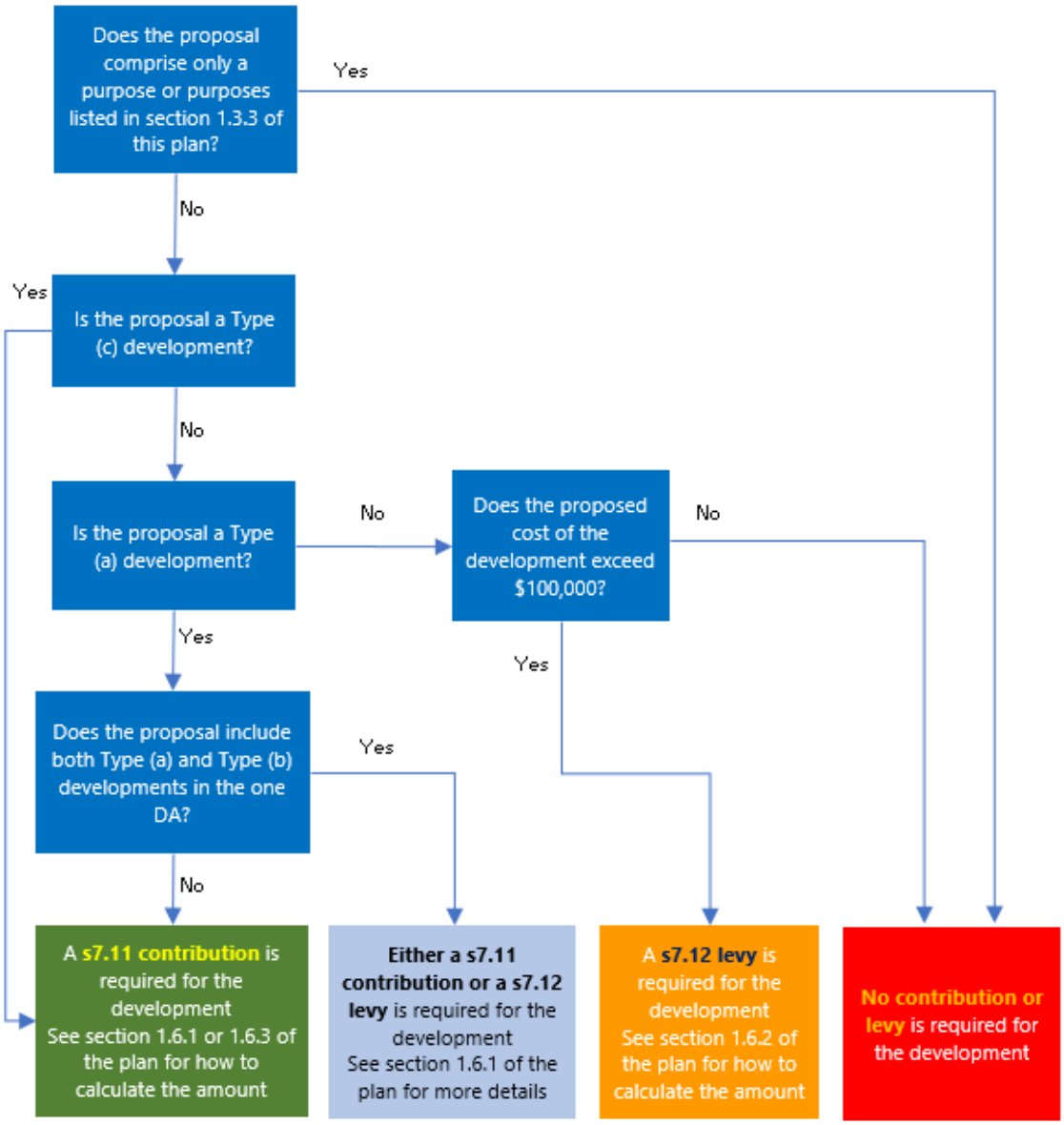


Figure 3 Process to identify when a contribution is levied under this plan

1.5 What are the contribution rates?

1.5.1 Section 7.11 contribution rates for Type (a) development

Table 1 and contains the rates for Type (a) developments that are subject to a section 7.11 contribution under this plan. A detailed description of the demand for infrastructure and calculation of the rates is contained in **Appendix A**.

Table 1 Section 7.11 contribution rates for Type (a) developments

	Per resident in a group home or hostel	Per 1 bedroom dwelling, secondary dwelling, boarding house room, or self-contained seniors housing dwelling	Per 2 bedroom dwelling, secondary dwelling, boarding house room, or self-contained seniors housing dwelling	Per 3 or more bedroom dwelling, or lot with a dwelling entitlement
Kempsey LGA(				
Open space and recreation facilities	$237	$308	$379	$569
Roads and active transport facilities	$3,071	$3,992	$4,913	$7,370
Plan administration and management	$50	$65	$79	$119
Total	**$3,357**	**$4,365**	**$5,372**	**$8,058**
Equivalent Tenement (ET)	**0.42ET**	**0.54ET**	**0.66ET**	**1ET**

Notes: The rates are indexed to June 2022 Quarter CPI and are subject to indexation under section 2.2.3 of this plan

At the time that this plan was prepared, contribution rates are capped at a maximum of **$20,000 per lot or dwelling** under a direction made by the Minister for Planning on 21 August 2012. The consent authority therefore shall not impose a total monetary contribution under this plan that exceeds $20,000 for each dwelling approved in the development

1.5.2 Section 7.11 contribution rates for Type (c) development

Table 2 contains the rates for Type (c) developments that are subject to a contributions under this plan. A detailed description of the methodology for the calculation of the rates is contained in **Appendix A.**

Table 2 Section 7.11 contribution rates for Type (c) developments

Basis of levying	Contribution rates
Amount of material hauled	$0.0569 per tonne per kilometre of haul road used

Notes: The rates are indexed to June 2022 Quarter Producer Price Index (Roads and Bridges Construction) and are subject to indexation under section 2.2.3 of this plan

1.5.3 Section 7.12 fixed development consent levy rates for type (b) development

Table 3 contains the rates for developments that are subject to a section 7.12 fixed development consent levy under this plan.

Table 3 Section 7.12 levy rates for Type (b) developments

Development type*	Levy rate
Development that has a proposed cost of carrying out the development:	
• up to and including $100,000	Nil
• more than $100,000 and up to and including $200,000	0.5% of that cost
• more than $200,000	1% of that cost

* Note exempt developments in Section 1.3.3

1.6 How to calculate a contribution amount

A single development approval can include a condition of consent requiring the payment of a section 7.11 contribution or a section 7.12 levy, but not both.

1.6.1 Calculating a section 7.11 contribution for a Type (a) development

Section 7.11 contributions will be calculated according to the estimated net increase in infrastructure demand that a development is deemed to generate.

The contribution that applies to Type (a) development is calculated using the rates shown in **Table 1,** less any contribution demand credit arising from existing development, if applicable.

Contribution demand credits for existing residential developments

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population relating to the development or site) will be applied for the purpose of determining the net increase in population. The credit applied will be based on the occupancy rates cited in **Table 4.**

Table 4 Assumed occupancy rates for calculating contributions and demand credits

Development type	Assumed occupancy rate	Equivalent Tenement (ET)
Residential accommodation		
Dwellings with 3 or more bedrooms, or vacant allotments that have a dwelling entitlement	2.4 persons per dwelling	1
2 bedroom dwellings or secondary dwellings, bed-sitters or self-contained seniors housing dwellings	1.6 persons per dwelling	0.66

Development type	Assumed occupancy rate	Equivalent Tenement (ET)
1 bedroom dwellings or secondary dwellings, bed-sitters or self-contained seniors housing dwellings	1.3 persons per dwelling	0.54
Boarding house rooms	1.3 persons per room	0.54
Group homes and hostels	1 person per bed	0.42

1.6.2 Calculating a section 7.12 levy for a Type (b) development

The total levy amount that is imposed on any individual development consent is calculated by multiplying the applicable contribution rate in **Table 3** by the proposed cost of the development.

There is no allowance for assumed existing infrastructure demand in the calculation of any section 7.12 levy.

1.6.3 Calculating a section 7.11 contribution for a Type (c) development

The levy amount will be calculated incrementally over the life of the development based on the amount of material that is hauled on local council roads.

Where material is being exported from an approved extractive industry development, the developer/operator will need to provide Council with either weigh bridge receipts or the results of regular traffic counter information.

Where material including clean fill is being imported to or exported from a site, the developer will need to confirm the amount of material imported to or exported from the site, including whether or not any imported extracted material or fill has been sourced from an approved extractive industry development or excavation site located within the LGA and where a heavy vehicle haulage contribution has or will be levied under development approval applicable to that development.

The levy amount will be calculated using the amount of total material hauled multiplied by the length of road multiplied by the applicable contribution rate in **Table 2**. Further information on developments of this type is provided in **Appendix A**.

1.6.4 Worked examples

Worked example 1:

A proposed development in Kempsey involves the demolition of an existing 3 bedroom house and construction of a mixed-use development containing 4 x 3-bedroom apartments and 300 square metres of ground floor retail GFA. The proposed cost of development is $2 million.

To determine the total contribution that will apply, Council will determine the contribution required for the four new dwellings (residential component) under the section 7.11 provisions of this plan, whilst providing contribution demand credit for the existing single dwelling on the site that will be demolished. Council will also determine the alternate section 7.12 levy for the proposed cost of development. The higher of the two total contributions amounts will apply. The proposed cost of development is $2 million.

Potential s7.11 contribution amount		
4 x 3 bedroom dwellings	=	4 x $8,058 = $32,232
less 1 dwelling house	=	$8,058 (refer to Table 1)
total s7.11 contribution	=	$24,174
Potential s7.12 contribution amount		
$2,000,000 x 1%	=	$20,000
Total contribution	=	$24,174 (being the greater of the two amounts)

Worked example 2:

A proposed development in Crescent Head comprises a shop with a GFA of 200m^2 and a dwelling with 4 bedrooms. Council will determine the contribution required for the single dwelling (residential component) under the section 7.11 provisions of this plan, and the alternate section 7.12 levy for the proposed cost of development to determine which contribution will apply. The cost of the whole development is proposed as $600,000.

The section 7.11 contribution for 1 dwelling (refer to **Table 1**) is $8,058. No section 7.11 contribution applies to the non-residential development.

The section 7.12 levy for the development is $600,000 x 1% = $6,000

The contribution for this development application would therefore be: **$8,058**

Worked example 3:

A proposed subdivision of land in Frederickton involves the creation of 15 Torrens title allotments on a single parent lot that is vacant.

15 lots	=	15 x $8,058 (refer to Table 1) = $120,870
Less 1 existing vacant lot credit	=	1 x $8,058 (refer to **Table 1**)
Total contribution	=	$112,812

Worked example 4:

A proposed warehouse development in South Kempsey involves the construction of a warehouse, car parking and landscaping with a cost of construction of $1.8 million.

$1.8 million X 1% (s7.12 contribution)	=	$18,000
Total contribution	=	$18,000

Worked example 5:

A proposed development in Kempsey involves the renovation/repurposing of a heritage-listed building into a boutique brewery including an event venue and restaurant for up to 100 people. The total cost of the development is estimated at $3.3 million. The estimate of cost to renovate the heritage item is $1.1 million. The works to facilitate the adaptive reuse of the heritage item are exempt from development contributions under section 1.3.3. of this plan.

The cost of the development excluding the heritage item is $2.2 million.

$2.2 million X 1% (s7.12 contribution)	=	$22,000
Total contribution	=	$22,000

Worked example 6:

An application is received for a 2 bedroom secondary dwelling to be constructed at the rear of a dwelling in East Kempsey. A section 7.11 contribution was paid at the time of the original subdivision for the lot and primary dwelling.

The contribution for the development is:

2 bedroom secondary dwelling	=	$5,372
Total contribution	=	$5,372

Worked example 7:

An application is received in Kempsey for an existing 1 bedroom dwelling to be extended to include an additional 3 bedrooms, resulting in a 4 bedroom dwelling. A section 7.11 contribution was paid at the time of the original subdivision for the lot and primary dwelling.

The contribution for the development is:

4 bedroom dwelling	=	$8,058
less credit for existing 1 bedroom dwelling		-$3,465
Total contribution	=	$5,493

Worked example 8:

A sand quarry is proposed just outside South Kempsey. The quarry is expected to extract up to 40,000 tonnes of sand per year for 20 years. The haul route from the quarry to the Pacific Motorway is made up of several local roads with a total length of 3.4km. The development approval contains a condition of consent for the quarry to be levied a contribution of $0.0569 per tonne per kilometre of route.

The developer provides Council with the first quarterly return of weighbridge dockets showing a total of 7,200 tonnes of sand has been transported in that time.

The contribution for this billing period is:

$0.0569 x 7,200 tonnes x 3.4 km = **$1,393**

Worked example 9:

A proposed dwelling house development at East Kempsey includes the construction of a flood mound to raise the finished floor level of the dwelling. The amount of fill required and the haul route for the fill is unknown at the development application stage.

Council will impose a condition of consent requiring the haulage of material to be levied a contribution of $0.0569 per tonne per kilometre of route, with the total amount of the contribution to be confirmed subject the verification of the amount of fill hauled to the site and the haul route(s).

The developer/applicant advises that the flood mound required the importation of 1,100 tonnes of clean fill to the site. The haul route from the source of the clean fill to the site, excluding any distance travelled along the Pacific Motorway, is made up of several local roads with a total length of 2.9km

The dwelling house will be constructed on an existing vacant lot and a section 7.11 contribution is not required to be paid.

The contribution for the haulage of clean fill to the site is:

$0.0569 x 1,100 tonnes x 2.9km = **$213**

2 How is a contribution imposed on a development?

2.1 Monetary contributions

This plan authorises Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring either a contribution under section 7.11 or a levy under 7.12 of the EP&A Act on that approval for:

- the provision, extension or augmentation of local infrastructure to be provided by Council; and
- the recoupment of the previous costs incurred by Council in providing existing local infrastructure.

A section 7.12 levy cannot be required in relation to development if a section 7.11 contribution is required in relation to that development.

The types of development subject to either a contribution or levy, and the contribution or levy rates applying to different development types, are identified in **section 1.3** and **1.4** and **Tables 1**, **2** and **3** of this plan.

Accredited certifiers should also refer to **section 2.4** of this plan as to their obligations in assessing and determining applications.

2.2 Section 7.11 contributions

This section of the plan applies only in respect to the calculation of section 7.11 contributions for development.

2.2.1 Land contributions

This plan authorises the consent authority, other than an accredited certifier[5], when granting consent to an application to carry out development to which this plan applies, to impose a condition under section 7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of local infrastructure to be provided by Council.

Wherever land required under this plan is situated within a development site, the consent authority will generally require the developer of that land to dedicate the land required under this plan free of cost.

2.2.2 Cap on monetary section 7.11 contributions for residential development

The Minister for Planning has issued a Direction to Council that caps section 7.11 contributions (or s94 as it was formerly known) for residential development in the Kempsey LGA.

[5] Note: the EP&A Act does not allow an accredited certifier other than a Council to impose a condition requiring the dedication of land free of cost.

The Direction requires that:

> *A council (or planning panel) must not grant development consent … subject to a condition under section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*
>
> *(a) in the case of a development consent that authorises one or more dwellings, exceeds $20,000 for each dwelling authorised by the consent, or*
>
> *(b) in the case of a development consent that authorises subdivision into residential lots, exceeds $20,000 for each residential lot authorised to be created by the development consent.*

Consistent with this Direction, consent authorities (including accredited certifiers) will not issue a DA consent or a CDC that requires the applicant to pay a total monetary section 7.11 contribution amount that exceeds $20,000 for each dwelling or lot.

2.2.3 Adjustment to contribution rates

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates will be adjusted over time.

Council will, without the necessity of preparing a new or amending contributions plan, make changes to the section 7.11 contribution rates set out in this plan to reflect:

- in the case of Type (a) development contribution rates - annual movements in the Consumer Price Index (All Groups Index) for Sydney; and
- in the case of Type (c) development contribution rates – annual movements in the Producer Price Index – Road and Bridges Construction,

as published by the Australian Bureau of Statistics.

The rates will be adjusted at the date of publication of the indices for the June Quarter of each respective year.

At the time this plan was adopted the respective indices were CPI = 125.7 and PPI = 130.2 (June 2022).

2.2.4 Latest rates to be used

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates as per section 2.2.3. The contribution rates for the current financial year will be published in the Fees and Charges list on Council's website.

The monetary section 7.11 contribution rates shown in **Tables 1** and **2** reflect the contribution rates at the date that this plan commenced.

Regardless of the above, the maximum contribution for residential development shall not exceed $20,000 per lot or dwelling, as per the Minister's direction.

2.3 Section 7.12 fixed development consent levies

This section of the plan applies only in respect to the calculation of section 7.12 levies for individual developments.

2.3.1 Determining the proposed cost of carrying out a development

Section 7.12 levies are calculated as a percentage of the cost of development.

The Regulations set out how the proposed cost of carrying out development is determined.

2.3.2 Cost Summary Report must accompany development application

Where a section 7.12 levy is required under this plan in relation to a DA or application for a CDC, the application is to be accompanied by a Cost Summary Report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development.

Sample cost summary reports are provided in **Appendix C.**

Council will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. Should the costing as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant's cost, engage a person referred to in **section 2.3.3** to review a Cost Summary Report submitted by an applicant.

2.3.3 Who may provide a Cost Summary Report?

The persons approved by Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant's estimate of the proposed cost of carrying out the development is less than $1,000,000 – any building industry professional; or
- where the proposed cost of carrying out the development is $1,000,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Where no cost summary report is provided for developments less than $1,000,000, the applicant may choose to accept a cost assessment by Council using a standard costing guide.

2.4 Obligations of accredited certifiers

2.4.1 Complying development certificates

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- the accredited certifier must, if a CDC is to be issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan;
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section; and
- the terms of the condition be in accordance with this section.

Procedure for determining a section 7.11 contribution amount for a Type (a) development

The procedure for an accredited certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under section 7.11(6) of the EP&A Act such as that envisaged in **section 1.5.1** of this plan, or an exemption or part or the whole of the development under **section 1.2.3** of this plan, the accredited certifier must:

   (a) make a request in writing to Council for Council's advice on whether the request is granted, or the extent to which it is granted; and

   (b) in calculating the monetary contribution, comply with Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.

2. Determine the unadjusted contributions in accordance with the rates included in **Table 1** of this plan taking into account any exempted development specified in **Section 1.2.2** and any advice issued by Council under paragraph 1(b) above.

3. Adjust the calculated contribution in accordance with **Section 2.2.3** to reflect the indexed cost of the provision of infrastructure.

4. Subtract any infrastructure demand credit advised by Council under paragraph 1(b) for any assumed local infrastructure demand relating to existing development.

Terms of a section 7.11 condition for a Type (a) development

The terms of the condition requiring a section 7.11 contribution are as follows:

Contribution

The developer must make a monetary contribution to Kempsey Council in the amount of $[insert amount] *for the purposes of the local infrastructure identified in the* Kempsey Local Infrastructure Contributions Plan 2022.

Open space and recreation	*$* [insert amount]
Roads and active transport	*$* [insert amount]
Plan administration	*$* [insert amount]
Total	***$*** **[insert amount]**

Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_C \quad X \quad CPI_P}{CPI_C}$$

Where:

$C_C is the contribution amount shown in this certificate expressed in dollars

CPI_P 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*

CPI_C 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 this certificate*

Note: The contribution payable will not be less than the contribution specified in this certificate.

Time for payment

The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by Clause 165(2) the Environmental Planning and Assessment Regulation or *as amended.*

Deferred payments of contributions may be accepted if the applicant meets the Council's requirements set out in the contributions plan.

Works in kind agreement

This condition does not need to be complied with to the extent specified in any planning agreement or works in kind agreement entered into between the developer and the Council.

Procedure for determining the section 7.12 levy amount for a Type (b) development

1. Ensure that the development is not subject to a section 7.11 contribution under this plan.

2. Determine the section 7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under **Section 2.3.3** of this plan using the rates included in **Table 4** of this plan and taking into account any exempt development specified in **Section 1.2.2**.

Terms of a section 7.12 condition

The terms of the condition requiring a section 7.12 levy are as follows:

Contribution

The developer must make a monetary contribution to Kempsey Council in the amount of $ [insert amount] *for the purposes of the local infrastructure identified in the Kempsey Local Infrastructure Contributions Plan 2022.*

Indexation

The monetary contribution is based on a proposed cost of carrying out the development of $ [insert amount]. *This cost (and consequently the monetary contribution) must be indexed between the date of this certificate and the date of payment in accordance with the following formula:*

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current CPI}}{\text{Base CPI}}$$

Where:

$Co is the original development cost estimate assessed at the time of the issue of the complying development certificate

Current CPI is the Consumer Price Index (All Groups Index) for Sydney *as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment*

Base CPI is the Consumer Price Index (All Groups Index) for Sydney *as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution*

Time for payment

The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by Clause 156(2) the Environmental Planning and Assessment Regulation or *as amended.*

Deferred payments of contributions may be accepted if the applicant meets the Council's requirements set out in the contributions plan.

2.4.2 Construction certificates

It is the responsibility of an accredited certifier issuing a construction certificate or subdivision work certificate to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions 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 156(2) of the EP&A Regulation 2021 or as amended. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and / or deferred payment arrangement has been agreed by Council. In such cases Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

3 How and when can a contribution requirement be settled?

3.1 Timing of payments

A monetary contribution required to be paid by a condition imposed on the development consent in accordance with this plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

Type (a) and Type (b) developments

- For development involving construction – the contribution must be paid prior to the release of an occupation certificate.
- For a development involving construction and subdivision (e.g. dual occupancy) – the contribution must be paid prior to the issue of construction certificate or occupation certificate, whichever comes first.
- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan) subject to any deferral arrangements.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by section 156 of the EP&A Regulation 2001.

Type (c) development

- For heavy haulage developments where material is being imported or exported in association with an approved extractive industry development or to facilitate excavation or filling of land or the construction of flood mounds, the contribution must be paid by the date specified in the quarterly tax invoice issued by Council.

3.2 Indexing of contribution and levy amounts in consents

A section 7.11 monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with annual movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Similarly, the proposed cost of carrying out development the subject of a section 7.12 levy is to be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with annual movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

The current contribution rates for the financial year will be listed in Council's adopted Fees and Charges or on Council's website.

3.3 Deferred or periodic payments

Deferred payment of development contributions may be permitted in certain circumstances in accordance with consideration to the criteria below:

1. an application for deferred payment or payment by instalments is to be made in writing to Council explaining the circumstances of the request;

2. the decision to allow deferred payment will be at the sole discretion of Council;

3. the timing or the method of the provision of public facilities included in the works program will not be prejudiced;

4. where the applicant intends to pay the contribution prior to the sale of the lot, the applicant must nominate to either:

    a. provide Council with an irrevocable and unconditional bank guarantee in favour of Council for the full value of contributions payable in conjunction with the development which allows Council to call upon the bank guarantee if the applicant has not paid the contribution amount within an agreed and prescribed timeframe, with the bank guarantee only to be discharged or cancelled upon Council receiving payment of the contribution amount; or

    b. register a caveat on the lot(s) which requires the payment of contributions to Council prior to the transfer of the title of the lot(s) to the future owner.

5. deferred payments and payment by instalments are subject to indexation.

6. where the applicant intends to make a contribution by way of a planning agreement, material public benefit or works-in-kind instead of a cash contribution, or by land dedication and Council and the applicant have a legally binding agreement for the provision of the works or land dedication;

7. the maximum period for payment by instalments is two years from the payment timeframe as required under this plan

3.4 Can the contribution be settled by dedicating land or undertaking works?

A person may make an offer to Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a monetary contribution required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan on Council's behalf delivering that infrastructure, then the developer can approach this either one of two ways:

(a) the developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Voluntary planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development; or

(b) if the developer has already received a development consent containing a condition requiring a monetary contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

The decision to accept settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council.

Any offer for works in kind or other material public benefit shall be made in writing to Council and shall be made prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Works in kind or the dedication of land may be accepted by Council under the following circumstances:

- Council will generally only accept offers of works or land that are items included in the schedule of local infrastructure in this plan; and
- Council determines that the works in kind are, or the land to be dedicated is, appropriate and meets a broad community need and benefit.

In assessing the request, Council will consider the following:

- the design of the facilities, and whether the design will result in facilities that are fit for purpose.
- the proposed works or land dedication will not constrain the future provision of facilities identified in the works schedule, or conflict with what Council has prioritised in this plan.

Plans and cost estimates of the proposed works are to be prepared by suitably qualified professionals and submitted by the applicant.

Should an offer of works in kind or land dedication be accepted, Council will negotiate with the applicant, as relevant, the following:

- an acceptable standard for workmanship and materials;
- frequency of progress works inspections;
- the program for completion of the works or the dedication of the land; and
- an appropriate defects liability period.

If Council accepts offers for works-in-kind or planning agreements, a suitable security will be required. The security will be in the form of a bank guarantee from an Australian Bank, for the full amount of the contribution or the outstanding balance with the following requirements:

a. the bank guarantee is provided by a bank in the amount of the total contribution plus an amount equal to 13 months interest;

b. the bank guarantee is made in favour of Council;

c. the bank is to pay the guaranteed sum if requested without regard to any dispute, issue or other matter relating to the development consent; and

d. the banks obligations are discharged when payment is made to Council or when Council notifies the bank in writing that the guarantee is no longer required.

4 Other administration matters

4.1 Relationship of this plan to other contributions plans

This plan repeals The following contributions plans :

- Local Road and Traffic Infrastructure Developer Contribution Plan 2009
- Section 94 Contributions Plan for Off Street Carparking
- Section 94 Contributions Plan – Outdoor Recreation 2001
- Section 94 Contributions Plan for Stormwater Drainage
- Kempsey Town Centre Public Domain Section 94 Developer Contributions Plan 2010

Section 94 Contribution Plan – Project Administration is not repealed by this plan and it will continue to apply to the same land where the *South West Rocks Section 94 Contributions Plan 2008* and *South West Rocks Section 94A Contributions Plan 2009* applies. However, for the avoidance of doubt, the *Section 94 Contribution Plan – Project Administration* will not apply to any development that is levied a contribution under this plan.

Outstanding contributions levied against the above repealed plans are to be paid as detailed in the relevant development consent (subject to indexation where applicable).

Monies held by Council against the repealed plans and future payments received against the repealed plans will be pooled and utilised as per section 4.3.

4.2 Commencement and transitional arrangements

This plan takes effect from the date on which the public notice was published.

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date on which this plan took effect.

4.3 Pooling of contributions funds

Contributions collected under this plan or by a repealed contributions plan will be pooled and collectively used for purposes outlined in the work schedule of this plan. The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in the works schedule of this plan.

4.4 Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

The register will be maintained at regular intervals and will include the following:

- particulars sufficient to identify each development consent for which contributions have been sought;
- nature and extent of the contribution required by the relevant condition of consent;
- name of the contributions plan under which the condition of consent was imposed; and
- date the contribution was received, for what purpose and the amount.

Separate accounting records will be maintained for each contribution type in this plan and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided. The records are held at Council's administration office and may be inspected upon request.

APPENDIX A: INFRASTRUCTURE DEMAND AND THE CALCULATION OF THE CONTRIBUTION RATES

Infrastructure Demand and the Calculation of the Contribution Rates

1. Introduction

This plan authorises contributions to be imposed on developments under both section 7.11 and section 7.12 of the EP&A Act.

There are particular requirements that must be met in order for a consent authority to impose section 7.11 contributions on developments. These include the following:

- Contributions can only be imposed if the consent authority considers that the development *'will or is likely to require the provision of or increase the demand for public amenities and public services within the area'* (s7.11(1)).
- Contributions toward recoupment of facilities can only be imposed if the facilities were provided in preparation for or to facilitate the carrying out of development in the area and the development will benefit from the provision of those public amenities or public services (s7.11(3)).
- Contributions that are imposed must be reasonable (s7.11(2) and (4)), and a developer may appeal to the Land and Environment Court on the grounds that contributions imposed on a development are unreasonable in the particular circumstances of the case (s7.13(3)).

These requirements mean that any section 7.11 contributions plan should show that the contribution rates are reasonable by explaining the relationship between the anticipated developments and the infrastructure included in the plan that is needed to meet the demands of those developments.

So that the contributions that are imposed are reasonable, the section 7.11 contribution rates in this plan have been calculated having regard to the principles of nexus and fair cost apportionment. This has included consideration of whether the infrastructure serves existing or new populations or both.

This section explains the expected development in the Kempsey area, the infrastructure necessary to support this development, and the way in which the section 7.11 contribution rates have been calculated.

2. Development and population context Area context

Kempsey is located on the mid north coast of New South Wales between Port Macquarie and Coffs Harbour. It shares local government boundaries with Nambucca Shire (north), Bellingen Shire (north), Armidale Regional Council (north-west), Walcha Council (south-west) and Port Macquarie-Hastings Shire (south). The Kempsey LGA has an area of approximately 3,381 square kilometres.

The LGA is a diverse region comprising mountain and forested areas, open farmlands, urban areas, coastal beaches and seaside towns. The towns and communities of the shire are equally diverse, are experiencing differing rates of growth and have varied infrastructure needs.

2.2 Population and employment characteristics

Prevailing population characteristics also help inform the need for local infrastructure, particularly social infrastructure such as parks and community facilities.

Age structure

A summary of the most recent census age profile of the Kempsey population is shown in **Table 1** and compared to the ages profile of regional NSW.

Table 5 Age profile for Kempsey

Age group (years)	2021 Kempsey %	2021 Regional NSW %
0 - 4	5.0	5.8
5 - 11	7.9	8.9
12 - 17	7.1	7.3
18 - 24	6.8	7.9
25 - 34	10.0	11.0
35 - 49	15.2	18.0
50 - 59	13.5	13.8
60 - 69	16.2	13.1
70 - 84	15.4	11.4
85+	2.8	2.7
Total population	**100**	**100**

Source: ABS Census of population and housing 2021.

The data shows that the LGA's population age structure is similar to that of regional NSW for all age groups.

Household type

Kempsey LGA's household type and family structure are outlined in Table 2 below.

Table 6 Household type for Kempsey LGA

Household type	No.	%
Couples with children	2,377	24.8
Couples without children	3,557	28.4
One parent families	1,621	13.0
Other families	151	0.9
Group household	371	3.1
Lone person	3,288	26.1
Other not classifiable	685	4.5
Visitor only	467	2.0
Total households	**12,517**	**100**

Source: Australian Bureau of Statistics, Quickstats 2021 Census of Population and Housing

The dominant household type in Kempsey in 2021 was couples without children, accounting for 28.4% of households followed closely by lone persons at 26.1%.

Occupancy rates

The occupancy rates vary depending on the location within the LGA. The 2021 Census provides the average occupancy rate in Kempsey LGA as 2.4 persons per dwelling.

Language and cultural diversity

The population of Kempsey LGA is predominantly Australian born.

In 2016, 7.8% of people were born overseas. The most common countries of birth were United Kingdom (2.6%) and New Zealand (0.9%). Other overseas born included people from Philippines, India, Germany, the United States of America, and The Netherlands.

In Kempsey 2.9% of people spoke a language other than English.

Labour force and education

At the time of the 2021 census, 93.4% of Kempsey LGA's population aged 15 years or more were employed, similar to the proportion for Regional NSW as a whole (i.e. 93.9%). Of those employed, 52% worked fulltime and 45% worked part-time. The unemployment rate was 6.6%, which is slightly higher than the 6.1% recorded throughout Regional NSW.

Kempsey LGA has a relatively skilled workforce. It has similar proportions of people holding formal qualifications that may include a Bachelor or higher degree, Advance Diploma or Diploma, or vocational qualifications, to those who hold no formal qualifications. Overall, 39% of the employed population aged over 15 held educational qualifications.

The most common occupations were community and personal service workers (14.7%), labourers (14.6%), professionals (14.5%) and technicians and trades workers (13.8%). In combination, these occupations account for 57.6% of the employed resident population.

Income

In 2021, compared to Regional NSW, in Kempsey LGA there was a smaller proportion of high-income households (those earning $3,000 per week or more) and a higher proportion of low-income households (those earning less than $800 per week).

Overall, 8.6% of the households earned a high income and 33.5% were low-income households, compared with 16.7% and 26.0% respectively for Regional NSW.

Employment

In 2021 there were approximately 10,240 jobs located in the Kempsey LGA[6].

The most common industries of employment include health care and social assistance (20%), construction (12.3%) and retail trade (10.6%).

Unsurprisingly, most jobs are located in the town of Kempsey and in the eastern part of the LGA with a focus on South West Rocks.

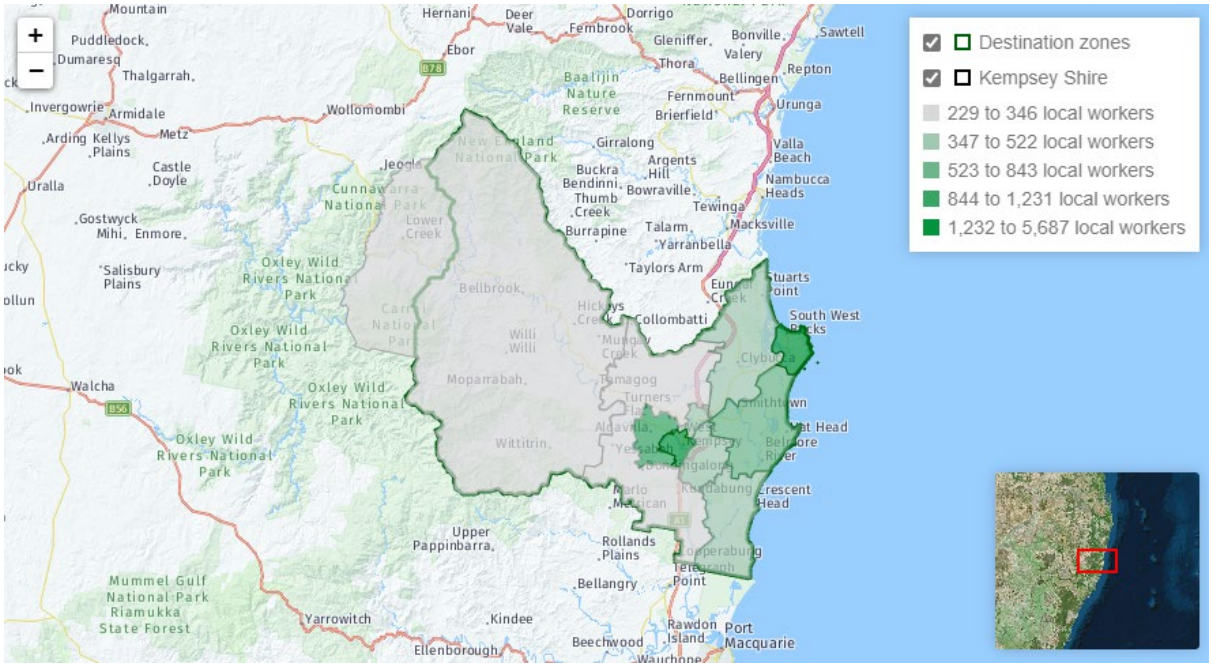


Figure 4 Kempsey employment locations

Source: Australian Bureau of Statistics, Census of Population and Housing 2021. Compiled and presented in economy.id by .id, the population experts.

[6] Source: National Institute of Economic and Industry Research (NIEIR) ©2022. Compiled and presented in economy.id by .id the population experts

3 Expected development and population

Recent housing supply

Local economic circumstances, as well as prevailing and recent residential development trends are a useful tool in understanding the likely future development of an area.

Kempsey's Draft Local Housing Strategy [7] shows that over the past nine years, population growth in the Kempsey LGA has been relatively low with an average growth rate of 0.3% per annum. The Aldavilla – Euroka – Yarravel and Frederickton and District catchment areas recorded the highest growth rate, with population increasing at an average annual rate of 0.7% per annum. Conversely, the South West Rocks – Jerseyville (increase of 257 persons) and West Kempsey – Greenhill (increase of 181 persons) catchment areas recorded the highest population increase over this period.

Forecast population growth and housing demand

The Kempsey LGA has an estimated residential population of approximately 30,344 people in 2022[8]. Future residential development in the area over the next 14 years is expected to accommodate approximately 3,814 additional residents[9].

Over half of the development that will accommodate the additional residents will occur within South West Rocks (1,980 residents), with the remainder of the development occurring within the remainder of the LGA (1,834 residents).

The hierarchy of communities in Kempsey is as follows:

1. the urban centres of Kempsey (the principal centre) and South West Rocks.
2. the urban villages of Crescent Head, Frederickton, Gladstone, Hat Head, Smithtown and Stuarts Point.
3. the rural/coastal villages of Bellbrook, Fishermans Reach, Grassy Head, Jerseyville, Kinchela, Kundabung and Willawarrin.

In addition to the identified localities above, there are numerous smaller rural population centres, some historic and others which have benefited from more recent rural residential development.

The proposed population growth across the LGA to 2036 is shown in **Table 3**.

Table 7 – forecast population growth to 2036

Area	2022	2036	Change (no.)	Change (%)
South West Rocks (SWR)*	5,602	7,582	+1,980	+35.3
Jerseyville*	200	230	+30	+15.0

[7] Draft Local Housing Strategy, PSA Consulting 2022

[8] Community profile – profile.i.d the population experts based on ABS census data.

[9] Population forecasts – forecast.i.d the population experts.

Area	2022	2036	Change (no.)	Change (%)
Rural West - Bellbrook	2,572	2,704	+132	+5.1
Frederickton and District	2,400	2,738	+338	+14.1
Stuarts Point and District	1,583	1,665	+82	+5.2
Smithtown - Gladstone and District	2,155	2,173	+18	+0.8
East Kempsey	2,230	2,380	+150	+6.7
West Kempsey - Greenhill	5,922	6,338	+416	+7.0
Aldavilla - Euroka - Yarravel	2,930	3,115	+185	+6.3
South Kempsey	2,550	2,748	+198	+7.8
Crescent Head - Kundabung	2,200	2,485	+285	+13.0
Kempsey LGA including SWR	30,344	34,158	+3,814	+12.6
Kempsey LGA excluding SWR	24,742	26,576	+1,834	+7.4

Source: compiled from forecast.id

* Note – South West Rocks and Jerseyville fall within the same 'small area' under forecast.id. An estimated existing and future population for Jerseyville has been derived to provide separate population figures for South West Rocks (which is excluded from this plan) and Jerseyville (which is included in this plan)

This population growth will create additional demands for new and upgraded local infrastructure, including open space and recreation facilities, public domain enhancements, and roads.

The Kempsey LGA has a limited supply of existing zoned land for its immediate residential needs outside of South West Rocks.

Table 4 shows the assumption of where dwellings are likely to be provided.

Table 8 Dwelling assumptions 2022-2036

	Total	Total excl SWR	SWR
Total future population	34,158	26,576	7,582
Current dwellings	14,256	10,915	3,341
Total future dwellings/lots	16,331	11,812	4519
Growth lots/dwellings	+2,075	+910	+1,166

Source: forecast.id and GLN Planning

4 Infrastructure strategies, schedules and nexus

Background

New and augmented local infrastructure will be required to support the expected growth in the Kempsey LGA and the forecast increase in population. Development is expected mainly in the form of additional dwelling houses on new residential lots in Kempsey, Frederickton, Crescent Head, Kundabung and Jerseyville, along with infill residential development such as secondary dwellings on existing residential lots.

In response, Council has identified a schedule of local infrastructure to meet the needs of the current and future (2036) population. The proposed timeframe for the delivery of the infrastructure is 14 years. This plan will levy contributions on new development that will provide part funding for the total works required.

The works schedule provides a proposed staging and priority for the delivery of the infrastructure works. The need for Council to secure the balance of the funds from alternate sources such as grants, means that the infrastructure items will be delivered as co-funding allows. It means they may be delivered in a different sequence from that shown in the schedule (as the outcomes of grant applications are not possible to predict).

Additionally, a review of the priorities may be required if future development is concentrated in a specific location of the LGA.

Further detail on specific items, their estimated costs and staging, and location maps are included in **Appendix B**.

Open space, recreation, public amenities and public domain infrastructure

Objectives

Upgrade a range of open space, recreation and public domain facilities that will meet the demand of future residents.

Infrastructure Strategy

Council currently manages a range of open space and sports facilities. Most of the open space comprises natural areas including bushland, creeks and structured recreation areas.

The open space, recreation and public domain facilities provided by Council include:

- district and local parks and playgrounds
- sporting fields and courts
- tracks, paths and skateparks
- public domain embellishment and public amenities

Council intends to provide new and augmented facilities to increase the availability of organised sport and recreation opportunities.

The works include:

- providing floodlighting to sportsfields at Smithtown, Willawarrin, and Gladstone
- providing floodlighting and irrigation to the Stuarts Point Sportsfield
- providing irrigation to Kemp Street Sports Fields
- providing irrigation and drainage to Jim Stirling Oval and recoupment of costs for the floodlighting recently installed
- Upgrading irrigation, drainage and amenities at Services Club Park, Kempsey
- Upgraded amenities, storage and canteen at Frederickton Sports Fields
- New or upgraded playground facilities at the Belgrave Street complex, Crescent Head Foreshore Park, Macquarie Street Park, Bellbrook, Frederickton and Kundabung
- Upgrades to the Kempsey and Crescent Head Skate Parks
- Public amenities at Riverside Park Kempsey, Bellbrook and Hat Head
- Clyde Street Mall Stage 2 public domain improvements
- Riverside Park Kempsey public domain improvements
- Crescent Head Foreshore Park public domain and landscaping improvements

Nexus and apportionment

The facilities proposed to be upgraded are to accommodate the demand for existing and future residents of the Kempsey LGA excluding South West Rocks. It is reasonable that for the purposes of determining the contribution rate, the costs of the infrastructure works are apportioned to both the existing and future development. For the purposes of this plan the expected total private dwellings or lots in 2036 is 11,812 lots/dwellings.

Section 7.11 contribution rates calculation for residential development

The contribution formula for open space and recreation infrastructure can be expressed as follows:

$$\text{Contribution per standard dwelling or lot (\$)} = \sum \left(\frac{\$INF}{D} \right)$$

Where:

$INF	=	the apportioned estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the open space and recreation infrastructure items required to meet the development of the Kempsey LGA (refer works schedule in Appendix B).
D	=	The expected residential development at the end of this plan (i.e. 11,812 dwellings / lots).

To determine the contribution rate per person, divide the contribution rate by the relevant assumed occupancy rate shown in **Table 4** of the plan.

Contribution calculations should also account for any residential demand credits pertaining to the existing development on the site. Refer to section 1.6.1 of the plan for more details.

Roads and active transport infrastructure

Objectives

Provide upgrades to roads and active transport facilities to meet the demands of the future resident population.

Infrastructure strategy

There has been a gradual increase in the amount of traffic using Council's road network in the Kempsey LGA. The increase is mainly the result of the growth in the resident population over the last 15 years. As the local and regional roads are the primary access network in the LGA and interlink the principal centre of Kempsey to other centres and villages throughout the LGA, Council has and will continue to upgrade the roads.

Roads

Council will reconstruct the pavements of the roads contained in the works schedule to increase the capacity and improve the quality of the network. Intersection upgrades will also be provided at the locations identified in the works schedule to improve the safety and efficiency of traffic. Road and traffic treatments may include the provision of:

- turning lanes, roundabouts and intersection improvements,
- bus stops,
- new kerb and gutter and footpaths and pedestrian accessibility improvements

Council will provide road resealing, widening and upgrades to rural roads.

Cycleways, trails and shared paths

Council is also committed to the provision of an active transport network to allow for increased walking and cycling opportunities. Cycleways, walking trails and share paths are identified in Councils Pedestrian and Mobility Plan (PAMP) 2016. Council will continue to deliver upgrades to the network in accordance with this strategy.

Nexus and apportionment

The works are in response to demands of both the existing and new population in the Kempsey LGA and are broadly distributed throughout the LGA, focusing on areas where population growth is expected to occur.

It is reasonable that, for the purpose of determining the contribution rate, the cost of the infrastructure is apportioned to both the existing and future development. For the purposes of this plan the expected total private dwellings or lots in 2036 is 11,812 lots/dwellings.

Contribution rates calculation

The contribution formula for roads and traffic facilities can be expressed as follows:

$$\text{Contribution per standard dwelling or lot (\$)} = \sum \left(\frac{\$INF}{D} \right)$$

Where:

$INF = the apportioned estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the open space and recreation infrastructure items required to meet the development of the Kempsey LGA (refer works schedule in Appendix B).

D = The expected residential development at the end of this plan for each appropriate catchment (i.e. dwellings / lots).

To determine the contribution rate per person, divide the contribution rate by the relevant assumed occupancy rate shown in **Table 4** of the plan.

Contribution calculations should also account for any residential demand credits pertaining to the existing development on the site. Refer to 1.6.1 of the plan for more details.

Plan administration

Objectives

Implement and manage this plan so that the contributions remain reasonable over the life of the plan, and that the infrastructure is provided in a reasonable time.

Strategy

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council is required to manage, monitor, maintain and meet legislative reporting requirements relating to the contributions plan. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions.
- Monitoring the expenditure of contributions
- Establishing and maintaining a register to meet legislative reporting requirements
- Maintaining and monitoring public reporting on Council website, NSW Planning Portal and any future legislated reporting requirements

- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules.
- Monitoring and programming works identified in the works schedules.
- Determining the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications.
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Reviewing and determining the suitability of any works in kind and material public benefits proposed by a developer.
- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the general public regarding the operation of the plan.
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan.
- Commissioning of consultants to develop and maintain contributions register to support legislated reporting requirements

Nexus, apportionment and contribution rates calculation

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark[10] of an allowance equivalent to 1.5% of the cost of construction works that are to be met by development approved under this plan.

[10] Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs, pg. 63*

5 Development involving heavy vehicle movements likely to cause road pavement damage

Background

For all road pavements, performance is generally influenced only by the heavy end of the traffic spectrum. Any significant increase in the heavy vehicle load on a road, therefore, has a marked impact on the life of the road pavement.

The load imposed by heavy vehicles is measured by the equivalent standard axles (ESAs). The use of the ESA allows the total number of heavy vehicles which are predicted to use a road to be converted into an "equivalent" number of the standard axle repetitions for design and evaluation purposes.

Some types of development involve heavy vehicle movements that are likely to cause road pavement damage. Mines, quarries and extractive industries are well known examples, but other development such as landfill operations, excavation, and the construction of flood mounds also involve heavy vehicle movements that can also damage road pavements.

It is reasonable for a Section 7.11 contribution to be required to cover the increased level of road damage resulting from heavy vehicle movements generated by these types of developments, and the subsequent maintenance and rehabilitation of these roads. Importantly, it is the transportation of material to and from the site that triggers the contribution regardless of whether it is being extracted or deposited.

Roadworks may be required to be undertaken in addition to contributions required under this plan

The Kempsey local and regional road network has been constructed and is maintained by Council as necessary to ensure an acceptable standard of service. These roads may or may not be able to accommodate additional heavy vehicle loading generated by heavy haulage development at their current standard. New roads, or upgrades to sections of the existing road network may be required to accommodate the additional heavy vehicle loading from developments (including expansions to existing developments).

Section 7.11 contributions will not be used to fund direct works to comply with development consent conditions that are required to bring roads up to a suitable standard to commence operations, such as:

a. road widening

b. pavement upgrading (a pavement shall have a minimum remaining life of 10 years)

c. geometric improvements

d. drainage works

e. intersection improvements

Where any development requires capital works to the road network to be undertaken, the requirements will be met by the developer / proponent undertaking the works by way of a condition imposed on the development consent under section 4.17 (1)(f) of the EP&A Act. The condition will be in addition to any Section 7.11 contribution imposed under this plan to meet the cost of accelerated pavement deterioration.

Nexus and apportionment

Development that involves significant heavy vehicle movements will generate the need for additional maintenance and earlier rehabilitation on local roads affected by the haulage routes. It is considered reasonable that the development meets the cost of these additional works.

A contribution will only be levied for the use of local and regional roads from the development site along the nominated principal haulage route, excluding any part of the journey that occurs along the Pacific Highway which is classified as a National road.

Road maintenance and rehabilitation costs only are levied for the increased level of road damage caused by the heavy vehicle haulage.

Calculation of road maintenance and rehabilitation costs

Step	Workings for sealed road with medium traffic
Determine design ESA	Assumed design life of pavement: **1,500,000 ESAs over 20 years**
Estimate the cost to reconstruct/maintain 1 lane km (for the above ESAs)	Average pavement reconstruction cost: $72.98/m^2$ (Rawlinsons 2020 for a regional HTR AC 40) Indexed to June 2022 (ABS Producer Price Index - Road and Bridges Construction): $80.87/m^2$ lane width assumed to be 5m = $80.87 x 5 x 1000 = $404,340.26 per lane per km Plan administration at 1.5% of works costs = $404,340.26 x 1.5% = $6,065.10 **Total cost (works plus plan administration)** **=** $404,405.36 + $6,065.10 **= $410,405.36 per lane per km**
Calculate the contribution rate in $ / ESA / km	Pavement = $410,405/1,500,000 **= $0.2736 per ESA per km**

Step	Workings for sealed road with medium traffic
Calculate the $ / typical vehicle ESA	The typical vehicle is assumed to be a Class 4 vehicle with dog trailer and an ESA of 5.2 and a total payload of 25 tonnes Contribution per typical vehicle = $0.2736 x 5.2 **= $1.4227 per vehicle**

Calculation of the contribution for extractive industry developments

The contribution for haulage vehicles associated with extractive industry developments will be collected over the life of the development consent.

A developer will be required to provide details of the proposed haul route to be used by heavy vehicles excluding any National road and an estimate of the amount of extracted material or other product to be hauled per year with any development application.

The contribution amount will be calculated based upon the following formula:

QCR = TONNES x RATE x LENGTH OF ROUTE

Where:

QCR = the quarterly contributions required to be paid to Council

TONNES = tonnes of resource removed from the site per quarter by road transport

RATE = $0.0569 per tonne

LENGTH OF ROUTE = the length of the local or regional road route followed by heavy vehicle movements (to be nominated by the developer and confirmed by Council officers during the assessment of the development application)

The number of tonnes per quarter may be verified by either:

- the developer submitting weighbridge tonnage dockets for each vehicle movement; or
- multiplying the volume of material extracted or imported by a factor of 1.6 to calculate the approximate tonnage of material

Calculation of the contribution for importation of material including fill

The contribution for haulage vehicles which are importing materials including fill will be collected as a one-off payment with the timing to be confirmed under the provisions of this plan and subject to the type of development for which consent is granted.

A developer will be required to provide details of the proposed haul route to be used by heavy vehicles excluding any National roads and an estimate of the amount of imported material proposed to be hauled as part of the development from outside the LGA.

If a development proposes to import imported extracted material or fill which has been sourced from an approved extractive industry development or excavation site located within the LGA and where a heavy vehicle haulage contribution has or will be levied under development approval applicable to that development, the development will not be required to pay a further contribution for the importation of that material (i.e. to avoid double-payment of contributions for those heavy haulage vehicle movements).

The contribution amount will be calculated based upon the following formula:

TCR = TONNES x RATE x LENGTH OF ROUTE

Where:

TCR = the total contributions required to be paid to Council

TONNES = tonnes of material imported to the site by road transport from outside the LGA, or imported from within the LGA where an existing development approval does not require the payment of a contribution for heavy haulage

RATE = $0.0569 per tonne

LENGTH OF ROUTE = the length of the local or regional road route followed by heavy vehicle movements (to be nominated by the developer and confirmed by Council officers during the assessment of the development application)

The number of tonnes will be nominated by the developer as part of the development application and will be determined by multiplying the volume of material imported by a factor of 1.6 to calculate the approximate tonnage of material.

APPENDIX B: INFRASTRUCTURE SCHEDULE AND LOCATION MAPS

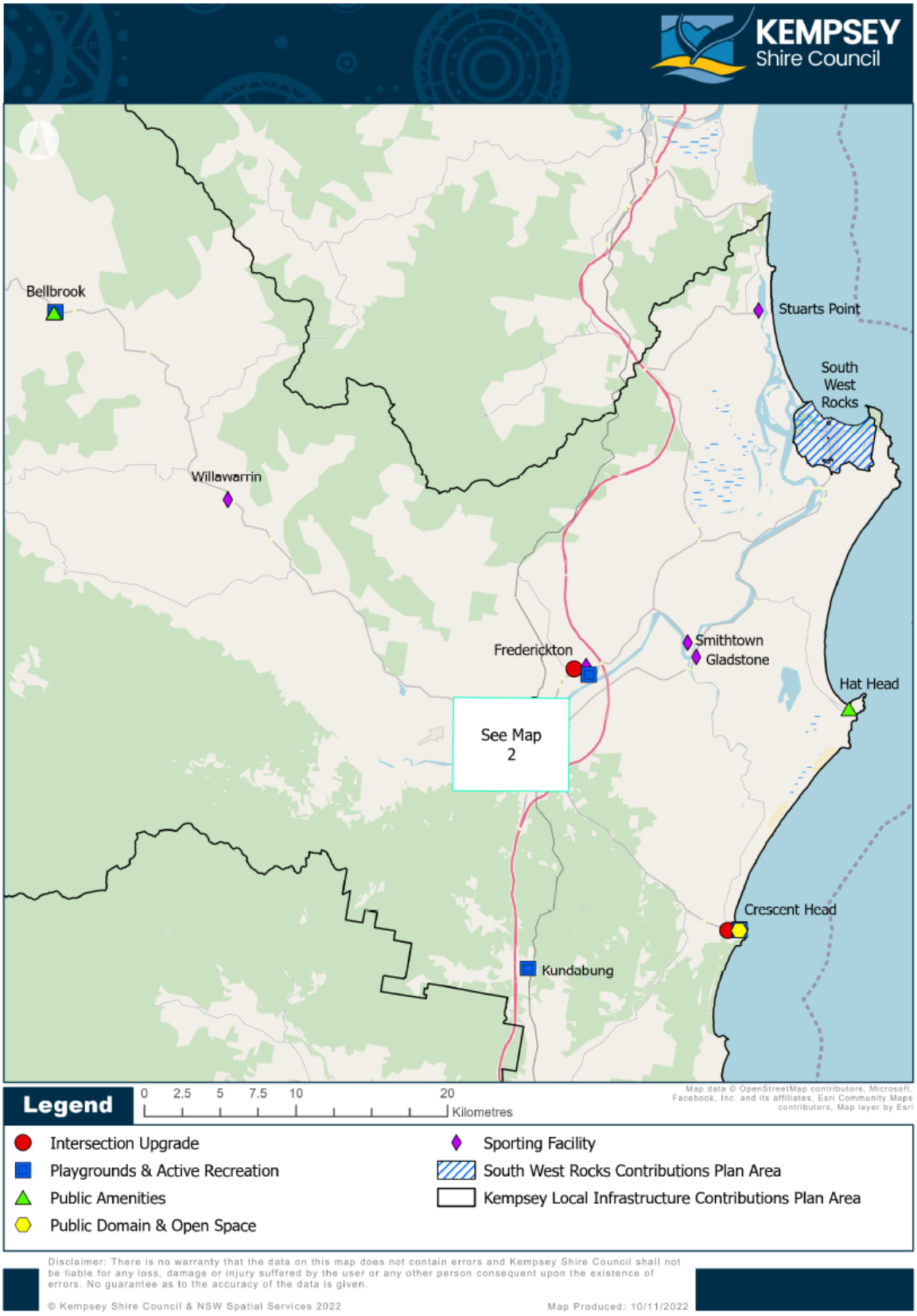
Kempsey Local Infrastructure Contributions Plan

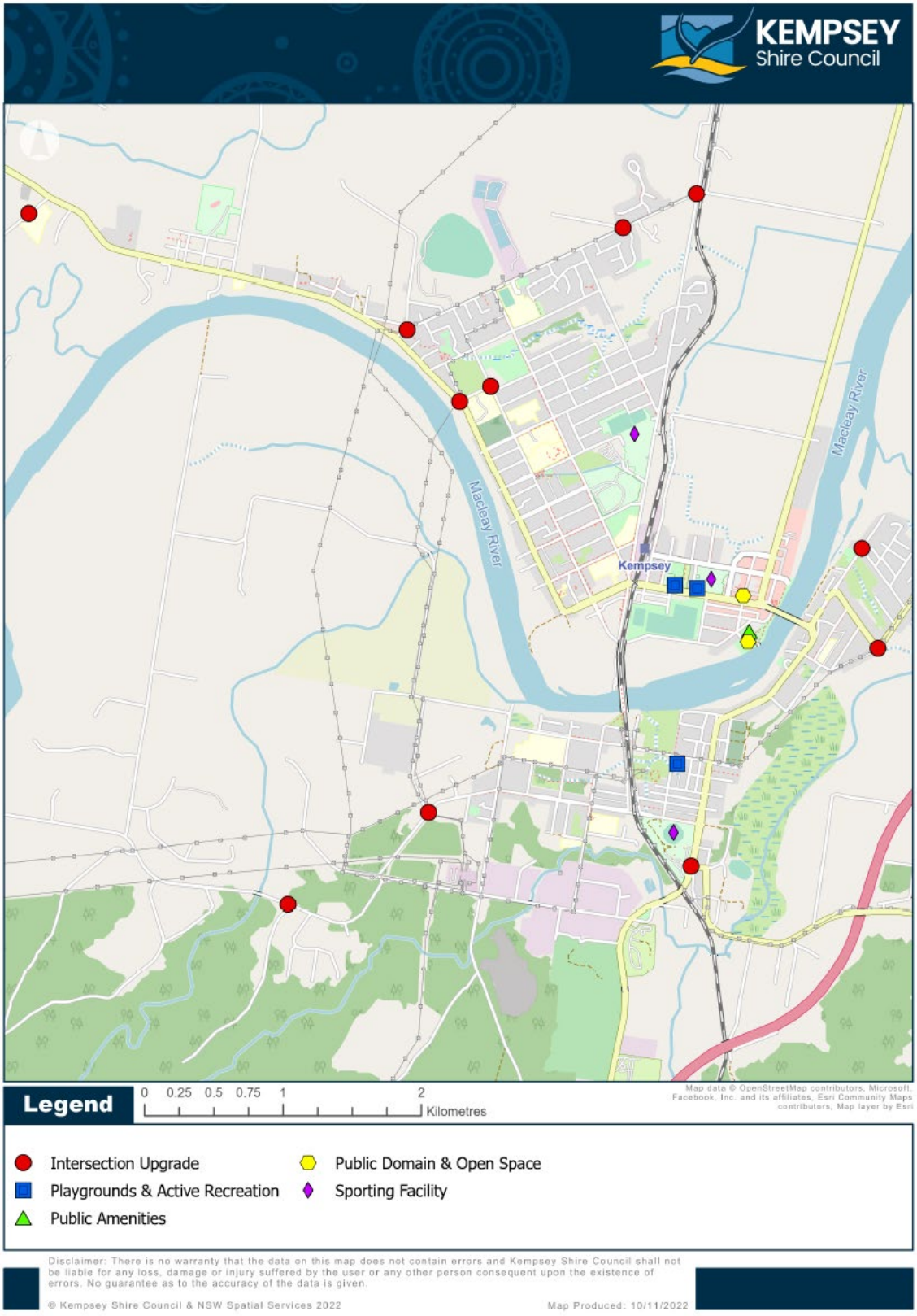
Roads and Active Transport

Map Ref	Item description 1	Item description 2	Project reference	Total works cost	Nexus	Demand in lots/dwelling	$ rate per person	$ rate per lot/dwelling	Timing
	Traffic facilities								
N/A	Road upgrades	Sealed urban local roads - program to provide road rehabilitation - allow $1,090,000 per year	Capital works	$ 15,260,000	Existing and future LGA excluding SWR	11,812	$ 538	$ 1,292	2022-2036
N/A	Road upgrades	Sealed rural local roads - program to provide road rehabiliation, resealing and widening - allow $1,290,000 per year	Capital works	$ 18,060,000	Existing and future LGA excluding SWR	11,812	$ 637	$ 1,529	2022-2036
N/A	Road upgrades	Sealed regional rural roads - program to provide road rehabiliation, resealing and widening - allow $1,580,000 per year	Capital works	$ 22,120,000	Existing and future LGA excluding SWR	11,812	$ 780	$ 1,873	2022-2036
N/A	Road upgrades	Unsealed local and regional rural roads - program to upgrade and seal rural roads - allow $1,650,000 per year	Capital works	$ 23,100,000	Existing and future LGA excluding SWR	11,812	$ 815	$ 1,956	2022-2036
N/A	Kerb and gutter - new	Program to extend kerb and gutter networks - allow $70,000 per year	Capital works	$ 980,000	Existing and future LGA excluding SWR	11,812	$ 35	$ 83	2022-2036
	Intersection upgrades								
1	Rudder and Sullivan Streets, East Kempsey		Capital works	$ 125,491	Existing and future LGA excluding SWR	11,812	$ 4	$ 11	2022-2026
2	Kemp Street and North Street, West Kempsey		Capital works	$ 470,591	Existing and future LGA excluding SWR	11,812	$ 17	$ 40	2022-2026
3	Heyson Street and North Street, West Kempsey		Capital works	$ 313,727	Existing and future LGA excluding SWR	11,812	$ 11	$ 27	2022-2026
4	Belmore Street and North Street, West Kempsey		Capital works	$ 261,439	Existing and future LGA excluding SWR	11,812	$ 9	$ 22	2022-2026
5	Washington Street and Macleay St, East Kempsey		Capital works	$ 366,015	Existing and future LGA excluding SWR	11,812	$ 13	$ 31	2022-2026
6	Tozer Street and Polwood Street, West Kempsey		Capital works	$ 57,517	Existing and future LGA excluding SWR	11,812	$ 2	$ 5	2027-2031
7	River Street and Polwood Street, West Kempsey		Capital works	$ 57,517	Existing and future LGA excluding SWR	11,812	$ 2	$ 5	2027-2031
8	Great North Road and Collombatti Road, Frederickton		Capital works	$ 366,015	Existing and future LGA excluding SWR	11,812	$ 13	$ 31	2027-2031
9	Gowings Hill Road and Burnt Bridge Road, South Kempsey		Capital works	$ 522,879	Existing and future LGA excluding SWR	11,812	$ 18	$ 44	2027-2031
10	Gowings Hill Road and Maria Street, South Kempsey		Capital works	$ 261,439	Existing and future LGA excluding SWR	11,812	$ 9	$ 22	2027-2031
11	Lachlan Street/Macleay Valley Way/Angus McNeil Crescent, South Kempsey		Capital works	$ 732,030	Existing and future LGA excluding SWR	11,812	$ 26	$ 62	2027-2031
	Other								
N/A	Footpaths and pestrian accessibility improvements - new	Program to extend footpath networks and provide improvements to pedestrian accessibility - allow $155,000 per year	PAMP	$ 2,170,000	Existing and future LGA excluding SWR	11,812	$ 77	$ 184	2022-2036
N/A	Off-road cyleways and bike racks	Program to provide new off-road cyceways and bike racks - allow $105,000 per year	PAMP	$ 1,470,000	Existing and future LGA excluding SWR	11,812	$ 52	$ 124	2022-2036
12	Parking bays and footpath - Aldavilla Pr	Upgrading of parking bays and footpath at Aldavilla Primary School	Capital works	$ 230,067	Existing and future LGA excluding SWR	11,812	$ 8	$ 19	2022-2026
13	Bus bay	Bus bay at Crescent Head Primary School	Capital works	$ 125,491	Existing and future LGA excluding SWR	11,812	$ 4	$ 11	2022-2026
		Totals		**$ 87,050,216**			**$ 3,071**	**$ 7,370**	

Kempsey Local Infrastructure Contributions Plan
Open Space, Recreation, Public Domain and Pubic Amenities

Map Ref	Item description 1	Item description 2	Project reference	Total works cost	Nexus	Demand in lots/dwellings	$ rate per person	$ rate per lot/dwelling	Timing
	Upgrades to existing sporting facilities								
14	Smithtown Sportsfield	Floodlighting to Smithtown Sportsfield to increase utilisation and capacity	Capital works	$ 366,015	Existing and future LGA excluding SWR	11,812	$ 13	$ 31	2022-2026
15	Willawarrin Sportsfield	Floodlighting to Willawarrin Sportsfield to increase utilisation and capacity	Capital works	$ 313,727	Existing and future LGA excluding SWR	11,812	$ 11	$ 27	2022-2026
16	Gladstone Sportsfield	Floodlighting to Gladstone Sportsfield to increase utilisation and capacity	Capital works	$ 313,727	Existing and future LGA excluding SWR	11,812	$ 11	$ 27	2022-2026
17	Stuarts Point Sportsfield	Floodlighting ($350,000) and irrigation ($100,000) to Stuarts Point Sportsfield to increase utilisation and capacity.	Capital works	$ 470,591	Existing and future LGA excluding SWR	11,812	$ 17	$ 40	2022-2026
18	Kemp Street Sportsfield	Irrigation to Kemp Street Sports Field Stages 1 and 2 ($150,000 per stage)	Capital works	$ 522,879	Existing and future LGA excluding SWR	11,812	$ 18	$ 44	2027-2031
19	Jim Stirling Oval, South Kempsey	Irrigation, drainage and floodlighting to Jim Stirling Oval (recoupment of floodlighting costs)	Capital works	$ 522,879	Existing and future LGA excluding SWR	11,812	$ 18	$ 44	2022-2026
20	Services Club Park, Kempsey	Upgrade irrigation, drainage and amenities	Capital works	$ 261,439	Existing and future LGA excluding SWR	11,812	$ 9	$ 22	2027-2031
21	Frederickton Sports Fields	Upgraded and expanded amenities, storage and canteen	Capital works	$ 313,727	Existing and future LGA excluding SWR	11,812	$ 11	$ 27	2027-2031
	Playgrounds and active recreation								
22	Belgrave Street complex	New large playground within Belgrave Street complex	Capital works	$ 627,454	Existing and future LGA excluding SWR	11,812	$ 22	$ 53	2027-2031
23	Crescent Head Foreshore Park	Upgrade existing playground at Crescent Head Foreshore Park, Crescent Head	Capital works	$ 366,015	Existing and future LGA excluding SWR	11,812	$ 13	$ 31	2027-2031
24	Crescent Head Skate Park	Upgrade Crescent Head Skate Park	Capital works	$ 522,879	Existing and future LGA excluding SWR	11,812	$ 18	$ 44	2022-2026
25	Kempsey Kate Park	Upgrade to Kempsey Skate Park	Capital works	$ 104,576	Existing and future LGA excluding SWR	11,812	$ 4	$ 9	2022-2026
26	Macquarie Street Park, South Kempsey	New large playground and park upgrades within Macquarie Street Park, South Kempsey	Capital works	$ 627,454	Existing and future LGA excluding SWR	11,812	$ 22	$ 53	2027-2031
27	Frederickton Tennis courts playground	Upgrade to existing playground at Fredrickton	Capital works	$ 26,144	Existing and future LGA excluding SWR	11,812	$ 1	$ 2	2022-2026
28	Bellbrook playground upgrade	Upgrade to existing playground at Bellbrook	Capital works	$ 78,432	Existing and future LGA excluding SWR	11,812	$ 3	$ 7	2022-2026
29	Kundabung (location TBC)	New playground in Kundabung (location TBC)	Capital works	$ 627,454	Existing and future LGA excluding SWR	11,812	$ 22	$ 53	2027-2031
	Public amenities								
30	Public amentities	Upgraded and expanded public amenities at Riverside Park, Kempsey	Capital works	$ 444,447	Existing and future LGA excluding SWR	11,812	$ 16	$ 38	2022-2026
31	Public amenities	Public amenities at Bellbrook	Capital works	$ 209,151	Existing and future LGA excluding SWR	11,812	$ 7	$ 18	2022-2026
32	Public amenities	Public amenities at Hat Head	Capital works	$ 313,727	Existing and future LGA excluding SWR	11,812	$ 11	$ 27	2022-2026
	Public domain and open space								
33	Clyde Street Mall, Kempsey	Clyde Street Mall Stage 2 Public Domain Improvements, Kempsey	Capital works	$ 1,199,110	Existing and future LGA excluding SWR	11,812	$ 42	$ 102	2022-2026
34	Riverside Park, Kempsey	Landscaping and public doman improvements for Riverside Park, Kempsey	Capital works	$ 2,593,576	Existing and future LGA excluding SWR	11,812	$ 91	$ 220	2022-2026
35	Crescent Head Foreshore Park	Landscaping and public doman improvements for Crescent Head foreshore park, Crescent Head	Capital works	$ 209,151	Existing and future LGA excluding SWR	11,812	$ 7	$ 18	2022-2026
		Total		**$ 11,034,554**			**$ 237**	**$ 569**	


KEMPSEY
Shire Council
Bellbrook
Stuarts Point
South
West
Rocks
Willawarrin
Frederickton
Smithtown
Gladstone
Hat Head
See Map
2
Crescent Head
Kundabung
Legend
0 2.5 5 7.5 10 20
Kilometres
Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri
Intersection Upgrade
Playgrounds & Active Recreation
Public Amenities
Public Domain & Open Space
Sporting Facility
South West Rocks Contributions Plan Area
Kempsey Local Infrastructure Contributions Plan Area
Disclaimer: There is no warranty that the data on this map does not contain errors and Kempsey Shire Council shall not be liable for any loss, damage or injury suffered by the user or any other person consequent upon the existence of errors. No guarantee as to the accuracy of the data is given.
© Kempsey Shire Council & NSW Spatial Services 2022
Map Produced: 10/11/2022


KEMPSEY
Shire Council
Macleay River
Macleay River
Kempsey
Legend
0 0.25 0.5 0.75 1 2
Kilometres
Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri
Intersection Upgrade
Playgrounds & Active Recreation
Public Amenities
Public Domain & Open Space
Sporting Facility
Disclaimer: There is no warranty that the data on this map does not contain errors and Kempsey Shire Council shall not be liable for any loss, damage or injury suffered by the user or any other person consequent upon the existence of errors. No guarantee as to the accuracy of the data is given.
© Kempsey Shire Council & NSW Spatial Services 2022
Map Produced: 10/11/2022

APPENDIX C: COST SUMMARY REPORTS

COST SUMMARY REPORT

Development Cost no greater than $1,000,000

DEVELOPMENT APPLICATION No: _____ Reference: _____

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: _____

CONSTRUCTION CERTIFICATE No: _____ Date: _____

APPLICANTS NAME: _____

APPLICANTS 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	
Demolition and alterations	
Lift services	
Wall finishes	
External works	
Floor finishes	
External services	
Ceiling finishes	
Other related work	
Fittings and equipment	
Preliminaries and margin	
Subtotal	
Consultant fees	
Other related development costs	
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 costs.

Signed: _____ Date: _____

Name: _____

Position and Qualifications: _____

DETAILED COST SUMMARY REPORT

REGISTERED* QUANTITY SURVEYOR'S DETAILED COST REPORT

Development Cost in excess of $1,000,000

*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No: _____ Reference: _____

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: _____

CONSTRUCTION CERTIFICATE No: _____ Date: _____

APPLICANTS NAME: _____

APPLICANTS ADDRESS: _____

DEVELOPMENT NAME: _____

DEVELOPMENT ADDRESS: _____

DEVELOPMENT DETAILS:

Gross Floor Area – commercial	m^2	Gross Floor Area – other	m^2
Gross Floor Area – residential	m^2	Total Gross Floor Area	m^2
Gross Floor Area – retail	m^2	Total site area	m^2
Gross Floor Area – car parking	m^2	Total car parking spaces	
Total development cost	$		
Total construction cost	$		
Total GST	$		

ESTIMATE DETAILS:

Professional Fees	$	Excavation	$
% of development cost		Cost per m^2 of site area	
% of construction cost		Car Park	
Demolition and Site Preparation		Cost per m^2 of site are	
Cost per m^2 of site area		Cost per space	
Construction Commercial		Fit out – Commercial	
Cost per m^2 commercial area		Cost per m^2 of commercial area	
Construction Residential		Fit-out - Residential	
Cost per m^2 of residential area		Cost per m^2 of residential area	
Construction Retail		Fit out - Retail	
Cost per m^2 of retail area		Cost per m^2 of retail area	

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 clause 208 of the Environmental Planning and Assessment Regulation 2021 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: _____ Date: _____

Name: _____

Position and Qualifications: _____