

Business Paper

An Ordinary Council Meeting will be held on Tuesday 16 September 2025 in the Council Chambers located Corner Tozer and Elbow Streets, West Kempsey commencing at 9:00 AM



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7 ITEMS PASSED BY EXCEPTION

The Council or a Committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

Before the Council or Committee resolves to adopt multiple items of business on the agenda together, the Chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

The Council must not resolve to adopt any item of business that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

RECOMMENDED:

That the recommendations contained in the following items be adopted:

- 9.1 Australia Day Committee – Appointment of Community Representative**
- 10.4 Recognition of Hector Thompson**
- 10.5 Kempsey Local Infrastructure Contributions Plan 2025**
- 10.8 Councillor Expenses and Facilities Policy**
- 10.10 DA2401195 Upgrade of a section of Maria River Road**
- 10.11 Local Event Day Applications**
- 10.12 Slim Dusty Centre – Annual Report 2024-25**
- 10.13 Prioritisation of the sealing of Unsealed Roads**
- 10.14 2024-2025 Annual Financial Statements**
- 10.15 Statement of Cash and Investments – August 2025**
- 10.16 CEO's Calendar**
- 12.1 Legal Matters**

10.5 Kempsey Local Infrastructure Contributions Plan 2025

Officer Peter Orr, Strategic and Environmental Planning Manager

File Number F23/3640

PURPOSE

To place the draft *Kempsey Local Infrastructure Contributions Plan 2025* on public exhibition.

RECOMMENDATION

That Council:

- 1. authorises the public exhibition of the draft Kempsey Local Infrastructure Contributions Plan 2025 for a period of 28-days; and**
- 2. places the public exhibition of the draft Kempsey Local Infrastructure Contributions Plan on the Your Say Macleay webpage.**

BACKGROUND

The existing Kempsey Local Infrastructure Contributions Plan (KLICP) 2023 was adopted at the 27 June 2023 Ordinary Council Meeting. The KLICP 2023 (attached) applies to the entire Shire, excluding South West Rocks and replaced five outdated contribution plans, dating from 1989 through to 2010.

South West Rocks has two outdated contribution plans from 2007 and 2008 which remain. These contribution plans were not replaced as the South West Rocks Structure Plan was being undertaken (which potentially identified additional future local development potential for this locality) through 2023.

The draft Kempsey Local Infrastructure Contributions Plan (KLICP) 2025 (attached) combines the framework of the existing 2023 contributions plan with new content covering (and superseding the 2 existing plans for) South West Rocks. KLICP 2025 includes fully revised work schedules for the Shire and removes inconsistencies that applied between the South West Rocks contributions plans and the rest of the Shire.

With the future adoption of the KLICP 2025, Council will have a single contributions plan for the entire Shire. This will aid Council from an administrative perspective and simplify future reviews of our contributions plan.

Consistent with the existing KLICP 2023, the draft KLICP 2025 is a 'hybrid' contributions plan comprising:

- S7.11 plan for new residential development (based on number of bedrooms and capped by regulation at \$20K);
- S7.11 plan for extractive industries etc. where heavy haulage of materials charged at a tonne/kilometre rate; and
- S7.12 plan applicable to other development over \$100K, charged as a percentage of development cost (capped at 1%).

The function of draft KLICP 2025 does not differ to KLICP 2023 (except for the addition of South West Rocks) which is well understood by Council officers responsible for calculating and administering contribution payments.

KEY CONSIDERATIONS

Policy and Legislation

Preparation and exhibition Process

The proposed contributions plan has been prepared in accordance with the *Environmental Planning & Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021* (Regulation)

Division 3 of the Regulation sets out the form, content, public exhibition, approval and amendment/review processes for a new contribution plan and how to bring the plan into effect.

Clause 213 of the Regulation sets out the requirements for public exhibition of a new contributions plan:

213 Public exhibition of draft contributions plans

(1) After preparing a draft contributions plan, the council must publish the following on its website—

(a) the draft contributions plan and any supporting documents,

(b) the period during which submissions about the draft plan may be made to the council.

This process will be followed for the exhibition of the draft Kempsey Local Infrastructure Contributions plan.

Strategic Alignment

The review of the South West Rocks Developer Contributions Plan(s) is identified as a multi-year project in the Delivery Program 2022-26 and Operational Plan 2024-25.

Impact on Financial Sustainability

The removal of the exemptions and inconsistencies from the 2 x South West Rocks contributions to align with the balance of the Shire and the rewriting of the works schedule for South West Rocks, ensures Council has optimised returns on infrastructure provided to meet the development demands being experienced.

Stakeholder Engagement

The public exhibition process of the draft KLICP 2025 will be in accordance with legislation and standard Council practice for a period of 28 days.

Other Matters

Nil.

CONCLUSION

With the preparation of the draft KLICP 2025, Council will have a single contemporary and fully revised contributions plan for the Shire that now includes South West Rocks (the fastest growing urban locality in the Shire). The draft KLICP 2025 removes inconsistencies and exemptions that previously existed for South West Rocks and provides a fully revised works schedule for the Shire, to ensure Council collects appropriate levels of funding towards Council infrastructure provided to enable development growth in the region. It is proposed to place the draft KLICP 2025 on public exhibition in accordance with legislative requirements and Council's standard practice.

ATTACHMENTS

1. Draft Kempsey Local Infrastructure Contributions Plan 2025 V2 [**10.5.1** - 87 pages]
2. Current Kempsey Local Infrastructure Contributions Plan 2023 [**10.5.2** - 63 pages]