

ITEM 7.20 Clarence Valley Local Infrastructure Contributions Plan 2025

Item Reference Number	2025.1575	
Meeting	Council	24 April 2025
Directorate	Strategic Planning	
Prepared by	Murray Lane, Manager Development & Land Use Planning	
Reviewed by	Adam Cameron, Director Environment & Planning	
Attachments	1. Draft Clarence Valley Local Infrastructure Contributions Plan 2025	

SUMMARY

The purpose of this report is to present the draft Clarence Valley Local Infrastructure Contributions Plan 2025 (draft Contributions Plan), which has been prepared under the provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), and to seek Council's endorsement to exhibit the draft Contributions Plan in accordance with Council's Community Participation Plan for a minimum of 28 days.

The draft Contributions Plan (**Attachment 1**) is proposed to update and replace Council's 17 existing local infrastructure contributions plans with a single new plan that is easy to use, current, best-practice and provides a balanced approach to infrastructure contributions. It has been prepared by reviewing current population projections, infrastructure needs and capital works priorities, apportioning infrastructure demand and costs to development and determining the contributions needed to meet the infrastructure costs. The draft Contributions Plan:

1. Combines Council's 17 existing contribution plans into a single plan
2. Updates development projections
3. Updates the works schedule, for example, to align with Council's Capital Works Plan
4. Updates contribution rates, to reflect current population projections, infrastructure demand, land and infrastructure costs
5. Updates various other provisions, including development excluded from contributions, deferred payments, and refunds.

Works Schedule

The draft Contributions Plan includes an updated works schedule. The works schedule was prepared having regard to population and development projections and associated infrastructure demand. It identifies what infrastructure that is planned to be provided, when it is estimated to be provided, the estimated cost, and how much of the cost is 'apportioned' to development, that is to be funded from contributions under the draft Contributions Plan. The works schedule and maps are shown at Appendix B to the draft Contributions Plan and a summary is provided below.

Table 1: Works Schedule Summary

	Items	Total	Apportionment	Apportioned cost	Unapportioned cost
Yamba catchment					
Yamba Urban Bypass works	3	\$15m	30%	\$5m	\$11m
LGA-wide catchment					
Roads	18	\$190m	10%	\$20m	\$170m
Open Space & Recreation	12	\$85m	20%	\$17m	\$68m

Active transport	22	\$17m	20%	\$3m	\$13m
Total	55	\$307m	14%	\$45m	\$262m

The works schedule contains a total of 55 works items including Yamba urban bypass intersection works, local road works, open space and recreation works and active transport (walking and cycling) works. The total estimated cost of the works is approximately \$307 million. Of this, approximately \$45 million (15 per cent) is apportioned to development, to be funded from contributions under the draft plan. The balance, \$262 million (85 per cent) is apportioned to the existing 2025 population and is planned to be funded by Council using other funding sources, such as grants and general revenue.

Examples of key works items include:

1. Upgrading of Prince Street, Grafton aligning with the Grafton CBD Precinct Plan.
2. Argle to Wharf Street, Maclean, being 13 intersections and stormwater infrastructure in the Maclean CBD.
3. A number of key upgrades to Yamba Road to improve safety and flood resilience.
4. Redevelopment of Yamba and Maclean swimming pool facilities.
5. Delivery of masterplan improvements to significant parks, such as See Park, Grafton and the Townsend Collective.
6. Numerous active transport improvements connecting our towns and villages.

It is important to note that contribution plans allow councils to levy and collect contributions through the approval of development applications in a planned way, but do not in themselves create a requirement for Council to deliver on all items identified in the works schedule, such as if necessary funding is not available.

Yamba Urban Bypass and Urban Intersections Council has levied contributions in the Yamba and surrounds catchment area for the Yamba Urban Bypass and associated urban intersections since the year 2000. Council recently resolved to work collaboratively with Transport for NSW to develop a Yamba Integrated Transport Plan. Until the Yamba Integrated Transport Plan is completed, the current planning for the future Yamba Urban Bypass and associated urban intersections remains. Therefore, the draft Contributions Plan includes a separate contributions catchment for Yamba and surrounds, with the works schedule containing three road intersection upgrades which are considered feasible to deliver within the timeframe of the plan.

Contribution Rates

The draft Contributions Plan includes updated contribution rates. It retains the Clarence Valley Contributions Plan 2011 approach of applying section 7.11 'nexus-based' contributions to new residential development and section 7.12 'fixed rate' levies to non-residential development. The draft Contributions Plan section 7.12 rates remain unchanged at up to 1 per cent of the development cost over \$200,000, per Council's existing plans. Section 7.11 rates are calculated by dividing the total infrastructure cost 'apportioned' to development by the forecast growth in residents and dwellings over the Plan's development horizon, 2025 until 2041.

The headline section 7.11 contribution rate needed to fund the infrastructure costs apportioned to development is approximately \$16,000 per dwelling house across the local government area (LGA) and \$20,000 per dwelling house in the Yamba Urban Bypass and Urban Intersections catchment. This represents a moderate increase compared to the existing section 7.11 rate of approximately \$11,000 per dwelling. The proposed contribution rates are provided in **Table 2** and **3** below.

Table 2 - Section 7.11 contribution rates for developments outside the Yamba Catchment

Infrastructure item	Per dwelling house or subdivided lot	Per self-contained dwelling in a seniors housing development	Per other residential accommodation dwelling	Per workforce accommodation dwelling	Per MHE dwelling; long term caravan site/moveable dwelling in a caravan park
Road Transport (LGA)	\$7,855	\$4,713	\$6,284	\$3,142	\$5,342
Active Transport	\$1,338	\$803	\$1,071	\$535	\$910
Open Space and Recreation	\$6,720	\$4,032	\$5,376	\$2,688	\$4,569
Plan Administration and Management	\$239	\$143	\$191	\$95	\$162
Total	\$16,152	\$9,691	\$12,922	\$6,461	\$10,983

Table 3 - Section 7.11 contribution rates for developments in Yamba Catchment

Infrastructure item	Per dwelling house or subdivided lot	Per self-contained dwelling in a seniors housing development	Per other residential accommodation dwelling	Per workforce accommodation dwelling	Per MHE dwelling; long term caravan site/moveable dwelling in a caravan park
Road Transport (LGA)	\$7,855	\$4,713	\$5,342	\$3,142	\$4,713
Road Transport (Yamba Bypass)	\$6,781	\$4,069	\$4,611	\$2,712	\$4,069
Active Transport	\$1,338	\$803	\$910	\$535	\$803
Open Space and Recreation	\$6,720	\$4,032	\$4,569	\$2,688	\$4,032
Plan Administration and Management	\$340	\$204	\$231	\$136	\$204
Total	\$23,035*	\$13,821	\$15,664	\$9,214	\$13,821

**Section 7.11 contributions cannot exceed \$20,000 per dwelling or lot under the terms of a direction issued by the Minister in 2012. The NSW Government has not indexed the \$20,000 threshold since issuing the direction 2012. The table above shows both uncapped and capped section 7.11 rates. The capped rate will apply, consistent with the direction and so long as it remains in force.*

The contribution rates are recommended to increase because:

- the amount of development forecast – and associated infrastructure demand and cost – is generally higher under the draft plan compared to Council's existing contribution plans, most of which were prepared 10 to 20 years ago.
- the standard (quality) and cost of infrastructure in the draft plan is generally much higher than equivalent infrastructure in Council's existing plans from 10-20 years ago, in part due to rising community expectations, and despite indexation provisions in Council's existing contributions plans.

The draft Contributions Plan's proposed section 7.11 rates are comparable to other NSW North Coast councils, including Tweed Shire (\$20,000 per dwelling house), Byron Shire (approximately \$16,000 per dwelling on average) and Port Macquarie Hastings Shire (range of approximately \$10,000 to \$30,000 per dwelling house). Where some councils in the area have lower section 7.11 rates, this is typically because they have lower rates of growth, lower land costs, and/or their plans have not been reviewed and updated for many years. Examples include inland councils such as Glen Innes Severn Council and Armidale Regional

Council.

The draft Contributions Plan includes provision indicating it will be reviewed every five (5) years to ensure it reflects up to date development forecasts, infrastructure demand, costs, Council priorities and remains financially sustainable.

OFFICER RECOMMENDATION

That Council:

1. endorse the draft Clarence Valley Local Infrastructure Contributions Plan 2025 (draft Contributions Plan) for public exhibition in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Council's Community Participation Plan for a minimum of 28 days;
2. delegates authority to the General Manager to make minor changes to the draft Contributions Plan, if needed, prior to exhibition;
3. adopt the draft Contributions Plan subject to no submissions being received that require further consideration by Council; and
4. note that if submissions are received that require further consideration of Council, this matter will be reported to the next available Council meeting after submissions close.

COUNCIL RESOLUTION - 2025.1575

Cr Cairns/Cr Toms

That Council:

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Voting recorded as follows

For: Cr Whaites, Cr Yager, Cr Novak, Cr Clancy, Cr Toms, Cr Cairns, Cr Johnstone, Cr Smith, Cr Causley

Against: None

CARRIED