

lismore  city council

**Section 7.11
Infrastructure
Contributions Plan
2024-2041**

Image: Keen Street



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Abbreviations

ABS	Australian Bureau of Statistics
CC	construction certificate
CDC	complying development certificate
Council	Lismore City Council
DA	development application
DCP	development control plan
DPHI	NSW Department of Planning, Housing and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
FSR	floor space ratio
GFA	gross floor area
LEP	local environmental plan
LGA	local government area
LSPS	Local Strategic Planning Statement
PA	planning agreement
RMS	NSW Roads and Maritime Services
SC	Subdivision Certificate
SEPP	state environmental planning policy

Summary of Contributions

Purpose and Objectives of the Plan

This Plan is the **Lismore City Council 7.11 Infrastructure Contributions Plan 2024-2041** and has been prepared to satisfy the requirements of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*, enabling Council or an accredited certifier to impose conditions of consent requiring monetary contributions from development for the provision of public amenities and public services required to meet the demands of that development.

In order to impose a condition of development consent requiring contributions, Council must be satisfied that the proposed development will or is likely to require the provision of or increase the demand for the public infrastructure for which the contribution is being required.

This Plan will ensure that adequate public infrastructure is provided to meet the demands generated by new development and that the existing community is not burdened by the provision of the infrastructure required as a result of future development.

In addition, this Plan provides an administrative framework under which specific infrastructure strategies may be implemented and coordinated and a comprehensive strategy for the assessment, collection, expenditure, accounting and review of development contributions on a reasonable and equitable basis. In this way, Council can be publicly and financially accountable in its assessment and administration of the Plan.

Nature of future development

Between 2024 to 2041, there is forecast to be approximately 5,210 additional residents in the Lismore Local Government Area (LGA) (excluding the North Lismore Plateau) accommodated within approximately 2,130 private dwellings and other residential accommodation.

There is also estimated to be an increase in non-residential development over this period comprising approximately 20,700m² of retail floor space, approximately 20,700m² of other commercial floor space and approximately 118,800m² of industrial floor space, generating a total of approximately 2,250 employment positions over the life of the Plan. There will also be additional tourist and visitor accommodation, camping grounds, caravan parks and eco-tourist facilities.

These future residential and non-residential populations will create a demand for new, enhanced or augmented public infrastructure and hence this Plan sets out a framework to require future development to make reasonable contributions toward the cost of the infrastructure identified in this Plan.

Life of the Plan

The Plan caters for a planning period from 2024 to 2041 with this period generally aligning with various NSW State Government and Council strategies and being within the horizon of residential population forecasts utilised by Council for planning and infrastructure purposes.

The Plan will be monitored during this time to ensure that infrastructure is provided as development proceeds and to amend the Plan if necessary, as it is unlikely that growth will remain exactly in accordance with that forecast in the Plan.

The cost estimates and land values within the Plan will be indexed between the date of preparing this Plan and the date of payment of the contribution. Cost estimates and land values will also be monitored during the life of the Plan to ensure that they reflect current costs and if necessary, amendments will be made to the Plan.

Apportionment of costs

To ensure that the required contributions only relate to the demand generated by a proposed development, the cost of some facilities in this Plan are apportioned to account for demands of the existing population. However, where the demand for facilities is solely as a consequence of future development, the full costs of those facilities are to be borne by future development.

This Plan also accounts for the varying demands generated by different types of development. For instance, different forms of residential development are anticipated to have different occupancy rates and contributions have been calculated accordingly.

Summary of Contributions

Summary of contributions by infrastructure type

Table E1 summarises the facilities for which contributions are sought under this Plan and the base upon which contributions are to be sought, based on various calculations specified within this Plan (see Sections 4.5.4, 4.3.4, 4.1.4 and 4.8.4).

Table E1: Summary of contribution rates by infrastructure type and Catchment^A				
Infrastructure Category	Base Factor to Generate Contribution Rate	Catchment		
		Urban	Rural North	Rural South
Community Facilities	per person (residential)	\$38.62		
Public Domain	per person (residential)	\$65.28		
	per worker (non-residential)	\$7.96		
Open Space and Recreation	per person (residential)	\$339.20		
	per bed/site (tourist and visitor accommodation, camping grounds, caravan parks, eco-tourist facilities)			
Walking and Cycling	per person (residential)	\$227.40		
	per worker (non-residential)	\$27.71		
Traffic Management	per Peak Vehicle Trip (PVT) (residential)	\$5,470.65	\$4,588.43	\$4,588.43
	per PVT (non-residential)	\$2,726.84	\$3,288.54	\$3,288.54
Stormwater Management	per person (residential)	\$266.22		
	per worker (non-residential)	\$32.44		
Heavy Haulage^B	Tonnes per kilometre	\$0.090		
Plan Preparation and Administration	% of total contribution	4.5% of total contribution calculated as per above rates		
Notes:				
A. See Figure 2 .				
B. Applies to agriculture , extractive industry , forestry , freight transport facilities , industry , mining , rural industry , transport depots , truck depots and waste or resource management facilities (see Section 4.7).				

For the purposes of applying this Plan, the above rates are converted to a development type as set out in **Table E2**.

Summary of contributions by development type

Table E2 summarises the total contribution rates for typical development types as at the time that this Plan was adopted.

The rates will be indexed between the date of preparing the Plan and the date of payment (see **Section 2.6** for further details). A development consent or complying development certificate will reflect the indexed rate that applies at the date of consent.

Summary of Contributions

Table E2: Summary of contribution rates by development type by Catchment^A

Development Type	Base (per)	Occupancy Rate ^B	PVTs	Catchment		
				Urban	Rural North	Rural South
Dwelling house / residential lot / exhibition home	Dwelling	2.65	0.78	\$7,052.67	\$6,333.57	\$6,333.57
Secondary Dwelling / Rural worker's dwelling	Dwelling	1.50	0.45	\$4,040.87	\$3,626.01	\$3,626.01
Residential Accommodation ^C with 1 bedroom / bedsit	Dwelling	1.50	0.45	\$4,040.87	\$3,626.01	\$3,626.01
Residential Accommodation ^C with 2 bedrooms	Dwelling	1.85	0.45	\$4,383.48	\$3,968.61	\$3,968.61
Residential Accommodation ^C with 3 or more bedrooms	Dwelling	2.20	0.575	\$5,440.68	\$4,910.58	\$4,910.58
Seniors housing ^D	Dwelling	1.75	0.4	\$3,999.75	\$3,630.98	\$3,630.98
Tourist and visitor accommodation, camping grounds, caravan parks, eco-tourist facilities	Bed / Site	0.6	0.4	\$1,352.49	\$1,374.61	\$1,374.61
Retail premises	100m ² GFA	2.17	7	\$20,101.55	\$24,210.38	\$24,210.38
Business Premises and Office Premises	100m ² GFA	2.17	1.6	\$4,714.01	\$5,653.17	\$5,653.17
Industry	100m ² GFA	1.14	0.7	\$2,075.57	\$2,486.45	\$2,486.45
Other Development	See Note E					

Notes:

- A. See **Figure 2**.
- B. For residential land uses, this is the forecast average occupancy rate (rounded to 2 decimal places) of new dwellings in the LGA between 2024 and 2041. For non-residential this is the number of workers per 100m².
- C. Excluding dwelling houses/residential lots/exhibition homes, secondary dwellings/rural workers homes and seniors housing.
- D. Excluding residential care facilities
- E. Other development not specified in this table will be assessed in accordance with Section 1.5 and Section 1.6 of this Plan and the per person/PVT rates specified in **Table E1**.

Summary of Contributions

Summary of works schedule

The works to be provided by funds generated by this Plan (excluding plan administration costs) are specified in the schedule of works at [Appendix B](#) and summarised in **Table E3**.

Table E3: Summary of works schedule	
Description	Cost to New Development
Community Facilities	\$201,211
Public Domain	\$358,033
Open Space and Recreation	\$1,767,207
Walking and Cycling	\$1,247,087
Traffic Management	\$13,279,184
Stormwater Management	\$1,460,000
TOTAL	\$18,312,722

Rounding differences

The figures in this report are subject to rounding differences. Minor discrepancies may occur due to differences between the calculated approximation of a number and its exact mathematical value. All end values (contribution rates) have been calculated through a master spreadsheet.

1 Introduction

1.1 Name of this Plan

This Plan is the **Lismore City Council Section 7.11 Development Contributions Plan 2024-2041** (the “Plan”).

1.2 Commencement of this Plan

This Plan has been prepared pursuant to the provisions of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation) and takes effect from 1 July 2024, being the date specified in the public notice, published pursuant to the Regulation.

1.3 Purpose and Objectives of this Plan

This Plan has been prepared to satisfy the requirements of the Act, which enables Council or an accredited certifier to require contributions from development for the provision of public infrastructure that is required to meet the demands of that development.

Contributions may be in the form of a monetary contribution, dedication of land to Council or the provision of a material public benefit, which may include a work commonly referred to as a ‘work-in-kind’.

In order to impose a condition of development consent requiring contributions, Council must be satisfied that the proposed development will or is likely to require the provision of or increase the demand for the public infrastructure for which the contribution is being required as detailed in the provisions of this Plan. Accordingly, the objectives of this Plan are to:

- (a) authorise Council or an accredited certifier to impose conditions under the Act when granting consent to development on land to which this Plan applies including Complying Development;
- (b) ensure that adequate public infrastructure is provided to meet the demands generated by new development;
- (c) provide an administrative framework under which specific infrastructure strategies may be implemented and coordinated;
- (d) provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis;
- (e) ensure that the existing community is not burdened by the provision of public infrastructure required as a result of future development; and
- (f) enable Council to be both publicly and financially accountable in its assessment and administration of the Plan.

1.4 Land to which the Plan applies

This Plan applies to all land shown on the Map (see **Figure 1**) which includes all land within the Lismore LGA except for land to which the Lismore City Council Section 94 Contributions Plan North Lismore Plateau applies.

1.5 Development forms to which this Plan applies

This Plan applies to residential accommodation which would result in the creation of additional lots/dwellings or non-residential development which would result in the creation of additional gross floor area, additional workers, additional beds or sites in tourist and visitor accommodation, camping grounds, caravan parks and eco-tourist facilities and/or additional traffic.

Where development is of a type not specifically stated in this Plan and is not explicitly exempt from this Plan, but which would result in additional demands for public infrastructure, Lismore City Council will determine appropriate occupancy and traffic generation rates and apply the monetary rates as specified in **Table E1** of this Plan.

1 Introduction

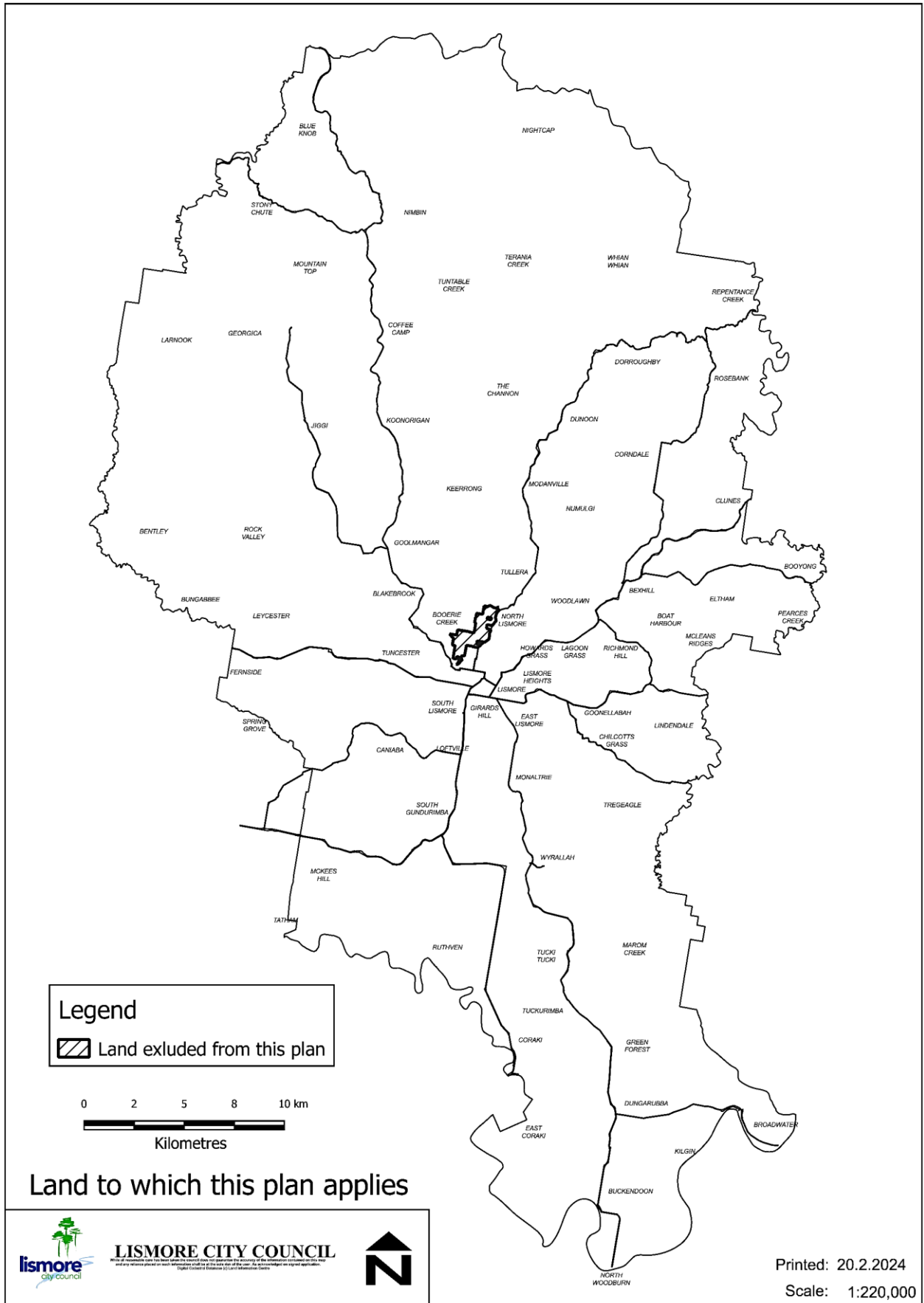


Figure 1 Land Application Map.

1 Introduction

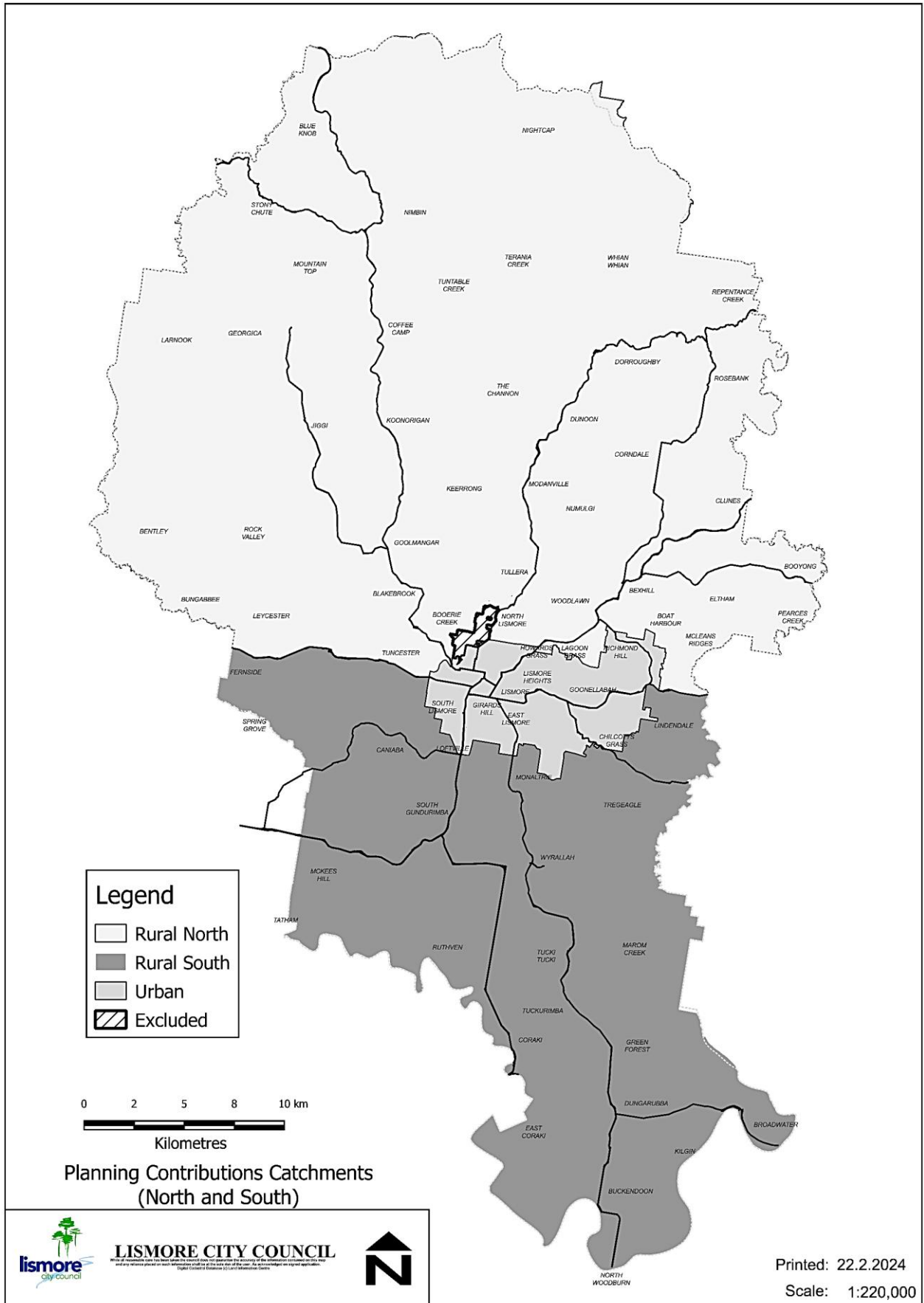


Figure 2 Catchment Map.

1 Introduction

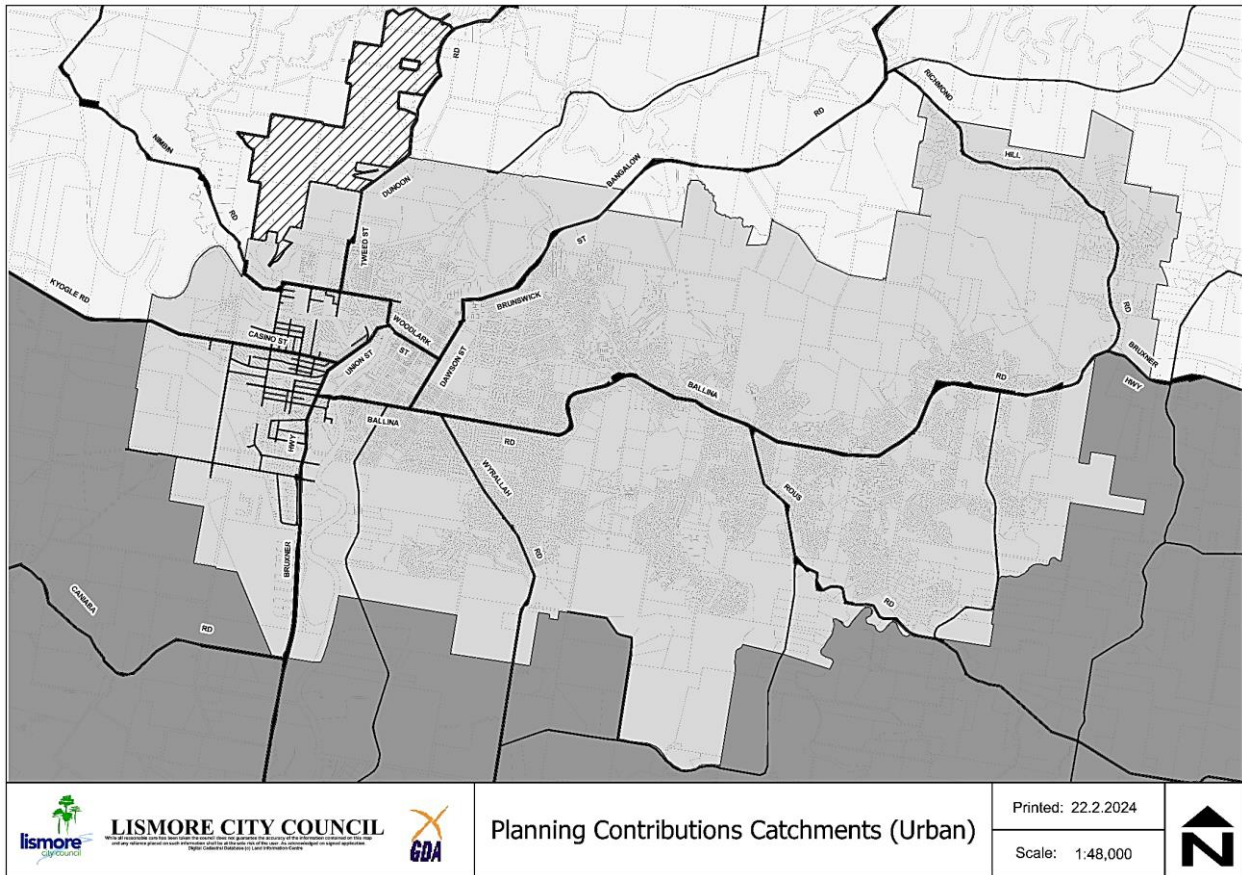


Figure 3 Catchment Map (Urban).

1.6 Exemptions and Reductions

Council will provide an exemption from, or reduction to, development contributions required by this Plan when directed to do so by the Minister for Planning and Public Spaces or as specified in this Section.

At the date of commencement of this Plan, the prevailing Ministerial Directions¹ included the following relevant to the land to which this Plan applies:

1. No contributions for development undertaken by a 'social housing provider' for the purposes of 'seniors housing' as defined in *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*; and
2. A maximum of \$20,000 per dwelling or per lot for development comprising one or more dwellings or in the case of subdivision, the creation of one or more residential lots.

In addition, the following types of development will be exempt from this Plan, or will not be included in the contributions calculation:

- Development for the purposes of public infrastructure (including infrastructure to be delivered under this Plan) provided by or on behalf of State Government or the Council including, but not limited to, community facilities/centres, sportsgrounds, parks, emergency services and the like;
- Infrastructure provided by Rous Water or equivalent water, sewer or energy provider;

¹ Contributions required under this Plan will be in accordance with the Ministerial Directions in force at the date of determination of an application which may vary from those stated in this Plan.

1 Introduction

- Development for any purpose which seeks only to re-build the same type of residential accommodation, or the same quantum of non-residential floorspace, as a consequence of an existing development being no longer able to operate due to flood impact and where it can be demonstrated that the original site will never be able to accommodate development to which this Plan applies;
- Where an EPI or Council endorsed DCP requires storage areas in non-residential development to be located above the Flood Planning Level (or other such level as determined from time to time), the Gross Floor Area of that storage area shall be excluded from the calculation of GFA for the purposes of this Plan;
- Temporary uses where the development will cease within 12 months of the date of granting of development consent; and
- Development that, in the opinion of Council, does not increase the demand for public infrastructure for which contributions are sought under this Plan.

Council does not apply any other discounts or exemptions to the payment of development contributions unless otherwise stated in this Plan or as otherwise specified in an endorsed Council Policy.

At the date of adoption of this Plan, the Affordable and Diverse Housing Incentives Policy (Policy # 5.2.33) was in effect.

1.7 Operation Period of the Plan

The Plan is intended to cater for a planning period 2024 to 2041 which is within the period for which development forecasts have been prepared.

The Plan will be monitored and if growth appears likely to occur earlier or later than forecast, the operation period of the Plan may be adjusted to suit.

1.8 Structure of this Plan

This Plan is arranged into four sections:

Section 1 – Introduction (this section), identifies the name of the Plan, its commencement date, the purpose, aims and objectives of the Plan, the land to which the Plan applies and the Plan's relationship to other plans, reports and policies.

Section 2 – Administration and operation of the Plan, outlines the scope of the Plan, the forms of development to which it applies, the types of public infrastructure addressed by the Plan, describes how and when contributions are to be made and provides details regarding the ongoing management and review of the Plan.

Section 3 – Expected development and demand for public infrastructure, outlines the forecast future development and basis for increased demand for facilities and services.

Section 4 – Public infrastructure and contributions, provides details of each category of infrastructure in the Plan, including details of existing provision, nexus, what will be provided and when, apportionment and how contributions have been calculated.

The **Appendices** to this Plan include a Glossary which explains the meaning of words and terms used in this Plan, a detailed Works Schedule, maps showing the location of facilities, pro-forma conditions for development consents and Complying Development Certificates and a list of References including the plans, policies and other information which support the contents of the Plan.

1.9 Glossary

The meanings of key words and terms used in this Plan and are contained in the Glossary at **Appendix A**.

1 Introduction

1.10 Relationship with other plans, reports and policies

This Plan repeals the Lismore City Council Section 94 Contributions Plan 2014.

The Lismore City Council Section 94 Contributions Plan 2014 will continue to apply to development applications determined prior to the date this Plan comes into force and any modification applications pursuant to s4.55 of the EP&A Act that have not been determined prior to the date this Plan comes into force.

The Plan supplements the provisions of and should be read in conjunction with the Act and Regulation, the Lismore City Council's prevailing Local Environmental Plan, Development Control Plan and other relevant plans and policies adopted by Council.

1.11 Savings and transitional arrangements

If a development application or application for a Complying Development Certificate has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined in accordance with the provisions of this Plan.

If a modification application pursuant to s4.55 or s4.56 of the Act has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined in accordance with the contributions plan that applied at the date that the original development consent was granted.

2 Administration of the Plan

2.1 Scope of this Plan

Between 2024 to 2041, there is forecast to be approximately 5,210 additional residents in the Lismore Local Government Area (LGA) accommodated within approximately 2,130 private dwellings and other residential accommodation such as boarding houses, group homes, hostels and residential care facilities (see **Section 3.3**).

There is also estimated to be an increase in non-residential development over this period comprising approximately 20,700m² of retail floor space, approximately 20,700m² of other commercial floor space and approximately 118,800m² of industrial floor space, generating a total of approximately 2,250 employment positions over the life of the Plan.

This future development in the LGA will create a demand for new, enhanced or augmented public infrastructure.

This Plan sets out the range of infrastructure considered necessary to cater for this demand and how future development proposals will be required to contribute to the cost of this infrastructure.

2.2 Types of public infrastructure addressed by this Plan

Under this Plan, Council will require development contributions for the following public infrastructure:

- Community facilities;
- Public domain facilities;
- Open space and recreation facilities including:
 - New and embellished public spaces and associated landscaping;
 - New and embellished recreation facilities;
- Walking and cycling infrastructure;
- Traffic management infrastructure;
- Stormwater management infrastructure;
- Road maintenance resulting from Heavy Haulage damage;
- Preparation of this Plan and supporting studies; and
- Administration and management activities associated with this Plan.

2.3 How will contributions be imposed?

In accordance with the Act, development contributions under this Plan will be imposed as a condition of development consent (see **Appendix D**) or as a condition on a Complying Development Certificate (see **Appendix E**).

2.4 Methods of payment

In accordance with the Act, an obligation to provide contributions toward public infrastructure can be satisfied by one or more of the following methods:

- Payment of a monetary contribution;
- The dedication of land; and/or
- Provision of a material public benefit.

Generally, the method of payment will be specified as a condition of the development consent although Council may consider any of the abovementioned alternative methods of payment at its sole discretion and in accordance with the Act and the provisions of this Plan.

2.4.1 Monetary contributions

Payment of contributions can be made online via credit card or at the counter via cheque, credit card, eftpos or any other means determined acceptable by Council from time to time.

2 Administration of the Plan

2.4.2 Dedication of land

In accordance with the provisions of this Plan, Council may require that land be dedicated as a form of contribution toward the provision of public infrastructure. Where such dedication is required, it must be undertaken in accordance with the following:

- The process for dedication of land is to occur in conjunction with the payment of monetary contributions applicable to any development consent granted for the land;
- The dedication of land is to be 'free of cost' – meaning that all costs associated with the dedication of the land and its transfer to Council's ownership are to be borne by the applicant/developer;
- At the time of transfer, the land is to be in a condition which is suitable for its identified public purpose (as determined by Lismore City Council) and is to be cleared of all rubbish and debris and have a separate title.

2.4.3 Material public benefits / 'works-in-kind'

Council may accept an offer by the applicant to provide an 'in-kind' contribution (i.e. the applicant completes part or all of the work/s identified in the Plan) or through provision of another material public benefit (other than the dedication of land) in lieu of the applicant satisfying its obligations under this Plan.

Council is under no obligation to accept works-in-kind or material public benefit (MPB) offers and in considering any such offer, will assess the benefits to the Council and the community and give due consideration to relevant matters including the following:

- (a) the extent to which the works/MPB satisfies the purpose for which the contribution was sought;
- (b) the works-in-kind being facilities which are already included in the Plan;
- (c) the extent to which the MPB satisfies a community need or may reduce the demand for items within the works schedule;
- (d) the impending need to construct the works for which the contributions are to be offset;
- (e) the provision of the works/MPB will not prejudice the timing, the manner or the orderly provision of public facilities included in the works program or the financial integrity of Council's Plan;
- (f) an assessment of the shortfall or credit in monetary contributions as a result of the proposal;
- (g) the availability of supplementary funding to make up the shortfall in contributions;
- (h) locational and other factors that may affect usability;
- (i) impact of recurrent operational and maintenance costs; and
- (j) the provision of the works/MPB must not result in piecemeal delivery of infrastructure or likely to result in the need to reconstruct the works due to future nearby developments (i.e. normally the works will need to relate to a whole street block or a defined precinct).

In accepting material public benefits other than a work-in kind, Council must be satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan and that this benefit warrants Council accepting responsibility in fulfilling the intent of the Plan notwithstanding a reduction in expected cash contributions.

A 'work in-kind' relates to the undertaking of a specific or equivalent work specified in the Plan, and is therefore more readily capable, in comparison to other material public benefits of meeting the above criteria. However, Council may not accept an off-set to the cash otherwise required to be paid which exceeds the quantum of cash payable under the infrastructure category that relates to the work-in kind.

2 Administration of the Plan

For example, if a condition of a development consent requires a certain cash payment towards transport infrastructure, the provision of a work-in kind for transport infrastructure proposed by the Plan will meet only the cash payment required towards transport infrastructure by that consent, even if the cost of the works exceeds that amount.

If the cost of a work in-kind exceeds the cash payment required by a development consent under the infrastructure category that relates to the work-in kind, Council may consider the following:

- (a) provision of the work at the applicant's expense with Council recouping contributions from future development and reimbursing the applicant for costs exceeding the applicant's share, up to the total estimated cost in the Plan; or
- (b) granting a credit to the applicant on the basis of the equivalent number of persons, beds or workers that the applicant may rely upon to offset contributions otherwise payable under this Plan for other development within the LGA (see also **Section 2.8**).

2.4.4 Planning agreements

An applicant may voluntarily offer to enter into a planning agreement with Council in connection with a development application. Under a planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. The applicant's provision under a planning agreement may be additional to or instead of making contributions provided for by the Act.

An applicant's offer to enter into a planning agreement, together with the draft agreement, will generally need to accompany the relevant development application or an application to modify the development consent. Council may also consider an offer to enter into a planning agreement where an applicant has sought a change to an environmental planning instrument (referred to as a planning proposal or rezoning application).

Council will publicly notify the draft planning agreement and explanatory note relating to the draft agreement along with the relevant application and will consider the draft planning agreement as part of its assessment of the relevant application. If Council agrees to enter into the planning agreement, it may impose a condition of development consent requiring the agreement to be entered into and performed.

2.5 Timing of payments

A contribution must be paid to Council at the time specified in the condition of development consent that imposes the contribution. If no such time is specified, the contribution must be paid as follows, subject to any prevailing Ministerial Direction:

- In the case of subdivisions - prior to the issue of the Subdivision Certificate for each stage; or
- In the case of development involving building work – prior to the issue of the first Construction Certificate; or
- In the case of development that involves both subdivision and building work – prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first; or
- In the case of development that does not involve subdivision or building work – prior to occupation or issue of an Occupation Certificate, whichever occurs first; or
- In the case of Complying Development:
 - where works are proposed - prior to any works commencing;
 - where no works are proposed – prior to occupation or issue of an Occupation Certificate, whichever occurs first.

It is the responsibility of an accredited certifier to ensure that a condition is imposed on a complying development certificate in accordance with this Plan and that any monetary contributions have been paid to Council prior to issuing a Complying Development Certificate.

2 Administration of the Plan

2.5.1 Deferred or periodic payments

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

- (a) an application for deferred payment or payment by instalments is to be made in writing to Council explaining the circumstances of the request;
- (b) the decision to allow deferred payment will be at the sole discretion of Council;
- (c) the timing or the manner of the provision of public facilities included in the works program will not be prejudiced;
- (d) the works project to which the request applies does not relate to public safety or health;
- (e) the amount of the contribution or outstanding balance is not less than \$50,000;
- (f) where the applicant intends to make a contribution by way of a planning agreement, material public benefit or works-in-kind in lieu of a cash contribution or by land dedication and Council and the applicant have a legally binding agreement for providing the works or land dedication;
- (g) the maximum period of deferred payment of the contribution is two years from the standard payment date; and
- (h) the maximum period for payment by instalments is two years from the standard payment date;
- (i) deferred payments and payments by instalments are subject to indexation.

If Council decides to accept deferred payment or payment by instalments, Council will require the applicant to provide a bank guarantee with the following conditions:

- the Bank Guarantee(s) must be in Australian Dollars from a major Australian Trading Bank and in the name of Lismore City Council;
- the Bank Guarantee(s) must have no end date, be unconditional and irrevocable, and be in favour of Lismore City Council;
- the sum of the Bank Guarantee(s) will be the amount due to Council at the date of issue, plus an additional amount specified by Council to make provision for any anticipated indexation during the life of the Bank Guarantee until the estimated date of release;
- the bank unconditionally pays the guaranteed sum to Council if Council so demands in writing;
- the bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development;
- the bank's obligations are discharged when payment to Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required;
- where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution, indexation and other charges are paid;
- An administration fee may apply to utilise the bank guarantee option as stated in Council's Fees and Charges.

2.5.2 Construction certificates and the obligation of accredited certifiers

In accordance with the Act and the Regulation, a certifying authority must not issue a Construction Certificate or an Occupation Certificate (whichever is applicable), unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) 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 the Regulation. Failure to follow this procedure may render such a certificate invalid.

2 Administration of the Plan

The only exceptions to this requirement are where an alternate payment method 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.

2.5.3 Complying development and the obligation of accredited certifiers

In accordance with the Section 7.21 of the Act, accredited certifiers must impose a condition on a Complying Development Certificate, requiring monetary contributions in accordance with this Plan.

The conditions imposed must be consistent with Council's standard condition for Complying Development Certificates (see **Appendix E**) and be strictly in accordance with this Plan. It is the professional responsibility of an accredited certifier to inform themselves of any amendments to this Plan (including current indexed rates), to accurately calculate the contribution and to apply the development contributions condition correctly in accordance with Council's current consent condition requirements.

Accredited certifiers should contact Council for a copy of the current consent condition requirements.

It is also the professional responsibility of an accredited certifier to ensure that any applicable monetary contributions have been paid to Council prior to authorising works to commence.

2.6 Indexation of contributions

To ensure that the value of contributions is not eroded over time, the contributions stated in this Plan will be indexed at the time of payment to reflect changes in the cost of facilities in the following manner:

For Land Acquisition

$$\text{\$CL}_{PY} = \frac{\text{\$CL}_{PC} \times \text{CPI}_{PY}}{\text{CPI}_{PC}}$$

Where:

\\$CL_{PY} is the amount of the contribution for land acquisition at the date of Payment.

\\$CL_{PC} is the amount of the contribution for land acquisition items in the works schedule at the date of the Plan Commencement (or date of development consent – see below).

CPI_{PY} is the Consumer Price Index (Sydney – All Groups) (CPI) as published by the Australian Bureau of Statistics (ABS) for the financial quarter at the date of Payment.

CPI_{PC} is the CPI (Sydney – All Groups) as published by the ABS for the December 2023 financial quarter (or date of development consent – see below).

For Capital Works

$$\text{\$CC}_{PY} = \frac{\text{\$CC}_{PC} \times \text{PPI}_{PY}}{\text{PPI}_{PC}}$$

Where:

\\$CC_{PY} is the amount of the contribution for capital works at the date of Payment.

\\$CC_{PC} is the amount of the contribution for capital works items in the works schedule at the date of the Plan Commencement (or date of development consent – see below).

PPI_{PY} is the Produce Price Index No. 30 - Building Construction NSW (PPI) as published by the Australian Bureau of Statistics (ABS) for the financial quarter at the date of Payment.

PPI_{PC} is the PPI as published by the ABS for the December 2023 financial quarter (or date of development consent – see below).

2 Administration of the Plan

A development consent or complying development certificate may show the contribution payable at the date the consent/certificate is issued. In this circumstance, if the contribution is not paid within the same financial quarter as the date of the consent/certificate, the payment shall be further indexed in accordance with the above formulae.

Contribution rates under this Plan and the estimated costs upon which they are based will also be indexed by Council on a regular basis consistent with the above methodology. The adjustment of contribution rates and estimated costs will occur by way of an amendment without the need to prepare a new contributions plan, in accordance with the Regulation. The current contributions rates are available from Council Administration Offices or Council's website.

2.7 Allowances for existing development

All forecasts of future additional development within this Plan have been calculated allowing for existing development at the time of preparing the Plan and to accord with the estimated population as of 1 January 2024.

Contributions required under this Plan are based on the estimated net increase in demand. When calculating contributions, the contribution that would be applicable to any existing lawful development on the site of a proposed new development will be discounted. 'Existing lawful development' is taken to be development that existed on the site of the proposed development as of 1 January 2024 and which has the benefit of a valid development consent or existing use rights.

Accordingly, if an applicant wishes to obtain an allowance against contributions payable based on pre-existing development, information must be provided with the development application which demonstrates the lawful existence of the development on the subject site as of 1 January 2024.

Council will only consider an allowance for the existing development to the extent of the demand for specific public infrastructure arising from that development.

2.8 Credits

A credit may be provided by Council where the net contributions provided by any particular development exceed that required by the Plan. This could arise where an applicant proposes the provision of work or dedication of land, at a value determined by Council to exceed the amount of cash otherwise payable in accordance with the Plan. However, credits will only be provided at Council's absolute discretion.

A credit will only be provided against the same infrastructure category for which the surplus contribution relates. For example, if the applicant proposes to dedicate more public open space that would otherwise be required under the Plan, then a credit could be accrued against open space contributions requirements of future development. Consequently, if an applicant dedicates more public open space than would otherwise be required under the Plan, the value of the additional open space cannot be used to offset the cash contribution otherwise payable under a different contribution category, such as transport or community facilities. The objective is to ensure that Council maintains an adequate flow of contributions across the range of facilities to be funded under this Plan to provide for the orderly and staged delivery of all categories of facilities.

The amount and terms of the credit are to be negotiated prior to the dedication of land or commencement of works and will be for the additional value only as agreed by Council. If agreed, Council will advise the applicant of the credit which would be redeemable in lieu of contributions in the same infrastructure category otherwise payable by the applicant for future development in the area to which this Plan applies.

Council reserves the right to require payment of a monetary contribution or to terminate the "credit agreement" should the applicant be unwilling or unable to meet its terms. No credit will be given for land or works which are not nominated in the works schedule in the relevant contributions plan.

2 Administration of the Plan

If an applicant seeks to offset a credit against the cash payable under a different infrastructure category or to be reimbursed in cash, then this would need to be negotiated with Council as part of a planning agreement or a works-in-kind/material public benefit agreement in accordance with the provisions of this Plan and Council's associated Policies.

2.9 Monitoring and review of the Plan

It is intended that this Plan be monitored and reviewed on a regular basis as it contains forecasts of future development and the likely demands and costs of providing public infrastructure for residents and workers arising from that future development.

Monitoring actual developments, population changes and community demands will allow appropriate updating and amendment as necessary.

The cost of works proposed by the Plan (including land values) may also need review over time if there is a concern that the indexation of costs may not be adequately reflecting actual current costs.

Council's aim is that all forecasts, costs and assumptions are reviewed and adjustments and/or amendments as appropriate will be made at five yearly intervals after the date of adoption of this Plan.

In accordance with Section 215(5) of the Regulation, Council may also make minor amendments to this Plan such as minor typographical corrections and adjustment of contribution rates due to indexation as specified in this Plan. Such amendments may be made without public exhibition and/or adoption by Council.

2.10 Accounting and management of funds

2.10.1 Accounting standards and contributions register

Separate accounting records are maintained for all development contributions made to Council under this Plan and a development contributions register will be maintained by Council in accordance with the Regulation.

Council is also required to publish details of development contributions accounts annually and this is undertaken as part of Council annual financial reporting cycle.

2.10.2 Treatment of funds received prior to the commencement of this Plan

Uncommitted funds received under previous s7.11 plans will be transferred to the account for this Plan and have been accounted for in determining the rates within this Plan.

2.10.3 Investment of funds

To maintain the time-value of monetary contributions received under this Plan, Council will invest these funds until the time of expenditure for infrastructure specified in this Plan.

Council will report all investment returns as part of its annual contributions accounts reporting and all investment returns will be retained within the development contributions accounts, to be used for the purpose for infrastructure specified in this Plan.

2.10.4 Pooling of contributions

Subject to any prevailing Ministerial Direction, this Plan expressly authorises monetary contributions received under this Plan, any previous plans and any other current s7.11 or s7.12 contributions plans to be pooled and applied (progressively or otherwise) for the purposes for which the contributions were made.

2.10.5 Other funding sources

Works proposed in this Plan represent infrastructure to be funded via a variety of sources. In some instances, the total cost of work is to be funded pursuant to the development contributions provisions of the Act. In other instances, the cost is to be borne by a combination of development contributions under this Plan, development contributions received under previous contributions plans, and/or other funds.

2 Administration of the Plan

Some proposed works items in this Plan have been allocated grant funding and accordingly, the cost attributable to future development does not include such grant funding. Should additional grant funding become available in the future, the works schedule in this Plan will be reviewed and the contribution rates may be adjusted.

2.10.6 Refunds

A request for a refund of monetary contributions paid to Council must be accompanied by either:

1. A modification application pursuant to s4.30, s4.55 or s4.56 of the Act, which seeks to amend/delete the contributions condition; or
2. Surrender of a development consent pursuant to s4.17 or s4.63 of the Act in the form required by s67 or s68 of the Regulation.

Subject to other considerations required by s4.15 or s4.28 of the Act, Council may consider refunding monetary contributions paid pursuant to this Plan, where:

- the condition requiring payment of a monetary contribution was imposed in a manner that was not in accordance with the provisions of this Plan as it existed at the date of determination of the development application or complying development certificate;
- the number of dwellings/lots/persons approved by the development application or complying development certificate has changed as a consequence of an approved modification;
- a modification application seeks the full or partial use of the development for a purpose that would qualify for a reduction or exemption (e.g. seniors housing by a social housing provider). In this instance, no reduction or refund will be granted unless Council is satisfied that the application has been assessed with regard to all relevant considerations applicable to that type of development and if appropriate, lawful additional conditions are imposed to require the development to be operated in such a manner that accords with the proposed use (e.g. housing to be provided by a social housing provider that is to be occupied by persons 55 and over or persons with a disability).

Refunds will not be considered where occupation/commencement of the approved development has occurred.

In assessing a request to refund monetary contributions, Council will consider whether it is in a financial position to do so, having regard to whether those funds have already been spent or committed for expenditure (e.g. a project has started and would be adversely impacted if the money contribution (in whole or in part) is refunded). Council may also have regard to whether it is appropriate to provide a refund in accordance with a payment schedule.

Furthermore, where a request for a refund is not as a consequence of an error on behalf of the consent authority, any refund will be exclusive of any interest that may have been earned on the contribution between the date of payment to the date of the refund.

2.10.7 Goods and services tax

At the date of preparing this Plan, monetary development contributions were exempt from the Federal Government Goods and Services Tax (GST).

In addition, at the date of preparing this Plan, non-monetary contributions by way of dedication of land, works-in-kind or material public benefit in lieu of contributions that would be exempt under Section 81-5 of the GST Act, do not constitute a taxable supply. Therefore, there are no GST implications for non-monetary contributions.

However, if legislative changes (including Australian Tax Office tax rulings) determine otherwise, contributions in this Plan will be adjusted to include GST.

3 Expected development and demand for public infrastructure

3.1 Overview

The Lismore City Council LGA comprises a land area of approximately 1,290km² extending approximately 35km from Pearces Creek in the east to Back Creek in the west and 60km from the Nightcap National Park in the north to Woodburn in the south.

Lismore is the Regional City at the heart of the Northern Rivers with the CBD and urban area surrounded by community focused villages including Nimbin, The Channon, Dunoon, Caniaba, Clunes, Bexhill and Wyrallah and vast areas of agricultural land and natural areas.

The urban areas, significant natural areas and diverse ecosystems of the LGA are subject to the pressures of natural hazards such as flood and bushfire as well as urban development.

The majority of the existing residential population (64.2%) is contained in the existing urban areas around the Lismore CBD and Goonellabah and approximately 60% of future residential development and most non-residential development is expected to occur in this area. Notwithstanding, there are opportunities for significant growth across the whole LGA and all development generates demands for public services and amenities across the entire LGA.

3.2 Existing Population Characteristics

Based on the detailed population figures prepared by .id estimate the resident population of the LGA for the year commencing 2024 is estimated as being approximately 45,430 persons living in approximately 20,150 dwellings (.id, 2024). For the purposes of this Plan, this is taken to be the 'existing' residential population. This was an increase of approximately 2,295 persons (or 5.3%) over the 2016 population.

Based on information derived from the 2021 ABS Census, approximately 80% of the total housing stock in the LGA comprised detached dwellings, approximately 15% comprised attached dwellings, dual occupancies, semi-detached dwellings and multi dwelling housing and approximately 0.5% comprised apartments. The vast majority of future housing supply will continue to be for detached dwellings although there is scope for increase supply of multi-dwelling housing.

The age structure of the existing population is characterised by a much higher proportion of persons aged 50 years or over (42.7%) compared to the NSW average (35.8%) with other age cohorts generally slightly less than the NSW average. This results in a median age of 44 years compared to the NSW average of 39 years.

The number of lone person households is increasing and is higher (at 28%) than both the NSW Regional average (26%) and the NSW average (24%).

3.3 Forecast Development and Population

3.3.1 North Coast Regional Plan 2041

The North Coast Regional Plan was finalised in December 2022 and is a 20-year plan to guide the NSW Government's planning priorities and decisions for the North Coast Region and provide a framework and implementation strategy for more detailed land use and infrastructure planning and funding. The following summarises key aspects of the plan as they relate to the Lismore LGA and local development contributions:

- 41,300 new dwellings will be required between 2022 and 2041 to accommodate the forecast additional population in the region. As detailed in this Plan the Lismore LGA will account for approximately 6% of these new dwellings; and
- Lismore's economy is anchored by major retail, civic and tertiary infrastructure as well as important agricultural and tourism sectors with opportunities to leverage cross-border agricultural activities and freight transport.

3 Expected development and demand for public infrastructure

3.3.2 Inspire Lismore 2040 - Local Strategic Planning Statement

The Lismore City Council Local Strategic Planning Statement (LSPS) was adopted by Council in July 2020 and provides the direction for land use planning for the LGA for the 20-year period from 2020 to 2040.

The LSPS identifies land with potential to accommodate future housing at Bexhill, Caniaba, Clunes, The Channon, Nimbin, and Wyrallah.

3.3.3 Forecast Residential Development

Based on the forecasts prepared by .id Consulting, it is estimated that 2,130 additional private dwellings will be constructed from 2024 to 2041 in those parts of the LGA to which this Plan applies. It is estimated that these dwellings will accommodate 5,210 new residents.

Table 1 provides a summary of the estimated existing population and the forecast additional population subject to contributions under this Plan to 2041.

	Existing	Forecast	Additional
	2024	2041	
Dwellings	20,150	22,280	2,130
Persons	45,430	50,640	5,210

Note:
A. Excludes North Lismore Plateau.

3.3.4 Forecast Non-Residential Development

The economic profile for Lismore LGA prepared by .id Consulting indicates that between 2016/17 and 2021/22, there was an increase in 2,115 workers in the LGA. However, almost half of these workers are employed in public administration, public health care and other related industries and these type of developments would not be levied under this Plan. Accordingly, when these workers are discounted, there was an increase of approximately 200 workers per annum between 2016/17 and 2021/22.

For the purposes of this Plan, a more conservative estimate of additional workers has been adopted and it is forecast that there may be an 125 additional workers per annum over the life of the Plan, generating a total of 2,250 workers. It is estimated that 20% of these workers will be employed in retail, 20% will be employed in business and office activities and the remaining 60% will be employed in industry and warehousing.

Based on the above estimates and the employment occupancy rates in **Table E2**, this equates to approximately 20,700m² of retail floor space, approximately 20,700m² of other commercial floor space and approximately 118,800m² of industrial floor space during the life of this Plan.

In addition, there is estimated to be growth in tourist and visitor accommodation, caravan parks, camping grounds and eco-tourist facilities which will generate a visitor population creating demands for open space and recreation facilities and transport infrastructure.

3.4 Demand for public facilities and services

One of the fundamental principles of development contributions is the relationship, or 'nexus', between the expected types of development and the demonstrated demand for new, augmented or embellished public infrastructure created by that development. Key aspects of determining nexus are:

3 Expected development and demand for public infrastructure

- whether the anticipated development actually creates a demand or increases the demand for public infrastructure;
- whether the estimates of demand for infrastructure to which the proposed development contribution relates are reasonable;
- what types of public infrastructure will be required to meet that demand;
- whether the proposed development contribution is based on a reasonable apportionment between existing demand and new demand for public infrastructure to be created by the proposed development to which the contribution relates;
- whether the proposed development contribution is based on a reasonable estimate of the cost of proposed public infrastructure; and
- when facilities will be provided to meet the demand of the development – often expressed as timing or thresholds.

It is also necessary to ensure that new development only contributes to its share of the total demand for public facilities and services, rather than any demand generated by the existing population, which may result out of a deficiency in existing facilities. This is known as 'apportionment'.

The increased usage of and demand for new public infrastructure as a consequence of future development will in most cases, exceed the capacity of existing public facilities in the LGA. Accordingly, it will be necessary for new and embellished public infrastructure to be provided to cater for the anticipated demand of that development.

Section 4 of this Plan establishes the nexus between the anticipated development and the demand for additional or embellished public infrastructure and if relevant, details how that nexus has been apportioned, to ensure that contributions reflect the demand of new development, rather than existing demand or past deficiencies.

4 Infrastructure contributions

4.1 Community facilities

The forecast development within the LGA will generate additional demand for community facilities and this demand will require additional community facilities and upgrading of existing facilities. This section outlines the rationale for the augmentation of those facilities.

4.1.1 Nexus to development

Future development will be responsible for 5,210 new residents from 2024 to 2041 and this additional population will place greater pressure on Council's existing facilities.

Accordingly, contributions are sought to embellish existing community facilities to cater for the demands of the future additional population.

4.1.2 Strategy – proposed infrastructure

Council's Strategy for contributions toward community infrastructure under this Plan is to require contributions toward the embellishment of the Goonellabah Sports and Aquatic Centre. These works will entail an expansion of the facility, upgrades to the existing facility and separation of the pools.

The Works Schedule at **Appendix B** sets out the community facilities for which a contribution is required under this Plan.

The location of the proposed facilities is identified on the maps at **Appendix C** to this Plan.

4.1.3 Apportionment

The forecast additional resident population to be levied under this Plan (5,210 persons) constitutes 10.29% of the total future population in the LGA (excluding NLP) at 2041 (50,640 persons). Accordingly, only 10.29% of the cost of community facility improvements will be sought from development to be levied under this Plan.

4.1.4 Calculation of Contribution Rate

The formula for the calculation of the contribution rate for community facilities is as follows:

Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Total Cost of Facilities} \times 10.29\%}{\text{Total Additional Residents}} \\ &= \frac{\$1,955,727.00 \times 10.29\%}{5,210 \text{ residents}} \\ &= \frac{\$201,211}{5,210 \text{ residents}} \\ &= \mathbf{\$38.62 \text{ per resident}} \end{aligned}$$

4 Infrastructure contributions

4.2 Public Domain facilities

The public domain connects open spaces with private spaces and provides a place for walking, eating, meeting people, and spending time outside. The forecast development within the LGA will generate additional demand for a quality public domain and this demand will require embellishment of existing facilities. This section outlines the rationale for the augmentation of those facilities.

4.2.1 Nexus to development

Future development will be responsible for 5,210 new residents and 2,250 new workers from 2024 to 2041. This additional population will live in or use the public domain around the Lismore CBD for work, recreation and shopping and this will require embellishment of existing public places and spaces.

4.2.2 Strategy – proposed infrastructure

Council’s strategy for public domain improvements in the Lismore CBD entails upgrades to paving, landscaping (including street trees), walkways and paths, street furniture and street lighting to provide for a high quality urban space to support residents and businesses in their day-to-day activities including convenience shopping, personal services, employment and general passive recreation.

4.2.3 Apportionment

The forecast additional resident population to be levied under this Plan (5,210 persons) constitutes 10.29% of the total future population in the LGA (excluding NLP) at 2041 (50,640 persons). Accordingly, only 10.29% of the cost of public domain improvements will be sought from development to be levied under this Plan.

In addition, 5% of the apportioned cost of facilities will be attributed to non-residential development, recognising that it also contributes to demand for facilities although not to the same degree as residential development.

4.2.4 Calculation of Contribution Rate

The formula for the calculation of the contribution rate for public domain facilities is as follows:

Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Total Cost of Facilities} \times 10.29\% \times 95\%}{\text{Total Additional Residents}} \\ &= \frac{\$3,480,000 \times 10.29\% \times 95\%}{5,210 \text{ persons}} \\ &= \frac{\$340,132}{5,210 \text{ persons}} \\ &= \mathbf{\$65.28 \text{ per person}} \end{aligned}$$

Non- Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Total Cost of Facilities} \times 10.29\% \times 5\%}{\text{Total Additional Workers}} \\ &= \frac{\$3,480,000 \times 10.29\% \times 5\%}{2,250 \text{ workers}} \\ &= \frac{\$17,902}{2,250 \text{ workers}} \\ &= \mathbf{\$7.96 \text{ per worker}} \end{aligned}$$

4 Infrastructure contributions

4.3 Open space and recreation facilities

The forecast development within the LGA will generate additional demand for open space and recreation facilities and this demand will require additional open space and embellishment of existing facilities to cater for increased pressures on existing facilities. This section outlines the rationale for the augmentation of those facilities.

4.3.1 Nexus to development

The existing population of Lismore LGA is serviced by a network of public open spaces and recreation facilities.

Future development will be responsible for 5,210 new residents from 2024 to 2041. In addition, future tourist and visitor accommodation, camping grounds, caravan parks and eco-tourist facilities will attract visitors and this additional residential population and visitor population will generate a demand for new and embellished open space and recreation facilities across the LGA.

Accordingly, contributions are required to acquire land for new open spaces and to embellish existing and new parks and public spaces.

4.3.2 Strategy – proposed infrastructure

In accordance with programmes of work under previous contributions plans and new works identified in adopted Council strategies, this Plan seeks:

- A contribution toward acquisition and embellishment of the Tucki Tucki Creek Corridor; and
- A contribution toward embellishment of sportsgrounds, local parks, recreation facilities and other community infrastructure.

The open space and recreation facilities are set out in the Works Schedule at **Appendix B** to this Plan and their location is identified on the maps at **Appendix C**.

4.3.3 Apportionment

The forecast additional residential population to be levied under this Plan (5,210 persons) constitutes 10.29% of the total future population in the LGA (excluding NLP) at 2041 (50,640 persons). Accordingly, 10.29% of the cost of open space facilities will be sought from residential development, tourist and visitor accommodation, caravan parks, camping grounds and eco-tourist facilities to be levied under this Plan.

4.3.4 Calculation of Contribution Rate

The formula for the calculation of the contribution rate for open space and recreation facilities is as follows:

Residential

$$\begin{aligned} \text{Contribution rate} &= \frac{\text{Cost of Facilities} \times 10.29\%}{\text{Total Additional Residents}} \\ \text{per person} &= \frac{\$17,176,841 \times 10.29\%}{5,210 \text{ persons}} \\ &= \frac{\$1,767,207}{5,210 \text{ persons}} \\ &= \mathbf{\$339.20 \text{ per person (residential) or per bed/site for tourist and visitor accommodation, camping ground, caravan park or eco-tourist facility}} \end{aligned}$$

4 Infrastructure contributions

4.4 Walking and Cycling

The forecast development within the LGA will generate additional demand for walking and cycling facilities and this demand will require additional facilities and embellishment of existing facilities to cater for increased pressures on existing facilities. This section outlines the rationale for the augmentation of those facilities.

4.4.1 Nexus to development

Council's Sport and Recreation Plan to 2024 identifies that walking, cycling and micromobility facilities are important for improving equity and health, the environment and achieving ecologically sustainable development.

Future development will be responsible for 5,210 new residents and 2,250 new workers from 2024 to 2041 and this additional population will generate additional demand for walking and cycling facilities.

4.4.2 Strategy – proposed infrastructure

The additional resident and worker populations will require new and augmented walking and cycling facilities including new or embellished on-road and off-road paths, shared zones and accessible connections.

The Works Schedule at **Appendix B** includes provision for a contribution under this Plan toward a programme of improvements across the LGA.

The location of the proposed facilities is identified on the maps at **Appendix C** to this Plan.

4.4.3 Apportionment

The forecast additional resident population to be levied under this Plan (5,210 persons) constitutes 10.29% of the total future population in the LGA (excluding NLP) at 2041 (50,640 persons). Accordingly, only 10.29% of the cost of walking and cycling improvements will be sought from development to be levied under this Plan.

As detailed within this Plan 5% of the cost of facilities will be attributed to non-residential development.

4.4.4 Calculation of Contribution Rate

The formula for the calculation of the contribution rate for walking and cycling facilities is as follows:

Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Total Cost of Facilities} \times 10.29\% \times 95\%}{\text{Total Additional Residents}} \\ &= \frac{\$12,121,400 \times 10.29\% \times 95\%}{5,210 \text{ persons}} \\ &= \frac{\$1,184,733}{5,210 \text{ persons}} \\ &= \mathbf{\$227.40 \text{ per person}} \end{aligned}$$

Non- Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Total Cost of Facilities} \times 10.29\% \times 5\%}{\text{Total Additional Workers}} \\ &= \frac{\$12,121,400 \times 10.29\% \times 5\%}{2,250 \text{ workers}} \\ &= \frac{\$62,354}{2,250 \text{ workers}} \\ &= \mathbf{\$27.71 \text{ per worker}} \end{aligned}$$

4 Infrastructure contributions

4.5 Traffic Management

The forecast development within the LGA will generate additional demand for use of roads and related transport infrastructure by vehicular traffic and this demand will require augmentation of existing facilities due to the additional pressures on road facilities. This section outlines the rationale for the augmentation of those facilities.

4.5.1 Nexus to development

The existing transport network comprises roads as well as supporting infrastructure such as traffic management devices, crossing facilities, signage and other street furniture.

Future development will be responsible for 5,210 additional residents and over 160,000m² of additional retail, business and industrial floorspace. Based on the peak hour vehicle trip (PVTs) rates specified in the *Guide to Traffic Generating Development* (RTA, 2002) and *Technical Direction TDT 2013 / 04A*, this additional development is likely to generate over 4,100 PVTs in the road network (i.e. Net additional traffic) (see **Table 2**).

This additional traffic demand will reduce the flow capacity of roads and intersections which will result in the Level of Service (LoS) of individual roads and intersections falling below acceptable standards.

In addition, additional traffic will give rise to vehicles seeking to use local roads as alternate routes which will have amenity impacts on existing residents.

Furthermore, many roads, especially rural roads, were not designed to cater for the forecast future population and will require localised widening, kerb and gutter and footpaths.

4.5.2 Strategy – proposed infrastructure

Additional traffic from future development will require new and augmented traffic management facilities to assist in providing a safe, efficient and user friendly transport network. Council's strategy for addressing the additional demands placed on the road environment by future development entails:

- Intersection upgrades to accommodate the growth in traffic;
- New road connections;
- Local traffic management measures to deter the use of local streets by the additional traffic and direct traffic to higher order roads; and
- Rural road upgrades to accommodate the growth in traffic in rural areas.

The Works Schedule at **Appendix B** sets out all transport facilities for which a contribution is required under this Plan.

The location of the proposed facilities is identified on the maps at **Appendix C** to this Plan.

4.5.3 Apportionment

Two types of apportionment are relevant to traffic facilities – apportionment between different types of development (e.g. dwelling houses compared to non-residential floor space) and apportionment between existing and future development.

With regard to different types of development, a vehicle trip from one form of residential development results in the same decrease in road or intersection capacity as a vehicle trip from any other form of residential development or for that matter, a vehicle trip from non-residential development.

Accordingly, there is no apportionment between different forms of development other than to take into consideration the differing rate of traffic generation from the development type.

Accordingly, each development will be levied for road infrastructure based on its gross traffic generation, calculated using the PVT rates specified in the RTA Guide and TDT 2013/04A. No allowance for traffic generation of existing development is to be made as part of this base calculation. Allowances for existing development will be considered in accordance with Section 2.7 of this Plan.

4 Infrastructure contributions

The traffic management facilities proposed under this Plan have been identified to cater for the demand of future development from 2024 to 2041 and accordingly, the full cost of these works will be borne by additional development over that period.

Some proposed works are attributable to all development in the LGA whilst others are only attributable to development in the urban area and others are only attributable to development in the rural areas. Accordingly, different rates have been determined based on the quantum of traffic in those catchments as described below.

4.5.4 Calculation of contribution rate

The 'Attributable PVTs' are the PVTs generated by development for the specific Catchments are specified in **Table 2** (see also **Appendix C**).

Catchment	Cost of Works	Attributable PVTs ¹	Rate per PVT
Urban - Residential	\$1,435,319	874	\$1,642.85
- Non-Residential	\$519,547	2612	\$198.92
Rural North and Rural South - Residential	\$330,669	435	\$760.62
- Non-Residential	\$141,715	186	\$760.62
Urban, Rural North and Rural South - Residential	\$3,949,976	1032	\$3,827.80
- Non-Residential	\$6,901,958	2730	\$2,527.91
Total	\$13,279,184	N/A	N/A

Note:
1. Figures rounded to the nearest 5 and accordingly, contribution rates per PVT may not exactly match upon calculation from this table.

The formula for the calculation of the contribution rate for traffic management facilities in each Catchment is as follows:

Urban

Residential Contribution = \$1,642.85 + \$3,827.80 = **\$5,470.65 per PVT**
rate per PVT

Non-Residential Contribution = \$198.92 + \$2,527.91 = **\$2,726.84 per PVT**
rate per PVT

Rural North and Rural South

Residential Contribution = \$760.62 + \$3,827.80 = **\$4,588.43 per PVT**
rate per PVT

Non-Residential Contribution = \$760.62 + \$2,527.91 = **\$3,288.54 per PVT**
rate per PVT

4 Infrastructure contributions

4.6 Stormwater

The forecast development across the LGA will increase impervious services and increase the rate of pollutants entering waterways and other natural environments. This section outlines how this Plan will levy for facilities to manage the adverse impacts of urban runoff.

4.6.1 Nexus to development

Lismore is situated on the Wilsons River floodplain at the confluence of two major tributaries, Leycester Creek and the Wilsons River. The Lismore LGA lies entirely within the Richmond River Catchment and covers sections of the upper, middle and lower catchment. Lismore is approximately 100 kilometres upstream of the river mouth at Ballina and is affected by tidal waters, which extend beyond Lismore to Boat Harbour, a further nine kilometres upstream.

New development can result in an increase in impervious surfaces, leading to higher levels of urban stormwater runoff, increased stormwater velocities, and increased transfer of pollutants from urban to natural environments. Without mitigation, this can have detrimental impacts on the water quality and ecology with into rivers and creeks.

4.6.2 Strategy

All new development in the Lismore LGA is required to contribute toward trunk stormwater management facilities such as gross pollutant traps/trash racks, pipe capacity upgrades and ancillary works to control pollutants entering waterways and other natural environments.

The Works Schedule at **Appendix B** sets out the stormwater management facilities for which a contribution is required under this Plan and their location is identified on the maps at **Appendix C**.

4.6.3 Apportionment

The stormwater management facilities proposed under this Plan have been identified to cater for the demand of future development from 2024 to 2041 and accordingly, after removing partial costs to be met by Council, the remaining cost (Attributable Cost) will be borne by additional development over that period. As detailed within this Plan 5% of the cost of facilities will be attributed to non-residential development.

4.6.4 Calculation of contribution rate

The formula for the calculation of the contribution rate for open space and recreation facilities is as follows:

Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Attributable Cost of Facilities} \times 95\%}{\text{Total Additional Residents}} \\ &= \frac{\$1,460,000 \times 95\%}{5,210 \text{ persons}} \\ &= \frac{\$1,387,000}{5,210 \text{ persons}} \\ &= \mathbf{\$266.22 \text{ per person}} \end{aligned}$$

Non- Residential

$$\begin{aligned} \text{Contribution rate per person} &= \frac{\text{Attributable Cost of Facilities} \times 5\%}{\text{Total Additional Workers}} \\ &= \frac{\$1,460,000 \times 5\%}{2,250 \text{ workers}} \\ &= \frac{\$73,000}{2,250 \text{ workers}} \\ &= \mathbf{\$32.44 \text{ per worker}} \end{aligned}$$

4 Infrastructure contributions

4.7 Heavy Haulage

Road pavement deterioration is caused largely by the passage of heavy vehicles. Heavy vehicles associated with quarries, mining, heavy industries and agriculture typically cause and exacerbate the deterioration of the road surfaces, which then requires considerable expenditure to maintain, repair and, where necessary, reconstruct the roads.

This Plan provides the framework for the efficient and equitable determination and collection of monetary contributions towards the maintenance, upgrade and construction of roads utilised by heavy vehicles associated with developments which generate a significant amount of heavy vehicle movements.

For the purposes of this Plan, the contributions for “roads” is deemed to include all necessary works of carriageway construction and maintenance, including pavement, associated culverts, bridges, drainage, signs, line marking, noise attenuation measures, landscaping, safety and traffic management measures.

4.7.1 Nexus and future demand

Development that generates heavy vehicle movements leads to an increased burden on the existing road system, and may also create the need for new road works to be undertaken.

An increase in heavy vehicle usage on existing roads results in a reduction of road life. This necessitates increased construction standards and maintenance work beyond that which could have been previously expected.

The combination of the additional axle loadings (i.e. number of wheels on the road surface) and the payloads (i.e. gross transport weight of loaded vehicle) generated by heavy vehicle traffic have an impact on the rate of deterioration of the road. As such, any formula utilised to determine a contribution rate should take into account these two factors.

The *Lismore Roads Review, Rural Areas* (TTM Group, 2012) estimates that truck movements (vehicles exceeding 12 tonne gross weight) will represent no greater than approximately 2% of daily traffic movement on trunk roads throughout the Lismore LGA.

Accordingly, it has been accepted practice to levy development contributions based directly upon the number and weight of laden truck movements. Therefore a relationship to the demand for an upgraded road system can be related directly to the weight of material leaving an extractive industry site. This will be the basis upon which contribution levies will be imposed.

The Roads and Traffic Authority’s “*Guide to Traffic Generating Development*” also identifies the cost impacts of increased heavy vehicle usage, thereby providing professional recognition and technical support for the nexus adopted by this plan.

The legal justification of this nexus has also been recognised by the Land and Environment by the legal judgments handed down by *Capital Quarries Pty Ltd. v Gunning & Yass Shire Councils* (1987) and *Colin C Donges & Associates v Baulkham Hills Council* (1989).

4.7.2 Exemptions under this plan

The following developments or components of developments are exempted from the requirement to make a contribution under this Plan:

- Extractive industries with an average annual approved output of up to and including 5,000 cubic metres of material or product (to minimize the impact on the economic viability of smaller operations and to recognize the smaller and localized haulage associated with these developments).
- Other developments within an average annual approved total haulage of up to and including 8,000 tonnes of material, products or payloads (or equivalent) (applying the same justification as above).

4 Infrastructure contributions

- Development located with Employment Zones (formerly known as Business and Industrial Zones) under the provisions of the prevailing Local Environmental Plan. This makes allowance for the location of these developments on road networks with pavement design and constructed with a higher life standard. Furthermore, the large volume, various types and unpredictable loadings of vehicles generated by both development within zoned commercial and industrial areas, and vehicles operation within these areas, makes collection of data for efficient and equitable determination of contributions uncertain.

4.7.3 Application of this plan

For the purposes of this Plan a truck is defined as a registered vehicle with more than 4 tyres that has a gross weight exceeding 12 tonne.

4.7.4 Contributions

Extractive industry contributions

A reasonable method of determining the fair share of costs that extractive industry development should pay, is to determine a standard contribution per tonne of material hauled. This can be determined by estimating the likely cost of pavement damage caused by a typical heavy haulage vehicle (per tonne per kilometre) and multiplying this cost by the average trip length per tonne of hauled material.

Contributions will be required to be paid on a monthly basis to Council based on a fee for each tonne of extractive resource leaving the extractive industry/ mine site by road transport. This levy will be calculated as follows:

$$\text{MCR} = \text{TONNES} \times \text{RATE}$$

Where:

MCR = the monthly contributions required by quarries/ mines;

TONNES = tonnes of resource moved to or from site per month by road transport;
and

RATE = the rate per tonne (see below)

Rate per tonne

Lismore Roads Review, Rural Areas (TTM Group, 2012) recommended based on a study a rate of \$0.054 / tonne / kilometre as of December 2009 which, indexed using the PPI from the December 2009 financial quarter to the December 2023 financial quarter, equates to.

\$0.090 / tonne / kilometre

This represents the medium traffic volume road with spray seal pavement that will be damaged by a standard heavy haulage truck used by extractive industries. This rate shall be assumed for other non-extractive industry heavy haulage generating developments that are not exempted under this Plan.

4 Infrastructure contributions

4.8 Plan Preparation and Administration

In accordance with the Act, Council is authorised to recoup the reasonable costs of preparing this Plan and the cost, or part there-of, of any studies specifically prepared to inform the Plan. In addition, contributions may be sought toward the costs associated with the ongoing administration of the Plan.

4.8.1 Nexus to Development

This Plan has been specifically prepared to enable Council to ensure that adequate public infrastructure is provided to meet the demands generated by any new development and that the existing community is not burdened by the provision of infrastructure required as a result of future development.

4.8.2 Strategy

The proposed costs associated with this category of contributions comprises:

- The costs associated with preparing the Plan; and
- Ongoing administration and management of the Plan over an 18-year period.

These costs equate to approximately 4.5% of the total cost of items in the works schedule that are attributable to new development.

4.8.3 Apportionment

As this Plan has been prepared solely to cater for the demands of future development, the costs associated with the Plan's preparation and ongoing administration will be borne fully by future development.

4.8.4 Calculation of Contribution Rate

The formula for the calculation of the contribution rate for plan preparation and administration is as follows:

Residential and Non-Residential

$$\text{Contribution rate per person} = \frac{\text{Contribution for Works excluding Plan Preparation and Administration}}{\text{Contribution for Works excluding Plan Preparation and Administration}} \times 4.5\%$$

Appendix A - Glossary

Terms used in this Plan have the following meanings except where the meaning of a term is inconsistent with the Act or the *Standard Instrument—Principal Local Environmental Plan (SILEP)*, in which case the definition in the Act or SILEP will prevail:

“**ABS**” means the Australian Bureau of Statistics.

“**Act**” means the *Environmental Planning and Assessment Act 1979*.

“**affordable housing**” means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

“**agritourism**” means the following—

- (a) farm gate premises,
- (b) farm experience premises.

“**applicant**” means the person(s) or organisation(s) submitting a development application.

“**apportionment**” means the adjustment of a contribution (usually a percentage) to ensure the contributing population only pays for its share of the total demand for the facility.

“**attached dwelling**” means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

“**backpackers’ accommodation**” means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room);

“**bed and breakfast accommodation**” means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and
- (c) dormitory-style accommodation is not provided;

“**boarding house**” means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment;

“**camping ground**” means an area of land, with access to communal amenities, used for the short term placement of campervans, tents, annexes or other similar portable and lightweight temporary shelters for accommodation and includes a primitive camping ground but does not include—

- (a) a caravan park, or
- (b) farm stay accommodation.

Appendix A - Glossary

“**caravan park**” means an area of land, with access to communal amenities, used for the installation or placement of caravans, or caravans and other moveable dwellings, but does not include farm stay accommodation.

“**Consumer Price Index (CPI)**” is a standard measure of price movements published by the Australian Bureau of Statistics.

“**contribution**” means the same as “**development contribution**”;

“**contributions plan**” means a contributions plan referred to in the Act.

“**Council**” means Lismore City Council

“**DCP**” means a Development Control Plan adopted by Council under the Act.

“**development**” has the meaning under Section 4 of the Act which in relation to land means:

- (a) the use of land; and
- (b) the subdivision of land; and
- (c) the erection of a building; and
- (d) the carrying out of a work; and
- (e) the demolition of a building or work; and
- (f) any other act, matter or thing that may be controlled by an environmental planning instrument.

“**development consent**” means consent under Part 4 of the Act to carry out development and includes, unless expressly excluded, a complying development certificate.

“**development contribution**” means the making of a monetary contribution, dedication of land or the providing of a material public benefit (including a work-in-kind), or any combination of these as referred to in the Act for the provision of public infrastructure;

“**dual occupancy**” means a dual occupancy (attached) or a dual occupancy (detached).

“**dual occupancy (attached)**” means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

“**dual occupancy (detached)**” means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

“**dwelling**” means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile;

“**dwelling house**” means a building containing only one dwelling;

“**eco-tourist facility**” means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

“**educational establishment**” means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act;

Appendix A - Glossary

“exhibition home” means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

“farm experience premises” means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide visitors to the farm, on a commercial basis, with small-scale and low-impact tourist or recreational activities, including the following, but not including motor sports—
 - (i) horse riding,
 - (ii) farm tours,
 - (iii) functions or conferences,
 - (iv) farm field days.

“farm gate premises”—

- (a) means a building or place—
 - (i) on a commercial farm, and
 - (ii) ancillary to the farm, and
 - (iii) used to provide visitors to the farm, on a commercial basis, with agricultural products predominantly from the farm, supplemented by products from other farms in the region, or with services or activities related to the products, including the following—
 - (A) processing, packaging and sale of the products, but not the processing of animals,
 - (B) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,
 - (C) tastings or workshops,
 - (D) the provision of information or education related to the products, and
- (b) includes cellar door premises.

“farm stay” accommodation means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

“GFA” means the same as gross floor area.

“gross floor area” means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:

Appendix A - Glossary

- (i) storage, and
- (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

“group home” means a permanent group home or a transitional group home;

“group home (permanent)” or **“permanent group home”** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which [State Environmental Planning Policy \(Housing\) 2021](#) applies;

“group home (transitional)” or **“transitional group home”** means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which [State Environmental Planning Policy \(Housing\) 2021](#) applies;

“hospital” means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take-away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries;

“hostel” means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis;

Appendix A - Glossary

“**hotel or motel accommodation**” means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation;

“**LEP**” means a Local Environmental Plan made by the Minister under the Act.

“**LGA**” means Local Government Area.

“**material public benefit**” means a facility or work which is offered by a developer as a finished entity either in return for a reduction in the amount of monetary contributions required for the same category of contribution or as an additional or partial additional benefit under a Planning Agreement;

“**medical centre**” means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

“**Minister**” means the Minister administering the *Environmental Planning and Assessment Act 1979*.

“**moveable dwelling**” means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the [Local Government Act 1993](#)) for the purposes of this definition.

“**multi dwelling housing**” means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building

“**planning agreement**” means a planning agreement referred to in the Act.

“**Producer Price Index (PPI)**” is a measure of change in the price change of products (goods and services) as they leave the place of production or as they enter the production process published by the Australian Bureau of Statistics.

“**public infrastructure**” means:

- (a) public amenities and public services, and
 - (b) affordable housing, and
 - (c) transport infrastructure,
- but does not include water supply or sewerage services.

“**Regulation**” means the *Environmental Planning and Assessment Regulation 2021*.

“**Residential accommodation**” means a building or place used predominantly as a place of residence, including:

- attached dwellings;
- boarding houses;
- dual occupancies;
- dwelling houses;
- group homes;
- hostels;

Appendix A - Glossary

- multi dwelling housing;
- residential flat buildings;
- rural worker's dwellings;
- secondary dwellings
- semi-detached dwellings;
- seniors housing; and
- shop top housing;

but does not include tourist and visitor accommodation or caravan parks.

“residential care facility” means accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility;

“residential flat building” means a building containing 3 or more dwellings, but does not include an attached dwelling or multi-dwelling housing

“rural workers dwelling” means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land

“secondary dwelling” means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

“semi-detached dwelling” means a dwelling that is on its own lot of land and is attached to only one other dwelling.

“seniors housing” means a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of [State Environmental Planning Policy \(Housing\) 2021](#), or
- (c) a group of independent living units, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for:

- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital;

“serviced apartment” means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

“shop top housing” means one or more dwellings located above ground floor retail premises or business premises.

Appendix A - Glossary

“**SILEP**” means the *Standard Instrument—Principal Local Environmental Plan*.

“**social housing provider**” means a social housing provider as defined by [State Environmental Planning Policy \(Housing\) 2021](#) which, at the date of adoption of this Plan included:

- (a) the Secretary of the Department of Communities and Justice,
- (b) the Land and Housing Corporation,
- (c) a registered community housing provider,
- (d) the Aboriginal Housing Office,
- (e) a registered Aboriginal housing organisation within the meaning of the *Aboriginal Housing Act 1998*,
- (f) a local government authority that provides affordable housing,
- (g) a not-for-profit organisation that is a direct provider of rental housing to tenants.

“**tourist and visitor accommodation**” means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers’ accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include—

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

“**work-in-kind**” means the carrying out of work which is identified in the costed works schedule which form part of this Plan in return for a reduction in the amount of monetary contributions (but not a reduction in the total quantum of contributions) required for the same category of contribution.

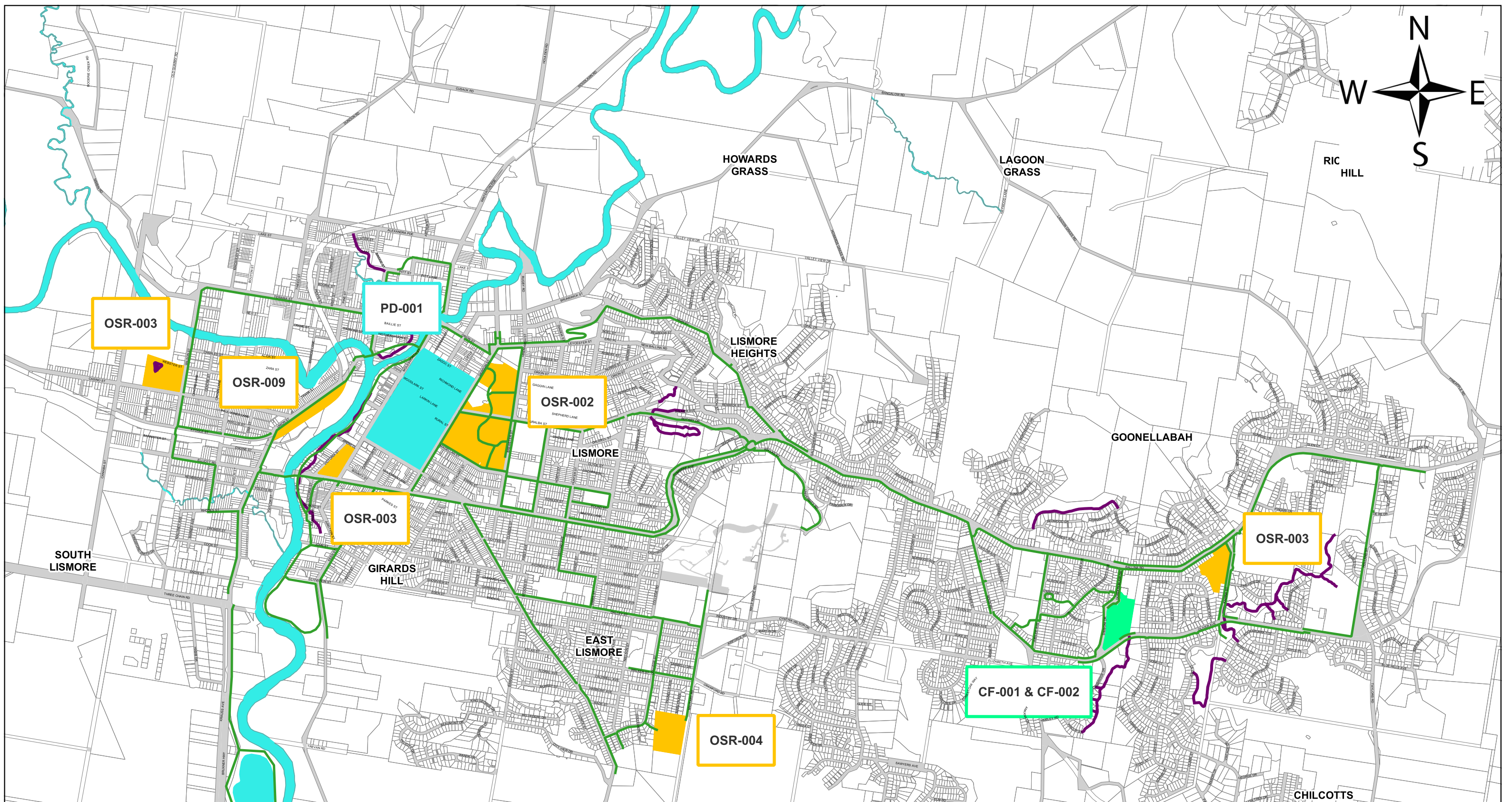
Appendix B – Works Schedule

Facility Ref	Description	Land Acquisition Cost	Capital Cost	Total Facility Cost	Existing Funds	Cost to New Development	Cost to be met by Council / Others	Timing / Priority
Community facilities								
CF-001	Goonellabah Sports & Aquatic Centre Expansion and Upgrades	\$0	\$2,100,000	\$2,100,000	\$430,032	\$171,811	\$1,498,157	2024 - 2041
CF-002	Goonellabah Sports & Aquatic Centre - Separation of Pools	\$0	\$359,344	\$359,344	\$73,585	\$29,400	\$256,359	2024 - 2041
	Sub-total	\$0	\$2,459,344	\$2,459,344	\$503,617	\$201,211	\$1,754,516	
Public Domain								
PD-001	Public domain improvements	\$0	\$4,044,600	\$4,044,600	\$564,600	\$358,033	\$3,121,967	2024 - 2029
	Sub-total	\$0	\$4,044,600	\$4,044,600	\$564,600	\$358,033	\$3,121,967	
Open Space and Recreation								
OSR-001	Tucki Tucki Creek corridor open space acquisitions and embellishment	\$825,540	\$150,000	\$975,540	\$61,967	\$93,991	\$819,582	2024 - 2025
OSR-002	CBD Community Infrastructure	\$0	\$4,500,000	\$4,500,000	\$285,845	\$433,565	\$3,780,590	2024 - 2029
OSR-003	District & Regional Park Upgrades	\$0	\$2,038,400	\$2,038,400	\$129,481	\$196,395	\$1,712,524	2024 - 2034
OSR-004	Wade Park Masterplan Implementation	\$0	\$2,850,000	\$2,850,000	\$181,035	\$274,591	\$2,394,374	2024 - 2034
OSR-005	Local Park Upgrades - Urban (5 Parks)	\$0	\$925,000	\$925,000	\$58,757	\$89,122	\$777,121	2024 - 2034
OSR-006	Local Park Upgrades - Rural North (Bexhill, Clunes, Dunoan, Nimbin, Channon)	\$0	\$925,000	\$925,000	\$58,757	\$89,122	\$777,121	2024 - 2034
OSR-007	Local Park Upgrades - Rural South (1 Park)	\$0	\$185,000	\$185,000	\$11,751	\$17,824	\$155,425	2024 - 2034
OSR-008	Community Sports Facility Upgrades	\$0	\$5,323,000	\$5,323,000	\$338,123	\$512,860	\$4,472,017	2024 - 2034
OSR-009	Rail Trail Supporting Infrastructure	\$0	\$620,000	\$620,000	\$39,383	\$59,736	\$520,881	2024 - 2034
	Sub-total	\$825,540	\$17,516,400	\$18,341,940	\$1,165,099	\$1,767,207	\$15,409,634	
Walking and Cycling								
WC-001	Walking and Cycling Strategy - Delivering Works Program	\$0	\$12,800,000	\$12,800,000	\$678,600	\$1,247,087	\$10,874,313	2024 - 2041
	Sub-total	\$0	\$12,800,000	\$12,800,000	\$678,600	\$1,247,087	\$10,874,313	
Traffic Management								
TM-001	Simmons Avenue traffic management scheme (Invercauld to Rous)	\$0	\$1,900,000	\$1,900,000	\$173,962	\$776,038	\$950,000	2024 - 2033
TM-002	Cynthia Wilson Drive / Invercauld Road Roundabout Upgrade (HRV)	\$0	\$1,100,000	\$1,100,000	\$100,715	\$499,285	\$500,000	2025
TM-003	Rous Road / Oliver Avenue Roundabout Upgrade	\$0	\$900,000	\$900,000	\$82,403	\$317,597	\$500,000	2024 - 2025
TM-004	Northern Bypass - Pineapple Rd To Bangalow Rd	\$5,200,000	\$12,300,000	\$17,500,000	\$1,602,286	\$10,397,714	\$5,500,000	2028 - 2041
TM-005	Northern Bypass - Pineapple Rd To Bangalow Rd - Survey and Design	\$0	\$500,000	\$500,000	\$45,780	\$454,220	\$0	2024 - 2028
TM-006	Dalley Street LATM (Military Road to Wyrallah Road)	\$0	\$2,600,000	\$2,600,000	\$238,054	\$361,946	\$2,000,000	2024 - 2028
TM-007	Rural road upgrades	\$0	\$5,000,000	\$5,000,000	\$961,600	\$472,384	\$3,566,016	2024 - 2041
	Sub-total	\$5,200,000	\$24,300,000	\$29,500,000	\$3,204,800	\$13,279,184	\$13,016,016	
Stormwater Management								
SW-001	Stormwater Quality Management Works	\$0	\$2,000,000	\$2,000,000	\$0	\$1,460,000	\$540,000	2024 - 2041
	Sub-total	\$0	\$2,000,000	\$2,000,000	\$0	\$1,460,000	\$540,000	
	TOTAL	\$6,025,540	\$63,120,344	\$69,145,884	\$6,116,716	\$18,312,722	\$44,716,446	

Appendix C – Maps of Infrastructure Locations

Refer to the following maps:

- Community Facilities, Public Domain Facilities, Open Space and Recreation Facilities and Walking and Cycling
- Tucki Tucki Creek Corridor Acquisition Areas
- Traffic Management
- Rural Roads Works Programme
- Stormwater Management



Note:
 Refer to **Open Space Strategy** for OSR-006, OSR-008 and OSR-009
 Refer to **Walking, Cycling and Micromobility Strategy** for wider footpath and cycleways works.

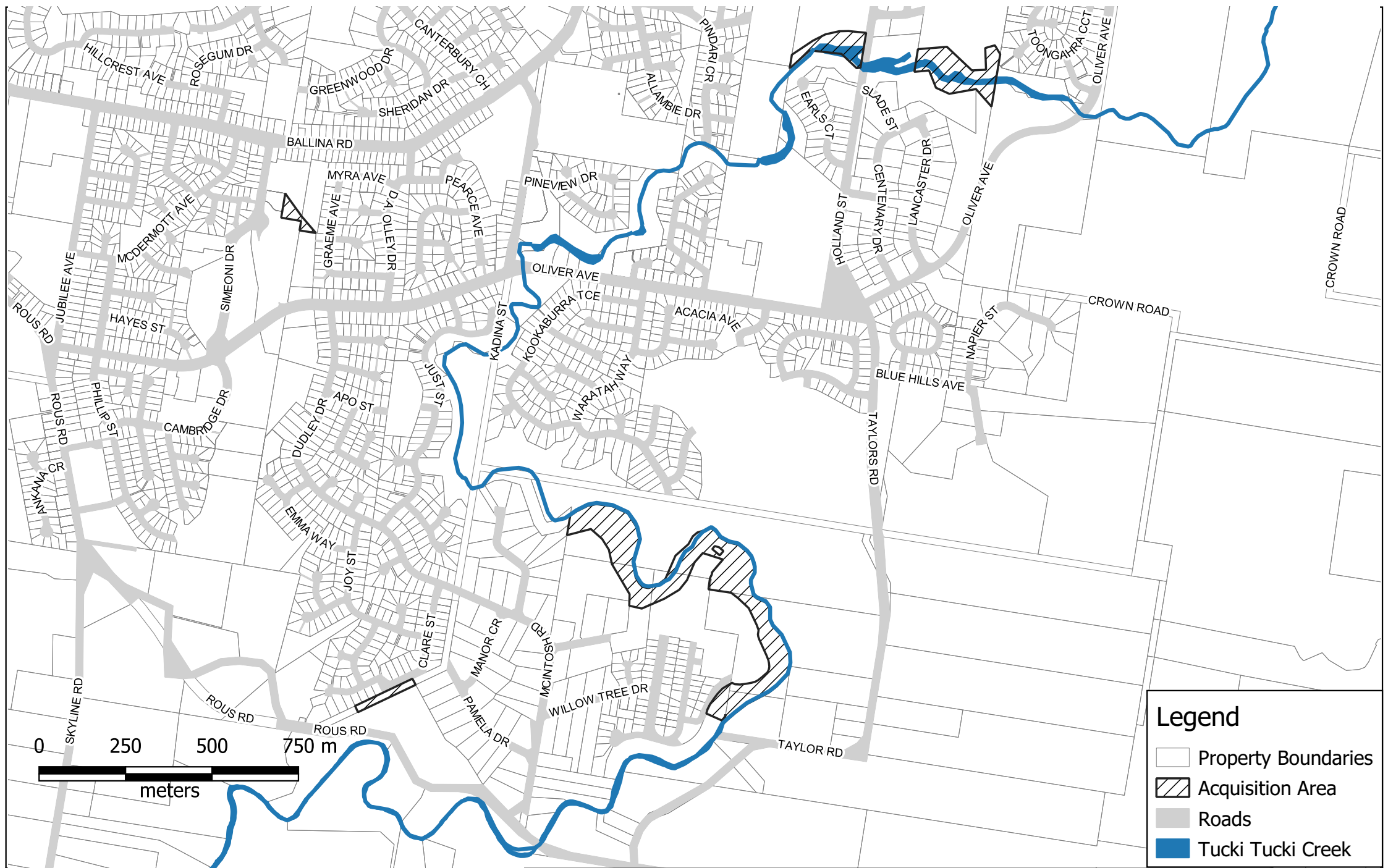
Legend			
	Cycleways		Public Domain Facilities
	Walking Tracks		Property Boundaries
	Community Facilities and Services		Rivers / Creeks
	Open Space and Recreation Facilities		Formed Road







Community Facilities, Public Domain Facilities, Open Space and Recreation Facilities and Walking and Cycling

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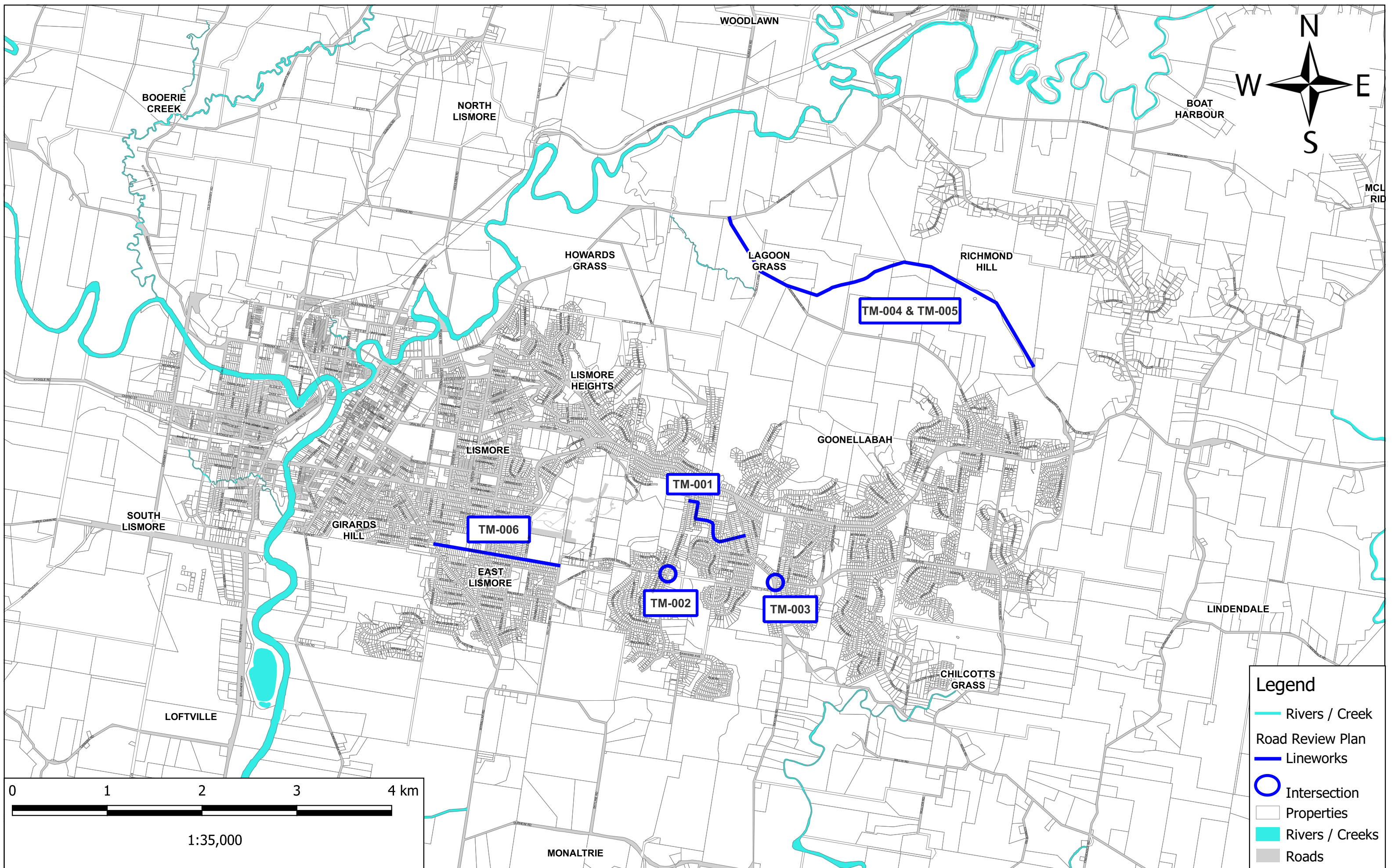
Disclaimer: The mapped areas are indicative only and in some instances extended beyond the developable area of an allotment



Legend

-  Property Boundaries
-  Acquisition Area
-  Roads
-  Tucki Tucki Creek





- Legend**
- Rivers / Creek
 - Road Review Plan
 - Lineworks
 - Intersection
 - Properties
 - Rivers / Creeks
 - Roads



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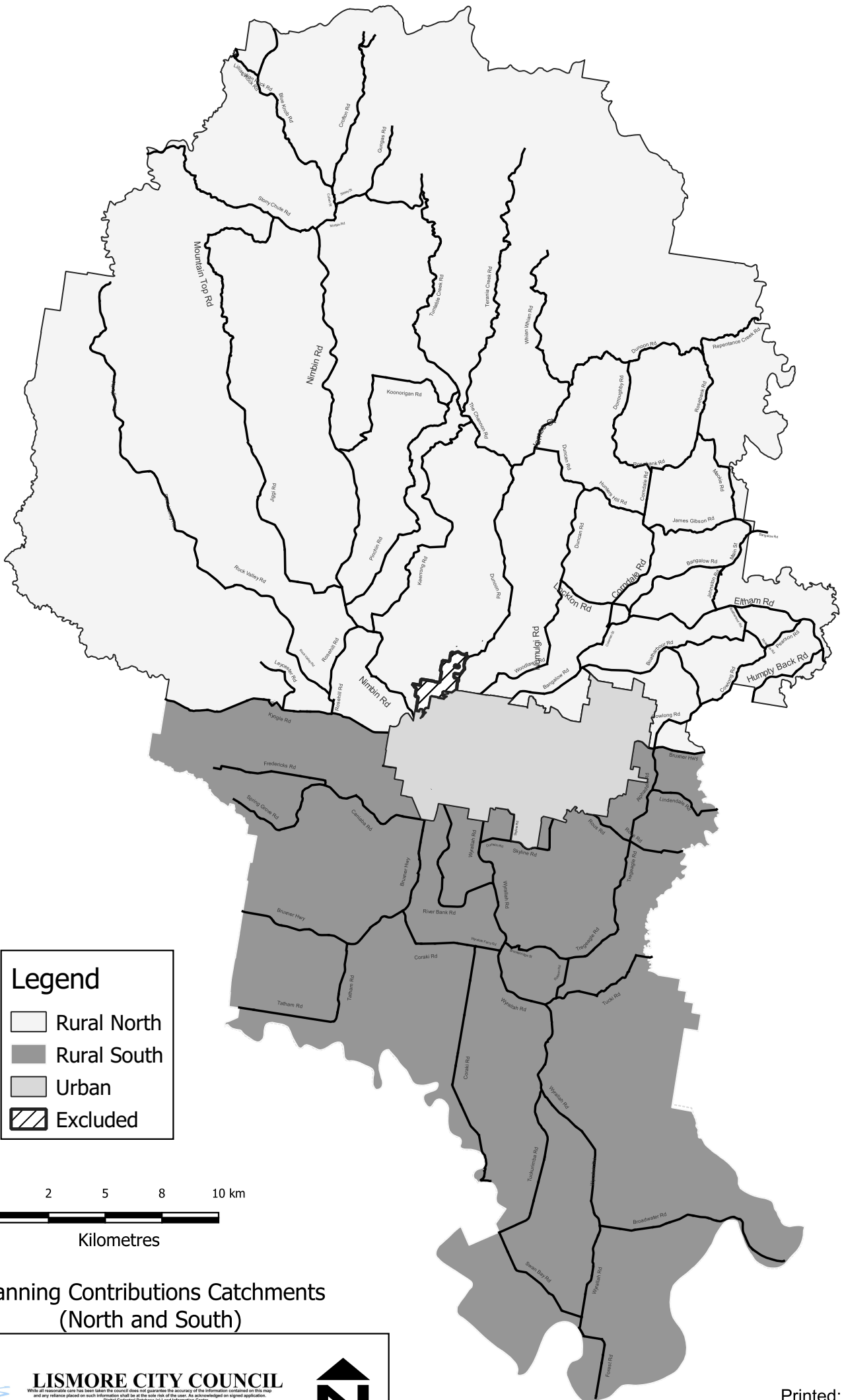
While all reasonable care has been taken the council does not guarantee the accuracy of the information contained on this map and any reliance placed on such information shall be at the sole risk of the user. As acknowledged on signed application.
 Digital Cadastral Database (c) Land Information Centre



Traffic Management

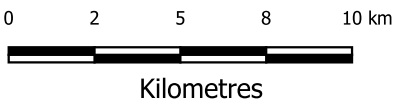
Printed: 22.2.2024

Disclaimer: The mapped areas are indicative only and in some instances extended beyond the developable area of an allotment



Legend

- Rural North
- Rural South
- Urban
- Excluded



**Planning Contributions Catchments
(North and South)**



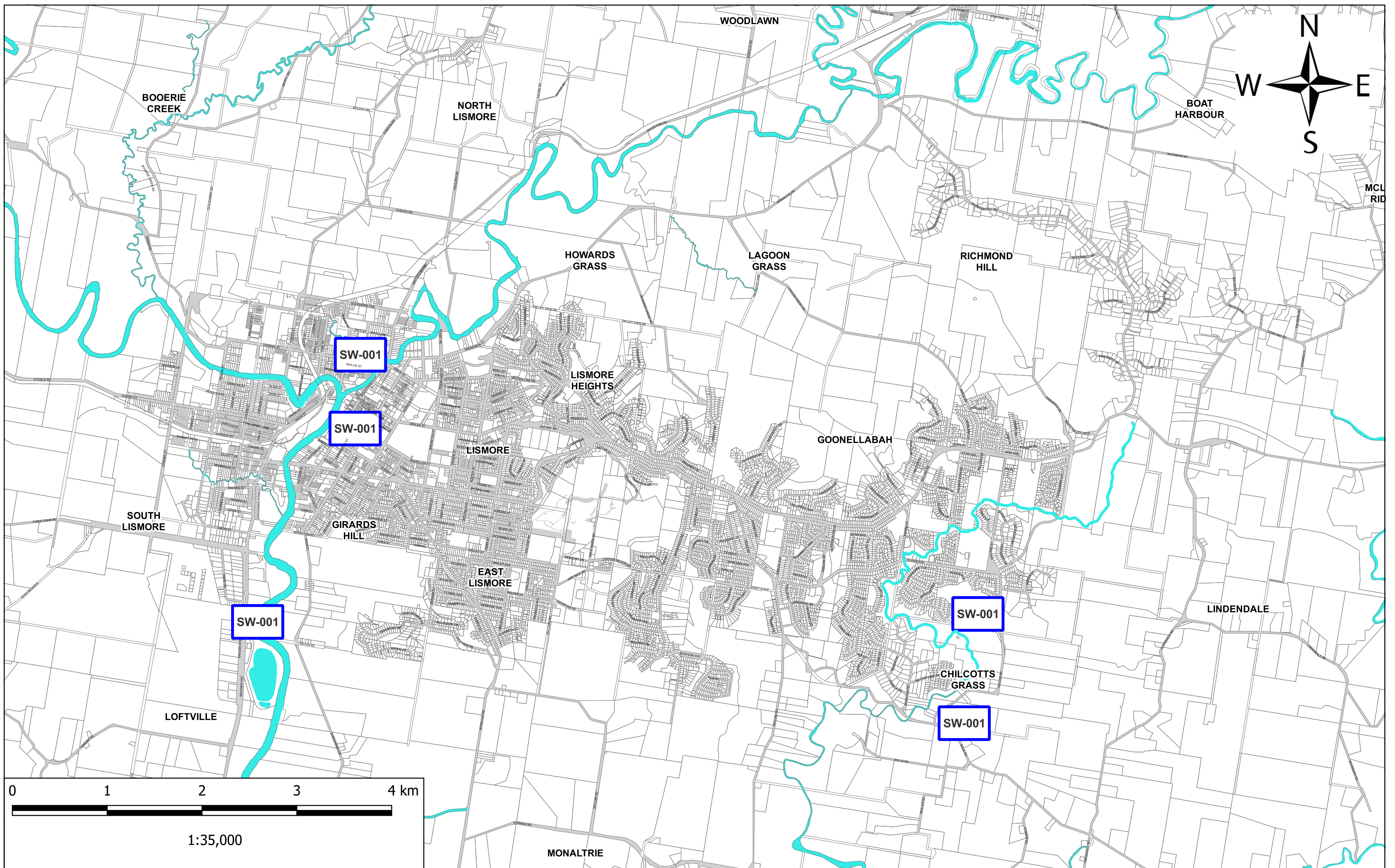
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While all reasonable care has been taken the council does not guarantee the accuracy of the information contained on this map and any reliance placed on such information shall be at the sole risk of the user. An acknowledgement on signed application. Digital Cadastral Database (2) Land Information Centre



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Scale: 1:220,000



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While all reasonable care has been taken the council does not guarantee the accuracy of the information contained on this map and any reliance placed on such information shall be at the sole risk of the user. As acknowledged on signed application.
 Digital Cadastral Database (c) Land Information Centre



Stormwater

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Disclaimer: The mapped areas are indicative only and in some instances extended beyond the developable area of an allotment

Appendix D – Pro forma Condition of Consent

- (a) In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the Lismore City Council Section 7.11 Infrastructure Contributions Plan 2024-2041 (the Plan), the following monetary contributions shall be paid to Council to cater for the increased demand for public infrastructure resulting from the development:

Description	Contribution (\$)
Community Facilities	\$
Public Domain	\$
Open Space and Recreation	\$
Walking and Cycling	\$
Traffic Management	\$
Stormwater Management	\$
Heavy Haulage	\$
Plan Preparation and Administration	\$
TOTAL	\$

- (b) If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment.
- (c) The monetary contributions shall be paid to Council:
- prior to the issue of the Subdivision Certificate where the development is for subdivision; or
 - prior to the issue of the first Construction Certificate where the development is for building work; or
 - prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
 - prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's Plan may be viewed at www.lismore.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

Appendix E – Pro forma CDC Condition

- (a) In accordance with Section 4.28(6) of the *Environmental Planning and Assessment Act 1979* and the Lismore City Council Section 7.11 Infrastructure Contributions Plan 2024-2041 (the Plan), the following monetary contributions shall be paid to Council to cater for the increased demand for public infrastructure resulting from the development:

Description	Contribution (\$)
Community Facilities	\$
Public Domain	\$
Open Space and Recreation	\$
Walking and Cycling	\$
Traffic Management	\$
Stormwater Management	\$
Heavy Haulage	\$
Plan Preparation and Administration	\$
TOTAL	\$

- (b) If the contributions are not paid within the financial quarter that this complying development certificate is granted, the contributions payable will be adjusted in accordance with the provisions of the Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment.
- (c) The monetary contributions shall be paid to Council:
- prior to the works commencing where the development requires building works;
 - prior to occupation or the issue of an occupation certificate, whichever occurs first, where no works are required.

It is the professional responsibility of an accredited certifier to ensure that the monetary contributions have been paid to Council prior to authorising works to commence.

Council's Plan may be viewed at www.lismore.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

Appendix F – References

The following legislation, plans and policies, studies, technical guides and other information have been used to formulate the contents of the Plan:

- Australian Bureau of Statistics (2016). Census Data
- Australian Bureau of Statistics (2021). Census Data
- Lismore City Council (2020b). Local Strategic Planning Statement
- Department of Planning (2005). Development Contributions Practice Notes
- Department of Planning (2009). Draft Local Development Contributions Guidelines
- Department of Planning and Environment (2022). North Coast Regional Plan 2041
- Department of Urban Affairs & Planning (1997). The Section 94 Contributions Manual
- Environmental Planning and Assessment Act 1979*
- Environmental Planning and Assessment Regulation 2021*
- .id the population experts (2024). Lismore City Council Forecasts, <https://forecast.id.com.au/lismore>
- Lismore Local Environmental Plan 2000*
- Lismore Local Environmental Plan 2012*
- NSW Roads and Traffic Authority (October 2002 – Version 2.2), *Guide to Traffic Generating Development*
- NSW Roads and Traffic Authority (August 2013), *Technical Direction TDT 2013 / 04A*