



Section 7.12 Contributions Plan

ENDORSED BY COUNCIL - 14 APRIL 2026

GRIFFITH CITY COUNCIL

1 BENEREMBAH STREET, GRIFFITH NSW 2680

Griffith City Council acknowledges the Wiradjuri people as the traditional owners and custodians of the land and waters, and their deep knowledge embedded within the Aboriginal community. Council further pays respect to the local Wiradjuri Elders, past, present and those emerging, for whom we acknowledge have responsibilities for the continuation of cultural, spiritual and educational practices of the local Wiradjuri people

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Sustainable Development

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Definitions

Acronym/Term	Definition
Applicant	person, company or organisation submitting a development application or an application for a complying development certificate or a person, company or organisation authorised to act on a consent.
Application	Development Application or Complying Development Certificate.
CDC	Complying Development Certificate.
Council	Griffith City Council
CPI	Consumer Price Index, All Groups Sydney (Series ID A2325806K) as published by the Australian Bureau of Statistics (ABS).
DA	means a Development Application.
DPHI	NSW Department of Planning, Housing and Infrastructure.
EP&A Act	Environmental Planning and Assessment Act 1979.
EP&A Regulation	Environmental Planning and Assessment Regulation 2021.
LGA	Local Government Area.
Plan	means this Section 7.12 Contributions Plan.
Registered Certifier	means a person who is registered under the <i>Building and Development Certifiers Act 2018</i> and who is acting in respect of matters to which the registration applies.
Secondary Dwelling	Has the same meaning as in the Griffith Local Environmental Plan 2014
SEPP	Means a State Environmental Planning Policy
VPA	Means a Planning Agreement under Section 7.4 of the EP&A Act

1 Executive Summary

1.1 Introduction

Griffith is the regional centre of the Western Riverina, a diverse and rich agricultural region of New South Wales, boasting major industries of rice, cotton, poultry, almonds, wine grapes, cereal production, manufacturing, agriculture, construction and food processing. The key industries in Griffith are supported by sound transport infrastructure and a diverse skills base drawn from a population that has grown over recent decades. Griffith also has a youthful and culturally diverse population. With a range of choices in education, including university pathways and a cosmopolitan lifestyle, underpinned by vibrant arts, fine dining, boutique shopping and abundant sporting and leisure activities, Griffith has much to offer its residents and visitors.

The Griffith City Council Local Government Area has a current estimated resident population of around 27,000 persons. Griffith's population is projected to reach around 34,500 by 2046 – an increase of over 7,300 people – growing at an average rate of 1%. This growth is largely driven by net overseas migration and natural increases, with new residents also relocating from other parts of Australia in search of a more affordable and well-connected regional lifestyle. While growth has slowed in recent years, partly due to housing shortages, forecasts indicate a continued upward trend. To keep pace, Griffith will need to provide a diverse and adequate supply of housing to meet the needs of both current residents – including those who are unhoused or seeking more sustainable options – and new arrivals.

Providing good-quality, well-planned infrastructure to meet the current and future population needs is essential for delivering well-designed communities. This contributions plan applies to the entire Griffith Local Government Area and allows Council and registered certifiers to levy a contribution towards the cost of providing local infrastructure on new development.

1.2 Section 7.12 Contributions

Section 7.12 of the *Environmental Planning and Assessment Act 1979* allows councils and certifiers to impose a condition requiring a contribution towards the provision, extension or augmentation of public amenities or public services, or the recoupment of these costs.

The primary purpose of this Contributions Plan is to satisfy the requirements of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") and the *Environmental Planning and Assessment Regulation 2000* ("EP&A Regulation") to enable Council and Certifiers to apply a condition of consent requiring payment of a contribution towards the cost of or towards the recoupment of the cost of the provision, extension or augmentation of public amenities, public services and infrastructure that will, or are likely to be, or that have been provided and are required to adequately serve the people of the Griffith community.

Contributions levied under Section 7.12 are calculated by multiplying the proposed cost of carrying out the development by the applicable levy percentage rate. Where a contribution is payable in respect of a development, a condition will be included in the development consent or Complying Development Certificate.

1.3 Legislative Principles

The following principles form the legislative basis for the collection of monetary contributions for development under the EP&A Act.

Table 1: Legislative Requirements for Section 7.12 Contributions Plan

Legislative Requirements	Reference	Addressed in this Plan
Council can charge a Section 7.12 levy as a condition of consent if it is authorised by a contributions plan.	7.12 (1) EPA& Act	Whole Plan
Contributions can be collected under a Section 7.12 plan to provide local infrastructure or recoup the cost of infrastructure already provided.	7.12 (3) EP&A Act	Whole Plan
The infrastructure must be provided in a reasonable time	7.3 (1) EP&A Act	See Appendix A
A Section 7.12 plan must demonstrate the relationship between the expected types of development in the area to which the plan applies, and the demand for additional local infrastructure.	212 (c) EP&A Regulation	See Section 2.
However, the condition imposed under Section 7.12 does not require a direct link between the development and the local infrastructure that the contribution will be spent on.	7.12 (4) EP&A Act	Noted
A condition under Section 7.12 cannot be appealed if it is made in accordance with an approved plan.	7.13 (4) EP&A Act	Noted

1.4 Levy Rates

In accordance with Clause 209(2) of the EP&A Regulation 2021, the contribution amount payable will be calculated based on the proposed cost of carrying out the development and the applicable levy rate, as shown in

Table 2: Section 7.12 Applicable Levy Rate

Proposed Cost of Carrying out the development	Levy rate
Up to and including \$100,000	Nil
\$100,001 to \$300,000	0.1%-1% (refer to Section 3.11 for calculation requirements)
Over \$300,000	1%

1.5 Content that Must be Included in a Contributions Plan

Content of a Section 7.12 plan	Legislation	Section of the Plan Addressed
The purpose of the plan	212(1)(a) EP&A Regulation	See Section 3.4
The land to which the plan applies	212(1)(b) EP&A Regulation	See Section 3.5
The development to which the plan applies and the relationship between the expected types of development and the demand for additional infrastructure	212(1)(c) EP&A Regulation	See Section 2 for infrastructure demand and Section 3 for development to which the plan applies.
A map showing the specific public amenities and services proposed	212(1)(f) EP&A Regulation	See Appendix C
A works schedule that contains an estimate of the costs and staging	212(1)(g) EP&A Regulation	See Appendix A
The priorities for the expenditure if pooling and progressively applying funds	212(1)(h) EP&A Regulation	See Appendix A and Section 4.2

Content of a Section 7.12 plan	Legislation	Section of the Plan Addressed
The percentage of the development levy for each type of development	212(2)(a) EP&A Regulation	See Section 1.4
How the cost of development will be indexed from the granting of consent to when the levy is paid	212(2)(b) EP&A Regulation	See Section 3.12
The timing of payment and the policy on considering deferred or periodic payments	212(3) EP&A Regulation	See Section 3.13
A section specifying the type of development or area that the plan applies to, and that it precludes a Section 7.11 condition from being applied to that same type or area	7.18(2) EP&A Act	See Section 3.8 and Section 3.16
Information for registered certifiers about when a contribution is required for complying development certificates and how the amount can be obtained	7.21 EP&A Act	See Sections 3.19 and 3.20

2 Background

2.1 Griffith

Griffith is the regional centre of Western Riverina, a diverse and rich agricultural region of New South Wales, boasting major industries of rice, cotton, poultry, almonds, wine grapes, cereal production, manufacturing and food processing.

The key industries in Griffith are supported by sound transport infrastructure and a diverse skills base drawn from a population that has grown over recent decades. Griffith also has a youthful, culturally diverse population, reflected in an energetic retail and service sector. With a range of educational options, including University pathways, and a cosmopolitan lifestyle, underpinned by vibrant arts, fine dining, boutique shopping, and abundant sporting and leisure activities, Griffith has much to offer its residents.

Griffith is strategically located about 470km west of Sydney and almost 300km north-west of Canberra, covering a land area of 1,640km². It is a key connection point for the Riverina Murray region, linking central NSW, Sydney, Canberra, and South Australia. As one of the four major regional cities in the Riverina Murray Basin, Griffith offers essential higher-order services, such as business, retail, arts, culture, and recreation, to smaller settlements across the region.

The region's housing demand is driven not only by its growing permanent population but also by seasonal and temporary workforces linked to agriculture and major infrastructure projects. This includes large-scale projects like the Griffith Base Hospital redevelopment, which will provide expanded healthcare services and support the growing demand for housing and accommodation.

Griffith's role as a regional transport hub is vital to its continued growth and economic stability. The city is well connected by air, rail, and road, and is identified in the NSW Future Transport Strategy as a critical regional node with key transport links to South Australia. This infrastructure is crucial for supporting the region's industries, including agriculture and freight, and enhancing the mobility of Griffith's residents and workers.

Griffith's health and education sectors also contribute to its regional importance. The city is a regional hub for healthcare, with facilities like Griffith Base Hospital, Griffith Community Health Centre, and St Vincent's Private Hospital serving the local community and surrounding areas. The Riverina Murray Regional Plan recognises Griffith as a hub for both health and education, with plans for expanding healthcare precincts and associated services around the hospital sites.

2.2 Assumptions

The following assumptions have been made to provide a base for the calculations and assessments for this Plan.

- Griffith's population will continue to increase at about 1% per annum;
- The dwelling occupancy rate will remain higher than the state average but will continue to reduce over time, consistent with national trends;
- The diverse cultural mix of the region will continue to be consistent with past trends; and
- The community's expectations as identified in Council's Community Strategic Plan (We are Griffith) will remain stable for the life of the plan.

Should any of these assumptions not eventuate, future reviews of this Plan will need to make appropriate variations or amendments to the Schedule of Works (Appendix A) to accommodate those changes. It should be noted in particular that changes to legislation and technological advances may significantly affect the base assumptions of this plan, thereby increasing or decreasing the costs of providing infrastructure.

2.3 Demand Assessment

Council has prepared and is in the process of preparing a series of Strategic Plans that identify existing conditions and anticipated future demands for housing, employment lands, public facilities and services. These strategic plans will be reviewed or amended from time to time to ensure they continue to meet the community's expectations and needs.

Each Strategic Plan provides an assessment of demographic changes, associated increases in demand, and locations for future public facilities and services. Each plan has or will be exhibited for community input prior to adoption by Council.

The strategic plans that this Plan relies on include, but are not limited to, the following:

- Griffith Community Strategy Plan 2025
- Griffith Land Use Strategy Beyond 2030 (2013)
- Griffith Local Strategic Planning Statement 2020
- Griffith Housing Strategy 2026
- Griffith Employment Lands Strategy 2024
- Griffith Health Precinct Master Plan 2022

The growth area master plans, prepared by Council, which will guide the development of key growth areas containing over 3000 new residential lots, include:

- Collina Growth Areas Master Plan 2008
- Lake Wyangan Growth Areas Master Plan and Section 7.11 Contribution Plan – 2023
- Hanwood Growth Area Master Plan (draft-expecting endorsement in early 2026)
- Yenda Growth Area Master Plan 2025

2.4 Infrastructure

Infrastructure is key to community livability and helps create vibrant places. To support our existing and growing communities, it is essential to ensure that infrastructure is properly planned, funded, and delivered on time. This will ease pressure on current infrastructure and ensure that the increased demand caused by population growth is adequately met.

This Plan recognises that community growth and cultural change create a need for community infrastructure, including roads, drainage, social, cultural, recreational, and other infrastructure. Some of this need can be satisfied by the imposition of conditions on development, such as subdivision of land. However, some items may not be directly attributable to any one development or may be of such a magnitude that the cost could not be carried by any one development.

In preparing this plan, the Council has been mindful to ensure that the works proposed are necessary to serve the growing community of Griffith and could not reasonably be provided within the constraints of the Council's financial plan. In general, projects included in this Plan are required to meet expected future or known shortfalls or increases in demand for those facilities or services within the Griffith LGA.

The types of infrastructure that are considered local 'public amenities and services' (or local infrastructure) for this contributions plan include:

- Open Space and Recreation - parks, passive recreational spaces, reserves and sports fields.
- Community Facilities - libraries, community centres, cultural facilities, public art and other places used for the physical, social, cultural or intellectual development or welfare of the community.
- Transport - roads, intersections, bridges, active transport (footpaths and cycleways), public transport.
- Stormwater Management - detention basins, drainage channels, WSUD measures and other necessary drainage works.
- Plan administration - direct staff costs (planning and finance), planning studies.

The types of infrastructure that are not considered part of this Plan include utilities (water, wastewater, gas, and electricity) and regional or state infrastructure (e.g., schools and hospitals).

There are many ways infrastructure can be funded, including general revenue, grants, and infrastructure contributions made by developers, also known as Development Contributions.

2.5 Section 7.12 Contributions

Section 7.12(1) of the EP&A Act allows a consent authority to impose a condition of consent requiring the applicant to pay a monetary contribution towards infrastructure. Contributions levied under Section 7.12 are calculated based on the proposed cost of the development, multiplied by the applicable levy percentage rate. The contribution amount payable is specified in the development consent or complying development certificate and is subject to indexation until the payment is made. The Section 7.12 contributions collected help fund, in whole or in part, public infrastructure as outlined in Appendix A. The Schedule of Works in Appendix A is subject to review and change as part of the annual budget operational plan process, which is reported on and endorsed through council meetings. Council, at its discretion, may amend this Plan at any time, including reviewing and amending the Schedule of Works.

3 Administration and Operation of the Plan

3.1 Name of this Plan

This Plan replaces all previous plans and policies relating to or providing for the levying and collection of contributions for community services, open space, recreation facilities, roads and car parking facilities (other than those Section 7.11 or former Section 94 Plans which remain in operation). It does not, and is not intended, to remove Council's option to negotiate a Planning Agreement with a developer under the provisions of the EP&A Act. This Plan is to be known as: **Griffith City Council Section 7.12 Contributions Plan**.

3.2 Commencement of this Plan

The former Griffith City Council 94A Contributions Plan first became effective on 1 July 2010 and was later amended in January 2013, and the amendments became effective on 15 March 2013.

This plan review became effective on 14 April 2026.

3.3 Legislative Framework

This Plan levied contributions under Section 7.12 of the EP&A Act, which provides that:

7.12 Fixed development consent levies

(1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.

This Plan has been prepared in accordance with the provisions of the EP&A Act, EP&A Regulation, Ministerial Directions, and the Local Infrastructure Contributions Practice Notes.

3.4 Purpose of the Plan

The primary purpose of this Contributions Plan is to satisfy the requirements of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") and the *Environmental Planning and Assessment Regulation 2000* ("EP&A Regulation") to enable Council to apply a condition of consent requiring payment of a contribution towards the cost of or towards the recoupment of the cost of the provision, extension or augmentation of public amenities, public services and infrastructure that will, or are likely to be, or that have been provided and are required to serve the people of the Griffith community adequately.

The Plan estimates the collection of around \$20,000,000 over roughly 20 years. These funds are considered vital for providing infrastructure to support the growing community.

Overall, the purpose of this plan is to:

- Authorise Council, a registered certifier or other consent authority to impose conditions under Section 7.12 of the EP&A Act when determining an application on land to which this Plan applies.
- Provide a framework for the equitable calculation, collection, and management of contributions.
- Ensure that each development makes a reasonable contribution towards the provision of infrastructure.
- Assist the Council to provide the appropriate public facilities that are required to maintain and enhance amenity and service delivery within the area.
- Ensure Council's management of development contributions complies with relevant legislation and guidelines.

3.5 Application of this Plan

This plan applies to the whole of the LGA of Griffith City (See **Appendix C** for a map of the LGA). Upon commencement of this Plan, Council may not impose a condition pursuant to Section 7.12 of the EP&A Act in respect of any development affected by this Plan.

3.6 Operation of the Plan

When assessing a development application, Council will impose a condition that requires payment of a contribution in accordance with this Plan. Similarly, when assessing an application for a complying development certificate, the Council or the registered certifier will impose a condition requiring payment of a contribution in accordance with this Plan.

This Plan applies to applications for development consent and complying development certificate applications under Part 4 of the EP&A Act, determined on or after the commencement of this Plan.

Contributions paid to Council will be held in a restricted asset account and allocated to infrastructure projects during the annual budget preparation process.

3.7 Savings and Transitional Arrangements

The Contribution Plan in force at the time an application is determined (not lodged or submitted) will apply. An application that is modified will continue to be levied in accordance with the Plan that applied at the date of original determination.

3.8 Ministerial Direction

A Direction issued by the NSW Minister for Planning under Section 7.17 of the EP&A Act will prevail over the provisions of this Plan. The Ministerial Directions relative to this Plan include:

- Environmental Planning and Assessment (Local Infrastructure Contributions – Pooling of Contributions) Direction 2020
 - If a local council holds monetary contributions that have been paid for different purposes, including for purposes identified in more than one contributions plan that applies in the local government area concerned, the council is to endeavour to pool those contributions, and apply them progressively, in order to facilitate the provision of the public amenities and public services to which any of those contributions plans relate.
 - **monetary contributions** means monetary contributions imposed under Section 7.11 of the Environmental Planning and Assessment Act 1979 and levies imposed under Section 7.12 of that Act
- Environmental Planning and Assessment (Local Infrastructure Levies) Direction 2015 – issued 14 April 2016 (revokes the Direction issued on 10 November 2006)
 - If a development contribution under Section 7.11 of the EP&A Act has been required in respect of the subdivision of land (initial subdivision), a levy under Section 7.12 of the EP&A Act may not be required in respect of any other development on the land, unless that other development will, or is likely to, increase the demand for public amenities or public services beyond the increase in demand attributable to the initial subdivision.
- *Environmental Planning and Assessment Act 1979* - issued 14 September 2007
 - A contribution cannot be imposed on development for the purposes of any form of seniors housing as defined in the State Environmental Planning Policy (Housing) 2021, where the development consent is granted to a social housing provider as defined in the SEPP (Seniors Living) 2004.
- Planning Circular D6 - Crown Development Applications and conditions of consent 1995
 - Contributions levied on Crown development should be in accordance with the matrix table, which provides a guideline on appropriate categories of contributions for each Crown activity.

Further details on current Section 7.17 Directions can be found at www.planning.nsw.gov.au.

3.9 Planning Agreements

A Planning Agreement is a voluntary agreement between a planning authority and a developer, under which the developer agrees to make contributions towards a public purpose. This may include the dedication of land, a monetary contribution, any other material public benefit or a combination of these. A Planning Agreement may or may not exclude the application of Section 7.12 to the development to which the agreement applies.

The provisions of Sections 7.4 to 7.10 of the EP&A Act and Clauses 202 to 206 of the EP&A Regulation prescribe the contents, form, subject matter and procedures for making Planning Agreements. Further information can also be found in the Council's Planning Agreements Policy.

3.10 Maximum Allowable Contributions

Section 7.12 provides that the contribution imposed as a condition of consent must be a percentage of the cost of the development proposed to be carried out. The percentage of the levy is to comply with the EP&A Regulation and is to be authorised by this Plan.

The EP&A Regulation sets a maximum contribution of 1% of the cost of the development for a contributions plan for the Griffith LGA. Clause 25K states that the maximum contribution shall be:

- If the proposed cost of carrying out the development is up to and including \$100,000 – Nil
- If the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000 – 0.5 percent of that cost
- If the proposed cost of carrying out the development is more than \$200,000 – 1.0 percent of that cost.

3.11 Calculations of Contributions under this Plan

This Plan allows Section 7.12 contributions for developments costing between \$100,000 and \$300,000 to be determined by a sliding scale. This will further lessen any adverse impacts on minor developments and low-cost housing.

For the purpose of this plan, contributions shall be calculated in accordance with the following formulae:

- For estimated development cost less than \$100,000: Nil
- For estimated development costs between \$100,000 and \$300,000, the following calculations will be used:

$$R = (C - 100)/200$$

Where

R = rate of contribution as a percent

C = estimated cost of development in \$1,000 (see Sec 7.9)

Varies from 0% to 1%

Cost of development C = \$250,000 $R = (250 - 100)/200 = 0.75\%$.

- For estimated development cost greater than \$300,000: 1%.

3.12 Indexation

In accordance with Clause 208(5) of the EP&A Regulation, the contribution amount calculated will be subject to indexation until the date of payment. The contribution amount will be indexed

quarterly using the Consumer Price Index; All Groups, Sydney (CPI) published by the Australian Bureau of Statistics (ABS) based on the following formula:

$$\text{Contribution payable} = \$C \times (\text{CPI}_P / \text{CPI}_C)$$

Where:

C is the original contribution amount.

CPI_P is the CPI at the time of payment (or current quarter).

CPI_C is the CPI at the time the application was determined.

Table 3: Index Dates

Index Quarter	Index released by ABS	Effective From
March Quarter	Late April	1 May
June Quarter	Late July	1 August
September Quarter	Late October	1 November
December Quarter	Late January	1 February

To check the current indexed amount payable, please contact Council.

3.13 Timing of Payment

The timing requirements for when the contribution needs to be paid will be set out in the development consent or CDC, and will be based on the following provisions:

For development applications, the contribution is payable as follows:

- DA involving building work - before the issue of any Construction Certificate.
- DA involving subdivision only - before the issue of any Subdivision Certificate.
- DA involving both subdivision and building work - before the issue of any Construction Certificate or Subdivision Certificate, whichever occurs first.

For Complying Development Certificates, the contribution is payable as follows:

- CDC involving building work – before any building work commences.
- CDC involving subdivision only – before the issue of any Subdivision Certificate.
- CDC involving both subdivision and building work – before any building work commences or before the issue of any Subdivision Certificate, whichever occurs first.

Where a development is staged, the application may include a request for any condition requiring the payment of contributions to provide for staged payments.

Where a Ministerial Direction provides an alternative provision for the timing of contribution payment, this may override this Plan and the condition of consent.

3.14 Deferred or Periodic Payments

Council may accept deferred or periodic payment of a contribution upon written request by the applicant or any other person entitled to act upon the relevant consent.

For Development that is the subdivision of land for residential purposes:

This option is not applicable if the construction of a dwelling is included in the development application.

Council will consider deferral of payment of monetary contributions up to the settlement of sale proceeds, or 5 years from issue of a subdivision certificate, whichever is the sooner, provided that the owner enters into a Deed of Charge in a form acceptable to Council, binding the land with the obligation to repay the contributions, any indexation thereof and any interest thereon.

The Deed of Charge is to contain provisions enabling Council to register a caveat on the title of each proposed lot of the subdivision, recording Council's interest under the Deed.

The amount of the contributions is to be indexed in accordance with the Contributions Plan.

For Other Types of Development

Any deferral will generally be limited to a period of no more than 12 months, however, Council may agree to a longer period in exceptional circumstances. Periodic payment can be negotiated with Council but would normally be of equal instalments over the payment period.

Council may require the applicant to provide to Council a bank guarantee (from a bank and in a format acceptable to Council) for the payment of the outstanding amount on condition that:

- a) the guarantee requires the bank to pay the guaranteed amount unconditionally to Council where it so demands in writing, not earlier than six months (or a term determined by Council) from the provision of the guarantee or completion of the development or stage of the development to which that the contribution or part relates.
- b) the guarantee prohibits the bank from:
 - having regard to any representations made by the applicant or other person entitled to act upon the consent; and
 - having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount.
- c) the bank's obligations under the guarantee are discharged:
 - when payment is made to the Council according to the terms of the bank guarantee;
 - if the related consent lapses; or
 - if the Council otherwise notifies the bank in writing that the bank guarantee is no longer required.

- d) the applicant pays interest to Council on the contribution or the outstanding balance of the contribution at the overdraft rate on and from the date when the contribution would have been otherwise payable in accordance with this Plan.

3.15 Determination of the Cost of Development

The cost of a development must be determined in accordance with Section 208 of the EP&A Regulation and Section 7.12 of the EP&A Act. The Department of Planning, Housing and Infrastructure (the Department) prepares Planning Circulars to assist Applicants and Councils in ensuring the requirements of the legislation are met when submitting a development application. Planning Circular PS 21-022 - Calculating the genuine estimated cost of development was issued on 2 December 2021 and provides requirements pertaining to how the cost of a development must be quantified and prepared for submission to Council or the consent authority.

Applicants must ensure the requirements of the EP&A Regulation, EP&A Act and any applicable Planning Circular and any relevant guideline are followed in the preparation of the genuine cost of development in the submission of a development application or Complying Development Certificate application.

3.16 Are there any Exemptions to the Levy

The levy will NOT be imposed on the following developments or types of development.

- Where the cost of the proposed development, calculated in accordance with this plan, is \$100,000 or less.
- Where a new dwelling replaces an existing dwelling destroyed as a result of accidental or natural disaster, provided the new dwelling is a similar size to the dwelling it replaces (with a levy to be applied to the difference in cost attributed to the increase in building area).
- Where the development is for the purpose of disabled access.
- The construction of secondary dwellings.
- Where the development is for the sole purpose of providing 'affordable housing'.
- Where the development is for the purpose of reducing the consumption of mains-supplied potable water or reducing the energy consumption of a building.
- Where the development is for the sole purpose of the adaptive reuse of an item of environmental heritage.
- Development excluded from Section 7.12 contributions by a Ministerial Direction under Section 7.17 of the Environmental Planning and Assessment Act 1979.
- Where the development has previously been levied a contribution for the subdivision of land under Section 7.11 of the Act.
- Any other development exempted by resolution of Council (**See Appendix B**).

From time to time, Council may, by resolution, exempt a particular development or type of development from the requirement to pay a levy under this Plan.

Appendix B identifies those developments that Council has exempted from payment of levies under this Plan. The date the exemption commenced and the duration of the exemption are also indicated.

3.17 Payment Methods

In all instances, the Section 7.12 contribution will be a monetary contribution. Before arranging payment, please contact Council to check the current indexed amount payable.

The following payment methods are available:

- **Phone** – please call 1300 176 077 to pay by credit card.
- **In person** – please visit the Administration Building at 1 Benerembah Street, Griffith, to pay by cash, EFTPOS, credit card or bank cheque (personal cheques are not accepted).
- **Post** – please mail a bank cheque to PO Box 485, Griffith NSW 2680

3.18 Refunds

Requests for the full or partial refund of contributions paid will be considered in limited circumstances and must be made in accordance with the following requirements:

- The development consent or Complying Development Certificate must not have been acted on or must be formally surrendered, and
- The current landowner must submit a written request to Council.

A delegated council officer may approve requests for refunds, in part or in full, that are made in accordance with the above provisions, or in other circumstances considered reasonable.

3.19 Registered Certifiers – Complying Development Certificate

In accordance with sections 4.28(9) and 7.21 of the EP&A Act and Clause 156 of the EP&A Regulation, applications for a complying development certificate are also subject to the provisions of this Plan, and a registered certifier must impose a condition requiring the payment of a Section 7.12 contribution in accordance with the requirements of this Plan.

The condition must include the contribution amount calculated in accordance with this Plan and require payment before any building or subdivision work authorised by the certificate commences. Further information on how to calculate and condition contributions is available on Council's website. The following template condition may be used:

Development Contributions

In accordance with Section 4.28(9) of the *Environmental Planning and Assessment Act 1979* and the Section 7.12 Contribution Plan, a contribution of \$[INSERT AMOUNT], subject to indexation, must be paid to Griffith City Council before any building or subdivision work authorised by this certificate commences.

In accordance with Clause 156(2)(b) of the EP&A Regulation and the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the applicant must provide sufficient evidence to the Certifier so that they can ensure that the contribution has been fully paid before any building or subdivision work authorised by the certificate commences.

3.20 Registered Certifiers – EP&A Act Part 6 Certificates

A registered certifier must not issue a Certificate under Part 6 of the EP&A Act where the development consent imposes a condition in accordance with this Plan unless the condition has been complied with. This applies to the following Part 6 Certificates:

- Construction Certificate
- Occupation Certificate
- Subdivision Certificate

In accordance with Clauses 20(b), 46 and 54(2)(f) of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, a registered certifier must not issue a Construction Certificate, Occupation Certificate or Subdivision Certificate, unless a condition of the development consent requiring the payment of a Section 7.12 contribution has been complied with.

4 Expenditure, Accounting and Review

4.1 Expenditure

The Capital Works Program delivered by the Council is financed through a combination of funding sources, including contributions collected under this Plan. Section 7.12 Contributions will be allocated to projects via the annual budget process, based on the Works Schedule (See **Appendix A**), and will be refined as needed until the projects are delivered. This may involve reviewing projects and/or budget allocations during the budget review process, which is reported to and approved by Council.

Section 7.12 of the EP&A Act provides:

(3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan

4.2 Pooling of Levies

This Plan expressly authorises monetary levies paid pursuant to this Plan or other contributions plans to be pooled and applied progressively for any works included in the Schedule of Works to this Plan, provided that the Council is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect within a reasonable time of the purposes for which the money was originally paid.

4.3 Accounting and Accountability

Council has established a register of contributions as required under Clauses 217-220 of the EP&A Regulation.

In particular, the register will include the following information for any development that has a condition of consent requiring the payment of a contribution under this Plan:

- a) particulars sufficient to identify each development consent for which any such condition has been imposed;
- b) the nature and extent of the Section 7.12 levy under this Plan required by any such condition;
- c) the contributions plan (this Plan) under which any such condition was imposed; and
- d) the date or dates on which any Section 7.12 levy required by any such condition was received, and its nature and extent.

Funds received under this Plan will be recorded in Council's accounting records as required under Clause 35 EP&A Regulation. As a minimum, Council's records will identify the following;

- a) the kinds of public amenities or services for which expenditure is authorised under the Plan;
- b) funds received over each financial year;
- c) funds allocated to items on the Schedule of Works, whether those funds have been expended and/ or the works have been completed;
- d) any pooling of funds in accordance with **Section 4.2** of this Plan; and
- e) interest earned (or loss) on any funds invested under this Plan.

Council's Annual Report will include a statement of all fund movements under this plan as required by Clause 36 EP&A Regulation.

The following information will be held in a format that can be made available to the public on request, as required by the EP&A Regulation:

- a copy of this Plan;
- a copy of its Annual Statements and Annual Report; and
- details from the register of contributions made under this Plan.

4.4 Review of the Plan

Council will review this Plan every 10 years to ensure that it remains consistent with the community's expectations and that the Schedule of Works can be achieved within a reasonable period of time.

If appropriate, Council may lower or vary the percentage of the development cost used to determine contributions required under this Plan or repeal this Plan and adopt a new plan to address changed circumstances. In any case where a new plan is prepared, Council will exhibit the plan and consider submissions before implementation of the new plan.

APPENDIX A – SCHEDULE OF WORKS

The works listed in this schedule are to be funded from a mix of sources, including Section 7.12 funds. **Table 4** below is a list of priority projects to be funded, in whole or in part, by Section 7.12 levies. The location of these projects is provided in **Appendix C**.

Approximate time scales for priority ratings are as follows:

- High - within 5 years of adoption of the plan
- Medium - from 6 to 10 years from the adoption of plan
- Low - from 11 to 15 years from the adoption of plan

To assess the anticipated income to be received by Council under this Plan, a review was undertaken of development consents granted over the ten years from 1 July 2015 to 1 July 2025. Over the 10-year period, a total of \$9,797,793 was paid to Council, averaging around \$979,779 per year. Based on an expected population growth rate of 1% per year, an average of \$1 million of Section 7.12 contributions per year are expected to be levied over a 20-year planning horizon, equating to an estimated \$20 million. As is evident from the Schedule of Works Table Below, the projects identified exceed the expected 7.12 Contributions to be received by Council.

Council may choose to utilise funding from alternative sources to either supplement or replace funding under this plan. Council will actively seek grant funding from State and Federal governments to assist in the delivery of these priority projects.

Table 4 - 7.12 Contributions Plan - Schedule of Works

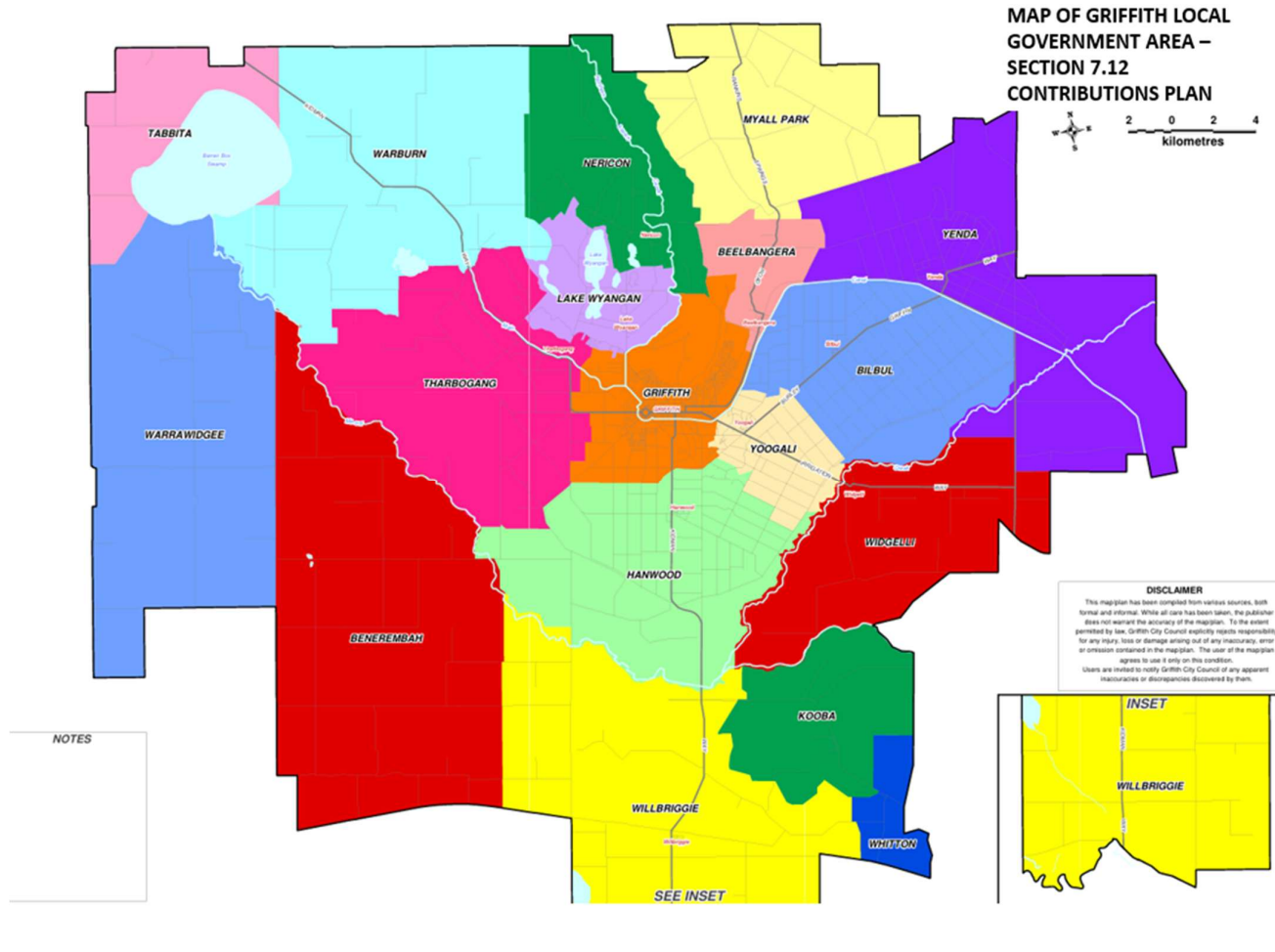
Project No.	Description of Project	Estimated Cost for Project	Funds Allocated			
			High Priority – 2025 to 2030	Medium Priority – 2031 to 2035	Low Priority – 2036 to 2045	
1	CBD Upgrade	\$10,000,000	\$3,500,000	\$3,500,000	\$3,000,000	
2	Scenic Hill – Pathways/Hermits Cave - Elevated Platform	\$990,000		\$990,000		
3	Yambil St Extension - Masterplan	\$35,000,000			\$35,000,000	
4	Clifton Boulevard Extension	\$5,000,000	\$3,000,000	\$2,000,000		
5	Lake Wyangan Infrastructure	\$935,000	\$935,000			
6	Airport Terminal Extension	\$2,065,000	\$2,065,000			
7	Wood Park Toilets	\$144,200	\$144,200			
8	Pool – Solar Panels	\$2,077,040	\$434,500	\$1,642,540		
9	Tharbogang Toilets	144,200	\$144,200			
10	Airport – Airside plane parking	\$500,000	\$500,000			
11	Community Gardens - Fence	\$250,000		\$250,000		
12	PAMP Projects – (Top Ten projects on list)	\$375,307	\$173,640	\$201,666		

Project No.	Description of Project	Estimated Cost for Project	Funds Allocated			
14	Playground equipment - General	\$1,262,021	\$458,134	\$803,887		
15	Playground equipment – City Park	\$206,600	\$103,300	\$103,300		
16	Pathway – West End Oval to Jubilee Oval	\$390,000		\$390,000		
17	Pioneer Park – new building	\$1,050,000			\$1,050,000	
18	Sergi Park – off-leash/dog park	\$500,000			\$500,000	
19	Aerodrome carpark expansion	\$300,000			\$300,000	
20	Cultural Precinct Masterplan Implementation	\$3,000,000			\$3,000,000	
21	Water feature – Yenda	\$120,000			\$120,000	
22	Lake Wyangan Water Quality Program	\$3,000,000	\$1,000,000	\$1,000,000	\$1,000,000	
TOTAL		\$56,560,307				

APPENDIX B – EXEMPTIONS

Type of Development	Date Exemption Commenced	Date Exemption Ceases
Development undertaken by or on behalf of Griffith City Council for the purpose of providing public or community amenities, including facilities utilising levies under this Plan	Commencement of this Plan	None
Development for conservation or enhancement of vegetation where that development is undertaken in conformity with Council's Environmental Enhancement Strategy	From the date of adoption of the Environmental Enhancement Strategy	None
Development proposing renewable energy or other measures to increase the sustainability of a building or use on the same site or adjoining or adjacent site, including co-located solar panels or other electricity-generating works with industrial or commercial development or employment-generating uses.	Commencement of this Plan	None
All exemptions listed in Section 3.16 of this Plan	Commencement of this Plan	None

APPENDIX C – MAP OF LOCAL GOVERNMENT AREA AND LOCATION OF PROJECTS



Note: These maps are indicative only to show a general location of the intended infrastructure.

