

# Community and Stakeholder Engagement Report

## Northern Beaches Section 7.12 Contributions Plan (draft)

Impact level: 3

Consultation period: 3 May to 31 May 2021

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# 1. Summary<sup>1</sup>

This report outlines the community and stakeholder engagement conducted as part of the Northern Beaches Section 7.12 Contributions Plan (Contributions Plan) project conducted from 3 May to 31 May 2021.

The 14 submissions received during consultation revealed mixed sentiments about the amended Contributions Plan, with just over 35 percent of comments supportive (some requesting changes to the plan) and 50 percent not supportive of the amended Contributions Plan. 14 percent preferred not to say. 11 of the 14 respondents provided detailed comments about the plan.

The themes that emerged in the submissions included the need for the Contributions Plan to comply with State Government legislation and for planned development to be balanced with population growth projections so that community needs were met.

Feedback also suggested that a sliding scale of contributions should be applied according to the cost of a development and the developer's ability to pay.

Respondents who were not supportive of the proposal raised concerns that the location of planned projects were not consistent with where most of the levies have been raised citing Dee Why and Warriewood.

## 1.1. Key outcomes

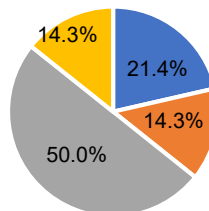


Total submissions received

14



Do you support the amendments to the Northern Beaches Contributions Plan?



- Yes
- Yes, with changes
- No
- Prefer not to say



Feedback themes

- Dee Why and Warriewood to be included in plan.
- NSW State legislation governs developer contributions.
- Contributions should be on a sliding scale.
- Balance planned development with population growth and community needs.
- Improvement to existing infrastructure more important than funding new infrastructure.

<sup>1</sup> Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

## 1.2. How we engaged



Have Your Say

Visitors: 221

Visits: 260

Av. time onsite: 45 seconds



Electronic direct mail (EDM)

Community Engagement (fortnightly) newsletter: 2

Council (weekly) E-News: 2

Distribution: 20,000 subscribers

Distribution: 150,000 subscribers

## 1.3. Who responded<sup>2</sup>



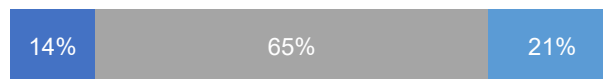
Gender

■ Male  
■ Female  
■ N/A



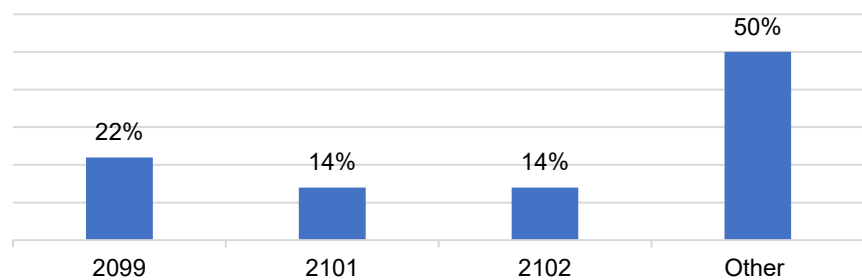
Age groups

■ 26-50 yrs  
■ 51-75 yrs  
■ N/A



Postcodes

<sup>3</sup>



<sup>2</sup> Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

<sup>3</sup> Of the respondents that provided post code data, the majority were from the areas identified, the remainder were from a broad spread across the Northern Beaches LGA.

## 2. Background

A Development Contributions Plan allows Council to collect money, works or land from developers to provide public infrastructure. Amendments are proposed to Section 7.12 of the Northern Beaches Development Contributions Plan 2019 to align with the current Delivery Program 2021-2025 and Operational Plan & Budget 2021-2022.

The draft Northern Beaches Development Contributions Plan applies to all development within the Northern Beaches LGA with a proposed cost of more than \$100,000, excluding Dee Why Town Centre and Warriewood Valley Release Area which have their own Development Contributions Plans.

## 3. Engagement objectives

- Provide accessible information so community and stakeholders can participate in a meaningful way (inform)
- Identify community and stakeholder concerns, local knowledge and values (consult).

## 4. Engagement approach

Community and stakeholder engagement for the Northern Beaches Development Contributions Plan 2021 was conducted over a four-week period, from 3 May to 31 May 2021, and consisted of a series of activities that provided opportunities and platforms for community and stakeholders to contribute.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

A project page was established on our have your say platform with information provided in an accessible and easy to read format.

The project was primarily promoted through our regular email newsletter (EDM) channels.

Feedback was captured through an online submission form embedded onto the have your say project page. The form included a question that directly asked respondents for their level of support on the proposal.

An open-field comments box provided community members a space to explain or elaborate on their support, not support or neutral sentiment as well as any other feedback they wished to contribute.

Email and written comments were also invited.

## 5. Findings<sup>4</sup>

The comments received during the consultation revealed mixed sentiments about the amended Contributions Plan, with just over 35 percent of comments supportive (some requesting changes to the plan) and 50 percent not supportive of the amended Contributions Plan.

A few respondents questioned the justification of the scheduled work in areas with little development over locations with more growth. A couple of comments stated Dee Why and Warriewood should be in the plan as they are areas of significant growth. However, as the plan states, developer contributions are in fact collected from these areas under their own Contributions Plans.

The other themes that emerged in the submissions included the need for the Contributions Plan to comply with NSW Government legislation and that a sliding scale of contributions should be applied according to the cost of a development and the developer's ability to pay.

**Table 1:** Feedback that requested specific changes to the proposal/draft

Theme	What we heard	Council's response
Dee Why and Warriewood should be included in the plan.	Dee Why and Warriewood should be included in this plan and contributing to the funding of public infrastructure because they are areas of significant development.	<p>The growth areas of Warriewood Valley and Dee Why Town Centre have a specific development contributions plan applying to each area.</p> <p>The development contributions plans for these areas recognise the clear link between anticipated high-growth and demand for a greater level of new or improved local infrastructure.</p> <p>Reference to these contribution plans can be found on our <a href="#">website</a> under Planning and Development/ Building and renovations/ Development contributions.</p>
Improvement to existing infrastructure versus high density development	Council should concentrate on repairs and maintenance of existing infrastructure rather than new assets.	NSW legislation prevents councils from using development contributions to fund infrastructure maintenance or repair. Development contributions can only be used to fund the provision of new or augmented local infrastructure.

<sup>4</sup> Note: This report represents what Council has heard as accurately and transparently as possible by using consistent quantitative and qualitative analysis techniques.

Sliding scale of contributions	A sliding scale of contributions should be applied according to the cost of a development and the developer's ability to pay.	The draft Development Contributions Plan is prepared as a fixed rate levy (max. 1 percent of the estimated cost of development, above \$100,000) under section 7.12 of the Environmental Planning and Assessment Act.
Compliance with NSW State Government legislation	NSW State legislation governs developer contributions	<p>The draft Development Contributions Plan has been prepared in accordance with the legislative requirements. This stipulates that all contributions plans must identify “the relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet the development.” The growth areas of Warriewood Valley and Dee Why Town Centre have a specific development contributions plan applying to each area.</p> <p>Reference to these contribution plans can be found on our website under Planning and Development/ Building and renovations/ Development contributions</p>
Balance planned development with areas of population growth and community needs.	Developer contributions should be used to improve infrastructure in and around the development to cater for the needs of the increased population in the area.	As above

## Appendix 1 Response to Submissions Table\*

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\*Personal details have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

Submission	Issue	Council Response
1.	I support the proposed amendments to the draft Contributions Plan.	Noted
2.	<p>I do not support the proposed amendments to the draft Contributions Plan.</p> <p>There is a legislated requirement that in order to pool developer levies "the plan must include the relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet that development".</p> <p>In the spending plan, 7 of the projects are located in the Mona Vale Planning area, 3 in the Frenchs Forest Planning area, 3 in the Brookvale/Dee Why Planning area and 1 in the Manly Planning area. There has been and will be towards 2036 minimal additional population growth in the Mona Vale Planning area v the other regions. The biggest single item of \$2.8M for Myplace Avalon is a liveability upgrade for an already well serviced, exclusive and minimally growing suburb. Also \$1M for Mona Vale surf club. If these projects are championed by specific council depts, their funding should be coming out of departmental budgets, not be funded by developer levies raised from development occurring largely in the corridor between Manly Vale and Narrabeen.</p>	<p>The draft Contributions Plan has been prepared in accordance with the legislative requirements. The Environmental Planning and Assessment Regulation stipulates that all contributions plans must identify "the relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet the development". This requirement is not related to the pooling of contributions.</p> <p>The draft Contributions Plan applies to the whole of the Northern Beaches area, except Warriewood valley and Dee Why Town Centre (as these two growth areas have their own Development Contributions Plan. Development contributions income are collected from the area that the draft Contributions Plan applies. Similarly, infrastructure listed in Appendix A of the draft Contributions Plan is located across the Northern Beaches where development contributions from this Plan is collected.</p> <p>6.5 of the draft Contributions Plan explains the pooling of contributions obtained under other Development Contributions Plan(s) including any repealed Development Contributions Plans to assist in infrastructure delivery listed in Appendix A of the draft Contributions Plan. The pooling of contributions, that as a sum total will deliver an infrastructure listed in Appendix A, is consistent with legislative requirements.</p>
	<p>To say that the proposed but still unconfirmed Ingleside development is the justification for these spends, that is ludicrous. There are nil levies from Ingleside as nothing has happened there and there is no actual confirmed plan. There is even a small project of \$340k to expand the wharf at Church Point, a suburb that will actually shrink in population. To try to make the case for spending the money in areas of low infill development, the plan takes out all the numbers related to Dee Why and Warriewood as if everything there is solely in the areas with their own special levy plans - which is not the case.</p> <p>Infill development is at its most along the bline corridor between Manly Vale and Narrabeen and spreads through Dee Why and its surrounding suburbs. The legislation is very clear that the relationship between the pooled levies spend and where an additional need for public services and infrastructure is occurring or going to occur must be shown in the plan. Very disappointing to see this frankly bizarre plan.</p>	<p>This issue regarding the future development in the Ingleside Release area is mute. The infrastructure demands generated by future development in the Ingleside Release Area will be funded through a new contributions plan specifically for the Ingleside Release Area, prepared under section 7.11 of the Environmental Planning and Assessment Act (EP&amp;A Act); recognising the clear link between high growth and the demand for a greater level of new or augment local infrastructure and is the approach implemented to growth areas for Warriewood Valley and Dee Why Town Centre. The exhibited draft Development Contributions Plan applying to the broader Northern Beaches area has been prepared under section 7.12 of the EP&amp;A Act. The infrastructure delivered by the draft Development Contributions Plan benefits the broader Northern Beaches population.</p> <p>Infill development is harder to predict and therefore it is difficult to demonstrate the clear nexus between growth and specific infrastructure. This clear connection is a legislative requirement in the preparation of a 7.11 plan. It is widely accepted that a contributions plan prepared under section 7.12 of the Environmental Planning and Assessment Act is an appropriate mechanism for funding local infrastructure in infill areas.</p>
3.	I do not support the proposed amendments to the draft Contributions Plan.	Noted



4.	<p>I do not support the proposed amendments to the draft Contributions Plan. Dee Why &amp; Warriewood should be included in the plan - that's where the big developers are &amp; they should be contributing to the public infrastructure fund just as much as everyone else.</p>	<p>The growth areas of Warriewood Valley and Dee Why Town centre have a specific Development Contributions Plan applying to each area. For this reason, the draft Contributions Plan applies to the whole of the Northern Beaches except Warriewood Valley and Dee Why Town Centre. The development contributions plans for Warriewood Valley and Dee Why Town recognises the clear link between anticipated high growth and demand for a greater level of new or augment local infrastructure; calculating development contributions attributable to development in these growth areas differently to the 1% of the Estimated Development Cost applying to development under the draft Contributions Plan.</p>
5.	<p>I support the proposed amendments to the draft Contributions Plan subject to amendments. 1. I am absolutely gobsmacked that the Dee Why Town Centre and the Warriewood Valley Release Area are excluded from the contribution plan! These, by your own admission are likely to be favoured areas for development thus posing a greater risk of environmental degradation and high density (high profit) developments. Thus, these areas should be the focus of special contributions to mitigate the inevitable damage caused by the developments in this areas.</p>	<p>The growth areas of Warriewood Valley and Dee Why Town centre have a specific Development Contributions Plan applying to each area. For this reason, the draft Contributions Plan applies to the whole of the Northern Beaches except Warriewood Valley and Dee Why Town Centre. The development contributions plans for Warriewood Valley and Dee Why Town recognises the clear link between anticipated high growth and demand for a greater level of new or augment local infrastructure; calculating development contributions attributable to development in these growth areas differently to the 1% of the Estimated Development Cost applying to development under the draft Contributions Plan.</p>
	<p>2. The rate of contribution must be on a sliding scale so that very expensive developments, which will create larger profits, pay according their ability to pay and the impact on our sensitive environment. The scale needs to have several steps so for example a development costing more than \$2M should pay 2% on the cost exceeding \$2M and a development with a cost exceeding \$5M should pay 3% on that part of the cost exceeding \$5M. My suggested sliding scale is only meant as an example of but would need to be based on independent research into best practice in Australia and overseas.</p> <p>NBC will only get one opportunity to apply a levy for the benefit of residents and ratepayers and they must not miss this opportunity to provide for the future.</p>	<p>The draft Development Contributions Plan is prepared as a fixed rate levy (1% of the Estimated Cost of Development, above \$100,000) under Section 7.12 of the Environmental Planning and Assessment Act. At present, 1% is the maximum percentage applicable for this type of development contributions plan.</p>
6.	<p>I am unsure if I support the proposed amendments to the draft Contributions Plan. Grouped together are new and upgraded facilities for sports grounds. In the last 50 years there have been no new sports grounds only redeveloped areas . Council have been robbing "peter to pay Paul" as they say. Council needs to get real and create new public recreations reserves for playing fields.</p>	<p>The Infrastructure Schedule is in the draft Development Contributions Plan as Appendix A and identifies the sportsground program (new and upgrade) as well as synthetic sportsground conversion. The Infrastructure Schedule is informed by adopted Council strategies (referenced in Chapter 3 of the draft Plan) such as the Northern Beaches Sportsground Strategy 2017, as well as Council's Capital Works Delivery Program. Council's ability to deliver new sportsfields is stymied by the lack of suitable land that is not only large enough for sportsfields but to reasonably buy and still have sufficient funds for sportsground embellishment.</p>
7.	<p>I support the proposed amendments to the draft Contributions Plan. Who bears the cost for the associated upgrades to local government area Utilities infrastructure I.e.electricity, gas, storm water and water? Who is responsible for the ongoing maintenance, upgrades? Is the LGA Environmental Sustainability strategy the go to compliance criteria?</p>	<p>Council is not the regulatory authority for the provision, augmentation or maintenance of utility services (electricity, gas, water or sewer infrastructure). Such costs for utility services are user-pays</p>
	<p>My comment is a sustainable environmental strategy is key particularly where development is close to nature reserves, coastal reserves, national parks etc. Does Council have sufficient resources or external partners who will monitor/track the development from a sustainability perspective.</p>	<p>This issue enquiring about Council's resources to monitor/track development from a sustainability perspective is an irrelevant issue to draft Contributions Plan.</p>

8.	<p>I do not support the proposed amendments to the draft Contributions Plan.</p> <p>Replacement of existing housing stock should not incur development charges. The replacement of a single-family home with another single-family home imposes no material additional burden on council infrastructure, even though built floor area may increase. People are now living more indoors lifestyles and require more interior space for things like home offices and studies, trends that are accelerated by Covid 19.</p> <p>Where subdivision is involved, or it is a dual occupancy, it is fair enough, however if the number of eligible titles is not being increased this is just wrong.</p>	<p>The draft Contributions Plan does not propose to change the existing criteria for the fixed rate contributions levy already applying to development. Section 7.12 of the Environmental Planning and Assessment Act allows councils to impose a fixed rate levy (subject to an adopted contributions plan) based on development costs, to fund the provision of new or augmented public infrastructure. Chapter 2.5 of the draft Contributions Plan lists the exemptions where a fixed rate levy is not imposed in accordance with the legislation. For example, internal fittings and furnishings associated with alterations to an existing dwelling house but not additional floorspace</p>
9.	<p>I support the proposed amendments to the draft Contributions Plan.</p>	<p>Noted</p>
10.	<p>I do not support the proposed amendments to the draft Contributions Plan.</p> <p>Why are Warriewood and Dee Why excluded? Why were contributions NOT used to provide playing fields in the new Warriewood valley. This is gross misuse of ratepayer / developer funds.</p>	<p>The growth areas of Warriewood Valley and Dee Why Town centre have a specific Development Contributions Plan applying to each area. For this reason, the draft Contributions Plan applies to the whole of the Northern Beaches except Warriewood Valley and Dee Why Town Centre. The development contributions plans for Warriewood Valley and Dee Why Town recognises the clear link between anticipated high growth and demand for a greater level of new or augment local infrastructure; calculating development contributions attributable to development in these growth areas differently to the 1% of the Estimated Development Cost applying to development under the draft Contributions Plan.</p> <p>The Warriewood Valley Contributions Plan was originally adopted in 1998. Since then, this contributions plan has funded the provision of a variety of infrastructure in Warriewood Valley including sportsfields at Jacksons Road, Namona St and the Northern Beaches Indoor Sports Centre, the new sportsfields on Boondah road as well as future improvements to existing Boondah Road sportsfields.</p>
11.	<p>I support the proposed amendments to the draft Contributions Plan subject to amendments.</p> <p>Developers should be required to undertake agreed works eg specified footpaths or whatever. At the March meeting Mayor Reagan stated that we were behind in undertaking those works, it would seem logical that a solution that works for all is to have developers do basic public works to the value required.</p>	<p>The provision of certain infrastructure works is imposed on developers where legislation allows it. For example, Council generally requires developers to upgrade footpaths immediately fronting a development site where there is a clear demand generated by the proposal.</p>
12.	<p>I do not support the proposed amendments to the draft Contributions Plan.</p> <p>If the Council cannot use their current budgeted funds to maintain and improve current facilities and infrastructure they certainly should not hit the ratepayers for more funds. I will not pay any levy.</p>	<p>Development contributions are an important funding source for all councils in NSW to ensure the provision of adequate and equitable local infrastructure. The NSW Government considers all available funding sources when determining the rate peg. If development contributions were removed and no changes made to the existing rate peg, the provision of local infrastructure would significantly reduce and would not keep pace with demand.</p>

<p>13.</p>	<p>I am unsure if I support the proposed amendments to the draft Contributions Plan. I find it hard to believe that this information will be read and absorbed by the regular ratepayers. Not an easy read. An additional 34,000 residents by 2036....Will they all be in concentrated high density dwellings. .82% I think council needs to concentrate on the infrastructure already in place like roads, footpaths. Repairs and maintenance seem to be on waiting lists for years.</p>	<p>The Environmental Planning and Assessment Act and Regulation stipulates information that must be included within a contributions plan.</p> <p>Chapter 3 in the draft Contributions Plan identifies that "In the 20 years to 2036, there is forecast to be almost 38,559 additional residents living in the Northern Beaches... Outside of the growth areas (Dee Why Town Centre, Frenchs Forest Hospital Precinct and Warriewood Valley), the population is expected to increase by 17,224". This is a relatively modest rate of growth in comparison to other areas in Sydney. The draft Contributions Plan seeks to levy development in these infill areas to fund the provision of new and augmented local infrastructure. Specific contributions plans apply in the higher growth areas to address the greater anticipated infrastructure demands.</p> <p>NSW legislation prevents councils from using development contributions to fund infrastructure maintenance or repair. Development contributions can only be used to fund the provision of new or augmented local infrastructure. Infrastructure maintenance and repair are funded via alternate sources.</p>
	<p>I do not support the proposed amendments to the draft Contributions Plan. Developer Contributions are required by NSW State legislation to be used to improve the infrastructure in and around the development to meet the expanded needs of the local community. There is therefore a requirement on the Council Operations Team to provide a reasonable match between the location of the development and the location of the infrastructure improvements.</p>	<p>The draft Contributions Plan has been prepared in accordance with all legislative requirements, and is updating the currently adopted Northern Beaches Section 7.12 Contributions Plan 2019. The Environmental Planning and Assessment Regulation stipulates that all contributions plans must identify "the relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet the development".</p> <p>Chapter 3 of the draft Contributions Plan, titled 'Anticipated development and the infrastructure strategies', addresses the relationship between development and infrastructure demand. The Infrastructure Schedule in Appendix A of the draft Contributions Plan is informed by Council's Capital Works Delivery Program and the adopted Council strategies referenced in Chapter 3. It is recognised that much of the future anticipated infill development is likely to occur in and around identified centres and along transport corridors, however infill development is sporadic and does occur across the entire local government area.</p>

<p>14.</p>	<p>This plan patently has a disconnect between the contributions and the developments. The total capital expenditure which the Operations Team seeks to distribute is \$47.7M. Of this, \$31.0M is allocated to general spend categories with no indication of where the money will be spent, and once \$3.5M for Dee Why Town Centre and Warriewood (which are deemed outside the scope of the strategy) are excluded, that leaves \$15.2M being spent on area-specific developments.</p> <p>Of this spend, approximately \$7.0M (46%) is proposed to be spent in the Mona Vale population catchment area on projects to upgrade Avalon Town Centre (which is in better shape than most shopping strips in the Beaches), improve playgrounds, foreshores and sportsgrounds, contribute to the Mona Vale SLSC development and expand the Church Point Wharf. There does not appear to be a strong justification for this expenditure on the grounds of significant new developments in the area, as excluding the forecast population increase of 1705 in Warriewood, the entire Mona Vale population catchment area has a forecast population growth of 1360 (3.5% of NBC) between now and 2036. In contrast, the Brookvale-Dee Why population catchment area has a forecast population growth of 13,800 (36% of NBC) but only two named developments outside the Dee Why Town Centre - a playground enhancement and the McKillop Park walk - totalling less than \$2.0M (12%). There are similar shortfalls in Frenchs Forest and to a lesser extent Manly.</p>	<p>A contributions plan prepared under section 7.12 of the legislation is not required to demonstrate a nexus between individual developments and a demand for specific infrastructure.</p> <p>Infrastructure demands in the identified high growth areas of Warriewood Valley, Dee Why Town Centre and Ingleside are funded through specific contributions plans prepared under section 7.11 of the Environmental Planning and Assessment Act.</p> <p>Chapter 3 of the draft Contributions Plan, titled 'Anticipated development and the infrastructure strategies', addresses the relationship between infill development and infrastructure demand. The Infrastructure Schedule in Appendix A of the draft Contributions Plan is informed by Council's Capital Works Delivery Program and the adopted Council strategies referenced in Chapter 3. It is recognised that much of the future anticipated infill development is likely to occur in and around identified centres and along transport corridors, however infill development is sporadic and does occur across the entire local government area.</p> <p>Notwithstanding, development in infill areas contributes significant 7.12 funds despite not adding large dwelling numbers.</p> <p>Additionally, residents use local infrastructure throughout the Northern Beaches not just within the suburb that they reside. For example, not all suburbs have sport fields or beaches which are accessed by a variety of residents. Council's Capital Works Delivery Program attempts to balance expenditure across the local government area to provide an equitable level of local infrastructure for all residents.</p>
	<p>It would seem more appropriate for the Social Infrastructure component of developer's contributions (\$21.6M) to be focussed on major projects to meet the needs of the areas with step changes in population - these are often identified as being necessary but never seem to get off the ground. Obvious examples would include:</p> <ul style="list-style-type: none"> <li>• a feasibility study for the redevelopment of the past-its-sell-by-date Dee Why Library complex into a modern ability-friendly facility which provides excellent study facilities for the NBC school-age population next to a B-Line Bus Stop (Blacktown's library development would be a good blueprint)</li> <li>• provision of a central (perhaps regional-level) community centre with decent-sized meeting-rooms to encourage social interactions for both school-age, adult and elderly residents (could even be on the same site as the above)</li> <li>• focus on social developments firstly along the North-South B-line bus corridor (and subsequently on the East-West corridor once it has been established) to maximise their accessibility for residents across the entire NBC area</li> </ul>	<p>Noted. Development Contributions collected from this draft Contributions Plan however can only be used on infrastructure in the areas it was collected. The draft Contributions Plan does not apply to the Dee Why Town Centre.</p>



<b>Document administration</b>	
Version	4.0
Date	7 June 2021
Status	Final
Related Projects	Northern Beaches Development Contributions Plan 2019