

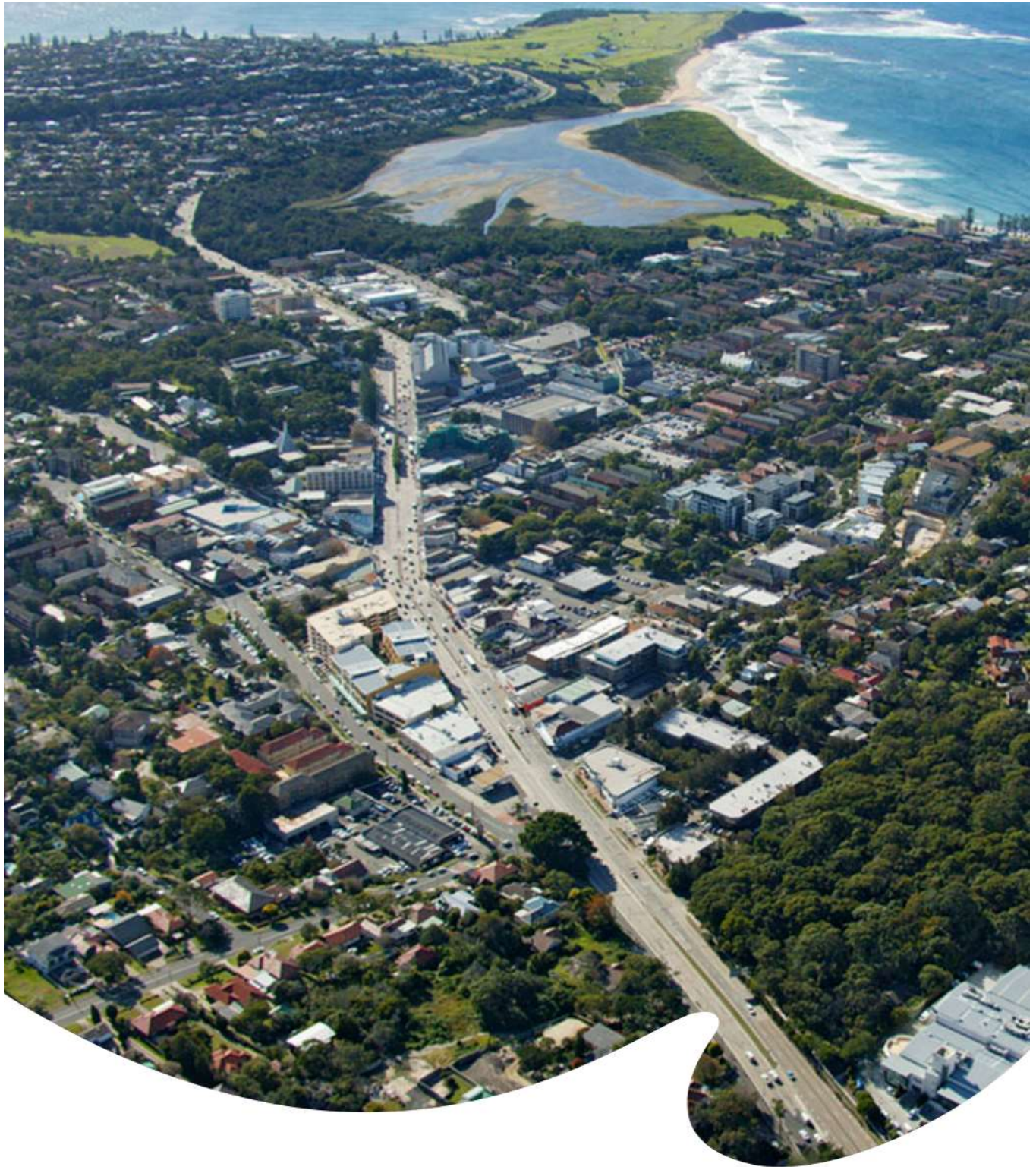
# ATTACHMENT BOOKLET 2

**ORDINARY COUNCIL MEETING**

**TUESDAY 25 JUNE 2019**

## TABLE OF CONTENTS

| Item No       | Subject   |     |
|---------------|---|-----|
| <b>12.2</b>   | <b>OUTCOME OF PUBLIC EXHIBITION - DEE WHY TOWN CENTRE CONTRIBUTIONS PLAN 2019</b>           |     |
| Attachment 1: | Dee Why Town Centre Contributions Plan 2019.....  | 2   |
| Attachment 2: | Dee Why Town Centre Contributions Plan 2019 - Post Exhibition Changes.....                  | 32  |
| Attachment 3: | Submissions Table .....   | 68  |
| <b>12.3</b>   | <b>OUTCOME OF PUBLIC EXHIBITION - NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2019</b> |     |
| Attachment 1: | Northern Beaches Section 7.12 Contributions Plan 2019 .....                                 | 70  |
| Attachment 2: | Northern Beaches Section 7.12 Contributions Plan 2019 - Post Exhibition Changes.....        | 102 |
| Attachment 3: | Submissions Table .....   | 142 |
| <b>13.1</b>   | <b>CAPITAL WORK PROCUREMENT PLAN - IMPLEMENTATION PLAN UPDATE</b>                           |     |
| Attachment :  | Implementation Plan for Major Capital Works Procurement Review .....                        | 146 |
| <b>13.2</b>   | <b>PUBLIC EXHIBITION OF DRAFT MANAGEMENT OF BEACH AND WATER SAFETY POLICY</b>               |     |
| Attachment 1: | Draft Management of Beach and Water Safety Policy .....                                     | 161 |
| Attachment 2: | Warringah Council Beach Safety Policy.....  | 165 |
| Attachment 3: | Pittwater Council Professional Lifeguard Service Policy .....                               | 170 |
| Attachment 4: | Manly Council Beach Management Policy .....   | 171 |
| Attachment 5: | Pittwater Council Beach and Rockpool Management Policy .....                                | 174 |
| Attachment 6: | Pittwater Council Life Saving Movement Policy .....   | 181 |



## Dee Why Town Centre Contributions Plan 2019

# Contents

|          |  |           |
|----------|--|-----------|
| <b>1</b> | <b>Introduction</b>  | <b>4</b>  |
| <b>2</b> | <b>Plan summary</b>  | <b>5</b>  |
| 2.1      | How to use this plan   | 5         |
| 2.2      | Dictionary   | 6         |
| 2.3      | Name and commencement of plan  | 6         |
| 2.4      | What are the purposes of this plan?                                    | 6         |
| 2.5      | What land and development does this plan apply to?                     | 7         |
| 2.6      | What development is exempted?  | 7         |
| 2.7      | What Local Infrastructure will be provided under this plan?            | 7         |
| 2.8      | What are the contribution rates for Local Infrastructure?              | 9         |
| <b>3</b> | <b>How are the contribution rates calculated?</b>                      | <b>10</b> |
| 3.1      | Expected demand for local infrastructure                               | 10        |
| 3.1.1    | Area context   | 10        |
| 3.1.2    | Metropolitan and district plans  | 10        |
| 3.1.3    | Town Centre Masterplan   | 11        |
| 3.1.4    | Expected development and population                                    | 12        |
| 3.1.5    | Demographic characteristics  | 14        |
| 3.2      | Infrastructure schedule and nexus                                      | 15        |
| 3.3      | Town Centre works program apportionment                                | 16        |
| 3.4      | Contribution rates calculation   | 17        |
| 3.4.1    | Residential development contribution                                   | 17        |
| 3.4.2    | Non-residential development contribution                               | 18        |
| 3.4.3    | Plan administration and management contributions                       | 19        |
| <b>4</b> | <b>How and when will levies be imposed on developments?</b>            | <b>20</b> |
| 4.1      | Monetary contributions   | 20        |
| 4.2      | Cap on monetary section 7.11 contributions for residential development | 26        |
| 4.3      | Allowance for existing development                                     | 20        |
| 4.4      | Latest rates to be used  | 21        |
| 4.5      | Obligations of accredited certifiers                                   | 21        |
| 4.5.1    | Complying development certificates                                     | 22        |
| 4.5.2    | Construction certificates  | 23        |
| 4.6      | Variation to contributions authorised by this plan                     | 23        |



|                   |  |    |
|-------------------|--|----|
| <b>5</b>          | <b>How and when can a contribution requirement be settled?</b>         | 24 |
| 5.1               | Timing of payments   | 24 |
| 5.2               | Deferred payments  | 24 |
| 5.3               | Can the contribution be settled by dedicating land or undertake works? | 24 |
| <b>6</b>          | <b>Other administration matters</b>                                    | 25 |
| 6.1               | Relationship of this plan to other contributions plans                 | 25 |
| 6.2               | Savings and transitional arrangements                                  | 25 |
| 6.3               | Adjustment of contributions to address the effects of inflation        | 25 |
| 6.3.1             | Contribution rates in this plan  | 25 |
| 6.3.2             | Contribution amounts in consents                                       | 25 |
| 6.4               | Pooling of contribution funds  | 25 |
| 6.5               | In what circumstances are contributions to be refunded?                | 25 |
| 6.6               | Accountability and access to information                               | 26 |
| 6.7               | Review of plan   | 26 |
| <b>Tables</b>     |  |    |
| <b>Table 1</b>    | Summary of contribution rates  | 9  |
| <b>Table 2</b>    | Estimated dwellings and population                                     | 13 |
| <b>Table 3</b>    | Assumed dwelling occupancy rates                                       | 13 |
| <b>Table 4</b>    | Town Centre development assumptions                                    | 16 |
| <b>Table 5</b>    | Values informing the contribution rates calculation                    | 17 |
| <b>Figures</b>    |  |    |
| <b>Figure 1</b>   | Land affected by this plan   | 8  |
| <b>Appendices</b> |  |    |
| <b>Appendix A</b> | Projects to be funded by this contributions plan                       | 27 |
| <b>Appendix B</b> | Projects to be delivered using other funding sources                   | 29 |
| <b>Appendix C</b> | Details of expected development  | 30 |

## 1. Introduction

Northern Beaches Council (Council) has prepared a master plan for the redevelopment of land and the upgrade of local infrastructure in the Dee Why Town Centre (Town Centre).

The redevelopment is to be sustained by the provision of new and upgraded Local Infrastructure including new and upgraded roads, streetscape and public domain facilities, open space areas and stormwater drainage facilities.

Section 7.11 of the Environmental Planning and Assessment Act 1979 (EP&A Act) authorises a consent authority to grant consent to a proposed development subject to a condition requiring the applicant to make contributions toward the provision, extension or augmentation of Local Infrastructure (or towards recouping the cost of their provision, extension or augmentation). These contributions may be in the form of land, money or works.

Where the consent authority is a council or an accredited certifier, a Local Infrastructure contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this plan.

This plan authorises the Council or an accredited certifier to impose conditions on development consents or complying development certificates (CDCs) requiring section 7.11 contributions from development in the Town Centre that would, when completed, result in a net increase in the residential population or non-residential floor space.

The contributions that are made by developers will be applied by the Council to deliver the schedule of infrastructure shown in Appendix A to this plan.

The plan operates over the period that the expected development will occur in the Town Centre – i.e. up to 2036.

This plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation); and having regard to the latest practice notes issued by the NSW Department of Planning and Environment.

This plan includes the following:

- A schedule of contribution rates for various classes of developments.
- Information on how the contribution rates were calculated.
- Council's policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'.
- Specific provisions on the role of accredited certifiers in imposing and collecting development contributions.
- Various other provisions related to the fair and transparent administration of development contributions received under this plan.

## 2. Plan Summary

### 2.1 How to use this plan

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers. A brief description of each section is provided below:

#### Section 2 - Plan Summary

This section identifies both the land and developments that this plan applies to, as well as the contributions rates that apply to these developments.

#### Section 3 - How are the contributions rates calculated?

This section explains how the contributions for development in the Town Centre are calculated. The expected development is described as well as the basis for determining the list of Local Infrastructure that will be required to meet that development. It also provides the formulas and approach for how the contribution rates have been calculated.

#### Section 4 - How and when will contributions be imposed on development?

This section explains how conditions of consent will be used to collect contributions levied under this plan and provisions to index the contributions payable to reflect changes in land acquisition and construction costs. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

#### Section 5 - How and when a contribution requirement can be settled?

This section explains how consent conditions requiring the payment of contributions can be settled, typically by cash payment. It also provides Council's requirements for considering alternative means to satisfy contribution requirements under this plan through the use of Voluntary Planning Agreements (VPAs) and works in kind arrangements.

#### Section 6 - Other administration matters

This section outlines other administrative arrangements surrounding the operation of this plan.

#### Appendices

The appendices include a schedule and location map of the Local Infrastructure that is to be delivered under the plan. The schedule includes details of each item, including cost, intended phasing and timing, the cost apportioned to development, and the contribution rate.

## 2.2 Dictionary

Words and phrases used in this plan have the same meaning as the terms defined in Warringah Local Environmental Plan 2011 or the EP&A Act, except as provided for below.

In this plan, the following words and phrases have the following meanings:

**CDC** means complying development certificate.

**Consent authority** has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a CDC.

**Council** means Northern Beaches Council.

**EP&A Act** means the Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the Environmental Planning and Assessment Regulation 2000.

**LGA** means local government area.

**Local Infrastructure** means infrastructure delivered by this plan.

**Town Centre** means Dee Why Town Centre.

**VPA** means Voluntary Planning Agreement.

## 2.3 Name and commencement of plan

This plan is called the Dee Why Town Centre Contributions Plan.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

## 2.4 What are the purposes of this plan?

The primary purpose of this plan is to authorise:

- the Council, when granting consent to an application to carry out development to which this plan applies; or
- an accredited certifier, when issuing a CDC for development to which this plan applies, to require a contribution under section 7.11 of the EP&A Act to be made towards the provision, extension or augmentation of Local Infrastructure that are required as a consequence of development in the Town Centre, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide a source of funds as part of the overall funding mix for the provision of Local Infrastructure in the Town Centre.
- To provide the framework for the efficient and equitable determination, collection and management of section 7.11 contributions relating to the Town Centre.
- To establish the relationship between the expected development and proposed Local Infrastructure to demonstrate that the contributions required under this plan are reasonable.
- To allow the opportunity for Local Infrastructure to be provided by land developers by dedicating land or providing works in kind in lieu of paying a monetary contribution.
- To ensure that the broader Northern Beaches community is not unreasonably burdened by the provision of Local Infrastructure required as a result of future development in the Town Centre.



## 2.5 What land and development does this plan apply to?

Subject to Section 2.6, this plan applies to the Town Centre, the extent of which is shown in Figure 1 over the page.

This plan applies to:

- Residential Accommodation development that would result in a net increase in dwellings on the land (includes boarding houses)
- Other development that would result in a net increase in gross floor area on the land.

## 2.6 What development is exempted?

Development contributions under this plan will not be imposed to:

- Development proposed by not-for-profit organisations as defined by the Australian Taxation Office, on behalf of, or in partnership with the Council.
- Social housing and community housing development provided by a social housing provider for the purposes of any form of seniors housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- Development exempted from section 7.11 contributions by way of a direction made by the Minister for Planning.
- Local Infrastructure identified in this Plan, carried out by or on behalf of the Council.
- Infrastructure proposed by government agencies and public utility providers.

## 2.7 What Local Infrastructure will be provided under this plan?

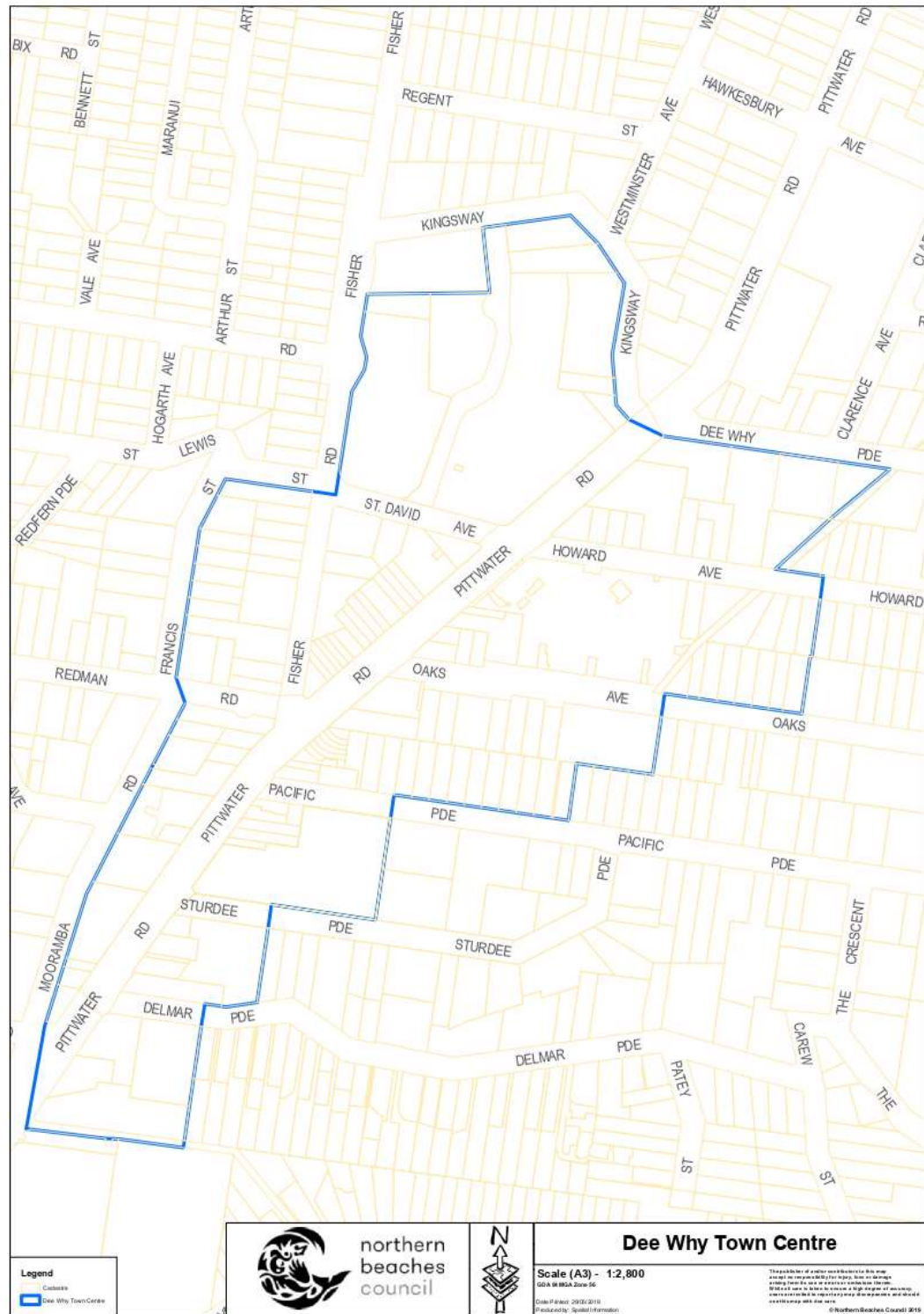
Public domain and open space works on Council-owned land will be provided using the contributions received from developers under this plan (see Appendix A).

These works will complement other Town Centre infrastructure that has been, or will be, provided using a number of funding sources (see Appendix B).

Concept plans and other details for the Town Centre projects are contained in the report Dee Why Town Centre Concept Design - Volume 1, prepared by Tract Consultants, November 2014.

The costs of administering this plan will also be met by contributions imposed under this plan.

**Figure 1 Land affected by this plan**



## 2.8 What Local Infrastructure will be provided under this plan?

**Table 1** below summarises the contribution rates for the various categories of Local Infrastructure in this plan. **Part 3** of this plan discusses how the contribution rates have been derived.

**Table 1 Summary of infrastructure cost**

|                                    | per person        | per studio or 1 bed dwelling | per 2 bed dwelling | per 3 or more bed dwelling | per 100m2 non-residential GFA |
|------------------------------------|-------------------|------------------------------|--------------------|----------------------------|-------------------------------|
| Streetscape and public domain      | \$6,156.82        | \$9,235.23                   | \$13,545.00        | \$19,701.82                | \$16,161.65                   |
| Plan administration and management | \$92.35           | \$138.53                     | \$203.17           | \$295.53                   | \$242.42                      |
| <b>Total</b>                       | <b>\$6,249.17</b> | <b>\$9,373.75</b>            | <b>\$13,748.17</b> | <b>\$19,997.34</b>         | <b>\$16,404.07</b>            |

\* the per person rate is relevant to calculating the contributions for residential accommodation that is boarding houses, group homes, nursing homes and hostels

**Note:** At the time this plan was prepared, the Minister for Planning directed that consent authorities could not impose a monetary section 7.11 contribution on a residential development on land affected by this plan that exceeded \$20,000 per lot or dwelling. Refer to **Section 4.2** of this plan for more details of this contributions 'cap'.

As per **Section 6.3.1** of this plan, Council will over time adjust the contribution rates for the other dwelling types listed in **Table 1** to address the effects of inflation. The rates will be adjusted up to, but never beyond, any contributions cap directed by the Minister that may apply at the time of granting development consent for those dwellings.

### 3. How are the contribution rates calculated?

This part of the plan explains the expected development in the Town Centre, the infrastructure required to support this development, and the way the contributions for Local Infrastructure included in this plan have been calculated.

#### 3.1 Expected demand for Local Infrastructure

##### 3.1.1 Area context

The Town Centre straddles Pittwater Road, between the north of Warringah Road intersection and south of the Dee Why Parade and Kingsway.

In terms of employment land uses, the centre comprises a commercial / retail area fronting Pittwater Road and a clustered retail 'town square' (off Pittwater Road) encompassing large floorspace grocery stores, small business and office spaces, arcades and al fresco restaurants/cafes.<sup>1</sup>

Most of the land in the area is zoned B4 Mixed Use and predominately used for retail activities, although some mixed use developments comprising retail on ground floor and residential uses above have been developed or approved. There are also some older residential apartment developments on the edge of the centre.

The Town Centre is likely to continue its current function as a key civic and community centre for the Northern Beaches LGA in the future, particularly with planned upgrades of local infrastructure described in this plan.

##### 3.1.2 Metropolitan and district plans

Dee Why and Brookvale are identified by the State Government's Sydney metropolitan strategy A *Plan for Growing Sydney* (2015) as twin 'strategic centres'. This designation for Brookvale – Dee Why has been carried forward into the 2018 A *Metropolis of Three Cities – The Greater Sydney Region Plan*. This document applies to the Greater Sydney Region and identifies Dee Why and Brookvale as located within the North District, and subsequently guided by the North District Plan.

Strategic centres are expected to have the following attributes:

- high levels of private sector investment
- flexibility, so that the private sector can choose where and when to invest
- co-location of a wide mix of land uses, including residential
- high levels of amenity and walkability and being cycle friendly
- areas identified for commercial uses, and where appropriate, commercial cores.<sup>2</sup>

The North District Plan establishes a hierarchy to centres to manage the growth and change, being the Metropolitan centre, Strategic centres then Local centres.<sup>3</sup>

Planning Priority N10 of the North District Plan targets growing investment, business opportunities and jobs in strategic centres by, among other things:

- providing jobs growth
- diversifying the range of activities in all centres
- creating vibrant, safe places and quality public realm
- focusing on a human-scale public realm and locally accessible open space
- balancing the efficient movement of people and goods with supporting the liveability of places on the road network
- improving the walkability within and to the centre
- completing and improving a safe and connected cycling network to and within the centre.<sup>4</sup>

<sup>1</sup> Warringah Employment Study 2013 Final Report, April 2013, prepared for Warringah Council by SGS Economics and Planning Pty Ltd, page 134

<sup>2</sup> A *Metropolis of Three Cities – The Greater Sydney Region Plan*, p119

<sup>3</sup> North District Plan, p. 67.

<sup>4</sup> *ibid.* p68



The North District Plan priorities for the Brookvale - Dee Why strategic centre include the following:

- Projected growth in twin centre jobs of between 3,000 and 6,000 by 2036.
- Recognise and enhance the economic and employment opportunities along Pittwater Road and encourage revitalisation along the commercial strip.
- Promote walking, cycling and public transport to Warringah Mall, the Brookvale industrial area and Dee Why.
- Encourage new lifestyle and entertainment uses to activate local streets in Brookvale-Dee Why.
- Improve connections between Brookvale-Dee Why and the Northern Beaches Hospital at Frenchs Forest.
- Establish street trees along the Pittwater Road corridor, exploring options for new development setbacks to incrementally widen the corridor to improve the environment for walking and cycling.<sup>5</sup>

Council's local infrastructure plans for the Town Centre aligns with the Northern Beaches B-Line program which started in late 2017, improving the capacity and reliability of the bus system to allow extra services for access to the Sydney CBD and other major health, education, commercial and retail destinations.<sup>6</sup>

The Greater Sydney Commission outlines that improving liveability in these urban environments engages and connects people and communities. The District Plan identifies creating and renewing streets as a key to improving liveability, balancing the dual functions of streets as moving people and goods but also their role in social and economic participation. Responding to population growth and demographic changes, high quality public spaces will be required in and around centres integrating with site specific planning proposal with precinct-wide place and public domain outcomes.

In summary, the current metropolitan plan supports the Town Centre's existing and ongoing role as a key strategic centre in Sydney's Northern Beaches district.

### 3.1.3 Town Centre Masterplan

Strategic centres such as Dee Why will only reach their potential if they are supported by modern infrastructure and amenities. Council therefore intends to improve the Local Infrastructure in the area to make the centre more attractive for jobs and housing development.

The Dee Why Town Centre Masterplan ('the Masterplan')<sup>7</sup> responds to the following key infrastructure issues facing the centre:

- a major road - Pittwater Road - divides the centre
- poor stormwater drainage
- limited pedestrian connectivity and priority
- lack of access to open space and insufficient landscaping
- poor amenity and streetscape definition.<sup>8</sup>

The overall aim of the Masterplan is to create an attractive, liveable and thriving centre, featuring new community facilities, attractive streetscapes, new open spaces and new public car parking - 'a centre by the sea'.

The infrastructure principles of the plan are to:

- create a well-connected Town Centre
- foster community sense of pride of place
- enhance open spaces
- provide safe and enjoyable public spaces
- generate investment through creating an attractive and vibrant Town Centre.<sup>9</sup>

<sup>5</sup> ibid. p73

<sup>6</sup> ibid. p. 84.

<sup>7</sup> Place Design Group (2013), Dee Why Town Centre Master Plan, July

<sup>8</sup> ibid., pp38-39

<sup>9</sup> ibid., pp40-41

The Masterplan identified a set of strategies and actions applying to private and public land to achieve the planning vision for the Town Centre.<sup>10</sup>

The key Local Infrastructure strategies include:

- a. A central Community Hub on the Civic Centre site with multipurpose meeting rooms, new library facilities, community health services and a landmark Civic Plaza.
- b. A new Police Citizens Youth Club Centre on the Civic Centre site.
- c. 560 Council public carpark spaces in and around the Town Centre, with good quality pedestrian connections.
- d. A Water Sensitive Urban Design approach to development to better manage storm water and make water an attractive, calming and green feature of the Town Centre.
- e. A place that is attractive and easy to get around with new bike paths, laneways/ road links, wider footpaths, new open spaces and improvements to existing parks.
- f. Enhanced visual appeal at street level through wider footpaths, new spaces and lower building podiums, sculptural landscaping in key areas incorporating green landscaping on median islands and nature strips, creating a sense of arrival and departure.

### **3.1.4 Expected development and population**

#### **Residential development**

There are currently 1,713 dwellings in the Town Centre area that are either existing and unlikely to be replaced, or approved and not yet constructed.

These dwellings are mostly in the form of 1, 2 and 3 bedroom apartments. Assuming the average gross floor area (GFA) of these dwellings is 80 square metres, then there is an estimated 137,000 square metres of GFA applying to existing or approved dwellings in the area.

Council anticipates that a further 1,439 dwellings could be approved in the Town Centre area. Data informing this assessment is shown in Appendix C. Using the same assumption as above for average dwelling size, this future development will have an estimated 115,000 square metres of GFA.

In order to estimate of total number of residents that would occupy these dwellings, the average occupancy rate recorded at the 2016 Census for the Dee Why - North Curl Curl Statistical Area Level 2 was used a starting point (i.e. 2.4 persons per dwelling). Because the wider Dee Why - North Curl Curl contains a mix of larger detached dwelling houses and other smaller dwellings, this occupancy rate is too high for the purpose of assuming a population for the Town Centre area.

A lower occupancy rate of 2.1 persons per dwelling - reflecting the dominance of apartments as the predominant housing type in the Town Centre area - was used to estimate the number of residents in existing or approved developments, as well as the resident population of future developments.

A summary of existing / approved and future residential development and population, which is the basis on which the contribution rates under this plan for residential development are calculated, is shown in **Table 2**.

<sup>10</sup> ibid., pp80-81

**Table 2 Estimated dwellings and population**

|                                   | Dwellings    | Occupancy rate (persons /dwelling) | Resident population | Estimated GFA (m2) |
|-----------------------------------|--------------|------------------------------------|---------------------|--------------------|
| Existing and approved development | 1,713        | 2.1                                | 3,597               | 137,040            |
| Projected future development      | 1,439        | 2.1                                | 3,022               | 115,120            |
| <b>Total future development</b>   | <b>3,152</b> |                                    | <b>6,619</b>        | <b>252,160</b>     |

An average occupancy rate of 2.1 persons per dwelling has been used to assess the total population. However, individual developments will have different occupancies because of their different sizes. Studio dwellings will generally have fewer occupants than 2 bedroom dwellings. 2 bedroom dwellings will likely, on average, have fewer occupants than spacious 4 bedroom dwellings. Different occupancy rates related to dwelling size are necessary in order to derive reasonable section 7.11 contributions for individual developments.

**Table 3** contains the assumed occupancy rates for different dwelling sizes approved under this plan. The rates are based on recent Census results.

**Table 3 Assumed dwellings and population**

| Dwellings                                | Persons per dwelling |
|--|----------------------|
| Studios and dwellings with 1 bedroom     | 1.5                  |
| Dwellings with 2 bedrooms                | 2.2                  |
| <b>Dwellings with 3 or more bedrooms</b> | <b>3.2</b>           |

#### Non-residential development

Warringah Employment Study 2013<sup>11</sup> identified the economic, social and environmental trends which will influence employment growth within the region, and the strategies and principles to better enable the region to accommodate employment growth.

The Study identified that demand for employment in the retail, commercial and industrial sectors will continue to grow in the future within former Warringah area until at least 2031. Demand for floor space within these sectors is forecast to increase by 446,585 square metres and 12,553 jobs extra jobs between 2011 and 2036. This growth is anticipated to be focused in the main employment lands located in Dee Why, Frenchs Forest, Brookvale, Forestville, and Austlink Business Park.

The Study identified that the Town Centre had existing non residential development totalling 159,948 square metres GFA in 2011, 136,799 square metres of which was occupied.<sup>12</sup>

The Study forecast an extra demand for 35,426 square metres of GFA within the Town Centre by 2036.<sup>13</sup>

<sup>11</sup> Warringah Employment Study 2013 Final Report, April 2013, prepared for Warringah Council by SGS Economics and Planning Pty Ltd

<sup>12</sup> Ibid., p48

<sup>13</sup> Ibid., p62

Council has carried out a site-by-site assessment of the estimated additional non residential development that is likely to occur under the planning controls applying to the Town Centre.<sup>14</sup> This assessment concluded that the Town Centre is likely to accommodate an extra 34,000 square metres of GFA on development sites that will be subject to this contributions plan.

This site-by-site data is the basis on which the contribution rates under this plan for non residential development are calculated.

### 3.1.5 Demographic characteristics

The demographic characteristics of a development area are important in understanding the future social infrastructure needs of that area. The characteristics of the residents in the new dwellings will inform the design of the public domain and open spaces that are created to meet their needs.

The following is a summary of the expected demography of the future Dee Why suburb population:

- The current population is currently dominated by young working age residents. Persons aged between 25 and 34 make up about a quarter of all residents. Although their dominance is expected to remain, the number of these residents is forecast to decline slightly by the suburb up to 2036.
- Children 0-4 years old are the largest group of young people in the area. The numbers of all the younger age groups (i.e. up to 24 years) are expected to increase up to 2036, although their share of the overall population is not expected to change significantly.
- There are likely to be significant increases in the number of people in all age groups 40 years and over, particularly older persons. For example, in 2011 persons over 60 years made up 14% of the Dee Why population. This share will increase to nearly 25% by 2036. The increasing numbers of retired and semi-retired persons indicates that facilities preferred by these age groups (e.g. paths and local parks) will be in demand.

- Lone person households are the dominant household type, representing 31% of all households. Couple-only households (27.6%) and couple with dependents households (24.8%) are the next most common household types. In 2036, the respective shares of lone person and couple-only households are likely to be the same (around 30%) while the proportion of couple with dependents households is likely to reduce to 23%.

The following is a summary of the existing demography in the Dee Why suburb:

- Only 1.7% of the local population speak English not well or not at all, which is a quarter of the rate for Greater Sydney as a whole. Despite this, 39.5% of the population were born overseas, as against 36.7% for Greater Sydney as a whole. The three top overseas birthplaces are United Kingdom, China and India.
- The population is relatively well educated. In 2011 55.0% of the population aged 15 and over held educational qualifications, and 34.0% had no qualifications, compared with 48.3% and 40.5% respectively for Greater Sydney.
- The population is relatively able-bodied. Around 2.6% of the population reported needing assistance with core activities, compared with 4.9% for Greater Sydney.
- Middle level household incomes predominate in the area. There was a smaller proportion of high income households (those earning \$2,500 per week or more) and a lower proportion of low income households (those earning less than \$650 per week) in 2016 in Dee Why compared to Greater Sydney. Some 24.0% of the households earned a high income and 12.0% were low income households, compared with 28.3% and 15.1% respectively for Greater Sydney.

<sup>14</sup> These controls require redevelopments to set aside the first 2 levels of multi-storey mixed use developments for non residential purposes



- Renting is the dominant tenure for dwellings in Dee Why. Renting is likely to be even more significant in the apartment dwellings that predominate in the Town Centre area. Overall, 19.9% of the population owned their dwelling; 28.1% were purchasing, and 43.3% were renting, compared with 27.7%, 31.5% and 32.6% respectively for Greater Sydney.<sup>15</sup>

This social profile points to a need to provide the Town Centre developments with accessible and multi-purpose facilities suitable for a range of ages and household types, with particular emphases on the needs of children and older people.

### 3.2 Infrastructure schedule and nexus

The Dee Why Town Centre Masterplan contains infrastructure items that are required to support the redevelopment of the centre for mixed use and residential developments. Some of this development has been completed, some of it has been approved but not yet started or is not yet completed, and some of it is yet to be approved.

The previous and future redevelopment of land in the Town Centre has placed, and will continue to place, increased demand on infrastructure. That is:

- increased demand for places that foster community life and the development of social capital, creating needs for local parks, new and/or wider footpaths to meet the greater intensity of pedestrian activity, street tree planting, street furniture, and civic spaces and squares.
- increased demand for roads and traffic management facilities that support safe and convenient access to and from the Town Centre, creating needs for new streets, upgraded intersections, and public transport, walking and cycling facilities.
- increased demand for stormwater management facilities.

Council prepared the Dee Why Town Centre Masterplan (the Masterplan) in 2013 and has been implementing the infrastructure elements of that master plan since 2015. At the time this

plan was prepared (2019), many works in the Masterplan had been completed.

In addition to the Masterplan items, Council funded the vast majority of the cost of the new PCYC community and indoor recreation facility. This facility serves people in both the Town Centre and in the wider district.

A package of infrastructure is being delivered to underpin and support the creation of a quality higher density urban environment in Town Centre:

- The infrastructure to be funded using contributions received under this plan are listed in the schedule contained in Appendix A.
- The infrastructure that has been, or will be funded from other sources available to the Council are listed in the schedule contained in Appendix B.

Details of the infrastructure items, their cost, their completion status, and the anticipated timing for incomplete works are shown in these schedules.

The schedules show that the total cost of the Council's infrastructure program in the Town Centre is \$87.5 million.

Council and developers have invested approximately \$43.5 million in this program through completed projects and projects that are underway. This infrastructure has been funded/delivered via a number of sources, including:

- General revenue
- Direct provision through conditions of consent
- Voluntary Planning Agreement (VPA) contributions from development sites in the Town Centre
- Existing section 7.11 and section 7.12 plan funds (these contributions plans are now repealed)
- Grant funding

This leaves 11 infrastructure items with a value of \$24.1 million. These infrastructure items (i.e. the items listed in Appendix A) are proposed to be funded by contributions imposed and collected under this plan.

<sup>15</sup> <http://profile.id.com.au/northern-beaches>, accessed 12/10/17

### 3.3 Town Centre works program apportionment

All of the infrastructure listed in Appendices A and B is needed to support the entire development of the Town Centre. That is, both existing and approved development (which has already been levied development contributions) as well as future development (which will be levied contributions under this plan).

Table 4 shows the existing and approved, as well as the future anticipated, development in the Town Centre.

The table shows that combining the existing, approved and expected future developments, the future developments will account for 35% of the Town Centre's total gross floor area.

The total cost of the infrastructure items to meet the development in the Town Centre is \$87.5 million. This plan seeks to levy future

development for the full cost of some of these works. The works included in this plan have an estimated cost of \$24.1 million, which is approximately 28% of the value of the entire works schedule.

This level of cost apportionment for the Town Centre infrastructure to future development is considered reasonable. This is because the future development's investment in Town Centre infrastructure (i.e. the total monetary contributions anticipated to be paid under this plan) reflects no more – and, at 28%, is in fact less than – that development's proportion of the total demand for the infrastructure designed to serve the needs of all the additional future anticipated residents and workers of the Town Centre.

**Table 4 Town Centre development assumptions**

|                             | Existing and approved GFA (m2) | Expected future GFA (m2) | Total projected GFA (m2) | Expected growth as a % of total |
|-----------------------------|--------------------------------|--------------------------|--------------------------|---------------------------------|
| Residential development     | 137,040                        | 115,120                  | 252,160                  | 46%                             |
| Non-residential development | 136,799                        | 33,997                   | 172,225                  | 20%                             |
| <b>Total development</b>    | <b>273,839</b>                 | <b>149,117</b>           | <b>424,385</b>           | <b>35%</b>                      |

### 3.4 Contribution rates calculation

**Table 5 Values informing the contribution rates calculation**

|   | Estimated additional residents (P)* | Estimated residential GFA | % share of cost (AF <sub>Res</sub> )* | Estimated non-residential GFA (GFA <sub>NonRes</sub> )* | % share of cost (AF <sub>NonRes</sub> )* |
|---|-------------------------------------|---------------------------|---------------------------------------|---|--|
| Expected development in Town Centre to 2036 | 3,022                               | 115,120                   | 77.2                                  | 33,997  | 22.8                                     |

\*these notations relate to the formulas below

Contribution rates are calculated based on a fair apportionment of the infrastructure costs between residential and non-residential development.

The total additional development expected under this plan is 149,117 square metres of GFA. The breakdown of this expected additional development is shown in **Table 5**. The table also shows the expected additional residents. These values are used to calculate the contribution rates for development addressed by this plan.

Each apportioned cost – residential and non-residential – is then divided by expected demand. In the case of residential development, the demand is expressed in persons.

In the case of non-residential development, the demand is expressed in GFA square metres.

**The total contribution amount for a particular development is the sum of the contributions for the residential and non-residential components of that development.**

#### 3.4.1 Residential development contribution

The contribution formula for **residential development** is:

$$\text{Contribution per resident (\$)} = \sum \left( \frac{\$INF \times AF_{Res}}{P} \right) + \text{Admin}$$

Where:

**\$INF** = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the infrastructure items required to meet the development of the Town Centre (refer Appendix A).

**AF<sub>Res</sub>** = the relevant share of the cost of the item apportioned to residential development in the Town Centre (refer Table 5)

**P** = The expected number of additional residents of future developments in the Town Centre (refer Table 5)

**Admin** = The plan administration and management, being 1.5% of the total residential development contribution (refer to Section 3.4.3 for details)

To determine the total contribution that would apply to the residential component of the development, multiply the per person contribution rate by the proposed net additional residents in the proposed development.

To determine the contribution rate per dwelling, multiply the per person contribution rate by the relevant assumed occupancy rate shown in **Table 3**.

Contributions must reflect only the net increase in demand for infrastructure, taking account of any existing approved floor area. Refer to **Section 4.3** for details and examples of how net increases in demand are calculated.

Residential contribution rates are shown in **Table 1** in **Section 2.8**.

### 3.4.2 Non-Residential development contribution

The contribution formula for **non-residential development** is:

$$\text{Contribution per m2 of GFA (\$)} = \sum \left( \frac{\$INF \times AF_{\text{NonRes}}}{GFA_{\text{NonRes}}} \right) + \text{Admin}$$

Where:

**\$INF** = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the infrastructure items required to meet the development of the Town Centre (refer **Appendix A**).

**AF<sub>NonRes</sub>** = the relevant share of the cost of the item apportioned to non-residential development in the Town Centre (refer **Table 5**).

**GFA<sub>NonRes</sub>** = The expected additional non-residential gross floor area in the Town Centre (refer **Table 5**).

**Admin** = The plan administration and management, being 1.5% of the total non-residential development contribution (refer to **Section 3.4.3** for details).

To determine the total contribution that would apply to the non-residential component of the development, multiply the non-residential contribution rate by the proposed net additional non-residential GFA in the proposed development.

Contributions must reflect only the net increase in demand for infrastructure. Refer to **Section 4.3** for details and examples of how net increases in demand are calculated.

Non-residential contribution rates are shown in **Table 1** in **Section 2.8**.



### 3.4.3 Plan administration and management contributions

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council will need to manage, monitor and maintain the contributions plan to ensure that its contribution rates remain reasonable. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions.
- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules.
- Monitoring and programming works identified in the works schedules.
- Determining the appropriate time for provision of public facilities having regard to the availability of funds, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications.
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Reviewing and determining the suitability of any works in kind and material public benefits proposed by a developer.

- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the general public regarding the operation of the plan.
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan.

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the Town Centre area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark<sup>16</sup> of an allowance equivalent to 1.5% of the costs of construction works each year that are anticipated to be met by development making contributions under in this plan.

<sup>16</sup> Independent Pricing and Regulatory Tribunal of New South Wales (2014), Local Infrastructure Benchmark Costs, page 63

## 4. How and when will contributions be imposed on developments?

### 4.1 Monetary contributions

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring a contribution under section 7.11 of the EP&A Act on that approval for:

- the provision, extension or augmentation of Local Infrastructure to be provided by Council; and / or
- the recoupment of the previous costs incurred by Council in providing existing Local Infrastructure.

Accredited certifiers should also refer to **Section 4.5** of this plan as to their obligations in assessing and determining applications.

### 4.2 Cap on monetary section 7.11 contributions for residential development

On 21 August 2012 the Minister for Planning issued a Direction to Council that caps section 7.11 contributions (which were then called s94 contributions) for residential development.

The Direction requires:

*A council (or planning panel) must not grant development consent ... subject to a condition under section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*

*(a) in the case of a development consent that authorises one or more dwellings, exceeds \$20,000 for each dwelling authorised by the consent, or*

*(b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20,000 for each residential lot authorised to be created by the development consent.*

To meet the Minister's requirements, the residential contribution rate will not exceed \$20,000.

Also, as per **Section 6.3.1** of this plan, Council will over time adjust the contribution rates for the other dwelling types listed in **Table 2** to address the effects of inflation. The rates will be adjusted up to, but never beyond, any contributions cap directed by the Minister that may apply at the time of granting development consent for those dwellings.

### 4.3 Allowance for existing development

In order for contributions to be reasonable, the consent authority shall only impose a section 7.11 contribution on a development that reflects the net increase in the demand for Local Infrastructure included in this plan.

The contribution attributable to the net increase in infrastructure demand is determined by calculating the contribution under this plan that would apply to any existing or approved development on the development site, and subtracting that figure from the contribution under this plan that would apply to the proposed development.

For example, if a development site contained 2 dwelling houses each with 3 bedrooms, and the proposed development contained 20 x 2-bedroom dwellings, then the contribution amount for that proposed development would be:

$$\begin{aligned} \text{Proposed development (A)} &= 20 \times \$13,748.17 \\ &= \$274,963.40 \end{aligned}$$

Number of dwellings (of the same typology\*)  
x residential contribution rate (of the same typology\*)

$$\begin{aligned} \text{Existing development (B)} &= 2 \times \$19,997.34 \\ &= \$39,994.68 \end{aligned}$$

$$\begin{aligned} \text{Contribution amount (A - B)} &= \$274,963.40 - \\ &\quad \$39,994.68 \\ &= \$234,968.72 \end{aligned}$$

\* Same typology – number of beds in a dwelling

An allowance from existing residential development cannot be applied to non residential development and vice versa.

The following also applies in calculating reasonable contributions:

- Council will make the final determination on the number of bedrooms in a dwelling that is part of a proposed residential development, despite the notations on the plans that suggests that a bedroom is some other room type (e.g. study, office).
- The onus is on the applicant to establish a case for existing approved development to be taken into consideration in the calculation of a section 7.11 contribution amount for a proposed development.

#### **4.4 Latest rates to be used**

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan as set in Section 6.3.

The monetary section 7.11 contribution rates shown in **Table 2** reflect the contribution rates at the date that this plan commenced. These rates are regularly adjusted for inflation and fluctuations in land values (see **Section 6.3**).

Applicants and accredited certifiers should inquire at the Council for information on the latest contribution rates

#### **4.5 Obligations of accredited certifiers**

##### **4.5.1 Complying development certificates**

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

#### **Procedure for determining the contribution amount**

The procedure for an accredited certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit for an existing or approved development under section 7.11(6) of the EP&A Act such as that envisaged in **Section 4.3** of this plan, or an exemption or part or the whole of the development under **Section 2.5** of this plan, the accredited certifier must:
  - a. make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
  - b. in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.
2. Determine the unadjusted contributions in accordance with the rates included in **Table 1** of this plan taking into account any exempted development specified in **Section 2.6** and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with **Section 6.3.1** to reflect the indexed cost of the provision of infrastructure.
4. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed Local Infrastructure demand relating to existing development.

### Terms of a section 7.11 condition

The terms of the condition required by this section are as follows:

#### Contribution

The developer must make a monetary contribution to Northern Beaches Council in the amount of \$[insert amount] for the purposes of the Local Infrastructure identified in the Dee Why Town Centre Contributions Plan.

The total contribution amount is based on the following rates that applied at the time of issue of the certificate: [delete whichever is not applicable].

|  |                                       |
|--|---------------------------------------|
| [insert no.] x 0 or 1 bedroom dwellings          | @ \$ [insert amount] per dwelling     |
| [insert no.] x 2 bedroom dwellings               | @ \$ [insert amount] per dwelling     |
| [insert no.] x 3 or more bedroom dwellings       | @ \$ [insert amount] per dwelling     |
| [insert no. of m2] of non-residential floor area | @ \$ [insert amount] per 100m2 of GFA |

#### Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

\$CC is the contribution amount shown in this certificate expressed in dollars

CPIP is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution

CPIC is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate

Note: The contribution payable will not be less than the contribution specified in this certificate.

#### Time for payment

**The contribution must be paid prior to any work authorised by this complying development certificate commences**, as required by section 136L of the Environmental Planning and Assessment Regulation 2000.

Deferred payments of contributions will not be accepted.

#### Works in kind agreement

This condition does not need to be complied with to the extent specified in any planning agreement of works in kind agreement entered into between the developer and the Council where that agreement references the exclusion of development contributions for the application.



#### 4.5.2 Construction certificates

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with section 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

#### 4.6 Variation to contributions authorised by this plan

The consent authority, other than a private accredited certifier, may, after considering a written application, reduce the section 7.11 contribution otherwise calculated in accordance with the provisions of this plan.

An accredited certifier other than the Council cannot vary a section 7.11 contribution calculated in accordance with this plan, without Council's written approval.

A developer's request for variation to a contribution calculated in accordance with this plan must be supported by written justification included with the development application setting out the following, as relevant:

- the grounds on which the variation to the plan contribution is reasonable in the circumstances
- details and calculations showing that application of the plan's contribution rates results in an unreasonable contribution amount
- calculations showing that an alternative amount fairly reflects the net increase in demand for the infrastructure included in this plan.

Council will not consider requests for reductions based solely on any perceived broader community benefit of the development.



## 5. How and when can a contribution requirement be settled?

### 5.1 Timing of payments

For a CDC, the levy is to be paid prior to any work authorised by the certificate commencing, as required by clause 136L of the EP&A Regulation.

For a DA involving building works, the levy is to be paid prior to the issue of a Construction Certificate.

For a DA involving land subdivision, the levy is to be paid prior to the issue of a Construction Certificate or prior to the issue of a Subdivision Certificate (whichever occurs first).

At the time of payment, it will be necessary for levy amount to be updated in accordance with the relevant indexes (see Section 6.3).

### 5.2 Deferred payments

Council will not accept the deferred payments of contributions required under this plan.

### 5.3 Can the contribution be settled by dedicating land or undertake works?

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a section 7.11 contribution required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan instead of the Council delivering that infrastructure, then the developer can approach this either one of two ways:

- a. The developer may offer to enter into a VPA to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- b. If the developer has already received a development consent containing a condition requiring a section 7.11 contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

Any offer for works in kind or other material public benefit must be agreed to by Council in writing **prior to the payment of the contribution amount**. Retrospective works in kind agreements will not be accepted.

The decision to accept settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council.

Works in kind or the dedication of land will be accepted by Council only under the following circumstances:

- Council will only accept offers of works or land that are items included in the schedule of Local Infrastructure in this plan
- The value of the works to be undertaken or the land to be dedicated is at least equal to the value of the contribution assessed in accordance with this plan, or where the value of the proposed works in kind or the land to be dedicated is less than the monetary value of the contribution, the difference will be met by way of a monetary contribution.

In assessing the request, Council will consider the following:

- Consistency with the Council's concept or detailed design of the facilities.
- The proposed works or land dedication will not constrain the future provision of facilities identified in the works schedule, or conflict with what Council has prioritised.

Plans and cost estimates of the proposed works, or a valuation by a registered valuer of the land to be dedicated, are to be prepared and submitted by the applicant.

Should an offer of works in kind or land dedication be accepted, Council will negotiate with the applicant, as relevant, the following:

- An acceptable standard for workmanship and materials; and
- Timing of inspection of works in progress; and
- A program for completion of the works or dedication of the land; and
- An appropriate defects liability period.

## 6. Other administration matters

### 6.1 Relationship of this plan to other contributions plans

The Northern Beaches Council Section 7.12 Contributions Plan 2019 does not apply to land to which this plan applies.

This plan however does not affect development consents applying to land in the Town Centre containing requirements for developments to make contributions under Northern Beaches Council Section 94A Plan 2017 (or its predecessor plans).

Contributions imposed on developments under predecessor plans and paid to Council will be applied to the specific Local Infrastructure described in those plans.

### 6.2 Savings and transitional arrangements

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date on which this plan took effect.

### 6.3 Adjustment of contributions to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates and the contribution amounts included in consents will be adjusted over time.

*The original monetary contribution x current CPI*

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*Base CPI*

In the event that the current CPI figure is less than the previous quarter, it will be taken to be the same as the previous quarter.

### 6.3.1 Contribution rates in this plan

Council will - without the necessity of preparing a new or amending contributions plan - make changes to the contribution rates set out in this plan to reflect quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics.

Adjusted contribution rates will not exceed any contributions cap that may apply as a result of a Ministerial direction.

The latest contribution rates will be published on the Council's website.

### 6.3.2 Contribution amounts in consents

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date on which this plan took effect.

### 6.4 Pooling of contributions funds

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are set out in the works schedule of this plan.

### 6.5 In what circumstances are contributions to be refunded?

Any monies paid under a condition of development consent imposed under this plan will not be refunded in any circumstances.

#### 6.6 Accountability and access to information

Council maintains a register of all cash and non cash contributions collected under this plan. The register can be inspected at Council's offices and contains the following information:

- Each development consent which levied contributions for facilities
- The address to which the development consent was issued, date when contributions are received and the amount.
- A detailed account of the monetary contribution, land dedication or other material public benefit negotiated and signed off through any works in kind agreement or voluntary planning agreement, including a copy of the agreement.

Accounting records will be maintained for all contributions and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest, for each service or amenity to be provided. The records are held at Council's offices and may be inspected upon request.

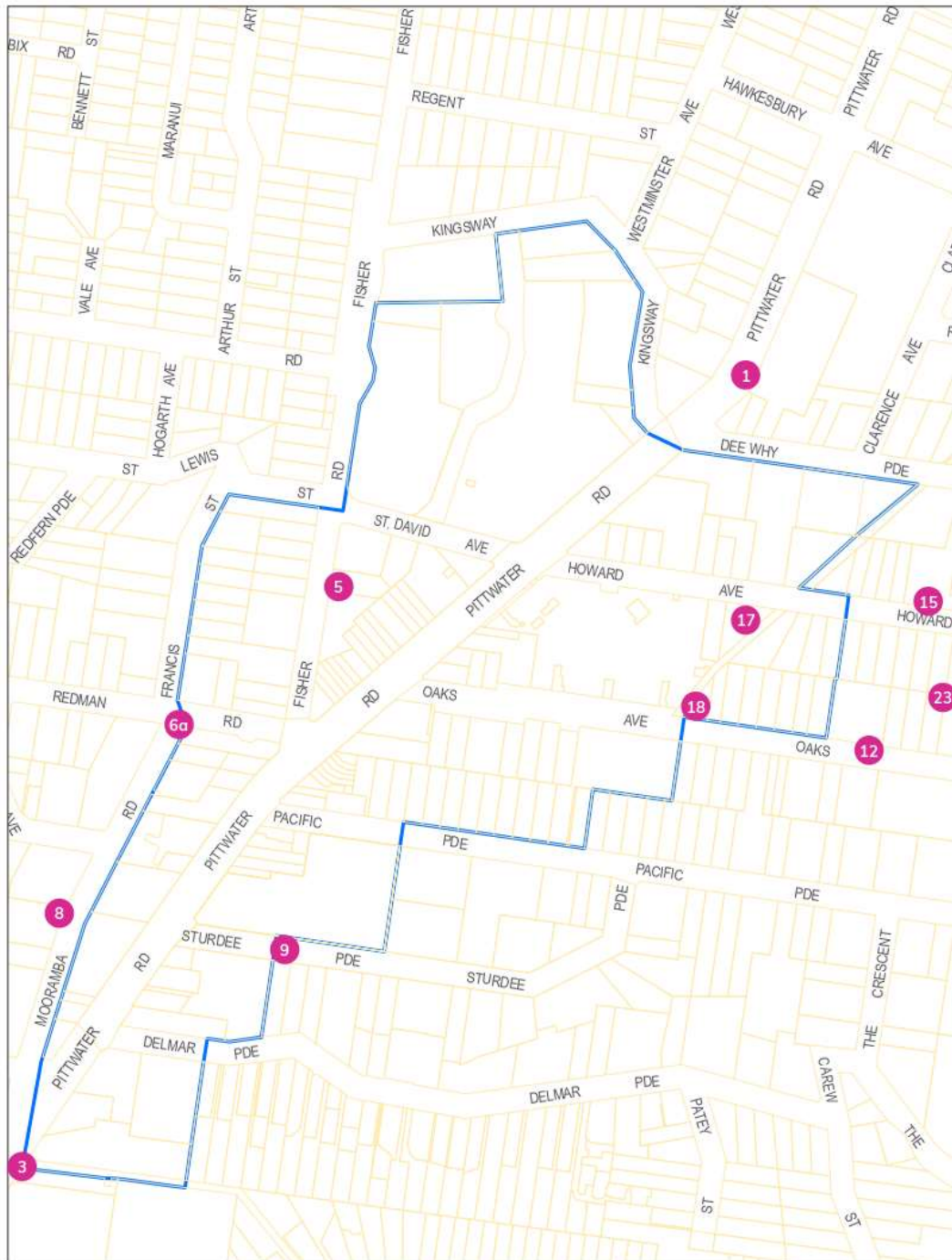
#### 6.7 Review of plan

Council will periodically review this plan to ensure that it meets its purposes and that the contribution rates remain reasonable.

## Appendix A

### Projects to be funded by this contributions plan

| Item | Description                                | Total cost     | Estimated timing | Residential development cost apportionment | Res contribution rate (per person) | Non residential development cost apportionment | Non residential contribution rate (per 100m² GFA) |
|------|--|----------------|------------------|--|------------------------------------|--|---|
| 1    | Pittwater Road North (Gateway)             | \$2,844,058.63 | 2026-2036        | \$2,195,645                                | \$726.58                           | \$648,413                                      | \$1,907.27  |
| 3    | Pittwater Road South (Gateway)             | \$4,132,009.83 | 2026-2036        | \$3,189,958                                | \$1,055.61                         | \$942,052                                      | \$2,770.99  |
| 5    | Fisher Road Streetscape                    | \$1,600,821.68 | 2026-2036        | \$1,235,852                                | \$408.97                           | \$364,969                                      | \$1,073.53  |
| 6a   | Redman Road Plaza Stage 2                  | \$2,196,662.50 | 2020-2025        | \$1,695,848                                | \$561.19                           | \$500,814                                      | \$1,473.11  |
| 8    | Mooramba Road                              | \$546,193.29   | 2026-2036        | \$421,667                                  | \$139.54                           | \$124,526                                      | \$366.29  |
| 9    | Sturdee Parade                             | \$3,757,941.46 | 2026-2036        | \$2,901,173                                | \$960.05                           | \$856,768                                      | \$2,520.13  |
| 12   | Oaks Avenue (New Link Road to Avon Road)   | \$2,295,058.38 | 2026-2036        | \$1,771,811                                | \$586.32                           | \$523,248                                      | \$1,539.10  |
| 15   | Howard Avenue (New Link Road to Avon Road) | \$3,731,814.82 | 2020-2022        | \$2,881,003                                | \$953.37                           | \$850,812                                      | \$2,502.61  |
| 17   | Triangle Park North                        | \$1,780,383.06 | 2021-2023        | \$1,374,476                                | \$454.84                           | \$405,907                                      | \$1,193.95  |
| 18   | Triangle Park South                        | \$1,066,317.78 | 2021-2023        | \$823,209                                  | \$272.41                           | \$243,108                                      | \$715.09  |
| 23   | Cycleway Avon Road                         | \$148,500.00   | 2020-2025        | \$114,644                                  | \$37.94                            | \$33,856                                       | \$99.59   |
|      |  | \$24,099,761   |                  | \$18,605,287                               | \$6,156.82                         | \$5,494,475                                    | \$16,161.65                                       |
|      | Plan administration and management         | \$361,496      | 77%              | \$279,079                                  | \$92.35                            | \$82,417                                       | \$242.42  |





## Appendix B

### Projects to be delivered using other funding sources

| Item         | Description  | Total cost          | Estimated timing |
|--------------|--|---------------------|------------------|
| 2            | Pittwater Road Central (Incl. Town Centre Crossing)          | \$2,891,865         | Completed        |
| 4            | St Davids Avenue Pocket Park                                 | \$1,917,548         | 2018/19          |
| 6            | Redman Road Plaza  | \$2,595,541         | Completed        |
| 10           | Pacific Parade   | \$4,155,488         | 2026-2036        |
| 11           | Oaks Avenue (Pittwater Road to New Link Road)                | \$3,500,000         | 2018/19          |
| 13           | New Link Road  | \$1,600,000         | 2020-2025        |
| 14           | Howard Avenue (Pittwater Road to New Link Road)              | \$2,400,000         | 2018/19          |
| 15a          | Howard Avenue Cycleway (north side)                          | \$1,205,000         | 2018/19          |
| 16           | Dee Why Parade   | \$3,091,665         | 2026-2036        |
| 19           | Woolworths Lane (Linkway Link)                               | \$-                 | 2020-2025        |
| 20           | Walter Gors Park   | \$6,066,342         | Completed        |
| 21           | Walter Gors Park Stormwater Easement                         | incl above          | Completed        |
| 11a          | Oaks Avenue Drainage Works (completed)                       | \$3,896,683         | Completed        |
| 18a          | Acquisition of 30 Oaks Avenue                                | \$2,200,000         | Completed        |
| 24           | Town Square area and Oaks Avenue connection (Meriton site)   | \$2,191,000         | TBD              |
| 25           | Dee Why PCYC indoor recreation centre (Council contribution) | \$25,672,727        | Completed        |
| <b>Total</b> |  | <b>\$63,383,859</b> |                  |

|  |  |
|--|--|
|  | Infrastructure items underway or to be completed using other funding sources |
|  | Future infrastructure items to be completed using other funding sources      |
|  | Completed infrastructure items   |

## Appendix C

### Details of expected development

| Site         | Street Address                                   |      | Estimated additional non-residential GFA (m <sup>2</sup> ) | Expected additional dwellings | Expected residential GFA assuming average of 80m <sup>2</sup> per dwelling |
|--------------|--|------|--|-------------------------------|--|
| A            | 31 - 35 Howard & 36 - 44 Oaks                    |      | 8,430  | 129                           | 10,304   |
| 3            | 9 Oaks   |      | 392  | 9                             | 704  |
| 4            | 19 & 21 Oaks                                     |      | 867  | 42                            | 3,392  |
| 5            | L8 & 12 Pacific                                  |      | 1,572  | 23                            | 1,856  |
| 6            | 16 Pacific                                       |      | 691  | 8                             | 640  |
| 7            | 900 Pittwater & 10 Howard                        |      | 1,481  | 70                            | 5,632  |
| 8            | 854 - 860 Pittwater                              |      | 894  | 72                            | 5,760  |
| 9            | 836 - 844 Pittwater & 1 Pacific                  |      | 1,369  | 47                            | 3,776  |
| 13           | 643 Pittwater                                    |      | 91   | 9                             | 704  |
| 14           | 651 - 661 Pittwater                              |      | 1,244  | 60                            | 4,800  |
| E1           | 673 - 683A Pittwater                             |      | 716  | 66                            | 5,312  |
| E2           | 687 - 693A Pittwater                             |      | 390  | 43                            | 3,456  |
| 15           | 23 Fisher  | Note |  | Completed                     |  |
| 18           | 10 Fisher  |      | -  | 9                             | 704  |
| 19           | 16 - 20 Fisher                                   |      | 505  | 32                            | 2,560  |
| 20           | 28 - 30 Fisher                                   |      | 588  | 10                            | 832  |
| 21           | 36 Fisher  |      | 1,071  | 21                            | 1,664  |
| E3           | 1 - 3 St. David; L1 & L2 Fisher                  |      | 2,201  | 66                            | 5,312  |
| 23           | 21 Mooramba & 665 Pittwater                      |      | 1,162  | 46                            | 3,712  |
| 26           | 26 Howard Avenue - Coles Site                    |      | 4,337  | 181                           | 14,464   |
| 27           | 874 & 876 Pittwater - Oaks Cnr adjoining Meriton | Note |  |                               |  |
| 28           | 2 Delmar Pde & 818 Pittwater Road - Repco site   | Note |  |                               |  |
| 29           | 811 - 816 Pittwater Road - Avis site             |      | 1,095  | 32                            | 2,560  |
| 30           | 625 Pittwater Road                               |      | 943  | 26                            | 2,112  |
| 31           | 20 - 22 Howard Ave                               |      | 456  | 50                            | 3,968  |
| C            | 33 Oaks Avenue, Dee Why                          |      | 3,095  | 373                           | 29,824   |
| D            | 848 850 Pittwater Road, Dee Why                  |      | 407  | 14                            | 1,088  |
| <b>Total</b> |  |      | <b>33,997</b>  | <b>1,439</b>                  | <b>115,120</b>   |

**Note** Site is still subject of a DA that is likely to be determined prior to this contributions plan coming into effect

## Dee Why Town Centre ~~Development~~ Contributions Plan

Edited version – amendments shown in  
track changes

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

## Table of Contents

|           |  |           |
|-----------|--|-----------|
| <b>1.</b> | <b>Introduction</b>  | <b>1</b>  |
| <b>2.</b> | <b>Plan summary</b>  | <b>2</b>  |
| 2.1       | How to use this plan   | 2         |
| 2.2       | Dictionary   | 2         |
| 2.3       | Name and commencement of plan  | 3         |
| 2.4       | What are the purposes of this plan?                                    | 3         |
| 2.5       | What land and development does this plan apply to?                     | 4         |
| 2.6       | What development is exempted?  | 4         |
| 2.7       | What Local Infrastructure will be provided under this plan?            | 4         |
| 2.8       | What are the contribution rates for Local Infrastructure?              | 6         |
| <b>3.</b> | <b>How are the contribution rates calculated?</b>                      | <b>7</b>  |
| 3.1       | Expected demand for Local Infrastructure                               | 7         |
| 3.1.1     | Area context   | 7         |
| 3.1.2     | Metropolitan and district plans  | 7         |
| 3.1.3     | Town Centre Masterplan   | 9         |
| 3.1.4     | Expected development and population                                    | 10        |
| 3.1.5     | Demographic characteristics  | 11        |
| 3.2       | Infrastructure schedule and nexus                                      | 12        |
| 3.3       | Town Centre works program apportionment                                | 14        |
| 3.4       | Contribution rates calculation   | 14        |
| 3.4.1     | Residential development contribution                                   | 15        |
| 3.4.2     | Non-residential development contribution                               | 16        |
| 3.4.3     | Plan administration and management contributions                       | 16        |
| <b>4.</b> | <b>How and when will contributions be imposed on developments?</b>     | <b>18</b> |
| 4.1       | Monetary contributions   | 18        |
| 4.2       | Cap on monetary section 7.11 contributions for residential development | 18        |
| 4.3       | Allowance for existing development                                     | 18        |
| 4.4       | Latest rates to be used  | 19        |
| 4.5       | Obligations of accredited certifiers                                   | 20        |
| 4.5.1     | Complying development certificates                                     | 20        |
| 4.5.2     | Construction certificates  | 21        |
| 4.6       | Variation to contributions authorised by this plan                     | 22        |
| <b>5.</b> | <b>How and when can a contribution requirement be settled?</b>         | <b>23</b> |
| 5.1       | Timing of payments   | 23        |
| 5.2       | Deferred payments  | 23        |
| 5.3       | Can the contribution be settled by dedicating land or undertake works? | 23        |
| <b>6.</b> | <b>Other administration matters</b>                                    | <b>25</b> |
| 6.1       | Relationship of this plan to other contributions plans                 | 25        |
| 6.2       | Savings and transitional arrangements                                  | 25        |

2019 294465 Track changes to post-exhibition Dee Why Town Centre Section 7.11 Plan(3)

i

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

|       |   |    |
|-------|---|----|
| 6.3   | Adjustment of contributions to address the effects of inflation | 25 |
| 6.3.1 | Contribution rates in this plan                                 | 25 |
| 6.3.2 | Contribution amounts in consents                                | 26 |
| 6.4   | Pooling of contributions funds                                  | 26 |
| 6.5   | In what circumstances are contributions to be refunded?         | 26 |
| 6.6   | Accountability and access to information                        | 26 |
| 6.7   | Review of plan  | 26 |

**Tables**

|         |   |      |
|---------|---|------|
| Table 1 | Summary of contribution rates                       | 66   |
| Table 2 | Estimated dwellings and population                  | 1040 |
| Table 3 | Assumed dwelling occupancy rates                    | 1144 |
| Table 4 | Town Centre development assumptions                 | 1444 |
| Table 5 | Values informing the contribution rates calculation | 1545 |

**Figures**

|          |                            |    |
|----------|----------------------------|----|
| Figure 1 | Land affected by this plan | 55 |
|----------|----------------------------|----|

**Appendices**

|            |  |
|------------|--|
| Appendix A | Projects to be funded by this contributions plan     |
| Appendix B | Projects to be delivered using other funding sources |
| Appendix C | Details of expected development                      |



Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## 1. Introduction

Northern Beaches Council (**Council**) has prepared a master plan for the redevelopment of land and the upgrade of ~~public~~-local infrastructure in the Dee Why Town Centre (**Town Centre**).

The redevelopment is to be sustained by the provision of new and upgraded Local Infrastructure including new and upgraded roads, streetscape and public domain facilities, open space areas and stormwater drainage facilities.

Section 7.11 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) authorises a consent authority to grant consent to a proposed development subject to a condition requiring the applicant to make contributions toward the provision, extension or augmentation of Local Infrastructure (or towards recouping the cost of their provision, extension or augmentation). These contributions may be in the form of land, money or works.

Where the consent authority is a council or an accredited certifier, a Local Infrastructure contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this plan.

This plan authorises the Council or an accredited certifier to impose conditions on development consents or complying development certificates (**CDCs**) requiring section 7.11 contributions from development in the Town Centre that would, when completed, result in a net increase in the residential population or non-residential floor space.

The contributions that are made by developers will be applied by the Council to deliver the schedule of infrastructure shown in **Appendix A** to this plan.

The plan operates over the period that the expected development will occur in the Town Centre – i.e. up to 2036.

This plan has been prepared in accordance with the EP&A Act and *Environmental Planning and Assessment Regulation 2000* (**EP&A Regulation**); and having regard to the latest practice notes issued by the NSW Department of Planning and Environment.

This plan includes the following:

- A schedule of contribution rates for various classes of developments.
- Information on how the contribution rates were calculated.
- Council's policies on how and when developers can settle their contributions obligations, including opportunities for developers to provide land and works 'in kind'.
- Specific provisions on the role of accredited certifiers in imposing and collecting development contributions.
- Various other provisions related to the fair and transparent administration of development contributions received under this plan.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## 2. Plan summary

### 2.1 How to use this plan

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers. A brief description of each section is provided below:

#### Section 2 – Plan summary

This section identifies both the land and developments that this plan applies to, as well as the contributions rates that apply to these developments.

#### Section 3 – How are the contributions rates calculated?

This section explains how the contributions for development in the Town Centre are calculated. The expected development is described as well as the basis for determining the list of Local Infrastructure that will be required to meet that development. It also provides the formulas and approach for how the contribution rates have been calculated.

#### Section 4 – How and when will contributions be imposed on development?

This section explains how conditions of consent will be used to collect contributions levied under this plan and provisions to index the contributions payable to reflect changes in land acquisition and construction costs. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

#### Section 5 – How and when a contribution requirement can be settled?

This section explains how consent conditions requiring the payment of contributions can be settled, typically by cash payment. It also provides Council's requirements for considering alternative means to satisfy contribution requirements under this plan through the use of Voluntary Planning Agreements (VPAs) and works in kind arrangements.

#### Section 6 – Other administration matters

This section outlines other administrative arrangements surrounding the operation of this plan.

### Appendices

The appendices include a schedule and location map of the Local Infrastructure that is to be delivered under the plan. The schedule includes details of each item, including cost, intended phasing and timing, the cost apportioned to development, and the contribution rate.

### 2.2 Dictionary

Words and phrases used in this plan have the same meaning as the terms defined in Warringah Local Environmental Plan 2011 or the EP&A Act, except as provided for below.

In this plan, the following words and phrases have the following meanings:

**CDC** means complying development certificate.

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

**Consent authority** has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a CDC.

**Council** means Northern Beaches Council.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**LGA** means local government area.

**Local Infrastructure** means ~~public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services~~ infrastructure delivered by this plan.

**Town Centre** means Dee Why Town Centre.

**VPA** means Voluntary Planning Agreement.

### 2.3 Name and commencement of plan

This plan is called the *Dee Why Town Centre Section 7.11 Contributions Plan*.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

### 2.4 What are the purposes of this plan?

The primary purpose of this plan is to authorise:

- the Council, when granting consent to an application to carry out development to which this plan applies; or
- an accredited certifier, when issuing a CDC for development to which this plan applies,

to require a contribution under section 7.11 of the EP&A Act to be made towards the provision, extension or augmentation of Local Infrastructure that are required as a consequence of development in the Town Centre, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide a source of funds as part of the overall funding mix for the provision of Local Infrastructure in the Town Centre.
- To provide the framework for the efficient and equitable determination, collection and management of section 7.11 contributions relating to the Town Centre.
- To establish the relationship between the expected development and proposed Local Infrastructure to demonstrate that the contributions required under this plan are reasonable.
- To allow the opportunity for Local Infrastructure to be provided by land developers by dedicating land or providing works in kind in lieu of paying a monetary contribution.

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

- To ensure that the broader Northern Beaches community is not unreasonably burdened by the provision of Local Infrastructure required as a result of future development in the Town Centre.

## 2.5 What land and development does this plan apply to?

Subject to **Section 2.6**, this plan applies to the Town Centre, the extent of which is shown in **Figure 1** over the page.

This plan applies to:

- Residential Accommodation development that would result in a net increase in dwellings on the land (includes boarding houses).
- Other development that would result in a net increase in gross floor area on the land.

## 2.6 What development is exempted?

Development contributions under this plan will not be imposed to: This plan DOES NOT apply to the following types of developments:

- Development proposed by not-for-profit organisations as defined by the Australian Taxation Office, on behalf of, or in partnership with the Council.
- Social housing and community housing development provided by a social housing provider for the purposes of any form of seniors housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- Development exempted from section 7.11 contributions by way of a direction made by the Minister for Planning.
- Local Infrastructure identified in this Plan, carried out by or on behalf of the proposed by or on behalf of the Council.
- Development for public purposes - Infrastructure proposed by government agencies and public utility providers.
- Social housing and community housing Development for the purposes of any form of seniors housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that is provided by a social housing provider.

## 2.7 What Local Infrastructure will be provided under this plan?

Public domain and open space works on Council owned land will be provided using the contributions received from developers under this plan (see **Appendix A**).

These works will complement other Town Centre infrastructure that has been, or will be, provided using a number of funding sources (see **Appendix B**).

Concept plans and other details for the ~~Dee Why~~ Town Centre projects are contained in the report *Dee Why Town Centre Concept Design- Volume 1*, prepared by Tract Consultants, November 2014.

The costs of administering this plan will also be met by contributions imposed under this plan.

2019 294465 Track changes to post-exhibition Dee Why Town Centre Section 7.11 Plan(3)

4

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council



**Figure 1 Land affected by this plan**



Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## 2.8 What are the contribution rates for Local Infrastructure?

**Table 1** below summarises the contribution rates for the various categories of Local Infrastructure in this plan. **Part 3** of this plan discusses how the contribution rates have been derived.

**Table 1 Summary of contribution rates**

|                                    | per person*       | per studio or 1 bed dwelling | per 2 bed dwelling | per 3 or more bed dwelling | per 100m <sup>2</sup> non-residential GFA |
|------------------------------------|-------------------|------------------------------|--------------------|----------------------------|---|
| Streetscape and public domain      | \$6,156.82        | \$9,235.23                   | \$13,545.00        | \$19,701.82                | \$16,161.65                               |
| Plan administration and management | \$92.35           | \$138.53                     | \$203.17           | \$295.53                   | \$242.42                                  |
| <b>Total</b>                       | <b>\$6,249.17</b> | <b>\$9,373.75</b>            | <b>\$13,748.17</b> | <b>\$19,997.34</b>         | <b>\$16,404.07</b>                        |

\* the per person rate is relevant to calculating the contributions for residential accommodation that is boarding houses, group homes, nursing homes and hostels

Note: At the time this plan was prepared, the Minister for Planning directed that consent authorities could not impose a monetary section 7.11 contribution on a residential development on land affected by this plan that exceeded \$20,000 per lot or dwelling. Refer to **Section 4.2** of this plan for more details of this contributions 'cap'.

As per **Section 6.3.1** of this plan, Council will over time adjust the contribution rates for the other dwelling types listed in **Table 1** to address the effects of inflation. The rates will be adjusted up to, but never beyond, any contributions cap directed by the Minister that may apply at the time of granting development consent for those dwellings.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

### 3. How are the contribution rates calculated?

This part of the plan explains the expected development in the Town Centre, the infrastructure required to support this development, and the way the contributions for Local Infrastructure included in this plan have been calculated.

#### 3.1 Expected demand for Local Infrastructure

##### 3.1.1 Area context

~~Dee Why~~The Town Centre straddles Pittwater Road, between the north of Warringah Road intersection and south of the Dee Why Parade and Kingsway.

In terms of employment land uses, the centre comprises a commercial / retail area fronting Pittwater Road and a clustered retail 'town square' (off Pittwater Road) encompassing large floorspace grocery stores, small business and office spaces, arcades and al fresco restaurants / cafes.<sup>1</sup>

Most of the land in the area is zoned B4 Mixed Use and predominately used for retail activities, although some mixed use developments comprising retail on ground floor and residential uses above have been developed or approved. There are also some older residential apartment developments on the edge of the centre.

~~Dee Why~~The Town Centre is likely to continue its current function as a key civic and community centre for the Northern Beaches LGA in the future, particularly with planned upgrades of ~~public~~ local infrastructure described in this plan.

##### 3.1.2 Metropolitan and district plans

Dee Why and Brookvale are identified by the State Government's Sydney metropolitan strategy *A Plan for Growing Sydney* (2015) as twin 'strategic centres'. This designation for Brookvale – Dee Why has been carried forward into the 2018 *A Metropolis of Three Cities – The Greater Sydney Region Plan*. This document applies to the Greater Sydney Region and identifies Dee Why and Brookvale as located within the North District, and subsequently guided by the North District Plan.

Strategic centres are expected to have the following attributes:

- high levels of private sector investment
- flexibility, so that the private sector can choose where and when to invest
- co-location of a wide mix of land uses, including residential
- high levels of amenity and walkability and being cycle friendly
- areas identified for commercial uses, and where appropriate, commercial cores.<sup>2</sup>

The *North District Plan* establishes a hierarchy to centres to manage the growth and change, being the Metropolitan centre, Strategic centres then Local centres<sup>3</sup>.

<sup>1</sup> Warringah Employment Study 2013 Final Report, April 2013, prepared for Warringah Council by SGS Economics and Planning Pty Ltd, page 134

<sup>2</sup> *A Metropolis of Three Cities – The Greater Sydney Region Plan*, p119

<sup>3</sup> *North District Plan*, p. 67.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

Planning Priority N10 of the *North District Plan* targets growing investment, business opportunities and jobs in strategic centres by, among other things:

- providing jobs growth
- diversifying the range of activities in all centres
- creating vibrant, safe places and quality public realm
- focusing on a human-scale public realm and locally accessible open space
- balancing the efficient movement of people and goods with supporting the liveability of places on the road network
- improving the walkability within and to the centre
- completing and improving a safe and connected cycling network to and within the centre.<sup>4</sup>

The *North District Plan* priorities for the Brookvale - Dee Why strategic centre include the following:

- Projected growth in twin centre jobs of between 3,000 and 6,000 by 2036.
- Recognise and enhance the economic and employment opportunities along Pittwater Road and encourage revitalisation along the commercial strip.
- Promote walking, cycling and public transport to Warringah Mall, the Brookvale industrial area and Dee Why.
- Encourage new lifestyle and entertainment uses to activate local streets in Brookvale-Dee Why.
- Improve connections between Brookvale-Dee Why and the Northern Beaches Hospital at Frenchs Forest.
- Establish street trees along the Pittwater Road corridor, exploring options for new development setbacks to incrementally widen the corridor to improve the environment for walking and cycling.<sup>5</sup>

Council's local infrastructure plans for ~~Dee-Whythe~~ Town Centre aligns with the Northern Beaches B-Line program which started in late 2017, improving the capacity and reliability of the bus system to allow extra services for access to the Sydney CBD and other major health, education, commercial and retail destinations<sup>6</sup>.

The Greater Sydney Commission outlines that improving liveability in these urban environments engages and connects people and communities. The District Plan identifies creating and renewing streets as a key to improving liveability, balancing the dual functions of streets as moving people and goods but also their role in social and economic participation. Responding to population growth and demographic changes, high quality public spaces will be required in and around centres integrating with site specific planning proposal with precinct-wide place and public domain outcomes.

In summary, the current metropolitan plan supports ~~Dee-Whythe~~ Town Centre's existing and ongoing role as a key strategic centre in Sydney's Northern Beaches district.

<sup>4</sup> ibid. p68

<sup>5</sup> ibid. p73

<sup>6</sup> ibid. p. 84.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

### 3.1.3 Town Centre Masterplan

Strategic centres such as Dee Why will only reach their potential if they are supported by modern infrastructure and amenities. Council therefore intends to improve the Local Infrastructure in the area to make the centre more attractive for jobs and housing development.

The *Dee Why Town Centre Masterplan* ('the **Masterplan**)<sup>7</sup> responds to the following key infrastructure issues facing the centre:

- a major road - Pittwater Road – divides the centre
- poor stormwater drainage
- limited pedestrian connectivity and priority
- lack of access to open space and insufficient landscaping
- poor amenity and streetscape definition.<sup>8</sup>

The overall aim of the Masterplan is to create an attractive, liveable and thriving centre, featuring new community facilities, attractive streetscapes, new open spaces and new public car parking - 'a centre by the sea'.

The infrastructure principles of the plan are to:

- create a well-connected Town Centre
- foster community sense of pride of place
- enhance open spaces
- provide safe and enjoyable public spaces
- generate investment through creating an attractive and vibrant Town Centre.<sup>9</sup>

The Masterplan identified a set of strategies and actions applying to private and public land to achieve the planning vision for the Town Centre.<sup>10</sup>

The key Local Infrastructure strategies include:

- (a) A central Community Hub on the Civic Centre site with multipurpose meeting rooms, new library facilities, community health services and a landmark Civic Plaza.
- (b) A new Police Citizens Youth Club Centre on the Civic Centre site.
- (c) 560 Council public carpark spaces in and around the Town Centre, with good quality pedestrian connections.
- (d) A Water Sensitive Urban Design approach to development to better manage storm water and make water an attractive, calming and green feature of the Town Centre.
- (e) A place that is attractive and easy to get around with new bike paths, laneways / road links, wider footpaths, new open spaces and improvements to existing parks.
- (f) Enhanced visual appeal at street level through wider footpaths, new spaces and lower building podiums, sculptural landscaping in key areas incorporating green landscaping on median islands and nature strips, creating a sense of arrival and departure.

<sup>7</sup> Place Design Group (2013), *Dee Why Town Centre Master Plan*, July

<sup>8</sup> *ibid.*, pp38-39

<sup>9</sup> *ibid.*, pp40-41

<sup>10</sup> *ibid.*, pp80-81

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

### 3.1.4 Expected development and population

#### Residential development

There are currently 1,713 dwellings in the Town Centre area that are either existing and unlikely to be replaced, or approved and not yet constructed.

These dwellings are mostly in the form of 1, 2 and 3 bedroom apartments. Assuming the average gross floor area (GFA) of these dwellings is 80 square metres, then there is an estimated 137,000 square metres of GFA applying to existing or approved dwellings in the area.

Council anticipates that a further 1,439 dwellings could be approved in the Town Centre area. Data informing this assessment is shown in **Appendix C**. Using the same assumption as above for average dwelling size, this future development will have an estimated 115,000 square metres of GFA.

In order to estimate of total number of residents that would occupy these dwellings, the average occupancy rate recorded at the 2016 Census for the Dee Why - North Curl Curl Statistical Area Level 2 was used a starting point (i.e. 2.4 persons per dwelling). Because the wider Dee Why - North Curl Curl contains a mix of larger detached dwelling houses and other smaller dwellings, this occupancy rate is too high for the purpose of assuming a population for the Town Centre area.

A lower occupancy rate of 2.1 persons per dwelling - reflecting the dominance of apartments as the predominant housing type in the Town Centre area - was used to estimate the number of residents in existing or approved developments, as well as the resident population of future developments.

A summary of existing / approved and future residential development and population, and which is the basis on which the contribution rates under this plan for residential development are calculated, is shown in **Table 2**.

**Table 2 Estimated dwellings and population**

|                                   | Dwellings | Occupancy rate (persons / dwelling) | Resident population | Estimated GFA (m <sup>2</sup> ) |
|-----------------------------------|-----------|-------------------------------------|---------------------|---------------------------------|
| Existing and approved development | 1,713     | 2.1                                 | 3,597               | 137,040                         |
| Projected future development      | 1,439     | 2.1                                 | 3,022               | 115,120                         |
| Total future development          | 3,152     |                                     | 6,619               | 252,160                         |

An average occupancy rate of 2.1 persons per dwelling has been used to assess the total population. However, individual developments will have different occupancies because of their different sizes. Studio dwellings will generally have fewer occupants than 2 bedroom dwellings. 2 bedroom dwellings will likely, on average, have fewer occupants than spacious 4 bedroom dwellings. Different occupancy rates related to dwelling size are necessary in order to derive reasonable section 7.11 contributions for individual developments.

**Table 3** contains the assumed occupancy rates for different dwelling sizes approved under this plan. The rates are based on recent Census results.



Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

**Table 3 Assumed dwelling occupancy rates**

| Dwellings                            | Persons per dwelling |
|--------------------------------------|----------------------|
| Studios and dwellings with 1 bedroom | 1.5                  |
| Dwellings with 2 bedrooms            | 2.2                  |
| Dwellings with 3 or more bedrooms    | 3.2                  |

### Non-residential development

*Warringah Employment Study 2013*<sup>11</sup> identified the economic, social and environmental trends which will influence employment growth within the region, and the strategies and principles to better enable the region to accommodate employment growth.

The Study identified that demand for employment in the retail, commercial and industrial sectors will continue to grow in the future within former Warringah area until at least 2031. Demand for floor space within these sectors is forecast to increase by 446,585 square metres and 12,553 jobs extra jobs between 2011 and 2036. This growth is anticipated to be focused in the main employment lands located in Dee Why, Frenchs Forest, Brookvale, Forestville, and Austlink Business Park.

The Study identified that the Town Centre had existing non residential development totalling 159,948 square metres GFA in 2011, 136,799 square metres of which was occupied.<sup>12</sup>

The Study forecasted an extra demand for 35,426 square metres of GFA within the Town Centre by 2036.<sup>13</sup>

Council has carried out a site-by-site assessment of the estimated additional non residential development that is likely to occur under the planning controls applying to the Town Centre.<sup>14</sup> This assessment concluded that the Town Centre is likely to accommodate an extra 34,000 square metres of GFA on development sites that will be subject to this contributions plan.

This site-by-site data is the basis on which the contribution rates under this plan for non residential development are calculated.

### 3.1.5 Demographic characteristics

The demographic characteristics of a development area are important in understanding the future social infrastructure needs of that area. The characteristics of the residents in the new dwellings will inform the design of the public domain and open spaces that are created to meet their needs.

The following is a summary of the expected demography of the future Dee Why suburb population:

- The current population is currently dominated by young working age residents. Persons aged between 25 and 34 make up about a quarter of all residents. Although their dominance is

<sup>11</sup> *Warringah Employment Study 2013 Final Report*, April 2013, prepared for Warringah Council by SGS Economics and Planning Pty Ltd

<sup>12</sup> *Ibid.*, p48

<sup>13</sup> *Ibid.*, p62

<sup>14</sup> These controls require redevelopments to set aside the first 2 levels of multi-storey mixed use developments for non residential purposes

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

expected to remain, the number of these residents is forecast to decline slightly by the suburb up to 2036.

- Children 0-4 years old are the largest group of young people in the area. The numbers of all the younger age groups (i.e. up to 24 years) are expected to increase up to 2036, although their share of the overall population is not expected to change significantly.
- There are likely to be significant increases in the number of people in all age groups 40 years and over, particularly older persons. For example, in 2011 persons over 60 years made up 14% of the Dee Why population. This share will increase to nearly 25% by 2036. The increasing numbers of retired and semi-retired persons indicates that facilities preferred by these age groups (e.g. paths and local parks) will be in demand.
- Lone person households are the dominant household type, representing 31% of all households. Couple-only households (27.6%) and couple with dependents households (24.8%) are the next most common household types. In 2036, the respective shares of lone person and couple-only households are likely to be the same (around 30%) while the proportion of couple with dependents households is likely to reduce to 23%.

The following is a summary of the existing demography in the Dee Why suburb:

- Only 1.7% of the local population speak English not well or not at all, which is a quarter of the rate for Greater Sydney as a whole. Despite this, 39.5% of the population were born overseas, as against 36.7% for Greater Sydney as a whole. The three top overseas birthplaces are United Kingdom, China and India.
- The population is relatively well educated. In 2011 55.0% of the population aged 15 and over held educational qualifications, and 34.0% had no qualifications, compared with 48.3% and 40.5% respectively for Greater Sydney.
- The population is relatively able-bodied. Around 2.6% of the population reported needing assistance with core activities, compared with 4.9% for Greater Sydney.
- Middle level household incomes predominate in the area. There was a smaller proportion of high income households (those earning \$2,500 per week or more) and a lower proportion of low income households (those earning less than \$650 per week) in 2016 in Dee Why compared to Greater Sydney. Some 24.0% of the households earned a high income and 12.0% were low income households, compared with 28.3% and 15.1% respectively for Greater Sydney.
- Renting is the dominant tenure for dwellings in Dee Why. Renting is likely to be even more significant in the apartment dwellings that predominate in the Town Centre area. Overall, 19.9% of the population owned their dwelling; 28.1% were purchasing, and 43.3% were renting, compared with 27.7%, 31.5% and 32.6% respectively for Greater Sydney.<sup>15</sup>

This social profile points to a need to provide the Town Centre developments with accessible and multi-purpose facilities suitable for a range of ages and household types, with particular emphases on the needs of children and older people.

### **3.2 Infrastructure schedule and nexus**

The Dee Why Town Centre Masterplan contains infrastructure items that are required to support the redevelopment of the centre for mixed use and residential developments. Some of this

<sup>15</sup> <http://profile.id.com.au/northern-beaches>, accessed 12/10/17

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

development has been completed, some of it has been approved but not yet started or is not yet completed, and some of it is yet to be approved.

The previous and future redevelopment of land in the Town Centre has placed, and will continue to, place, increased demand on infrastructure. That is:

- increased demand for places that foster community life and the development of social capital, creating needs for local parks, new and/or wider footpaths to meet the greater intensity of pedestrian activity, street tree planting, street furniture, and civic spaces and squares.
- increased demand for roads and traffic management facilities that support safe and convenient access to and from the Town Centre, creating needs for new streets, upgraded intersections, and public transport, walking and cycling facilities.
- increased demand for stormwater management facilities.

Council prepared the Dee Why Town Centre Masterplan (the Masterplan) in 2013. ~~Council and~~ has been implementing the infrastructure elements of that master plan since 2015. At the time this plan was prepared (2019), many works in the Masterplan had been completed.

In addition to the Masterplan items, Council funded the vast majority of the cost of the new PCYC community and indoor recreation facility. This facility serves people in both the Town Centre and in the wider district.

A package of infrastructure is being delivered to underpin and support the creation of a quality higher density urban environment in Town Centre:

- The infrastructure to be funded using contributions received under this plan are listed in the schedule contained in **Appendix A**.
- The infrastructure that has been, or will be funded from other sources available to the Council are listed in the schedule contained in **Appendix B**.

Details of the infrastructure items, their cost, their completion status, and the anticipated timing for incomplete works are shown in these schedules.

The schedules show that the total cost of the Council's infrastructure program in the Town Centre is \$87.5 million.

Council and developers have invested approximately \$43.5 million in this program through completed projects and projects that are underway. This infrastructure has been funded—/ delivered via a number of sources, including:

- General revenue
- ~~Developer works~~ Direct provision through conditions of consent
- Voluntary Planning Agreement (VPA) contributions from development sites in the Town Centre
- Existing section 7.11 and section 7.12 plan funds (these contributions plans are now repealed)
- Grant funding

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

This leaves 11 infrastructure items with a value of \$24.1 million. These infrastructure items (i.e. the items listed in **Appendix A**) are proposed to be funded by contributions imposed and collected under this plan.

### 3.3 Town Centre works program apportionment

All of the infrastructure listed in Appendices A and B is needed to support the entire development of the Town Centre. That is, both existing and approved development (which has already been levied development contributions) as well as future development (which will be levied contributions under this plan).

Table 4 shows the existing and approved, as well as the future anticipated, development in the Town Centre.

**Table 4 Town Centre development assumptions**

|                             | Existing and approved GFA (m <sup>2</sup> ) | Expected future GFA (m <sup>2</sup> ) | Total projected GFA (m <sup>2</sup> ) | Growth Expected growth as a % of total |
|-----------------------------|---|---------------------------------------|---------------------------------------|--|
| Residential development     | 137,040                                     | 115,120                               | 252,160                               | 46%                                    |
| Non-residential development | 136,799                                     | 33,997                                | 172,225                               | 20%                                    |
| Total development           | 273,839                                     | 149,117                               | 424,385                               | 35%                                    |

The table shows that combining the existing, approved and expected future developments, the future developments will account for 35% of the Town Centre's total gross floor area.

The total cost of the infrastructure items to meet the development in the Town Centre is \$87.5 million. This plan seeks to levy future development for the full cost of some of these works. The works included in this plan have an estimated cost of \$24.1 million, which is approximately 28% of the value of the entire works schedule.

This level of cost apportionment for the ~~Dee Why~~ Town Centre infrastructure to future development is considered reasonable. This is because the future development's investment in Town Centre infrastructure (i.e. the total monetary contributions anticipated to be paid under this plan) reflects no more – and, at 28%, is in fact less than – that development's proportion of the total demand for the infrastructure designed to serve the needs of all the additional future anticipated residents and workers of ~~Dee Why~~the Town Centre.

### 3.4 Contribution rates calculation

Contribution rates are calculated based on a fair apportionment of the infrastructure costs between residential and non-residential development.

The total additional development expected under this plan is 149,117 square metres of GFA. The breakdown of this expected additional development is shown in **Table 5**. The table also shows the expected additional residents. These values are used to calculate the contribution rates for development addressed by this plan.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

**Table 5 Values informing the contribution rates calculation**

|   | Estimated additional residents (P)* | Estimated residential GFA | % share of cost (AF <sub>Res</sub> )* | Estimated non-residential GFA (GFA <sub>NonRes</sub> )* | % share of cost (AF <sub>NonRes</sub> )* |
|---|-------------------------------------|---------------------------|---------------------------------------|---|--|
| Expected development in Town Centre to 2036 | 3,022                               | 115,120                   | 77.2                                  | 33,997  | 22.8                                     |

\* these notations relate to the formulas below

Each apportioned cost – residential and non-residential – is then divided by expected demand.

In the case of residential development, the demand is expressed in persons.

In the case of non-residential development, the demand is expressed in GFA square metres.

**The total contribution amount for a particular development is the sum of the contributions for the residential and non-residential components of that development.**

### 3.4.1 Residential development contribution

The contribution formula **for residential development** is:

$$\text{Contribution per resident (\$)} = \sum \left( \frac{\$INF \times AF_{Res}}{P} \right) + \text{Admin}$$

Where:

**\$INF** = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the infrastructure items required to meet the development of the Town Centre (refer **Appendix A**).

**AF<sub>Res</sub>** = the relevant share of the cost of the item apportioned to residential development in the Town Centre (refer **Table 5**).

**P** = The expected number of additional residents of future developments in the Town Centre (refer **Table 5**).

**Admin** = The plan administration and management, being 1.5% of the total residential development contribution (refer to **Section 3.4.3** for details).

To determine the total contribution that would apply to the residential component of the development, multiply the per person contribution rate by the proposed net additional residents in the proposed development.

To determine the contribution rate per dwelling, multiply the per person contribution rate by the relevant assumed occupancy rate shown in **Table 3**.

2019 294465 Track changes to post-exhibition Dee Why Town Centre Section 7.11 Plan(3)

15



Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

Contributions must reflect only the net increase in demand for infrastructure, taking account of any existing approved floor area. Refer to **Section 4.3** for details and examples of how net increases in demand are calculated.

Residential contribution rates are shown in **Table 1** in **Section 2.8**.

### 3.4.2 Non-residential development contribution

The contribution formula **for non-residential development** is:

$$\text{Contribution per m}^2 \text{ of GFA ($) } = \sum \left( \frac{\$INF \times AF_{\text{NonRes}}}{GFA_{\text{NonRes}}} \right) + \text{Admin}$$

Where:

- $\$INF$  = the estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the infrastructure items required to meet the development of the Town Centre (refer **Appendix A**).
- $AF_{\text{NonRes}}$  = the relevant share of the cost of the item apportioned to non-residential development in the Town Centre (refer **Table 5**).
- $GFA_{\text{NonRes}}$  = The expected additional non-residential gross floor area in the Town Centre (refer **Table 5**).
- Admin = The plan administration and management, being 1.5% of the total non-residential development contribution (refer to **Section 3.4.3** for details).

To determine the total contribution that would apply to the non-residential component of the development, multiply the non-residential contribution rate by the proposed net additional non-residential GFA in the proposed development.

Contributions must reflect only the net increase in demand for infrastructure. Refer to **Section 4.3** for details and examples of how net increases in demand are calculated.

Non-residential contribution rates are shown in **Table 1** in **Section 2.8**.

### 3.4.3 Plan administration and management contributions

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council will need to manage, monitor and maintain the contributions plan to ensure that its contribution rates remain reasonable. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules.
- Monitoring and programming works identified in the works schedules.
- Determining the appropriate time for provision of public facilities having regard to the availability of funds, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications.
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Reviewing and determining the suitability of any works in kind and material public benefits proposed by a developer.
- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the general public regarding the operation of the plan.
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan.

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the Town Centre area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark<sup>16</sup> of an allowance equivalent to 1.5% of the costs of construction works each year that are anticipated to be met by development making contributions under in this plan.

<sup>16</sup> Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs*, page 63

Dee Why Town Centre ~~Section 7.11 Contributions Plan~~  
Northern Beaches Council

## 4. How and when will contributions be imposed on developments?

### 4.1 Monetary contributions

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring a contribution under section 7.11 of the EP&A Act on that approval for:

- the provision, extension or augmentation of Local Infrastructure to be provided by Council; and / or
- the recoupment of the previous costs incurred by Council in providing existing Local Infrastructure.

Accredited certifiers should also refer to **Section 4.5** of this plan as to their obligations in assessing and determining applications.

### 4.2 Cap on monetary section 7.11 contributions for residential development

On 21 August 2012 the Minister for Planning issued a Direction to Council that caps section 7.11 contributions (which were then called s94 contributions) for residential development.

The Direction requires:

*A council (or planning panel) must not grant development consent ... subject to a condition under section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*

*(a) in the case of a development consent that authorises one or more dwellings, exceeds \$20,000 for each dwelling authorised by the consent, or*

*(b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20,000 for each residential lot authorised to be created by the development consent.*

To meet the Minister's requirements, the residential contribution rate will not exceed \$20,000.

Also, as per **Section 6.3.1** of this plan, Council will over time adjust the contribution rates for the other dwelling types listed in **Table 2** to address the effects of inflation. The rates will be adjusted up to, but never beyond, any contributions cap directed by the Minister that may apply at the time of granting development consent for those dwellings.

### 4.3 ~~Contributions to only reflect net increase in infrastructure demands~~Allowance for existing development

In order for contributions to be reasonable, the consent authority shall only impose a section 7.11 contribution on a development that reflects the net increase in the demand for Local Infrastructure included in this plan.

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

The contribution attributable to the net increase in infrastructure demand is determined by calculating the contribution under this plan that would apply to any existing or approved development on the development site, and subtracting that figure from the contribution under this plan that would apply to the proposed development.

For example, if a development site contained 2 dwelling houses each with 3 bedrooms, and the proposed development contained 20 x 2-bedroom dwellings, then the contribution amount for that proposed development would be:

|                             |  |
|-----------------------------|--|
| Proposed development (A)    | = 20 x \$ <del>17,398.66</del> <u>13,748.17</u>  |
|                             | = \$ <del>347,973.14</del> <u>274,963.40</u>   |
|                             | <u>Number of dwellings (of the same typology*) x residential contribution rate (of the same typology*)</u> |
| Existing development (B)    | = 2 x \$ <del>20,000.00</del> <u>19,997.34</u>   |
|                             | = \$ <del>40,000.00</del> <u>39,994.68</u>   |
| Contribution amount (A – B) | = \$ <del>347,973.14</del> <u>274,963.40</u> - \$ <del>40,000.00</del> <u>39,994.68</u>                    |
|                             | = \$ <del>307,973.14</del> <u>234,968.72</u>   |

\* Same typology – number of beds in a dwelling

An allowance from existing residential development cannot be applied to non residential development and vice versa.

The following also applies in calculating reasonable contributions:

- Council will make the final determination on the number of bedrooms in a dwelling that is part of a proposed residential development, despite the notations on the plans that suggests that a bedroom is some other room type (e.g. study, office).
- The onus is on the applicant to establish a case for existing ~~of~~-approved development to be taken into consideration in the calculation of a section 7.11 contribution amount for a proposed development.

#### 4.4 Latest rates to be used

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan as set in Section 6.3.

The monetary section 7.11 contribution rates shown in **Table 2** reflect the contribution rates at the date that this plan commenced. These rates are regularly adjusted for inflation and fluctuations in land values (see **Section 6.3**).

Applicants and accredited certifiers should inquire at the Council for information on the latest contribution rates.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## 4.5 Obligations of accredited certifiers

### 4.5.1 Complying development certificates

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

#### Procedure for determining the contribution amount

The procedure for an accredited certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit for an existing or approved development under section 7.11(6) of the EP&A Act such as that envisaged in **Section 4.3** of this plan, or an exemption or part or the whole of the development under **Section 2.5** of this plan, the accredited certifier must:
  - (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
  - (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.
2. Determine the unadjusted contributions in accordance with the rates included in **Table 12** of this plan taking into account any exempted development specified in **Section 2.6** and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with **Section 6.3.1** to reflect the indexed cost of the provision of infrastructure.
4. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed Local Infrastructure demand relating to existing development.

#### Terms of a section 7.11 condition

The terms of the condition required by this section are as follows:

##### Contribution

*The developer must make a monetary contribution to Northern Beaches Council in the amount of \$[insert amount] for the purposes of the Local Infrastructure identified in the Dee Why Town Centre ~~Section 7.11~~ Contributions Plan.*



**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

The total contribution amount is based on the following rates that applied at the time of issue of the certificate: [delete whichever is not applicable]

|   |   |
|---|---|
| [insert no.] x 0 or 1 bedroom dwellings                       | @ \$ [insert amount] per dwelling                 |
| [insert no.] x 2 bedroom dwellings                            | @ \$ [insert amount] per dwelling                 |
| [insert no.] x 3 or more bedroom dwellings                    | @ \$ [insert amount] per dwelling                 |
| [insert no. of m <sup>2</sup> ] of non-residential floor area | @ \$ [insert amount] per 100m <sup>2</sup> of GFA |

Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_C \times CPI_P}{CPI_C}$$

Where:

$\$C_C$  is the contribution amount shown in this certificate expressed in dollars

$CPI_P$  is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution

$CPI_C$  is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate

Note: The contribution payable will not be less than the contribution specified in this certificate.

Time for payment

**The contribution must be paid prior to any work authorised by this complying development certificate commences**, as required by section 136L of the Environmental Planning and Assessment Regulation 2000.

Deferred payments of contributions will not be accepted.

Works in kind agreement

This condition does not need to be complied with to the extent specified in any planning agreement of works in kind agreement entered into between the developer and the Council where that agreement references the exclusion of development contributions for the application.

**4.5.2 Construction certificates**

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

before work is carried out has been complied with in accordance with the CDC or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with section 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and / or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

#### 4.6 Variation to contributions authorised by this plan

The consent authority, other than a private accredited certifier, may, after considering a written application, reduce the section 7.11 contribution otherwise calculated in accordance with the provisions of this plan.

An accredited certifier other than the Council cannot vary a section 7.11 contribution calculated in accordance with this plan, without Council's written approval.

A developer's request for variation to a contribution calculated in accordance with this plan must be supported by written justification included with the development application setting out the following, as relevant:

- the grounds on which the variation to the plan contribution is reasonable in the circumstances
- details and calculations showing that application of the plan's contribution rates results in an unreasonable contribution amount
- calculations showing that an alternative amount fairly reflects the net increase in demand for the infrastructure included in this plan.

Council will not consider requests for reductions based solely on any perceived broader community benefit of the development.

Dee Why Town Centre ~~Section 7.11 Contributions Plan~~  
Northern Beaches Council

## 5. How and when can a contribution requirement be settled?

### 5.1 Timing of payments

For a CDC, the levy is to be paid prior to any work authorised by the certificate commencing, as required by clause 136L of the EP&A Regulation.

For a DA involving building works, the levy is to be paid prior to the issue of a Construction Certificate.

For a DA involving land subdivision, the levy is to be paid prior to the issue of a Construction Certificate or prior to the issue of a Subdivision Certificate (whichever occurs first).

At the time of payment, it will be necessary for levy amount to be updated in accordance with the relevant indexes (see Section 6.3).

### 5.2 Deferred payments

Council will not accept the deferred payments of contributions required under this plan.

### 5.3 Can the contribution be settled by dedicating land or undertake works?

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a section 7.11 contribution required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan instead of the Council delivering that infrastructure, then the developer can approach this either one of two ways:

- (a) The developer may offer to enter into a VPA to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- (b) If the developer has already received a development consent containing a condition requiring a section 7.11 contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

Any offer for works in kind or other material public benefit ~~shall~~must be agreed to by Council made in writing to the Council prior to the payment of the contribution amount~~commencement of any works proposed as part of that offer~~. Retrospective works in kind agreements will not be accepted.

The decision to accept settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council.

Works in kind or the dedication of land will be accepted by Council only under the following circumstances:

- Council will only accept offers of works or land that are items included in the schedule of Local Infrastructure in this plan

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

- The value of the works to be undertaken or the land to be dedicated is at least equal to the value of the contribution assessed in accordance with this plan, or where the value of the proposed works in kind or the land to be dedicated is less than the monetary value of the contribution, the difference will be met by way of a monetary contribution.

In assessing the request, Council will consider the following:

- Consistency with the Council's concept or detailed design of the facilities.
- The proposed works or land dedication will not constrain the future provision of facilities identified in the works schedule, or conflict with what Council has prioritised.

Plans and cost estimates of the proposed works, or a valuation by a registered valuer of the land to be dedicated, are to be prepared and submitted by the applicant.

Should an offer of works in kind or land dedication be accepted, Council will negotiate with the applicant, as relevant, the following:

- An acceptable standard for workmanship and materials; and
- Timing of inspection of works in progress; and
- A program for completion of the works or dedication of the land; and
- An appropriate defects liability period.

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

## 6. Other administration matters

### 6.1 Relationship of this plan to other contributions plans

The *Northern Beaches Council Section 94A Plan 2017* does not apply to land to which this plan applies.

This plan however does not affect development consents applying to land in the Town Centre containing requirements for developments to make contributions under *Northern Beaches Council Section 94A Plan 2017* (or its predecessor plans).

Contributions imposed on developments under predecessor plans and paid to Council will be applied to the specific Local Infrastructure described in those plans.

### 6.2 Savings and transitional arrangements

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date on which this plan took effect.

### 6.3 Adjustment of contributions to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates and the contribution amounts included in consents will be adjusted over time.

The indexed contribution =

The original monetary contribution x current CPI

Base CPI

In the event that the current CPI figure is less than the previous quarter, it will be taken to be the same as the previous quarter.

#### 6.3.1 Contribution rates in this plan

Council will - without the necessity of preparing a new or amending contributions plan - make changes to the contribution rates set out in this plan to reflect quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics.

Adjusted contribution rates will not exceed any contributions cap that may apply as a result of a Ministerial direction.

The latest contribution rates will be published on the Council's website.



Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

### 6.3.2 Contribution amounts in consents

A monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics.

### 6.4 Pooling of contributions funds

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are set out in the works schedule of this plan.

### 6.5 In what circumstances are contributions to be refunded?

Any monies paid under a condition of development consent imposed under this plan will not be refunded in any circumstances.

### 6.6 Accountability and access to information

Council maintains a register of all cash and non cash contributions collected under this plan ~~and the details of all VPAs~~. The register can be inspected at Council's offices and contains the following information:

- Each development consent which levied contributions for facilities
- The address to which the development consent was issued, date when contributions are received and the amount.
- A detailed account of the monetary contribution, land dedication or other material public benefit negotiated and signed off through any works in kind agreement or voluntary planning agreement, including a copy of the agreement.

~~Separate a~~Accounting records will be maintained for ~~each contribution type in this plan all~~ contributions and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest, for each service or amenity to be provided. The records are held at Council's offices and may be inspected upon request.

### 6.7 Review of plan

Council will periodically review this plan to ensure that it meets its purposes and that the contribution rates remain reasonable.

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## APPENDIX A

### Projects to be funded by this contributions plan

Dee Why Town Centre Section 7.11 Contributions Plan  
Northern Beaches Council

| Item | Description   | Total Cost     | Estimated timing | Residential development cost apportionment | Res contribution rate (per person) | Non residential development apportionment | Non res contribution rate (per 100m2 GFA) |
|------|---|----------------|------------------|--|------------------------------------|---|---|
|      |   |                |                  | % amount                                   |                                    | % amount                                  |   |
| 1    | Pittwater Road North (Gateway) - streetscape upgrades                 | \$2,844,058.63 | 2026-2036        | 77% \$ 2,195,645                           | 726.58                             | 23% \$ 648,413                            | \$ 1,907.27                               |
| 3    | Pittwater Road South (Gateway) - streetscape upgrades                 | \$4,132,009.83 | 2026-2036        | 77% \$ 3,189,958                           | 1,055.61                           | 23% \$ 942,052                            | \$ 2,770.99                               |
| 5    | Fisher Road streetscape upgrades between Pittwater Road and St Davids | \$1,800,821.88 | 2026-2036        | 77% \$ 1,235,852                           | 408.97                             | 23% \$ 364,969                            | \$ 1,073.53                               |
| 6a   | Redman Road Plaza Stage 2   | \$2,196,662.50 | 2020-2025        | 77% \$ 1,695,848                           | 561.19                             | 23% \$ 500,814                            | \$ 1,473.11                               |
| 8    | Mooramba Road - streetscape upgrades                                  | \$546,193.29   | 2026-2036        | 77% \$ 421,667                             | 139.54                             | 23% \$ 124,526                            | \$ 366.29                                 |
| 9    | Sturdee Parade - streetscape upgrades                                 | \$3,757,941.46 | 2026-2036        | 77% \$ 2,901,173                           | 960.05                             | 23% \$ 856,768                            | \$ 2,520.13                               |
| 12   | Oaks Avenue streetscape upgrades (New Link Road to Avon Road)         | \$2,285,058.38 | 2026-2036        | 77% \$ 1,771,811                           | 586.32                             | 23% \$ 523,248                            | \$ 1,539.10                               |
| 15   | Howard Avenue streetscape upgrades (New Link Road to Avon Road)       | \$3,731,814.82 | 2020-2022        | 77% \$ 2,881,003                           | 953.37                             | 23% \$ 850,812                            | \$ 2,502.61                               |
| 17   | Triangle Park North - open space embellishment                        | \$1,780,383.06 | 2021-2023        | 77% \$ 1,374,476                           | 454.84                             | 23% \$ 405,907                            | \$ 1,193.95                               |
| 18   | Triangle Park South - open space embellishment                        | \$1,066,317.78 | 2021-2023        | 77% \$ 823,209                             | 272.41                             | 23% \$ 243,108                            | \$ 715.09                                 |
| 23   | Cyclway Avon Road   | \$148,500.00   | 2020-2025        | 77% \$ 114,644                             | 37.94                              | 23% \$ 33,856                             | \$ 99.59                                  |
|      |   | \$ 24,099,761  |                  | \$ 18,605,287                              | 6,156.82                           | \$ 5,494,475                              | \$ 16,161.65                              |
|      | Plan administration and management                                    | \$ 361,496     |                  | 77% \$ 279,079                             | 92.35                              | 23% \$ 82,417                             | \$ 242.42                                 |

[illegible]

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## APPENDIX B

### Projects to be delivered using other funding sources



**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

| Item  | Description  | Total Cost    | Timing    |
|-------|--|---------------|-----------|
| 2     | Pittwater Road Central (Incl. Town Centre Crossing)                          | \$ 2,891,865  | Completed |
| 4     | St Davids Avenue Pocket Park   | \$ 1,917,548  | 2018/19   |
| 6     | Redman Road Plaza  | \$ 2,595,541  | Completed |
| 10    | Pacific Parade   | \$ 4,155,488  | 2026-2036 |
| 11    | Oaks Avenue (Pittwater Road to New Link Road)                                | \$ 3,500,000  | 2018/19   |
| 13    | New Link Road  | \$ 1,600,000  | 2020-2025 |
| 14    | Howard Avenue (Pittwater Road to New Link Road)                              | \$ 2,400,000  | 2018/19   |
| 15a   | Howard Avenue Cycleway (north side)  | \$ 1,205,000  | 2018/19   |
| 16    | Dee Why Parade   | \$ 3,091,665  | 2026-2036 |
| 19    | Woolworths Lane (Linkway Link)   | \$ -          | 2020-2025 |
| 20    | Walter Gors Park   | \$ 6,056,342  | Completed |
| 21    | Walter Gors Park Stormwater Easement   | ind above     | Completed |
| 11a   | Oaks Avenue Drainage Works (completed)                                       | \$ 3,896,683  | Completed |
| 18a   | Acquisition of 30 Oaks Avenue  | \$ 2,200,000  | Completed |
| 24    | Town Square area and Oaks Avenue connection (Meriton site)                   | \$ 2,191,000  | TBD       |
| 25    | Dee Why PCYC indoor recreation centre (Council contribution)                 | \$ 25,672,727 | Completed |
| Total |  | \$ 63,383,859 |           |
|       | Infrastructure items underway or to be completed using other funding sources |               |           |
|       | Future infrastructure items to be completed using other funding sources      |               |           |
|       | Completed infrastructure items   |               |           |

Dee Why Town Centre ~~Section 7.11~~ Contributions Plan  
Northern Beaches Council

## APPENDIX C

### Details of expected development

**Dee Why Town Centre Section 7.11 Contributions Plan**  
Northern Beaches Council

| Site         | Street address                                   |      | Estimated additional non-residential GFA (m2) | Expected additional dwellings | Expected residential GFA assuming average of 80m2 per dwelling |
|--------------|--|------|---|-------------------------------|--|
| A            | 31-35 Howard & 36-44 Oaks                        |      | 8,430   | 129                           | 10,304   |
| 3            | 9 Oaks   |      | 392   | 9                             | 704  |
| 4            | 19-21 Oaks                                       |      | 867   | 42                            | 3,392  |
| 5            | 18 & 12 Pacific                                  |      | 1,572   | 23                            | 1,856  |
| 6            | 16 Pacific                                       |      | 691   | 8                             | 640  |
| 7            | 900 Pittwater & 10 Howard                        |      | 1,481   | 70                            | 5,632  |
| 8            | 854-860 Pittwater                                |      | 894   | 72                            | 5,760  |
| 9            | 836-844 Pittwater & 1 Pacific                    |      | 1,369   | 47                            | 3,776  |
| 13           | 643 Pittwater                                    |      | 91  | 9                             | 704  |
| 14           | 651-661 Pittwater                                |      | 1,244   | 60                            | 4,800  |
| E1           | 673-683A Pittwater                               |      | 716   | 66                            | 5,312  |
| E2           | 687-693A Pittwater                               |      | 390   | 43                            | 3,456  |
| 15           | 23 Fisher  | Note |   |                               |  |
| 18           | 10 Fisher  |      | -   | 9                             | 704  |
| 19           | 16-20 Fisher                                     |      | 505   | 32                            | 2,560  |
| 20           | 28-30 Fisher                                     |      | 588   | 10                            | 832  |
| 21           | 36 Fisher  |      | 1,071   | 21                            | 1,664  |
| E3           | 1-3 St. David; L1 & L2 Fisher                    |      | 2,201   | 66                            | 5,312  |
| 23           | 21 Mooramba & 665 Pittwater                      |      | 1,162   | 46                            | 3,712  |
| 26           | 26 Howard Avenue - Coles Site                    |      | 4,337   | 181                           | 14,464   |
| 27           | 874 & 876 Pittwater - Oaks Cnr Adjoining Meriton | Note |   |                               |  |
| 28           | 2 Delmar Pde & 818 Pittwater Rd - Repco Site     | Note |   |                               |  |
| 29           | 811-816 Pittwater Road - Avis Site               |      | 1,095   | 32                            | 2,560  |
| 30           | 625 Pittwater Road                               |      | 943   | 26                            | 2,112  |
| 31           | 20-22 Howard Ave                                 |      | 456   | 50                            | 3,968  |
| C            | 33 Oaks Avenue DEE WHY                           |      | 3,095   | 373                           | 29,824   |
| D            | 848 - 850 Pittwater Road DEE WHY                 |      | 407   | 14                            | 1,088  |
| <b>Total</b> |  |      | <b>33,997</b>                                 | <b>1,439</b>                  | <b>115,120</b>   |

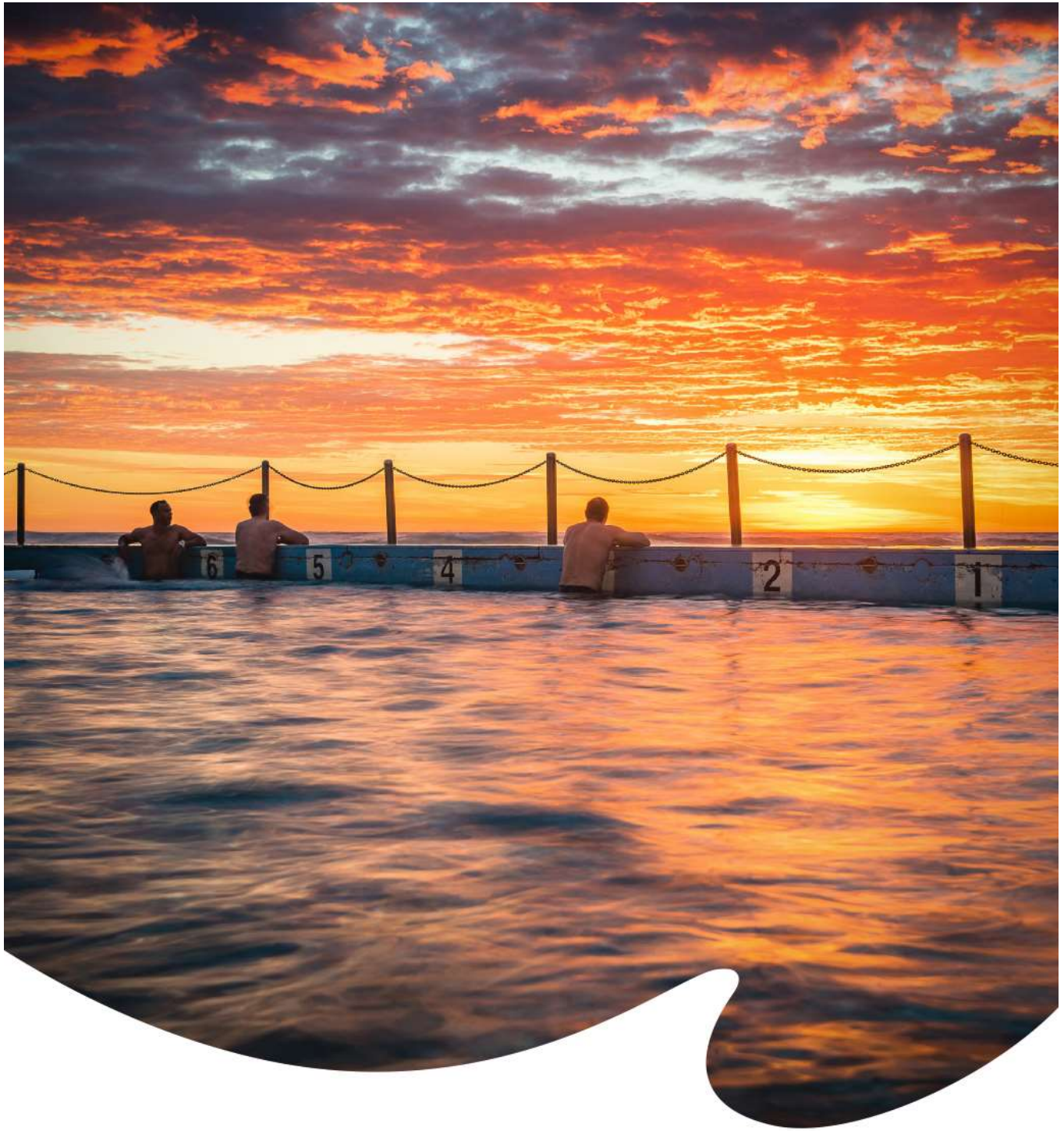
Note Site is the subject of a DA that is likely to be determined prior to this contributions plan coming into effect.

### Attachment 3 - Submissions Table

| Issues Raised  | Council Response   |
|--|--|
| <i>Submission 1</i>  |  |
| I would like to register my email address to receive further updates on this project.  | Noted. Email address registered and submitter will be notified of the status of the Dee Why Town Centre Contribution Plan 2019 particularly its reporting back to Council.   |
| <i>Submission 2</i>  |  |
| More money for cycleways as we need better ways to get around.   | All streetscape upgrades identified in the works schedule of the <i>Dee Why Town Centre Contribution Plan 2019</i> (the 'Contributions Plan') include the construction of new share paths to accommodate pedestrians and cyclists. Post-exhibition changes to the Contributions Plan provide some further information on the infrastructure improvements in the works schedule.  |
| <i>Submission 3</i>  |  |
| Seniors and other more vulnerable community members request community facility space in Dee Why and Council's community centre network is not able to meet this demand. The PCYC is not suitable for seniors and other groups to access. | Council is currently preparing a Community Facilities Strategy, which will identify additional community facility floorspace needs across the Northern Beaches including the funding opportunities to deliver the strategy outcomes/recommendations.   |
| <i>Submission 4</i>  |  |
| A few people in Council decided to spend millions of resident's dollars to replace mostly perfectly functional bins in the area. This without any community engagement at all?   | This submission raises concern to the recent bin replacement across the Northern Beaches.<br><br>This concern is not relevant to the preparation and finalisation of the Dee Why Town Centre Contributions Plan.   |
| <i>Submission 5</i>  |  |
| Request some additional information on the current and future impacts of the Dee Why Town Centre upgrade for a university assignment.  | The submission is a request for information as part of a university assignment only. The customer was contacted and additional information provided.<br><br>This submission is not relevant to the preparation and finalisation of the Dee Why Town Centre Contributions Plan.   |
| <i>Submission 6</i>  |  |
| Why wasn't funding secured from the developers of these dwellings to upgrade facilities which would be required to support them?   | Since the adoption of the Dee Why Town Centre Masterplan (the 'Masterplan') in 2013, Council has significantly invested in local infrastructure in the Dee Why Town Centre (the 'Town Centre').<br><br>The infrastructure improvements recommended by the Masterplan totals \$87.5 million. To date, Council has invested approximately \$43.5 million on infrastructure in the Town Centre via a number of sources including section 7.11 and |

|   |  |
|---|--|
|   | <p>7.12 development contributions (from plans that are now repealed).</p> <p>The development contributions under the existing approach, being restricted to 1% of the cost of development are insufficient to deliver the remaining infrastructure identified in the Masterplan.</p> <p>The Contributions Plan seeks to fund the delivery of the remaining infrastructure identified by the Masterplan to ensure that the existing residents are not burdened with the cost of funding additional infrastructure commensurate with the Town Centre's growth.</p> |
| <i>Submission 7</i>                                 |  |
| Would like to see more money directed to cycleways. | All streetscape upgrades identified in the works schedule of the Contributions Plan include the construction of new share paths to accommodate pedestrians and cyclists. Post-exhibition changes to the Contributions Plan provide some further information on the infrastructure improvements in the works schedule.  |
| <i>Submission 8</i>                                 |  |
| Dee Why Town Centre should be declared smoke-free.  | <p>This submission is not relevant to the preparation and finalisation of the Dee Why Town Centre Contributions Plan.</p> <p>Nonetheless, the concern has been referred to Council's Environmental Compliance Team for consideration.</p>  |





Northern Beaches  
Section 7.12  
Contributions Plan 2019

# Contents

|          |   |           |
|----------|---|-----------|
| <b>1</b> | <b>Introduction</b>   | <b>4</b>  |
| <b>2</b> | <b>Plan summary</b>   | <b>7</b>  |
| 2.1      | How to use this plan  | 7         |
| 2.2      | Name and commencement of plan   | 7         |
| 2.3      | What are the purposes of this plan?   | 7         |
| 2.4      | What land and development does this plan apply to?  | 8         |
| 2.5      | What development is exempted?   | 9         |
| 2.6      | What Local Infrastructure will be provided under this plan?                                     | 9         |
| 2.7      | What are the levy rates?  | 10        |
| 2.8      | How to calculate a levy amount  | 11        |
| <b>3</b> | <b>Anticipated development and the infrastructure strategies</b>                                | <b>12</b> |
| 3.1      | Expected demand for local infrastructure  | 12        |
| 3.1.1    | Area context  | 12        |
| 3.1.2    | Recent development and population characteristics   | 12        |
| 3.1.3    | Expected residential development and population growth  | 15        |
| 3.1.4    | Expected non-residential development and employment growth                                      | 19        |
| 3.2      | Infrastructure strategies   | 21        |
| 3.2.1    | Strategic planning to meet the needs of a growing community                                     | 21        |
| 3.2.2    | Social infrastructure   | 21        |
| 3.2.3    | Active transport and public domain  | 23        |
| 3.2.4    | Plan administration   | 24        |
| <b>4</b> | <b>How and when will levies be imposed on developments?</b>                                     | <b>26</b> |
| 4.1      | Levies are authorised by this plan  | 26        |
| 4.2      | Cost Summary Report must accompany development application or complying development certificate | 26        |
| 4.3      | Who may provide a Cost Summary Report?  | 26        |
| 4.4      | Obligations of accredited certifiers  | 26        |
| 4.4.1    | Complying development certificates  | 26        |
| 4.4.2    | Procedure for determining the section 7.12 levy amount  | 27        |
| 4.4.3    | Construction certificates   | 27        |
| <b>5</b> | <b>How and when can a levy requirement be settled?</b>  | <b>28</b> |
| 5.1      | Timing of payments  | 28        |
| 5.2      | Deferred or periodic payments   | 28        |
| 5.3      | Can the levy be settled by dedicating land or undertake works?                                  | 28        |
| 5.3.1    | Offers and agreements generally   | 28        |

|          |  |           |
|----------|--|-----------|
| <b>6</b> | <b>Other administration matters</b>                            | <b>29</b> |
| 6.1      | Relationship of this plan to other contributions plans         | 29        |
| 6.2      | Savings and transitional arrangements                          | 29        |
| 6.3      | Adjustment of levy amounts to address the effects of inflation | 29        |
| 6.4      | Refunds  | 29        |
| 6.5      | Pooling of levies  | 30        |
| 6.6      | Accountability and access to information                       | 30        |
| 6.7      | Dictionary   | 30        |

#### **Tables**

|                |  |           |
|----------------|--|-----------|
| <b>Table 1</b> | Summary of infrastructure costs                    | <b>10</b> |
| <b>Table 2</b> | Section 7.12 levy rates                            | <b>10</b> |
| <b>Table 3</b> | Dwelling Structure Comparison, 2011-2016           | <b>13</b> |
| <b>Table 4</b> | Age Structure Comparison, 2011-2016                | <b>14</b> |
| <b>Table 5</b> | Household Type Comparison, 2016                    | <b>14</b> |
| <b>Table 6</b> | Forecast dwellings and development 2017 - 2032     | <b>15</b> |
| <b>Table 7</b> | Population forecast 2016 - 2036                    | <b>17</b> |
| <b>Table 8</b> | Value of non-residential building, 2016/17-2018/19 | <b>19</b> |

#### **Figures**

|                  |   |           |
|------------------|---|-----------|
| <b>Figure 1</b>  | When is a levy required under this plan?                              | <b>6</b>  |
| <b>Figure 2</b>  | Land to which this plan applies                                       | <b>8</b>  |
| <b>Figure 3</b>  | Northern Beaches LGA forecast population change, 2016-36              | <b>18</b> |
| <b>Figure 4</b>  | Distribution of employment in the Northern Beaches LGA, 2016          | <b>20</b> |
| <b>Figure A1</b> | Locations of Local Infrastructure to be funded by Section 7.12 levies | <b>32</b> |

#### **Appendices**

|                   |   |           |
|-------------------|---|-----------|
| <b>Appendix A</b> | Infrastructure schedule and location maps | <b>31</b> |
|-------------------|---|-----------|

## 1. Introduction

The Northern Beaches Local Government Area (LGA) stretches from Manly to Pittwater and westward from the coast to suburbs including Cottage Point, Duffy's Forest, Davidson, Belrose, Forestville and Killarney Heights. The community's vision for the Northern Beaches area is 'a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.'<sup>1</sup>

As at 2019, the LGA had a population of more than 271,000 people, representing average growth of 1.0% or almost 2,500 people per annum from 2011.<sup>2</sup> Annual economic activity amounts to some \$16.3 billion, or 2.9% of the state's gross state product (GSP), with health care and social assistance the largest employer followed by retail, education and training, accommodation and construction industries.<sup>3</sup>

The Northern Beaches will continue to accommodate further urban development into the future. Latest forecasts suggest that the population will grow by almost 38,000 or around 14.00% to reach more than 309,000 by 2036.<sup>4</sup> New development is also expected to yield at least 13,000 additional workers in the LGA during the same period.<sup>5</sup>

Much of the new development will be largely concentrated in two growth areas – Dee Why Town Centre and the Warriewood Valley Release Area. These areas are excluded from this plan.

Development in the remaining (or 'infill') areas is expected to yield an average of over 500 residential dwellings per year, as well as new or modified retail, commercial, education, health and tourist developments. This development will likely not be concentrated in one area but will be dispersed broadly across the LGA.<sup>6</sup>

It is the infrastructure needs generated by these developments that this plan is concerned with. These developments can only be sustained by the provision of new and upgraded local infrastructure, including open space and recreation facilities, community arts facilities, active transport infrastructure and vibrant and inclusive public domains. Contributions of land, works and money from the developers of land in the infill areas of the Northern Beaches LGA will be a key source funding for this infrastructure.

Section 7.12 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* authorises councils and other consent authorities to require developments to pay a levy as a percentage of the proposed cost of the development toward the provision, extension or augmentation of local infrastructure (or towards recouping the cost of their provision, extension or augmentation).

Where the consent authority is a council or an accredited certifier, a local infrastructure contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this plan.

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<sup>1</sup> Northern Beaches Council, Shape 2028 Northern Beaches Community Strategic Plan 2018 – 2028 (CSP), p 6.

<sup>2</sup> Dwelling and population forecasts are compiled by .idcommunity from Northern Beaches Council population forecasts, November 2017 based on 2016 Census dwelling counts and the 2016 Estimated Resident Population (id forecasts).

<sup>3</sup> .idcommunity Northern Beaches Economic Profile based upon National Economics (NIEIR) - Modelled series, 2017 (id economic profile).

<sup>4</sup> id forecasts.

<sup>5</sup> Greater Sydney Commission, North District Plan, March 2018, pp 66-77. Based on its 'higher' targets, the district plan estimates altogether 12,900 more jobs from 2016 to 2036 for the centres of Frenchs Forest, Brookvale-Dee Why, Manly and Mona Vale, where most employment growth will be concentrated.

<sup>6</sup> id forecasts.



**This plan's main purpose is to authorise the Council or an accredited certifier to impose conditions on development consents or complying development certificates (CDCs) requiring section 7.12 fixed rate levies from applicable development under the plan.**

The amalgamation of the three former councils to establish the Northern Beaches Council has created a much greater catchment of contributions for infill development than for the previous LGAs.<sup>7</sup> This plan repeals three previous contributions plans into a single fixed rate levy (section 7.12) plan to consolidate the previous contributions framework and allow a greater percentage of the costs associated with administering the plans to be allocated to local infrastructure.<sup>8</sup>

Figure 1 provides a guide to when this plan applies to development in the context of the broader developer contributions framework for the Northern Beaches LGA.

The contributions that are made by developers of both residential and non-residential development will be applied by the Council to deliver the schedule of infrastructure works shown in **Appendix A**. The plan will be regularly reviewed and the works schedule will be updated to align with Council's four-year CAPEX (capital expenditure) delivery program, of which development contributions are a significant funding source.

Levies will be collected under this plan for 10 years or longer (if required), to collect and recoup this revenue.

This plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**); and having regard to the latest practice notes issued by the NSW Department of Planning and Environment.

This plan includes the following:

- A schedule of contribution rates for various classes of developments.
- Council's policies on how and when developers can settle their development contributions obligations, including opportunities for developers to provide works in kind or land dedications.
- Specific provisions on the role of accredited certifiers in imposing and collecting development contributions.
- Various other provisions related to the fair and transparent administration of development contributions received under this plan.

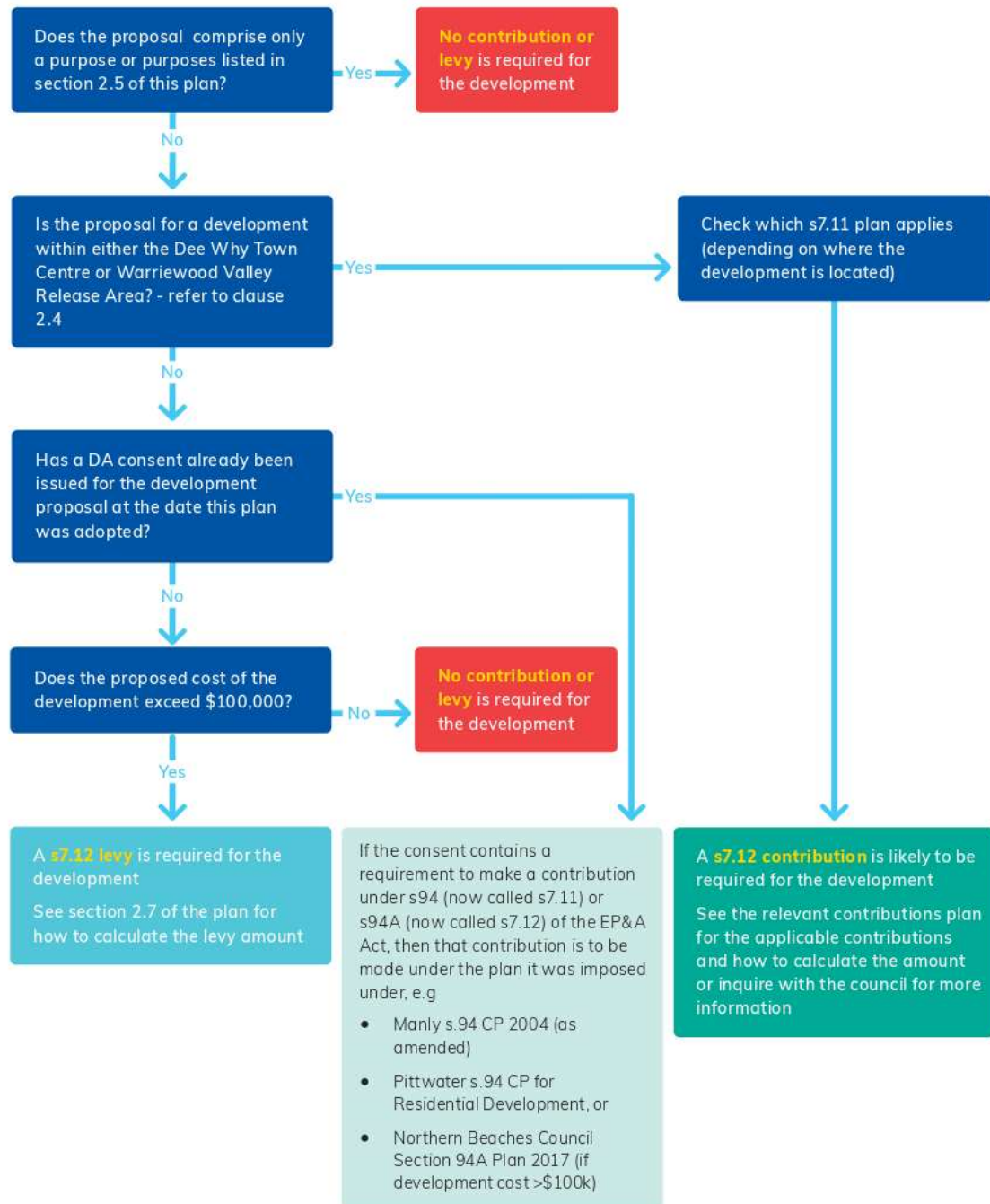
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<sup>7</sup> The Northern Beaches Council was proclaimed on 12 May 2016.

<sup>8</sup> More detail on these plans is in Section 6.1.



Figure 1. When is a levy required under this plan?



## 2. Plan Summary

### 2.1 How to use this plan

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers. A brief description of each section is provided below:

#### Section 2 - Plan Summary

This section identifies both the land and developments that this plan applies to, as well as the levy percentages that apply to these developments.

#### Section 3 - Anticipated development and the infrastructure strategies to meet the new demand

This section explains the expected development in the Northern Beaches LGA, the nature of this development and how it will impact on the demand for local infrastructure in the areas applicable under this plan. It also explains the infrastructure strategies of Council to meet the demands of the new development and the basis for the list of local infrastructure in the plan (Appendix A).

#### Section 4 - How and when will contributions or levies be imposed on development?

This section explains how conditions of consent will be used to require levies and how to determine the proposed cost of carrying out development. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

#### Section 5 - How and when a contribution requirement can be settled?

This section explains how consent conditions requiring the payment of contributions can be settled, typically by cash payment. It also provides Council's requirements for considering alternative means to satisfy contribution requirements under this plan, such as through the use of works-in-kind agreements.

#### Section 6 - Other administration matters

This section outlines other administrative arrangements applying to the operation of this plan including the relationship to predecessor plans adopted by the former Manly, Pittwater and Warringah Councils.

### Appendices

The appendices include a schedule and location maps of the local infrastructure that is to be delivered under the plan.

### 2.2 Name and commencement of plan

This plan is called the *Northern Beaches Section 7.12 Contributions Plan 2019*.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

### 2.3 What are the purposes of this plan?

The main purpose of this plan is to authorise:

- the consent authority, when granting consent to an application to carry out development to which this plan applies; or
- the Council or an accredited certifier, when issuing a CDC for development to which this plan applies,

to require a fixed development consent levy (under section 7.12 of the EP&A Act) to be made towards the provision, extension or augmentation of local infrastructure required as a consequence of development in the Northern Beaches LGA, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide the framework for the efficient and equitable determination, collection and management of contributions collected from infill development in the Northern Beaches LGA.
- To establish a schedule of local infrastructure to be funded from contributions under this plan.
- To allow the opportunity for local infrastructure to be provided by developers as works in kind or land dedication in lieu of paying a monetary contribution.

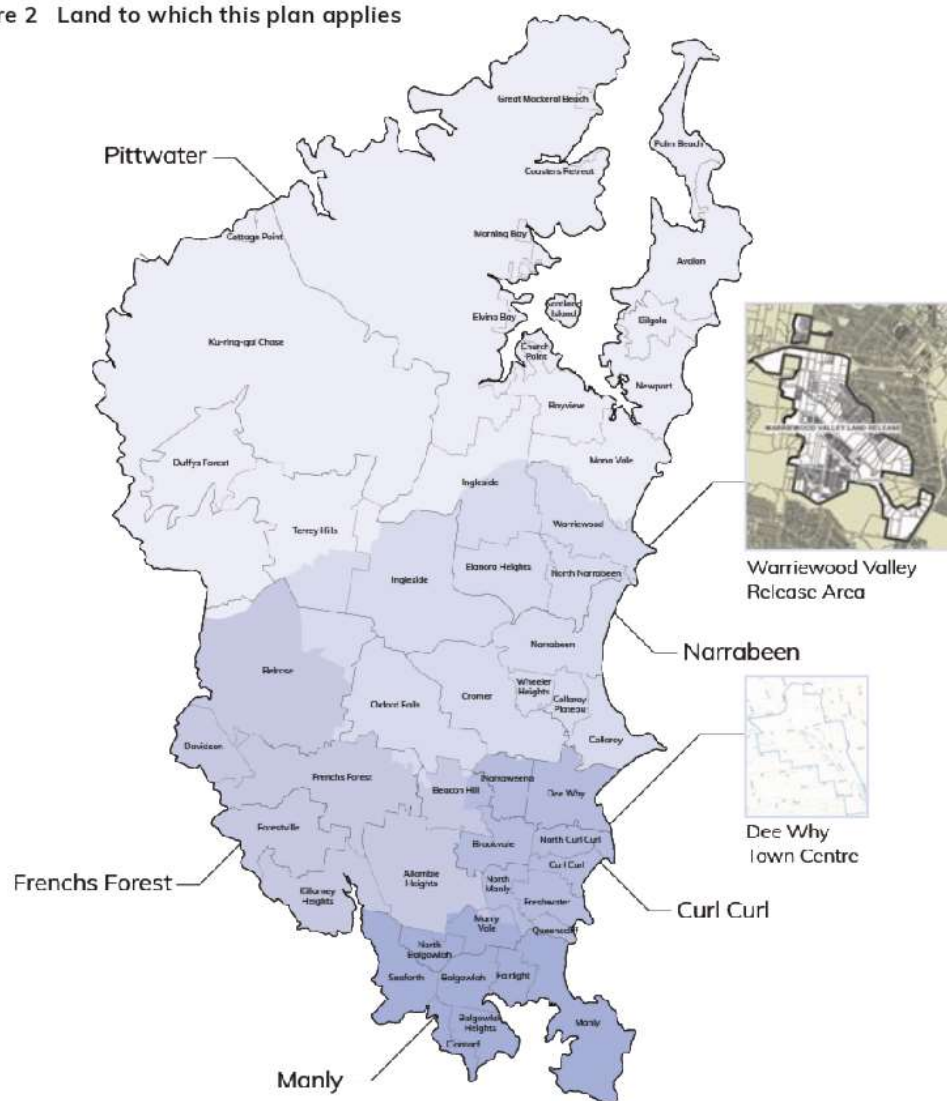
## 2.4 What land and development does this plan apply to?

This plan applies to land within the Northern Beaches LGA, excluding:

- Dee Why Town Centre, and
- Warriewood Valley Release Area.

Figure 2 shows the applicable land under this plan and the excluded land areas.

**Figure 2 Land to which this plan applies**



Subject to Section 2.5 below, this plan applies to all development that has a proposed cost of more than \$100,000.

Refer to Section 2.7 for the levy rates that apply to different developments.

## 2.5 What development is exempted?

This plan DOES NOT apply to the following types of developments:

- Development applications and Complying Development Certificates where the proposed cost of carrying out development is up to and including \$100,000.
- Internal fitout works only (no enlargement or expansion of floorspace).
- Development for the purpose of the adaptive re-use of an item of environmental heritage.
- Local infrastructure identified in this plan to be carried out by or on behalf of any public authority including the Council (e.g. if a community facility includes commercial/retail floorspace then the commercial/retail floorspace of the development will, based on that component's cost of works, be subject to the levy).
- Social housing and community housing provided by an organisation registered as a social housing provider with the NSW Government. Applicants must demonstrate they meet these criteria within the application.
- Development for the purposes of any form of seniors' housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that is provided by a social housing provider registered with the NSW Government. Applicants must demonstrate they meet these criteria within the application.
- Development for public purposes that is provided by a charity registered with the Australian Taxation Office (ATO).
- Development exempted from contributions under section 7.17 of the EP&A Act<sup>9</sup> by way of a direction made by the Minister for Planning. Directions that are in force may be viewed on the Department of Planning and Environment's website.

## 2.6 What Local Infrastructure will be provided under this plan?

The local infrastructure to be provided by contributions received under this plan includes but is not limited to:

- Social infrastructure and open space facilities including playgrounds, sports grounds, synthetic sports surface conversions, reserves, trails, youth and community facility.
- Traffic/active transport facilities and public domain facilities including footpaths, kerb and gutter works, end of trip facilities, commercial centre upgrades (with paving, street tree planting, public art and street lighting).

Local infrastructure identified in the works schedule will be delivered from 2020/21.

The costs of administering this plan will also be met by contributions imposed under this plan.

A summary of the costs of local infrastructure to be met by development approved under this plan is shown in Table 1. The administration costs amount to 1.5% of these infrastructure costs (based on the IPART Local Infrastructure Benchmark Costs Report).

More details on the demand for local infrastructure, the relationship of the local infrastructure with the expected development, and the specific facilities to be provided are included in **Part 3** and **Appendix A** of this plan.

<sup>9</sup> or the corresponding section 94E of the EP&A Act that existed immediately before the commencement of the Environmental Planning and Assessment Amendment Act 2017.

**Table 1. Summary of infrastructure cost**

| Type of Local Infrastructure                  | 2020/21            | 2021/22            | 2022/23            | 2023/24            | Total (2020-24)*    |
|---|--------------------|--------------------|--------------------|--------------------|---------------------|
| Social infrastructure facilities <sup>1</sup> | \$4,011,450        | \$4,300,000        | \$6,840,000        | \$200,000          | \$15,351,450        |
| Active transport works                        | \$955,725          | \$968,933          | \$783,185          | \$1,000,000        | \$3,707,843         |
| Public domain works                           | \$1,042,000        | \$2,340,138        | \$2,000,000        | -                  | \$5,382,138         |
| <b>Total</b>                                  | <b>\$6,009,175</b> | <b>\$7,609,071</b> | <b>\$9,623,185</b> | <b>\$1,200,000</b> | <b>\$24,441,431</b> |

\* This excludes plan administration costs. The sum of the local infrastructure costs and administration costs is the anticipated total amount expected from section 7.12 contributions levied on residential and non-residential development under the plan.

(1) Grants and working capital will also be used to fund the total cost of the sportsground and synthetic sportsground conversions (which represent a share of the total social infrastructure facility costs) listed in **Appendix A**.

## 2.7 What are the levy rates?

**Table 2. Section 7.12 levy rates**

| Development type  | Levy rate         |
|---|-------------------|
| Development that has a proposed cost of carrying out the development: |                   |
| • up to and including \$100,000                                       | Nil               |
| • more than \$100,000 and up to and including \$200,000               | 0.5% of that cost |
| • more than \$200,000   | 1% of that cost   |



## 2.8 How to calculate a levy amount

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate in Table 2 by the proposed cost of the development as submitted by the Applicant. The cost of development is to be calculated in accordance with Section 25J of the EP&A Regulation 2000.

### Worked examples:

A proposed residential development in Manly involves an addition to an existing detached dwelling with a cost of development of \$175,000.

|                   |                |
|-------------------|----------------|
| \$175,000 x 0.5%  | = \$875        |
| <b>Total levy</b> | <b>= \$875</b> |

As the construction cost exceeds \$100,001 but is below \$200,000, the levy is 0.5% of the cost of construction. If it was less than or equal to \$100,000, no levy would be payable.

If the cost of development was more than \$200,000, see example below, the levy would increase to 1.0% of the cost of construction.

A proposed warehouse development in Brookvale involves the demolition of existing improvements and the construction of a building, car parking and landscaping with a cost of development of \$6 million.

|                   |                   |
|-------------------|-------------------|
| \$6 million x 1%  | = \$60,000        |
| <b>Total levy</b> | <b>= \$60,000</b> |

### 3. Anticipated development and the infrastructure strategies

#### 3.1 Expected demand for local infrastructure

##### 3.1.1 Area context

The Northern Beaches LGA is in the northern coastal suburbs of Sydney, extending from Manly to Palm Beach.<sup>10</sup> It comprises a land area of 254 km<sup>2</sup> and combines a diverse range of land uses and economic activities.<sup>11</sup> Pittwater, Narrabeen, Frenchs Forest, Curl Curl and Manly represent the five wards of Council.<sup>12</sup>

The Northern Beaches is already home to an estimated resident population of 271,519 in 2019.<sup>13</sup> The attraction of the area is a reflection on the significant range of housing opportunities, and the amenity of the area, relative to areas closer to central Sydney.<sup>14</sup> With continued urban development, forecasts suggest an additional 38,000 residents in the LGA by 2036.<sup>15</sup> Residents enjoy an active lifestyle with the Northern Beaches boasting half of all the beaches in Sydney,<sup>16</sup> which in turn, contributes to the demand for sustainable social and economic infrastructure by the growing community.

The North District Plan identifies the commercial and service centres of Manly, Dee Why-Brookvale, Frenchs Forest Hospital Precinct and Mona Vale as key centres for continued employment growth over the next 20 years.<sup>17</sup> These centres will contribute to the increasing demand for local infrastructure across the LGA.

Planned urban development in the Frenchs Forest Hospital Precinct, Dee Why Town Centre and Warriewood Valley Release Area will be the main drivers of population and employment growth in the region to 2036, but they won't be the only contributors.

Outside of these areas, infill development across the LGA is also forecast to yield moderate growth of some 500+ dwellings per annum<sup>18</sup> and yield further economic opportunities, thereby contributing to the demand for additional infrastructure, as outlined in more detail below.

##### 3.1.2 Recent development and population characteristics

The population of the Northern Beaches is largely concentrated along the coastline and in the main centres of Manly, Dee Why, Brookvale, Mona Vale and Avalon. Smaller villages and neighbourhood centres connect the main centres and provide local amenities to people living in leafy suburbs and semi-rural areas to the northwest. In the southwest, Frenchs Forest accounts for the highest population of the inland suburbs (refer Table 7).

Table 3 shows the increase in the number of dwellings between 2011 and 2016. While more than half of all existing dwellings are separate houses, high-density dwellings have dominated growth. There were 3,148 additional high-density dwellings constructed in the five years to 2016, representing 82.0% of the increase in dwelling stock in the Northern Beaches LGA during that period.

<sup>10</sup> <https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council>.

<sup>11</sup> CSP, p 11.

<sup>12</sup> <http://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council/wards-and-suburbs>.

<sup>13</sup> id forecasts.

<sup>14</sup> Community id profile.

<sup>15</sup> id forecasts.

<sup>16</sup> <https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council>.

<sup>17</sup> North District Plan, pp 66-77.

<sup>18</sup> id forecasts.

<sup>19</sup> CSP, p 12.

**Table 3. Dwelling Structure Comparison, 2011-2016**

| Dwelling type                  | 2011          |            | 2016           |            | Change        |
|--------------------------------|---------------|------------|----------------|------------|---------------|
|                                | Number        | %          | Number         | %          | 2011 to 2016  |
| Separate house                 | 56,610        | 58.0       | 56,540         | 55.7       | -70           |
| Medium density                 | 17,290        | 17.7       | 17,459         | 17.2       | +169          |
| High density                   | 23,142        | 23.7       | 26,290         | 25.9       | +3,148        |
| Caravans, cabin, houseboat     | 136           | 0.1        | 346            | 0.3        | +210          |
| Other                          | 358           | 0.4        | 426            | 0.4        | +68           |
| Not stated                     | 79            | 0.1        | 407            | 0.4        | +328          |
| <b>Total Private Dwellings</b> | <b>97,617</b> | <b>100</b> | <b>101,468</b> | <b>100</b> | <b>+3,851</b> |

The median house price was \$1.51 million at June 2016 and rental costs are nearly double the Sydney average at \$895 per week (compared to \$520). Increasing housing affordability in the LGA is a key policy objective for Council.<sup>20</sup>

In terms of population characteristics, Council's Community Strategic Plan has identified how the population is ageing and young people are increasingly leaving the area. More than 1,600 young people in the 25 to 34 age bracket left the Northern Beaches between 2006 and 2016.<sup>21</sup>

Table 4 shows the distribution of the LGA population across different age cohorts from 2011 to 2016 and compares this with Greater Sydney. People aged 18 to 24 made up 7.0% of the population in 2016 - significantly lower than Greater Sydney's 9.6%. The ratio of young adults (25 to 34 years) was also very low at 11.7% compared to 16.1% for Greater Sydney. Conversely, the proportion of elderly people was relatively large compared to other parts of Sydney (11.9% were aged 70 and over, compared to 9.5% for Greater Sydney).

Youth disengagement is a key concern for the community with 4.7% of young people aged 15 to 19 not engaged in work or study and a further 10.2% only partially engaged. This has informed the need for local infrastructure in the plan designed to specifically meet youth needs.

Table 5 shows the different types of households in the LGA in 2016. One-third of households are couples with children (37.3%), a little higher than the Greater Sydney trend (35.2%). This underlines the importance of providing social infrastructure in the Northern Beaches that meets families' and children's needs. Otherwise, the distribution of households is relatively similar to Greater Sydney. Lone households make up 21% of all households.

<sup>20</sup> Northern Beaches Affordable Housing Needs Analysis, 2016.

<sup>21</sup> CSP, p 11

<sup>22</sup> CSP, p 13

**Table 4. Age Structure Comparison, 2011-2016**

| Service age group (years)                      | 2011           |            |                  | 2016           |            |                  | Change         |
|--|----------------|------------|------------------|----------------|------------|------------------|----------------|
|  | No.            | %          | Greater Sydney % | No.            | %          | Greater Sydney % | 2011 to 2016   |
| Babies and pre-schoolers (0 to 4)              | 15,672         | 6.2        | 6.4              | 17,013         | 7.2        | 6.8              | -1,341         |
| Primary schoolers (5 to 11)                    | 24,678         | 9.8        | 8.8              | 21,933         | 9.2        | 8.7              | +2,745         |
| Secondary schoolers (12 to 17)                 | 18,675         | 7.4        | 6.9              | 16,543         | 7.0        | 7.4              | +2,132         |
| Tertiary education and independence (18 to 24) | 17,796         | 7.0        | 9.6              | 17,031         | 7.2        | 9.5              | +765           |
| Young workforce (25 to 34)                     | 29,575         | 11.7       | 16.1             | 29,389         | 12.4       | 15.4             | +186           |
| Parents and homebuilders (35 to 49)            | 57,742         | 22.8       | 21.1             | 56,613         | 23.8       | 21.9             | +1,129         |
| Older workers and pre-retirees (50 to 59)      | 33,206         | 13.1       | 12.2             | 29,612         | 12.5       | 12.2             | +3,594         |
| Empty nesters and retirees (60 to 69)          | 25,258         | 10.0       | 9.5              | 23,430         | 9.9        | 9.0              | +1,828         |
| Seniors (70 to 84)                             | 23,338         | 9.2        | 7.5              | 19,917         | 8.4        | 7.2              | +3,421         |
| Elderly aged (85 and over)                     | 6,945          | 2.7        | 2.0              | 6,228          | 2.6        | 1.8              | +717           |
| <b>Total</b>                                   | <b>252,885</b> | <b>100</b> | <b>100</b>       | <b>237,709</b> | <b>100</b> | <b>100</b>       | <b>+15,176</b> |

Source: ABS Census compiled by .id, September 2017.

**Table 5. Household Type Comparison, 2016**

| Suburb                           | Northern Beaches LGA 2016 (No.) | Northern Beaches LGA 2016 (%) | Greater Sydney 2016 (%) |
|----------------------------------|---------------------------------|-------------------------------|-------------------------|
| Couples with children            | 34,440                          | 37.3                          | 35.3                    |
| Couples without children         | 23,005                          | 24.9                          | 22.4                    |
| One parent families              | 7,568                           | 8.2                           | 10.4                    |
| Other families                   | 754                             | 0.8                           | 1.3                     |
| Group household                  | 3,046                           | 3.3                           | 4.5                     |
| Lone person                      | 19,132                          | 20.7                          | 20.4                    |
| Other non-classifiable household | 3,691                           | 4.0                           | 4.7                     |
| Visitor only households          | 770                             | 0.8                           | 0.9                     |
| <b>Total households</b>          | <b>92,406</b>                   | <b>100.0</b>                  | <b>100.0</b>            |

Source: ABS Census compiled by .id, September 2017.

### 3.1.3 Expected residential development and population growth

Table 6 indicates that the number of dwellings in the Northern Beaches LGA is forecast to grow from 102,586 to approximately 121,723 in 2036.<sup>23</sup> Another 19,137 dwellings are expected to be constructed, meaning an average of around 957 more dwellings will be delivered each year. Growth will occur in all suburbs across the LGA.

Excluding the urban release and urban renewal areas not covered by this plan, growth is expected to be around 12.0% or an average of approximately 505 new dwellings per year. A range of smaller redevelopment sites have been identified for further medium and higher density housing in various locations of the LGA including (but not limited to) Manly, Dee Why (outside the Town Centre), Narrabeen and Brookvale.<sup>24</sup>

**Table 6. Forecast dwellings and development 2017 - 2032**

| Suburb   | 2016   | 2036   | Change |        |
|--|--------|--------|--------|--------|
|  | Number | Number | Number | %      |
| Allambie Heights                                 | 2,472  | 2,727  | +255   | +10.3  |
| Avalon Beach - Clareville                        | 4,286  | 4,457  | +171   | +4.0   |
| Balgowlah  | 3,442  | 3,878  | +436   | +12.7  |
| Balgowlah Heights - Clontarf                     | 1,757  | 1,817  | +60    | +3.4   |
| Bayview  | 1,723  | 1,771  | +48    | +2.8   |
| Beacon Hill                                      | 2,457  | 2,886  | +429   | +17.5  |
| Belrose - Oxford Falls                           | 3,228  | 3,873  | +645   | +20.0  |
| Bilgola  | 1,340  | 1,356  | +16    | +1.2   |
| Brookvale  | 1,485  | 1,827  | +342   | +23.0  |
| Church Point - Scotland Island Ku-ring-gai Chase | 1,200  | 1,210  | +10    | +0.8   |
| Collaroy   | 3,275  | 3,796  | +521   | +15.9  |
| Collaroy Plateau                                 | 1,510  | 1,662  | +152   | +10.1  |
| Cromer   | 2,802  | 3,231  | +429   | +15.3  |
| Curl Curl - North Curl Curl                      | 2,233  | 2,469  | +236   | +10.6  |
| Davidson   | 934    | 1,180  | +246   | +26.3  |
| Dee Why  | 10,190 | 12,885 | +2,695 | +26.4  |
| Elanora Heights                                  | 1,447  | 1,524  | +77    | +5.3   |
| Fairlight  | 2,783  | 2,975  | +192   | +6.9   |
| Forestville                                      | 3,067  | 3,678  | +611   | +19.9  |
| Frenchs Forest                                   | 4,466  | 7,184  | +2,718 | +60.9  |
| Freshwater                                       | 3,861  | 4,470  | +609   | +15.8  |
| Ingleside*                                       | 326    | 3,091  | +2,765 | +848.2 |
| Killarney Heights                                | 1,476  | 1,831  | +355   | +24.1  |
| Manly (Eastern Hill)                             | 2,753  | 2,819  | +66    | +2.4   |
| Manly (Pittwater Road)                           | 3,916  | 4,451  | +535   | +13.7  |

<sup>23</sup> id forecasts.

<sup>24</sup> id forecasts.



| Suburb   | 2016          | 2036          | Change         |              |
|--|---------------|---------------|----------------|--------------|
| Manly (Town Centre)  | 1,838         | 2,421         | +583           | +31.7        |
| Manly Vale   | 2,617         | 3,216         | +599           | +22.9        |
| Mona Vale  | 4,326         | 4,583         | +257           | +5.9         |
| Narrabeen  | 4,103         | 4,724         | +621           | +15.1        |
| Narrabeena   | 2,481         | 2,924         | +443           | +17.9        |
| Newport  | 3,921         | 4,065         | +144           | +3.7         |
| North Balgowlah  | 1,201         | 1,372         | +171           | +14.2        |
| North Manly  | 1,040         | 1,187         | +147           | +14.1        |
| North Narrabeen  | 2,157         | 2,240         | +83            | +3.8         |
| Palm Beach - Whale Beach   | 1,464         | 1,489         | +25            | +1.7         |
| Queenscliff  | 1,700         | 1,768         | +68            | +4.0         |
| Seaforth   | 2,467         | 2,681         | +214           | +8.7         |
| Terrey Hills - Duffys Forest   | 1,154         | 1,357         | +203           | +17.6        |
| Warriewood   | 2,696         | 3,561         | +865           | +32.1        |
| Wheeler Heights  | 991           | 1,086         | +95            | +9.6         |
| Total  | 102,586       | 121,723       | +19,137        | +18.7        |
| <b>Total (excluding Dee Why, Frenchs Forest, Warriewood and Ingleside)</b> | <b>84,908</b> | <b>95,002</b> | <b>+10,094</b> | <b>+11.9</b> |

Source: id forecasts.

\* Although Ingleside is nominated as an urban release area its future development for urban purposes is uncertain because of bushfire evacuation concerns. See [www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Ingleside](http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Ingleside)

The urban development growth will translate into moderate population growth across the LGA, as shown in Table 7. Figure 3 further illustrates where growth will be concentrated.

In the 20 years to 2036, there is forecast to be almost 43,000 additional residents living in the Northern Beaches. As at 2019, it is estimated that 2% of this growth has already occurred.<sup>25</sup>

Outside of the growth areas (Dee Why Town Centre, Frenchs Forest Hospital Precinct and Warriewood Valley), the population is expected to increase by 20,300 or 9.2% between 2016 and 2036. This represents additional demand for local infrastructure in the Northern Beaches in the order of 1,000 more residents each year.

<sup>25</sup> id forecasts.

**Table 7. Population forecast 2016 - 2036**

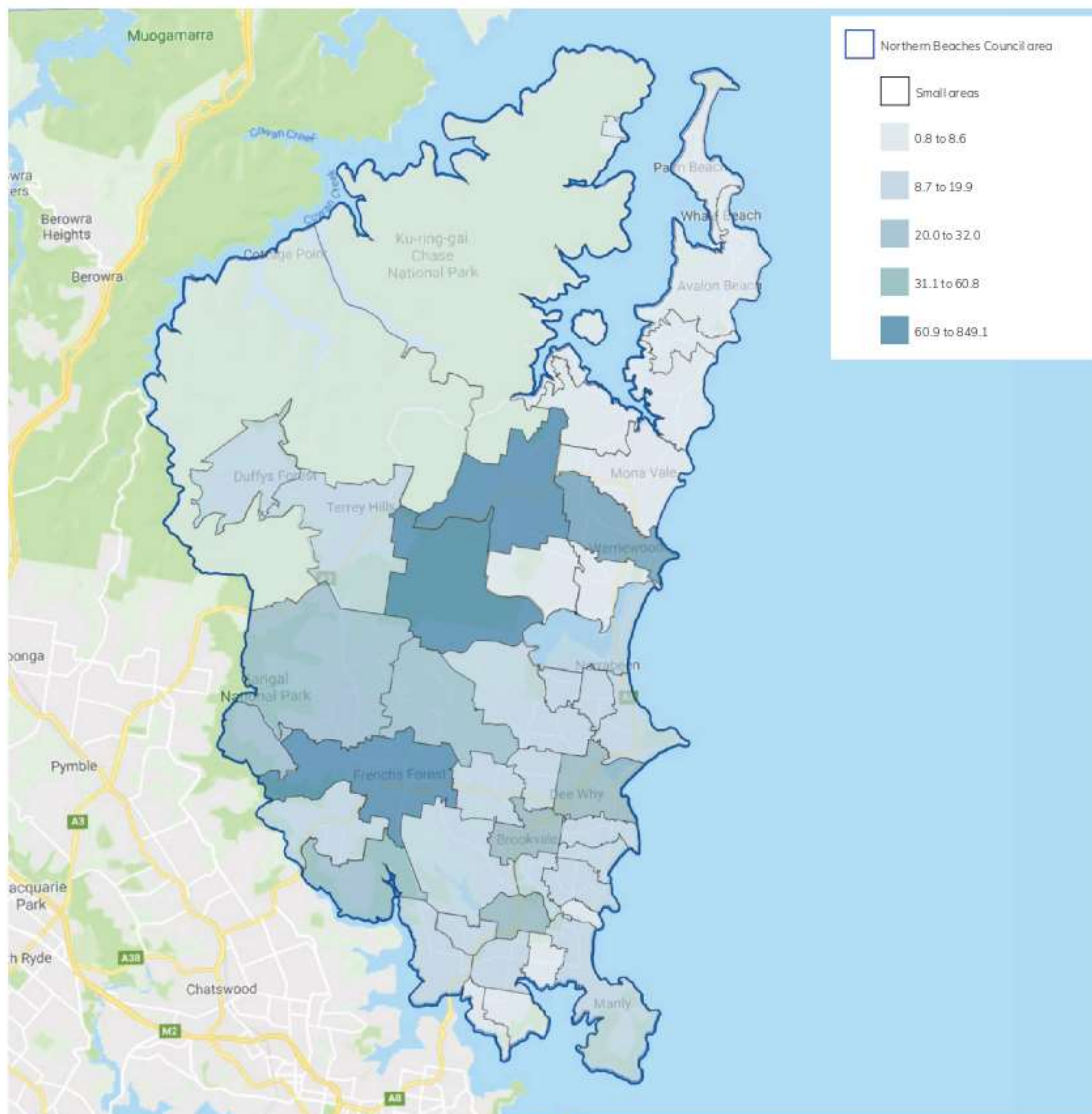
| Suburb   | 2016   | 2036   | Change |        |
|--|--------|--------|--------|--------|
|  | Number | Number | Number | %      |
| Allambie Heights                                 | 7,274  | 7,860  | +586   | +8.1   |
| Avalon Beach - Clareville                        | 11,284 | 11,120 | -164   | -1.5   |
| Balgowlah  | 8,338  | 10,088 | +1,750 | +21.0  |
| Balgowlah Heights - Clontarf                     | 5,385  | 5,611  | +226   | +4.2   |
| Bayview  | 3,964  | 4,048  | +84    | +2.1   |
| Beacon Hill                                      | 7,831  | 8,304  | +473   | +6.0   |
| Belrose - Oxford Falls                           | 9,335  | 11,174 | +1,839 | +19.7  |
| Bilgola  | 3,794  | 3,588  | -206   | -5.4   |
| Brookvale  | 3,474  | 4,350  | +876   | +25.2  |
| Church Point - Scotland Island Ku-ring-gai Chase | 2,193  | 2,339  | +146   | +6.7   |
| Collaroy   | 8,196  | 9,234  | +1,038 | +12.7  |
| Collaroy Plateau                                 | 4,971  | 5,181  | +210   | +4.2   |
| Cromer   | 7,879  | 8,980  | +1,101 | +14.0  |
| Curl Curl - North Curl Curl                      | 6,859  | 6,997  | +138   | +2.0   |
| Davidson   | 2,899  | 3,404  | +505   | +17.4  |
| Dee Why  | 22,778 | 28,042 | +5,264 | +23.1  |
| Elanora Heights                                  | 4,627  | 4,484  | -143   | -3.1   |
| Fairlight  | 6,441  | 6,932  | +491   | +7.6   |
| Forestville                                      | 8,729  | 9,977  | +1,248 | +14.3  |
| Frenchs Forest                                   | 14,135 | 20,183 | +6,048 | +42.8  |
| Freshwater                                       | 9,569  | 10,516 | +947   | +9.9   |
| Ingleside*                                       | 996    | 10,415 | +9,419 | +945.7 |
| Killarney Heights                                | 4,598  | 5,227  | +629   | +13.7  |
| Manly (Eastern Hill)                             | 5,523  | 5,692  | +169   | +3.1   |
| Manly (Pittwater Road)                           | 8,688  | 9,710  | +1,022 | +11.8  |
| Manly (Town Centre)                              | 3,077  | 4,237  | +1,160 | +37.7  |
| Manly Vale                                       | 6,429  | 7,716  | +1,287 | +20.0  |
| Mona Vale  | 10,936 | 11,187 | +251   | +2.3   |
| Narrabeen  | 8,538  | 10,516 | +1,978 | +23.2  |
| Narrabeena                                       | 6,755  | 7,972  | +1,217 | +18.0  |
| Newport  | 9,854  | 10,066 | +212   | +2.2   |
| North Balgowlah                                  | 3,825  | 3,832  | +7     | +0.2   |
| North Manly                                      | 3,216  | 3,478  | +262   | +8.1   |
| North Narrabeen                                  | 6,053  | 6,024  | -29    | -0.5   |
| Palm Beach - Whale Beach                         | 2,062  | 2,230  | +168   | +8.1   |
| Queenscliff                                      | 3,605  | 3,771  | +166   | +4.6   |
| Seaforth   | 7,542  | 7,713  | +171   | +2.3   |
| Terrey Hills - Duffys Forest                     | 3,658  | 4,115  | +457   | +12.5  |
| Warriewood                                       | 7,859  | 9,817  | +1,958 | +24.9  |

|  |                |                |                |              |
|--|----------------|----------------|----------------|--------------|
| Wheeler Heights  | 3,176          | 3,203          | +27            | +0.9         |
| <b>Total</b>   | <b>266,344</b> | <b>309,333</b> | <b>+42,989</b> | <b>+16.1</b> |
| <b>Total (excluding Dee Why, Frenchs Forest and Ingleside)</b> | <b>220,576</b> | <b>240,876</b> | <b>+20,300</b> | <b>+9.2</b>  |

Source: id forecasts.

\* Although Ingleside is nominated as an urban release area its future development for urban purposes is uncertain because of bushfire evacuation concerns. See [www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Ingleside](http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Ingleside)

**Figure 3. Northern Beaches LGA forecast population change, 2016-36**



Source: id forecasts.

### 3.1.4 Expected non-residential development and employment growth

The Northern Beaches has a strong and stable economy with GSP valued at \$16.3 billion and an unemployment rate of 3.5%.

The value of non-residential development approved in the LGA in a year has averaged \$242.8m over the past three years (Table 8).<sup>27</sup>

**Table 8. Value of non-residential building, 2016/17-2018/19**

|                             | 2016/17  | 2017/18  | 2018/19  | 3-year annual average |
|-----------------------------|----------|----------|----------|-----------------------|
| <b>Northern Beaches LGA</b> | \$279.2m | \$208.5m | \$240.6m | <b>\$242.8m</b>       |

Source: ABS, Building Approvals, Cat No. 8731.0, Australia, June 2017 and December 2018.

This level of growth in non-residential development is expected to continue over the life of this plan and will extend demand for improved civic amenity, connectivity and accessibility in the town centres, in particular.

The workforce is highly professional and the Northern Beaches has a healthy job containment rate with 52.1% of residents working in the area.<sup>28</sup> Figure 4 shows the distribution of workers by location across the LGA.

The North District Plan's 'high' targets for employment growth in Frenchs Forest Hospital Precinct, Brookvale-Dee Why, Manly and Mona Vale amount to an additional 12,900 workers to 2036.<sup>29</sup> The associated key strategic directions for these centres in the district plan are as follows:

- Frenchs Forest is to be a strategic centre for health and education with the Northern Beaches Hospital development anchoring new health and education opportunities, and providing flow-on knowledge-intensive, innovation and service impacts for the whole region.
- Brookvale and Dee Why already provides the greatest number of jobs in the Northern Beaches but Brookvale's industrial, retail and tertiary education areas will provide leverage opportunities for further growth. Greater connectivity of Dee Why's combined centre will also attract further employment, retail and local services to the district.
- In the strategic centre of Manly, continued cultural, tourist, retail and entertainment activities will abound for residents as well as local and international visitors. Recreational opportunities from the coastal location will continue to provide economic opportunities such as eco-tourism around North Head and Cabbage Tree Bay Aquatic Reserve.
- The strategic centre of Mona Vale needs to be strengthened to build on its potential as an important mixed-use area including retail, commercial, community, light industrial and residential uses, with sufficient retail and commercial floor space to meet future demand and improved accessibility and connectivity.<sup>30</sup>

<sup>26</sup> Economy profile id, with 2017 economic value estimate.

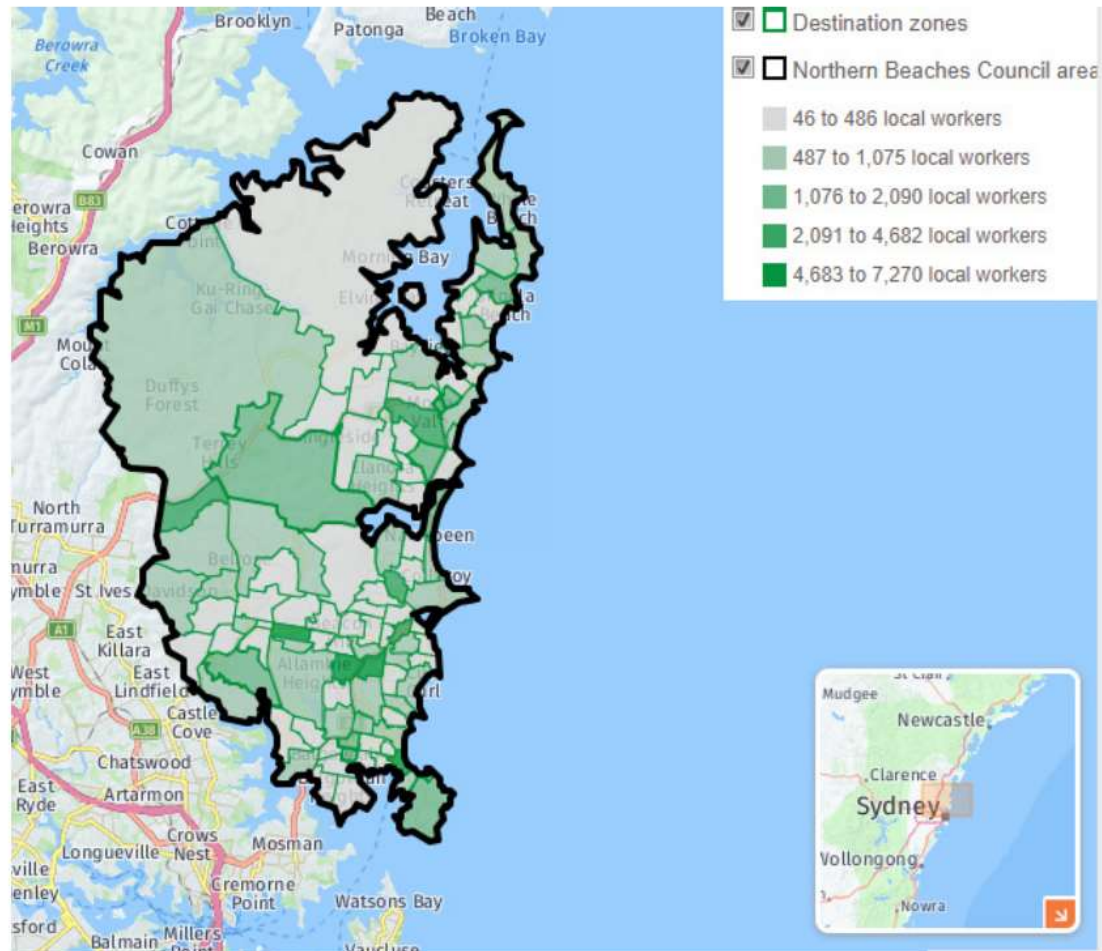
<sup>27</sup> ABS, Building Approvals, Cat No. 8731.0, Australia, June 2017-December 2018.

<sup>28</sup> Economy profile id.

<sup>29</sup> North District Plan, pp 66-77.

<sup>30</sup> North District plan, pp 66-77.

Figure 4. Distribution of employment in the Northern Beaches LGA, 2016



Source: id forecasts.

NSW Government employment forecasts also show that over the next 20 years, health and social assistance will be the fastest growing job sector across the Northern Beaches (62.0% or 6,800 new jobs), followed by retail (38.0% or 4,750 new jobs) and education and training (45.0% or 3,500 jobs).

While many of these employment opportunities will be created in Frenchs Forest and Dee Why Town Centre, non-residential development is also anticipated in areas such as Mona Vale, Brookvale, broader Dee Why (outside the town centre precinct) and Manly.

<sup>21</sup> Northern Beaches Affordable Housing Needs Analysis, 2016, p 8.



## 3.2 Infrastructure strategies

### 3.2.1 Strategic planning to meet the needs of a growing community

Council consulted extensively with the community in developing Shape 2028 – Northern Beaches Community Strategic Plan (CSP) which provides a vision and roadmap for the next 20 years.

The CSP has informed the Delivery Program and Operational Program (2018-2023) for Council, and the capital works expenditure priorities over the next four years to deliver on the goals and objectives established in the CSP. Key objectives in the plan are to foster the active lifestyle of residents, maintain and protect the natural environment, and ensure thriving and vibrant local communities. The local infrastructure identified in **Appendix A** aligns with many of the infrastructure works identified in the four year capital works program.

In setting the expenditure priorities for the future, Council has also drawn upon its more targeted needs assessments and service delivery strategies for different facilities. This includes the multitude of facility strategies already established to inform planning for the former LGAs.

For open space and recreation facilities, the Northern Beaches Sportsground Strategy 2017 has been critical in informing the need for new and upgraded sportsground facilities and sportsground conversions to synthetic surfaces.

To plan for the longer-term transport needs of the community, Council developed Move – Northern Beaches Transport Strategy 2038, which establishes a strategy over the next 20 years to meet the community's vision for a safe, sustainable and smart transport network.

Council's continued strategic planning will include an Economic Development Strategy to better inform the needs of commercial centre upgrades, and a range of other active transport studies already planned or underway to guide specific

infrastructure needs and outcomes related to walkways, cycleways, parking, public transport, freight and road safety.

A Community Facilities Strategy and an Arts & Creativity Strategy are currently being prepared. Once finalised and adopted these strategies will play a role in identifying future needs for the community.

### 3.2.2 Social infrastructure

#### Objectives

The CSP has laid out the community's desire "to see more vibrancy and ambience in our open spaces and make it easier to get together in our local neighbourhoods, villages and centres."<sup>32</sup>

Strategic planning also aims to ensure that the Northern Beaches community is healthy, active, and enjoys a broad range of creative, sporting and recreational opportunities. In the context of meeting the needs of a growing community, the main objectives are to:

- Provide well-maintained and safe spaces that equitably support active and passive recreation, and
- Encourage a broad range of activities that enable social interaction, stimulate wellbeing, and support people at each stage of their lives.

#### Needs assessment and infrastructure strategy

##### Active open space

Social infrastructure in the Northern Beaches must meet the needs of a resident population of around 309,000 by 2036. In recognition of an undersupply of active open space already emerging in the area, Council developed the Sportsground Strategy, July 2017 as a 15-year plan to provide a single approach to the management and long term planning of sporting facilities on the Northern Beaches.<sup>33</sup>

<sup>32</sup> CSP, p 27.

<sup>33</sup> Sportsground Strategy, July 2017, p 4.

The Strategy identified that the Northern Beaches currently has:

- 122 sports fields supplying a total playing area of 116.5 hectares to over 50,000 playing members across 17 sports, plus thousands of spectators, families and volunteers.
- 13 golf courses covering 453 hectares catering to over 10,000 members, seven of which are on public land covering 180 hectares catering to over 4,000 members, as well as thousands of rounds of public golf by non-members.<sup>34</sup>

It further found that there is a current and growing shortfall of sports fields:

- Grass sports fields have a 'sustainable capacity' of 35 hours per week and average usage is well above this, with 92 of 122 sports fields over-used. This equates to bookings of more than 800 hours per week over sustainable capacity.
- There is a current shortfall of 24 hectares of playing area, equivalent to over 24 sports fields, based on using all fields at sustainable capacity. This increases to 41 hectares by 2031.<sup>35</sup>
- The Northern Beaches has around half or less sportsgrounds supply per capita when compared to some other similar sized councils (e.g. The Hills and Sutherland Shire Councils).
- Participation rates are growing, many people are being turned away and forecasts indicate playing numbers will only continue to grow particularly in women's sport and over 35 competitions.<sup>36</sup>

Council explored a number of actions to address the shortfall in supply:

- **Action 1** Make better use of existing sportsgrounds to increase availability and resilience, including; irrigation, drainage, lighting, reconfiguration and re-allocation of fields.
- **Action 2** Convert more existing sports fields to synthetic to increase sustainable capacity.
- **Action 3** Acquiring or securing additional private land as part of new housing developments.
- **Action 4** Converting existing open space to sports fields (e.g. golf courses where this is identified over supply in the LGA).
- **Action 5** Acquiring additional land by purchasing Crown, private or other land.
- **Action 6** Do nothing and accept the shortfall in supply.<sup>37</sup>

In response, Council has planned to deliver a number of new fields including in Warriewood Valley and Ingleside, and work with schools to provide use of school fields for community sports and install synthetic surfaces to enable fields to be used to the full potential.<sup>38</sup>

<sup>34</sup> Sportsground Strategy, July 2017, p 4.

<sup>35</sup> Sportsground Strategy, July 2017, p 10.

<sup>36</sup> Sportsground Strategy, p 4.

<sup>37</sup> Sportsground Strategy, p 4.

<sup>38</sup> Sportsground Strategy, p 6.

In the shorter term, it will also implement actions to increase the capacity of existing fields and to provide additional supply which was strongly supported by the community.<sup>39</sup> This plan will fund new and upgraded sportsgrounds outside new release areas and synthetic sportsground conversions. The key priorities for this expenditure are to:

- Improve capacity and resilience of existing sports fields. Improvements including irrigation, drainage, lighting, reconfiguring fields, upgrade amenities and car parking to improve capacity of fields.
- Install synthetic surfaces on some existing sports fields to enable greater use.
- Undertake a feasibility study into the potential funding, location, management and viability of developing dedicated wet surface synthetic hockey fields.<sup>40</sup>

It is acknowledged that even with these steps, there would still be a significant shortfall of 14 fields in the Northern Beaches. In the longer term, Council will also consider the conversion of some golf course land, where a surplus has been identified, to sporting fields.

### Passive Open Space

Council intends to develop a broader open space strategy for consolidated planning to meet the needs of a growing community, as it has done for Sportsground facility planning.<sup>41</sup> At this stage, the Delivery Program has primarily informed the priorities of passive open space facility works funded by this plan.

Council is investing in an inclusive and active program which will put Northern Beaches on the map as a leading destination for playgrounds designed for kids with all abilities. It includes a program of inclusive playgrounds and equipment.<sup>42</sup>

The plan also includes a range of other reserve and park improvements identified in the Delivery Program forward works priorities, which align with the CSP goals:

- Youth-friendly spaces and youth facilities
- Implementation of adopted masterplans

Additionally the plan allocates funds for new and upgraded recreation trails, consistent with recreation facility goals and achieving best practice environmental sustainability principles.<sup>43</sup>

### 3.2.3 Active transport and public domain Objectives

The objectives for active transport and public domain works are to:

1. Enhance existing centres and plan new urban developments with integrated transport solutions, which encompass wide footpaths that make walking and cycling the first choice in moving around the neighbourhood, and
2. Create vibrant connected places that support sustainable growth and improve the community's quality of life.

### Needs assessment and infrastructure strategy

Council's 850km road network is vital to mobility and protection of the environment and requires ongoing monitoring, renewal and upgrade work.<sup>44</sup>

Meeting the needs of a growing population and a thriving local economy presents the dual challenges of addressing the need for better road infrastructure while reducing the need for car-based travel in the first place.

Move – Northern Beaches Transport Strategy 2038 outlines Council's key future directions, plans and actions on transport infrastructure over the next 20 years to reduce congestion and change travel behaviour.

<sup>39</sup> Sportsground Strategy, p 6.

<sup>40</sup> Sportsground Strategy, p 24.

<sup>41</sup> Delivery Program, p 51.

<sup>42</sup> Delivery Program, p 25.

<sup>43</sup> Delivery Program, p 53.

<sup>44</sup> CSP, p 13.

The Strategy will underpin the more detailed plans that direct the delivery of the outcomes:

- Northern Beaches Walking Plan (2019) and Northern Beaches Bike Plan (2019)
- Local Pedestrian Access and Mobility Plans (various) travel from home to places of work, education and to access services and socialise.
- Parking Plan
- Road Network Plan
- Public Transport Plan
- Freight Plan
- Road Safety Plan.

All these plans will be focused on a 'Places for People First' ethos to enhance the Northern Beaches' lifestyle. It will be supported by a four-year capital works program of transport projects that will be reviewed annually.

The Strategy contains a balance of:

- Relatively low-cost, short-term actions such as a major bus route upgrade, improvements to footpath and cycleway networks, allowing new transport platforms and shared mobility providers entry into the network, and providing for the full integration of traffic management that effectively utilises existing infrastructure.
- Major infrastructure projects (such as new light rail and metro rail systems and major road upgrades) that require substantial investment from the State and Commonwealth Governments in the medium-to-long term.

Among the shorter-term actions is the expansion of footpath and shared path networks to improve connectivity and safety that makes walking and cycling attractive alternatives to the car.

To achieve this objective, Council has prioritised new footpath works and new kerb and gutter works in this plan. These works will cater for the increased demand on the active transport network, with expenditure consistent with the capital works program from 2020/21.

Council will also develop an Economic Development Strategy which will identify growth sectors and opportunities to promote the Northern Beaches economy. Pivotal to this strategy will be the activation plans for town and village centres, which will be developed in consultation with the community and local businesses to create a sense of vibrancy and community, nurture small business and local employment; and reflect the character and heritage of the relevant area.<sup>45</sup>

This plan allocates funding to streetscape improvements, based on the allocation in the capital works program from 2020/21 towards required centre upgrades. Council will undertake an assessment of the villages and centres to prioritise where works are needed.<sup>46</sup>

The allocation of expenditure per year towards each of these programs, overall, is shown in the full program of works in **Appendix A**.

### 3.2.4 Plan administration

Council must implement and manage this plan so that the contributions remain reasonable over the life of the plan, and infrastructure is provided in a reasonable timeframe.

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council is required to manage, monitor and maintain the contributions plan. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions.
- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules.
- Monitoring and programming works identified in the works schedules.

<sup>46</sup> Delivery Program, p 34.

- Determining the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications.
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Reviewing and determining the suitability of any works in kind and/or other material public benefits proposed by a developer.
- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the general public regarding the operation of the plan.
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan.

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to pay a levy under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark of an allowance equivalent to 1.5% of the cost of construction works that are to be met by development approved under this plan.<sup>47</sup>

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<sup>47</sup> Independent Pricing and Regulatory Tribunal of New South Wales (2014), Local Infrastructure Benchmark Costs, p 63.



## 4. How and when will levies be imposed on developments?

### 4.1 Levies are authorised by this plan

This plan authorises the Council or an accredited certifier when determining an application for a Development Application or a Complying Development Application, and subject to other provisions of this plan, to impose a condition requiring a contribution under section 7.12 of the EP&A Act on that approval for:

- The provision, extension or augmentation of local infrastructure to be provided by Council; and
- The recoupment of the previous costs incurred by Council in providing existing local infrastructure.

A section 7.12 levy cannot be imposed on the same development consent where the consent has imposed payment of a section 7.11 contribution.

The types of development subject to a section 7.12 levy are identified in Sections 2.4 and 2.5 of this plan.

Accredited certifiers should also refer to Section 4.4 of this plan as to their obligations in assessing and determining applications.

Section 7.12 levies are calculated as a percentage of the cost of development.

Clause 25J of the EP&A Regulation 2000 sets out how the proposed cost of carrying out development is determined for the purpose of calculating a development contribution. It is the Applicant's responsibility to provide the cost of works in accordance with Clause 25J.

### 4.2 Cost Summary Report must accompany development application or complying development certificate

Where a section 7.12 levy is required under this plan in relation to a Development Application (DA) or application for a CDC, the application is to be accompanied by a Cost Summary Report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development.

Council will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. This includes Cost Summary Reports accompanying CDCs. Should the costing as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant's cost, engage a person referred to in Section 4.3 to review a Cost Summary Report submitted by an applicant.

The cost of works will be based on the information provided at the time of determination.

### 4.3 Who may provide a Cost Summary Report?

The persons approved by the Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant's estimate of the proposed cost of carrying out the development is less than \$1,000,000 – any building industry professional; or
- where the proposed cost of carrying out the development is \$1,000,001 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

### 4.4 Obligations of accredited certifiers

#### 4.4.1 Complying development certificates (CDCs)

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- The accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- The amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- The terms of the condition be in accordance with this section.

#### **4.4.2 Procedure for determining the section 7.12 levy amount**

1. Ensure that the development is not subject to a section 7.11 contribution under any other contributions plan adopted by the Council and that remains in force.
2. Determine the section 7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under Section 4.2 of this plan using the rates included in Table 2 of this plan and taking into account any exempt development specified in Section 2.5 of this plan.
3. Obtain Council's approval of the proposed cost of development in the Cost Summary Report.

#### **Terms of a section 7.12 condition**

The terms of the condition requiring a section 7.12 levy are as follows:

##### **Contribution**

The developer must make a monetary contribution to Northern Beaches Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the Northern Beaches Section 7.12 Contributions Plan 2019.

This contribution is based on a proposed cost of works of \$ [insert amount]. The contribution must be indexed between the date of this consent and the date of payment in accordance with the following formula:

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current CPI}}{\text{Base CPI}}$$

##### **Where:**

\$Co is the original monetary contribution at the time of the issue of the complying development certificate.

Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment.

Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution.

##### **Time for payment**

The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by clause 136L of the Environmental Planning and Assessment Regulation 2000. Deferred payments of contributions will not be accepted.

#### **4.4.3 Construction certificates**

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work, or a Subdivision Certificate if no works are proposed, to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been paid in full and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. **Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.**

The only exceptions to the requirement are where a work in kind, material public benefit, or planning agreement has been agreed and signed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

## 5. How and when can a levy requirement be settled?

### 5.1 Timing of payments

For a CDC, the levy is to be paid prior to any work authorised by the certificate commencing, as required by clause 136L of the EP&A Regulation.

For a DA involving building works, the levy is to be paid prior to the issue of a construction certificate.

For a DA involving land subdivision, the levy is to be paid prior to the issue of a construction certificate or prior to the issue of a subdivision certificate (whichever occurs first).

At the time of payment, it will be necessary for the levy amount to be updated in accordance with the relevant indexes (see Section 6.3).

### 5.2 Deferred or periodic payments

Council will not accept the deferred or periodic payment of a levy imposed under this plan.

### 5.3 Can the levy be settled by dedicating land or undertake works?

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a levy amount required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan on the Council's behalf, then the developer can approach this either one of two ways:

- The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- If the developer has already received a development consent containing a condition requiring a monetary contribution, the developer may offer to undertake works in kind through a works in kind agreement.

Any offer of works or land should be consistent with the relevant LEP and DCP applying to the land.

The decision to accept settlement of a levy requirement by way of works in kind or the dedication of land is at the sole discretion of Council.

#### 5.3.1 Offers and agreements generally

Any offer for a works in kind or other material public benefit must be agreed and signed prior to the payment of the monetary contribution. Any offer shall be made in writing to the Council, and shall be made prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Works in kind may be accepted by the Council under the following circumstances:

- Council will generally only accept offers of works in kind that are items included in the schedule of local infrastructure in this plan, and
- Council determines that the works in kind are appropriate and meets a broad community need.

In assessing the request, Council will consider the following:

- The design of the facilities, and whether the design will result in facilities that are fit for purpose.
- The proposed works or land dedication will not constrain the future provision of facilities identified in the works schedule, or conflict with what Council has prioritised in this plan.

Plans and cost estimates of the proposed works are to be prepared by suitably qualified professionals and submitted by the applicant.

Should an offer of works in kind be accepted, Council will negotiate with the applicant, as relevant, the following:

- an acceptable standard for workmanship and materials
- frequency of progress works inspections
- the program for completion of the works
- an appropriate defects liability period.

## 6. Other administration matters

### 6.1 Relationship of this plan to other contributions plans

The following contributions plans are repealed by this plan:

- Manly Section 94 Contributions Plan 2004 (as amended)
- Pittwater Section 94 Contributions Plan for Residential Development (In Force 7 November 2015)
- Northern Beaches Council Section 94A Plan 2017.

This plan however does not affect development consents containing conditions requiring contributions or levies under the above plans. Contributions imposed on developments under the above plans and paid to or held by Council will be applied to local infrastructure in the same area that they were collected.

### 6.2 Savings and transitional arrangements

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date this plan took effect.

Development applications and CDCs that have been determined prior to this plan coming into force have been determined in accordance with the contributions plan in force at the time. These applications are subject to the rates in the now repealed plans. Any modification application will continue to be considered against the contribution plan in force at the time of the original determination.

### 6.3 Adjustment of levy amounts to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation, this plan authorises that levy amounts included in consents will be adjusted over time.

The monetary contribution will be indexed by the Consumer Price Index (All Groups) for Sydney as published quarterly by the Australian Bureau of Statistics at the time of payment in accordance with the following formula:

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current CPI}}{\text{Base CPI}}$$

*\$Co* is the original monetary contribution at the time of the issue of the complying development certificate.

*Current CPI* is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment.

*Base CPI* is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution.

In the event that the current CPI figure is less than the previous quarter it will be taken to be the same as the previous quarter.

### 6.4 Refunds

A refund will only be considered if:

- The DA has been formally surrendered and no construction certificate has been issued, or where a modification application seeks to reduce the cost of development, a construction certificate has not been issued.
- The CDC has been surrendered and works have not commenced.
- The contribution amount was imposed incorrectly where the Applicant had provided all required information to determine the cost of development in accordance with Clause 25J of the EP&A Act at the time of determination.



## 6.5 Pooling of levies

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in **Appendix A** of this plan.

Contributions collected by this plan may be supplemented with the reserves of the plans repealed by this plan to deliver local infrastructure identified in **Appendix A**.

## 6.6 Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

Accounting records for development contribution income and expenditure under this plan will be published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided.

## 6.7 Dictionary

Words and phrases used in this plan generally have the same meaning as the terms defined in the former council LEPs (Warringah LEP 2011, Pittwater LEP 2014 and Manly LEP 2013), or the EP&A Act.

For further clarity, words and phrases in this plan have the following meanings:

**CDC** means complying development certificate.

**Consent authority** has the same meaning as in section 4.5 of the EP&A Act but also includes an accredited certifier responsible for issuing a complying development certificate.

**Cost summary report** means a report prepared by a suitably qualified person that sets out the proposed cost of carrying out of development as defined in clause 25J of the EP&A Regulation.

**Council** means the Northern Beaches Council.

**EP&A Act** means the NSW Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the NSW Environmental Planning and Assessment Regulation 2000.

**GSP** means Gross State Product.

**LGA** means local government area.

**Local infrastructure** means infrastructure delivered by this plan.

**Planning agreement** means a voluntary agreement referred to in section 7.4 of the EP&A Act.

**Proposed cost of development** means the cost of development proposed in a development application or a complying development application under the provisions of clause 25J of the EP&A Regulation.

**Works in kind** means the construction or provision of the whole or part of a public facility that is identified in a works schedule in a contributions plan, by a private developer, in accordance with an agreement with Council.



## Appendix A

### Infrastructure schedule and location map

**Table A1.**

**Local Infrastructure Program to be funded by Section 7.12 levies under this plan (\$Mar2019)**

| Local Infrastructure <sup>1</sup>                    | 2020/21            | 2021/22            | 2022/23            | 2023/24            | Total<br>(2020-24)  |
|--|--------------------|--------------------|--------------------|--------------------|---------------------|
| 1 Playground - new and upgrade program               | \$140,000          |                    |                    |                    | \$140,000           |
| 2 Foreshores - new and upgrades program              | \$550,000          | \$650,000          | \$440,000          |                    |                     |
| 3 Sportsground - new and upgrade program             |                    |                    | \$800,000          |                    | \$800,000           |
| 4 Synthetic Sportsground Conversion                  | \$1,500,000        |                    |                    |                    | \$1,500,000         |
| 5 Wyatt Avenue Futsal Centre                         | \$1,371,450        |                    |                    |                    | \$1,371,450         |
| 6 Reserves - new and upgrade program                 | \$350,000          |                    |                    |                    | \$350,000           |
| * Recreational Trails - new and upgrade program      |                    |                    | \$1,900,000        |                    | \$1,900,000         |
| 7 Youth Friendly Spaces                              |                    | \$200,000          | \$200,000          | \$200,000          | \$600,000           |
| 8 North Curl Curl Youth Facility                     | \$100,000          | \$1,800,000        |                    |                    | \$1,900,000         |
| 9 Freshwater Beach Masterplan Implementation         |                    | \$1,500,000        | \$2,000,000        |                    | \$3,500,000         |
| 10 McKillop Park walk upgrade                        |                    | \$150,000          | \$1,500,000        |                    | \$1,650,000         |
| <b>Total Social Infrastructure Facilities</b>        | <b>\$4,011,450</b> | <b>\$4,300,000</b> | <b>\$6,840,000</b> | <b>\$200,000</b>   | <b>\$15,351,450</b> |
| * New Footpaths                                      | \$500,000          | \$500,000          | \$500,000          | \$500,000          | \$2,000,000         |
| * New Kerb and Gutter                                | \$255,725          | \$268,933          | \$283,185          | \$500,000          | \$1,307,843         |
| * New Traffic facilities                             | \$200,000          | \$200,000          |                    |                    | \$400,000           |
| <b>Total Active Transport</b>                        | <b>\$955,725</b>   | <b>\$968,933</b>   | <b>\$783,185</b>   | <b>\$1,000,000</b> | <b>\$3,707,843</b>  |
| * Commercial Centres Upgrades [Streetscape Projects] | \$1,000,000        | \$2,000,000        | \$2,000,000        |                    | \$5,000,000         |
| 11 Church Point Wharf Expansion                      | \$42,000           | \$340,138          |                    |                    | \$382,138           |
| <b>Total Public Domain Works</b>                     | <b>\$1,042,000</b> | <b>\$2,340,138</b> | <b>\$2,000,000</b> |                    | <b>\$5,382,138</b>  |
| <b>Total Local Infrastructure</b>                    | <b>\$6,009,175</b> | <b>\$7,609,071</b> | <b>\$9,623,185</b> | <b>\$1,200,000</b> | <b>\$24,441,431</b> |

\* Works are proposed at various locations across the LGA

(1) Development contributions may be one of several different funding (e.g. grants) sources required to deliver local infrastructure.

Figure A1. Locations of Local Infrastructure to be funded by Section 7.12 levies



## **~~Draft~~ Northern Beaches Section 7.12 Contributions Plan 2019**

Edited version – amendments shown in  
track changes

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

## Table of Contents

|           |   |             |
|-----------|---|-------------|
| <b>1.</b> | <b>Introduction</b>   | <b>1</b>    |
| <b>2.</b> | <b>Plan summary</b>   | <b>44</b>   |
| 2.1       | How to use this plan  | 44          |
| 2.2       | Name and commencement of plan   | 55          |
| 2.3       | What are the purposes of this plan?   | 55          |
| 2.4       | What land and development does this plan apply to?  | 55          |
| 2.5       | What development is exempted?   | 77          |
| 2.6       | What Local Infrastructure will be provided under this plan?                                     | 77          |
| 2.7       | What are the levy rates?  | 99          |
| 2.8       | How to calculate a levy amount  | 99          |
| <b>3.</b> | <b>Anticipated development and the infrastructure strategies</b>                                | <b>1144</b> |
| 3.1       | Expected demand for local infrastructure  | 1144        |
| 3.1.1     | Area context  | 1144        |
| 3.1.2     | Recent development and population characteristics   | 1144        |
| 3.1.3     | Expected residential development and population growth  | 1444        |
| 3.1.4     | Expected non-residential development and employment growth                                      | 1848        |
| 3.2       | Infrastructure strategies   | 1949        |
| 3.2.1     | Strategic planning to meet the needs of a growing community                                     | 1949        |
| 3.2.2     | Social infrastructure   | 2020        |
| 3.2.3     | Active transport and public domain  | 2222        |
| 3.2.4     | Plan administration   | 2424        |
| <b>4.</b> | <b>How and when will levies be imposed on developments?</b>                                     | <b>2626</b> |
| 4.1       | Levies are authorised by this plan  | 2626        |
| 4.2       | Cost Summary Report must accompany development application or complying development certificate | 2626        |
| 4.3       | Who may provide a Cost Summary Report?  | 2626        |
| 4.4       | Obligations of accredited certifiers  | 2727        |
| 4.4.1     | Complying development certificates  | 2727        |
| 4.4.2     | Procedure for determining the section 7.12 levy amount  | 2727        |
| 4.4.3     | Construction certificates   | 2828        |
| <b>5.</b> | <b>How and when can a levy requirement be settled?</b>  | <b>2929</b> |
| 5.1       | Timing of payments  | 2929        |
| 5.2       | Deferred or periodic payments   | 2929        |
| 5.3       | Can the levy be settled by dedicating land or undertake works?                                  | 2929        |
| 5.3.1     | Offers and agreements generally   | 2929        |
| <b>6.</b> | <b>Other administration matters</b>   | <b>3131</b> |
| 6.1       | Relationship of this plan to other contributions plans  | 3131        |
| 6.2       | Savings and transitional arrangements   | 3131        |
| 6.3       | Adjustment of levy amounts to address the effects of inflation                                  | 3131        |

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

|     |  |             |
|-----|--|-------------|
| 6.4 | Refunds                                  | <u>3232</u> |
| 6.5 | Pooling of levies                        | <u>3232</u> |
| 6.6 | Accountability and access to information | <u>3232</u> |
| 6.7 | Dictionary                               | <u>3333</u> |

**Tables**

|         |  |             |
|---------|--|-------------|
| Table 1 | Summary of infrastructure costs                    | <u>98</u>   |
| Table 2 | Section 7.12 levy rates                            | <u>98</u>   |
| Table 3 | Dwelling Structure Comparison, 2011-2016           | <u>1244</u> |
| Table 4 | Age Structure Comparison, 2011-2016                | <u>1342</u> |
| Table 5 | Household Type Comparison, 2016                    | <u>1342</u> |
| Table 6 | Forecast dwellings and development 2017 - 2032     | <u>1443</u> |
| Table 7 | Population forecast 2016 - 2036                    | <u>1645</u> |
| Table 8 | Value of non-residential building, 2016/17-2018/19 | <u>1847</u> |

**Figures**

|          |  |             |
|----------|--|-------------|
| Figure 1 | When is a levy required under this plan?                     | <u>33</u>   |
| Figure 2 | Land to which this plan applies                              | <u>66</u>   |
| Figure 3 | Northern Beaches LGA forecast population change, 2016-36     | <u>1746</u> |
| Figure 4 | Distribution of employment in the Northern Beaches LGA, 2016 | <u>1948</u> |

**Appendices**

|            |   |
|------------|---|
| Appendix A | Infrastructure schedule and location maps |
|------------|---|



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

## 1. Introduction

The Northern Beaches LGA stretches from Manly to Pittwater and westward from the coast to suburbs including Cottage Point, Duffy's Forest, Davidson, Belrose, Forestville and Killarney Heights. The community's vision for the Northern Beaches area is 'a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.'<sup>1</sup>

As at 2019, the LGA had a population of more than 271,000 people, representing average growth of 1% or almost 2,500 people per annum from 2011.<sup>2</sup> Annual economic activity amounts to some \$16.3 billion, or 2.9% of the state's gross state product (GSP), with health care and social assistance the largest employer followed by retail, education and training, accommodation and construction industries.<sup>3</sup>

The Northern Beaches will continue to accommodate further urban development into the future. Latest forecasts suggest that the population will grow by almost 38,000 or around 14% to reach more than 309,000 by 2036.<sup>4</sup> New development is also expected to yield at least 13,000 additional workers in the LGA during the same period.<sup>5</sup>

Much of the new development will be largely concentrated in two growth areas – Dee Why Town Centre and the Warriewood Valley Release Area. These areas are excluded from this plan.

Development in the remaining (or 'infill') areas is expected to yield an average of over 500 residential dwellings per year, as well as new or modified retail, commercial, education, health and tourist developments. This development will likely not be concentrated in one area but will be dispersed broadly across the LGA.<sup>6</sup>

It is the infrastructure needs generated by these developments that this plan is concerned with. These developments can only be sustained by the provision of new and upgraded local infrastructure, including open space and recreation facilities, community arts facilities, active transport infrastructure and vibrant and inclusive public domains. Contributions of land, works and money from the developers of land in the infill areas of the Northern Beaches LGA will be a key source funding for this infrastructure.

Section 7.12 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises councils and other consent authorities to require developments to pay a levy as a percentage of the proposed cost of the development toward the provision, extension or augmentation of local infrastructure (or towards recouping the cost of their provision, extension or augmentation).

Where the consent authority is a council or an accredited certifier, a local infrastructure contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this plan.

<sup>1</sup> Northern Beaches Council, *Shape 2028 Northern Beaches Community Strategic Plan 2018 – 2028* (CSP), p 6.

<sup>2</sup> Dwelling and population forecasts are compiled by .idcommunity from Northern Beaches Council population forecasts, November 2017 based on 2016 Census dwelling counts and the 2016 Estimated Resident Population (id forecasts).

<sup>3</sup> .idcommunity Northern Beaches Economic Profile based upon National Economics (NIEIR) - Modelled series, 2017 (id economic profile).

<sup>4</sup> id forecasts.

<sup>5</sup> Greater Sydney Commission, *North District Plan*, March 2018, pp 66-77. Based on its 'higher' targets, the district plan estimates altogether 12,900 more jobs from 2016 to 2036 for the centres of Frenchs Forest, Brookvale-Dee Why, Manly and Mona Vale, where most employment growth will be concentrated.

<sup>6</sup> id forecasts.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

**This plan's main purpose is to authorise the Council or an accredited certifier to impose conditions on development consents or complying development certificates (CDCs) requiring section 7.12 fixed rate levies from applicable development under the plan.**

The amalgamation of the three former councils to establish the Northern Beaches Council has created a much greater catchment of contributions for infill development than for the previous LGAs.<sup>7</sup> This plan repeals three previous contributions plans into a single fixed rate levy (section 7.12) plan to consolidate the previous contributions framework and allow a greater percentage of the costs associated with administering the plans to be allocated to local infrastructure.<sup>8</sup>

**Figure 1** provides a guide to when this plan applies to development in the context of the broader developer contributions framework for the Northern Beaches LGA.

The contributions that are made by developers of both residential and non-residential development will be applied by the Council to deliver the schedule of infrastructure works shown in **Appendix A**. The plan will be regularly reviewed and the works schedule will be updated to align with Council's four-year CAPEX delivery program, of which development contributions are a significant funding source.

Levies will be collected under this plan for 10 years or longer (if required), to collect and recoup this revenue.

This plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**); and having regard to the latest practice notes issued by the NSW Department of Planning and Environment.

This plan includes the following:

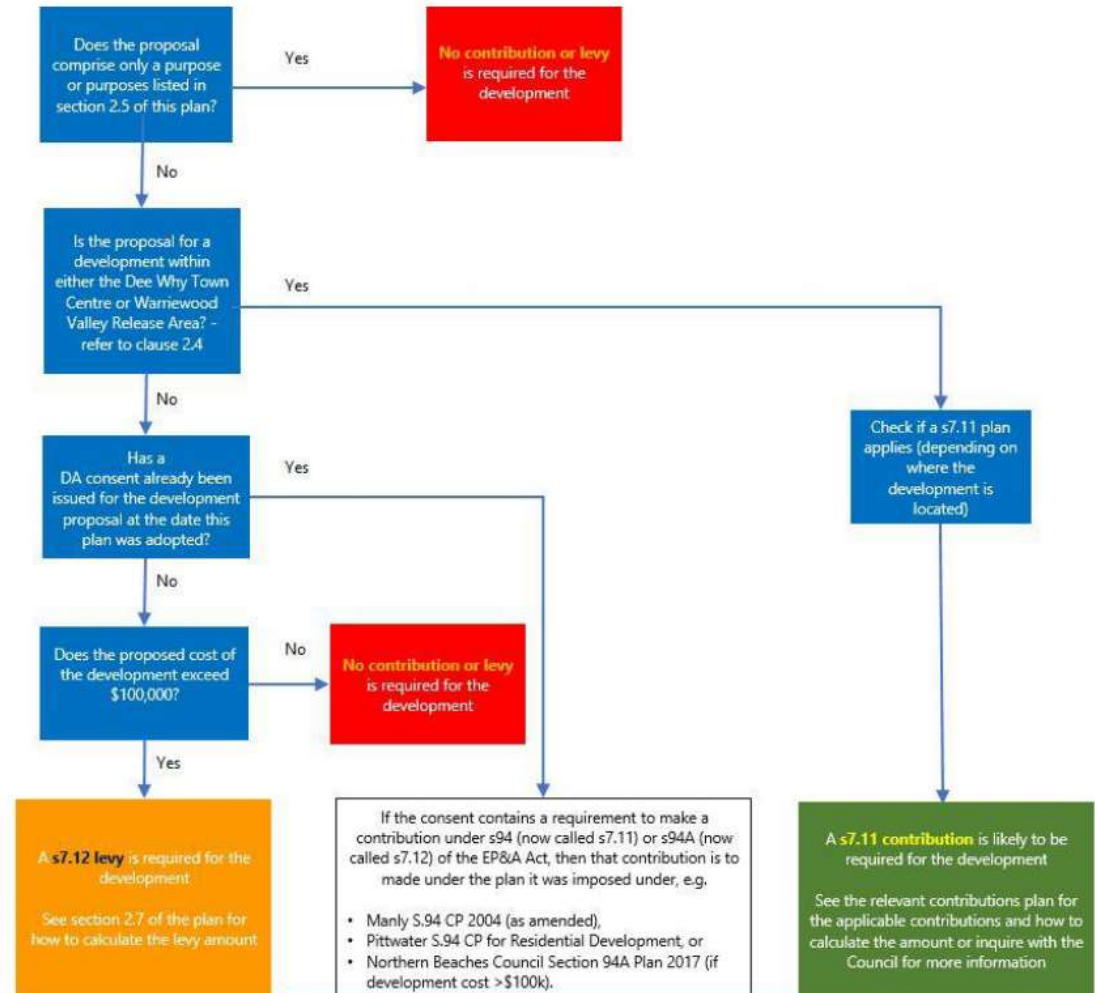
- A schedule of contribution rates for various classes of developments.
- Council's policies on how and when developers can settle their development contributions obligations, including opportunities for developers to provide works in kind or land dedications.
- Specific provisions on the role of accredited certifiers in imposing and collecting development contributions.
- Various other provisions related to the fair and transparent administration of development contributions received under this plan.

<sup>7</sup> The Northern Beaches Council was proclaimed on 12 May 2016.

<sup>8</sup> More detail on these plans is in Section 6.1.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Figure 1 When is a levy required under this plan?



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Northern Beaches Council

## 2. Plan summary

### 2.1 How to use this plan

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers. A brief description of each section is provided below:

#### **Section 2 – Plan Summary**

This section identifies both the land and developments that this plan applies to, as well as the levy percentages that apply to these developments.

#### **Section 3 – Anticipated development and the infrastructure strategies to meet the new demand**

This section explains the expected development in the Northern Beaches LGA, the nature of this development and how it will impact on the demand for local infrastructure in the areas applicable under this plan. It also explains the infrastructure strategies of Council to meet the demands of the new development and the basis for the list of local infrastructure in the plan (**Appendix A**).

#### **Section 4 – How and when will contributions or levies be imposed on development?**

This section explains how conditions of consent will be used to require levies and how to determine the proposed cost of carrying out development. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

#### **Section 5 – How and when a contribution requirement can be settled?**

This section explains how consent conditions requiring the payment of contributions can be settled, typically by cash payment. It also provides Council's requirements for considering alternative means to satisfy contribution requirements under this plan, such as through the use of works in kind agreements.

#### **Section 6 – Other administration matters**

This section outlines other administrative arrangements applying to the operation of this plan including the relationship to predecessor plans adopted by the former Manly, Pittwater and Warringah councils.

#### **Appendices**

The appendices include a schedule and location maps of the local infrastructure that is to be delivered under the plan.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

## 2.2 Name and commencement of plan

This plan is called the *Northern Beaches Section 7.12 Contributions Plan 2019*.

This plan commences on the date on which public notice was given under clause 31(2) of the EP&A Regulation or the date specified in that notice if it is a different date.

## 2.3 What are the purposes of this plan?

The main purpose of this plan is to authorise:

- the consent authority, when granting consent to an application to carry out development to which this plan applies; or
- the Council or an accredited certifier, when issuing a CDC for development to which this plan applies,

to require a fixed development consent levy (under section 7.12 of the EP&A Act) to be made towards the provision, extension or augmentation of local infrastructure required as a consequence of development in the Northern Beaches LGA, or which were provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide the framework for the efficient and equitable determination, collection and management of contributions collected from infill development in the Northern Beaches LGA.
- To establish a schedule of local infrastructure to be funded from contributions under this plan.
- To allow the opportunity for local infrastructure to be provided by developers as works in kind or land dedication in lieu of paying a monetary contribution.

## 2.4 What land and development does this plan apply to?

This plan applies to land within the Northern Beaches LGA, excluding:

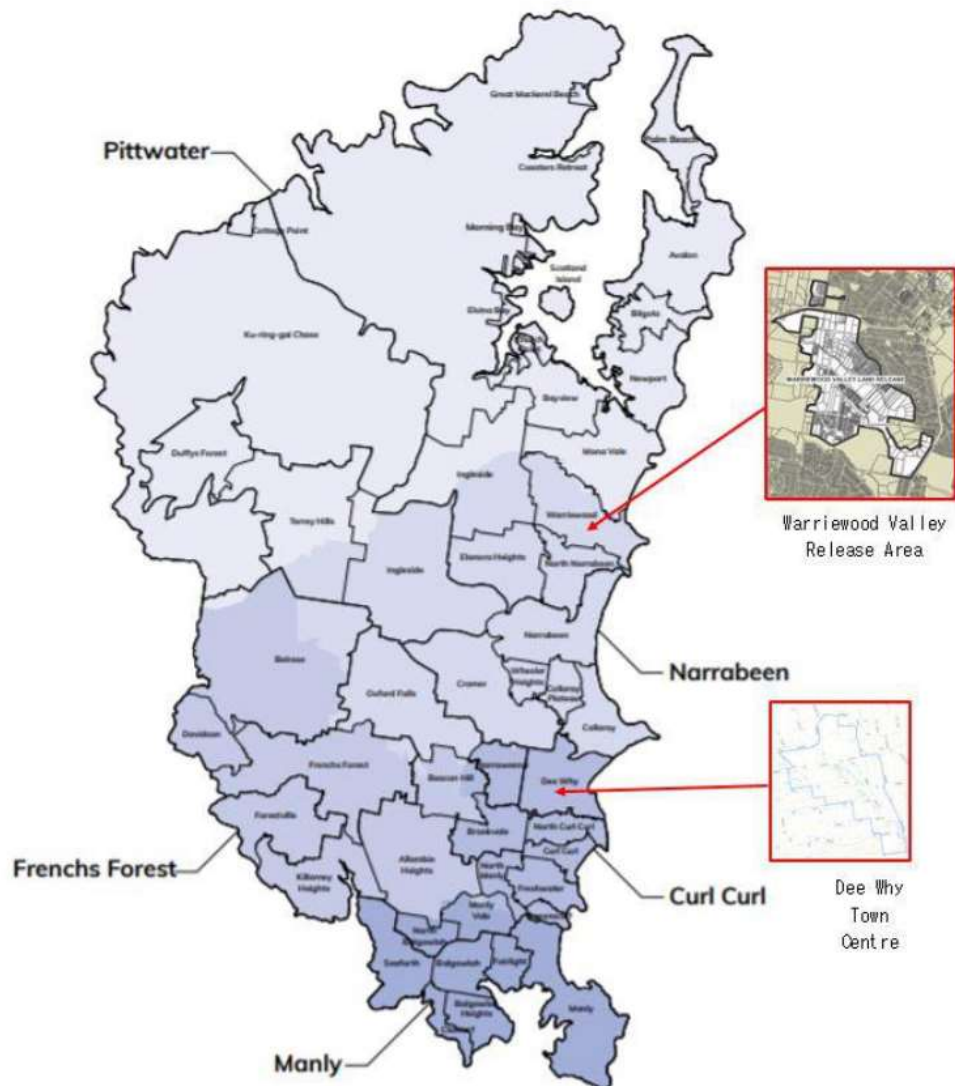
- Dee Why Town Centre, and
- Warriewood Valley Release Area.

Figure 2 shows the applicable land under this plan and the excluded land areas.



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Figure 2 Land to which this plan applies



Subject to Section 2.5 below, this plan applies to all development that has a proposed cost of more than \$100,000.

Refer to Section 2.7 for the levy rates that apply to different developments.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

## 2.5 What development is exempted?

This plan DOES NOT apply to the following types of developments:

- ~~Development applications and Complying Development Certificates where the proposed cost of carrying out development is up to and including \$100,000.~~
- Internal fitout works only (no enlargement or expansion of floorspace).
- Development for the purpose of the adaptive re-use of an item of environmental heritage.
- Public-Local infrastructure identified in this plan to be carried out by or on behalf of any public authority including the Council (e.g if a community facility includes commercial/retail floorspace then ~~this component the commercial/retail floorspace~~ of the development ~~is will, based on that components cost of works, be~~ subject to the levy ~~dependant on cost of works~~).
- Social housing and community housing provided by an organisation registered as a social housing provider with the NSW Government. Applicants must demonstrate they meet these criterion within the application.
- Development for the purposes of any form of seniors housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that is provided by a social housing provider registered with the NSW Government. Applicants must demonstrate they meet these criterion within the application.
- Development for public purposes that is provided by a charity registered with the ATO.
- Development exempted from contributions under section 7.17 of the EP&A Act<sup>9</sup> by way of a direction made by the Minister for Planning. Directions that are in force may be viewed on the Department of Planning and Environment's website.

## 2.6 What Local Infrastructure will be provided under this plan?

The local infrastructure to be provided by contributions ~~from developers~~ received under this plan includes but is not limited to:

- Social infrastructure and open space facilities including playgrounds, sports grounds, synthetic sports surface conversions, reserves, trails, youth and community facility.
- Traffic/active transport facilities and public domain facilities including footpaths, kerb and gutter works, end of trip facilities, commercial centre upgrades (with paving, street tree planting, public art and street lighting).

Local infrastructure identified in the works schedule will be delivered from 2020/21.

The costs of administering this plan will also be met by contributions imposed under this plan.

A summary of the costs of local infrastructure to be met by development approved under this plan is shown in Table 1~~Table 4~~. The administration costs amount to 1.5% of these infrastructure costs (based on the IPART Local Infrastructure Benchmark Costs Report).

<sup>9</sup> or the corresponding section 94E of the EP&A Act that existed immediately before the commencement of the *Environmental Planning and Assessment Amendment Act 2017*.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

More details on the demand for local infrastructure, the relationship of the local infrastructure with the expected development, and the specific facilities to be provided are included in **Part 3** and **Appendix A** of this plan.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Table 1 Summary of infrastructure costs

| Type of Local Infrastructure                  | 2020/21                                  | 2021/22                                  | 2022/23                                  | 2023/24                                  | Total<br>(2020-24)*                        |
|---|--|--|--|--|--|
| Social infrastructure facilities <sup>1</sup> | \$3,740,000<br><u>\$4011,450</u>         | \$2,000,000<br><u>\$4,300,000</u>        | \$2,900,000<br><u>\$6,840,000</u>        | \$200,000                                | \$8,840,000<br><u>\$15,351,450</u>         |
| Active transport works                        | \$2,000,000<br><u>\$955,725</u>          | \$2,000,000<br><u>\$968,933</u>          | \$2,000,000<br><u>\$783,185</u>          | \$2,000,000<br><u>\$1,000,000</u>        | \$8,000,000<br><u>\$3,707,843</u>          |
| Public domain works                           | \$2,500,000<br><u>\$1,042,000</u>        | \$4,000,000<br><u>\$2,340,138</u>        | \$2,000,000                              | -  | \$8,500,000<br><u>\$5,382,138</u>          |
| <b>Total</b>                                  | <b>\$8,240,000</b><br><b>\$6,009,175</b> | <b>\$8,000,000</b><br><b>\$7,609,071</b> | <b>\$6,900,000</b><br><b>\$9,623,185</b> | <b>\$2,200,000</b><br><b>\$1,200,000</b> | <b>\$25,340,000</b><br><b>\$24,441,431</b> |

\* This excludes plan administration costs. The sum of the local infrastructure costs and administration costs is the anticipated total amount expected from section 7.12 contributions levied on residential and non-residential development under the plan.

(1) Grants and working capital will also be used to fund the total cost of the sportsground and synthetic sportsground conversions (which represent a share of the total social infrastructure facility costs) listed in **Appendix A**.

## 2.7 What are the levy rates?

Table 2 Section 7.12 levy rates

| Development type  | Levy rate         |
|---|-------------------|
| Development that has a proposed cost of carrying out the development: |                   |
| • up to and including \$100,000                                       | Nil               |
| • more than \$100,000 and up to and including \$200,000               | 0.5% of that cost |
| • more than \$200,000   | 1% of that cost   |

## 2.8 How to calculate a levy amount

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate in Table 2 by the proposed cost of the development as submitted by the Applicant. The cost of development is to be calculated in accordance with Section ~~35J~~ 25J of the EP&A Regulation 2000.

### Worked examples:

A proposed residential development in Manly involves an addition to an existing detached dwelling with a cost of ~~construction development~~ of \$175,000.

|                   |   |              |
|-------------------|---|--------------|
| \$175,000 X 0.5%  | = | \$875        |
| <b>Total levy</b> | = | <b>\$875</b> |

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

~~As the construction cost exceeds \$100,001 but is below \$200,000, the levy is 0.5% of the cost of construction. If it was less than or equal to \$100,000, no levy would be payable.~~

~~Note that if the cost of construction development was more than \$200,000, see example below, the levy would increase to 1% of the cost of construction; if it was less than or including \$100,000, no levy would be payable.~~

A proposed warehouse development in Brookvale involves the demolition of existing improvements and the construction of a building, car parking and landscaping with a cost of ~~construction development~~ of \$6 million.

|                   |   |                 |
|-------------------|---|-----------------|
| \$6 million X 1%  | = | \$60,000        |
| <b>Total levy</b> | = | <b>\$60,000</b> |

~~If the cost of construction was between \$100,001 and \$200,000, the levy would reduce to 0.5% of the cost of construction; if it was less than or equal to \$100,000, no levy would be payable.~~



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**

Northern Beaches Council

### 3. Anticipated development and the infrastructure strategies

#### 3.1 Expected demand for local infrastructure

##### 3.1.1 Area context

The Northern Beaches LGA is in the northern coastal suburbs of Sydney, extending from Manly to Palm Beach.<sup>10</sup> It comprises a land area of 254 km<sup>2</sup> and combines a diverse range of land uses and economic activities.<sup>11</sup> Pittwater, Narrabeen, Frenchs Forest, Curl Curl and Manly represent the five wards of Council.<sup>12</sup>

The Northern Beaches is already home to an estimated resident population of 271,519 in 2019.<sup>13</sup> The attraction of the area is a reflection on the significant range of housing opportunities, and the amenity of the area, relative to areas closer to central Sydney.<sup>14</sup> With continued urban development, forecasts suggest an additional 38,000 residents in the LGA by 2036.<sup>15</sup> Residents enjoy an active lifestyle with the Northern Beaches boasting half of all the beaches in Sydney,<sup>16</sup> which in turn, contributes to the demand for sustainable social and economic infrastructure by the growing community.

The North District Plan identifies the commercial and service centres of Manly, Dee Why-Brookvale, Frenchs Forest Hospital Precinct and Mona Vale as key centres for continued employment growth over the next 20 years.<sup>17</sup> These centres will contribute to the increasing demand for local infrastructure across the LGA.

Planned urban development in the Frenchs Forest Hospital Precinct, Dee Why Town Centre, and Warriewood Valley Release Area, will be the main drivers of population and employment growth in the region to 2036, but they won't be the only contributors.

Outside of these areas, infill development across the LGA is also forecast to yield moderate growth of some 500+ dwellings per annum<sup>18</sup> and yield further economic opportunities, thereby contributing to the demand for additional infrastructure, as outlined in more detail below.

##### 3.1.2 Recent development and population characteristics

The population of the Northern Beaches is largely concentrated along the coastline and in the main centres of Manly, Dee Why, Brookvale, Mona Vale and Avalon. Smaller villages and neighbourhood centres connect the main centres and provide local amenities to people living in leafy suburbs and semi-rural areas to the northwest.<sup>19</sup> In the southwest, Frenchs Forest accounts for the highest population of the inland suburbs (refer Table 7).

<sup>10</sup> <https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council>.

<sup>11</sup> CSP, p 11.

<sup>12</sup> <http://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council/wards-and-suburbs>.

<sup>13</sup> id forecasts.

<sup>14</sup> Community id profile.

<sup>15</sup> id forecasts.

<sup>16</sup> <https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council>.

<sup>17</sup> North District Plan, pp 66-77.

<sup>18</sup> id forecasts.

<sup>19</sup> CSP, p 12.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Table 3 shows the increase in the number of dwellings between 2011 and 2016. While more than half of all existing dwellings are separate houses, high density dwellings have dominated growth. There were 3,148 additional high-density dwellings constructed in the five years to 2016, representing 82% of the increase in dwelling stock in the Northern Beaches LGA during that period.

Table 3 Dwelling Structure Comparison, 2011-2016

| Dwelling type                  | 2011          |            | 2016           |            | Change        |
|--------------------------------|---------------|------------|----------------|------------|---------------|
|                                | Number        | %          | Number         | %          | 2011 to 2016  |
| Separate house                 | 56,610        | 58.0       | 56,540         | 55.7       | -70           |
| Medium density                 | 17,290        | 17.7       | 17,459         | 17.2       | +169          |
| High density                   | 23,142        | 23.7       | 26,290         | 25.9       | +3,148        |
| Caravans, cabin, houseboat     | 136           | 0.1        | 346            | 0.3        | +210          |
| Other                          | 358           | 0.4        | 426            | 0.4        | +68           |
| Not stated                     | 79            | 0.1        | 407            | 0.4        | +328          |
| <b>Total Private Dwellings</b> | <b>97,617</b> | <b>100</b> | <b>101,468</b> | <b>100</b> | <b>+3,851</b> |

Source: ABS Census compiled by .id, September 2017.

The median house price was \$1.51 million at June 2016 and rental costs are nearly double the Sydney average at \$895 per week (compared to \$520). Increasing housing affordability in the LGA is a key policy objective for Council.<sup>20</sup>

In terms of population characteristics, Council's Community Strategic Plan has identified how the population is ageing and young people are increasingly leaving the area. More than 1,600 young people in the 25 to 34 age bracket left the Northern Beaches between 2006 and 2016.<sup>21</sup>

Table 4 shows the distribution of the LGA population across different age cohorts from 2011 to 2016 and compares this with Greater Sydney. People aged 18 to 24 made up 7.0% of the population in 2016 - significantly lower than Greater Sydney's 9.6%. The ratio of young adults (25 to 34 years) was also very low at 11.7% compared to 16.1% for Greater Sydney. Conversely, the proportion of elderly people was relatively large compared to other parts of Sydney (11.9% were aged 70 and over, compared to 9.5% for Greater Sydney).

Youth disengagement is a key concern for the community with 4.7% of young people aged 15 to 19 not engaged in work or study and a further 10.2% only partially engaged.<sup>22</sup> This has informed the need for local infrastructure in the plan designed to specifically meet youth needs.

Table 5 shows the different types of households in the LGA in 2016. One-third of households are couples with children (37.3%), a little higher than the Greater Sydney trend (35.2%). This underlines the importance of providing social infrastructure in the Northern Beaches that meets families' and

<sup>20</sup> Northern Beaches Affordable Housing Needs Analysis, 2016.

<sup>21</sup> CSP, p 11

<sup>22</sup> CSP, p 13.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

children's needs. Otherwise, the distribution of households is relatively similar to Greater Sydney. Lone households make up 21% of all households.

Table 4 Age Structure Comparison, 2011-2016

| Service age group (years)                      | 2011           |            |                  | 2016           |            |                  | Change         |
|--|----------------|------------|------------------|----------------|------------|------------------|----------------|
|  | No.            | %          | Greater Sydney % | No.            | %          | Greater Sydney % | 2011 to 2016   |
| Babies and pre-schoolers (0 to 4)              | 15,672         | 6.2        | 6.4              | 17,013         | 7.2        | 6.8              | -1,341         |
| Primary schoolers (5 to 11)                    | 24,678         | 9.8        | 8.8              | 21,933         | 9.2        | 8.7              | +2,745         |
| Secondary schoolers (12 to 17)                 | 18,675         | 7.4        | 6.9              | 16,543         | 7.0        | 7.4              | +2,132         |
| Tertiary education and independence (18 to 24) | 17,796         | 7.0        | 9.6              | 17,031         | 7.2        | 9.5              | +765           |
| Young workforce (25 to 34)                     | 29,575         | 11.7       | 16.1             | 29,389         | 12.4       | 15.4             | +186           |
| Parents and homebuilders (35 to 49)            | 57,742         | 22.8       | 21.1             | 56,613         | 23.8       | 21.9             | +1,129         |
| Older workers and pre-retirees (50 to 59)      | 33,206         | 13.1       | 12.2             | 29,612         | 12.5       | 12.2             | +3,594         |
| Empty nesters and retirees (60 to 69)          | 25,258         | 10.0       | 9.5              | 23,430         | 9.9        | 9.0              | +1,828         |
| Seniors (70 to 84)                             | 23,338         | 9.2        | 7.5              | 19,917         | 8.4        | 7.2              | +3,421         |
| Elderly aged (85 and over)                     | 6,945          | 2.7        | 2.0              | 6,228          | 2.6        | 1.8              | +717           |
| <b>Total</b>                                   | <b>252,885</b> | <b>100</b> | <b>100</b>       | <b>237,709</b> | <b>100</b> | <b>100</b>       | <b>+15,176</b> |

Source: ABS Census compiled by .id, September 2017.

Table 5 Household Type Comparison, 2016

| Suburb                           | Northern Beaches LGA 2016 (No.) | Northern Beaches LGA 2016 (%) | Greater Sydney 2016 (%) |
|----------------------------------|---------------------------------|-------------------------------|-------------------------|
| Couples with children            | 34,440                          | 37.3                          | 35.3                    |
| Couples without children         | 23,005                          | 24.9                          | 22.4                    |
| One parent families              | 7,568                           | 8.2                           | 10.4                    |
| Other families                   | 754                             | 0.8                           | 1.3                     |
| Group household                  | 3,046                           | 3.3                           | 4.5                     |
| Lone person                      | 19,132                          | 20.7                          | 20.4                    |
| Other non-classifiable household | 3,691                           | 4.0                           | 4.7                     |
| Visitor only households          | 770                             | 0.8                           | 0.9                     |
| <b>Total households</b>          | <b>92,406</b>                   | <b>100.0</b>                  | <b>100.0</b>            |

Source: ABS Census compiled by .id, September 2017.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**

Northern Beaches Council

### 3.1.3 Expected residential development and population growth

Table 6 indicates that the number of dwellings in the Northern Beaches LGA is forecast to grow from 102,586 to approximately 121,723 in 2036.<sup>23</sup> Another 19,137 dwellings are expected to be constructed, meaning an average of around 957 more dwellings will be delivered each year. Growth will occur in all suburbs across the LGA.

Excluding the urban release and urban renewal areas not covered by this plan, growth is expected to be around 12% or an average of approximately 505 new dwellings per year. A range of smaller redevelopment sites have been identified for further medium and higher density housing in various locations of the LGA including (but not limited to) Manly, Dee Why (outside the Town Centre), Narrabeen and Brookvale.<sup>24</sup>

Table 6 Forecast dwellings and development 2017 - 2032

| Suburb                                    | 2016   | 2036   | Change |        |
|---|--------|--------|--------|--------|
|   | Number | Number | Number | %      |
| Allambie Heights                          | 2,472  | 2,727  | +255   | +10.3  |
| Avalon Beach - Clareville                 | 4,286  | 4,457  | +171   | +4.0   |
| Balgowlah                                 | 3,442  | 3,878  | +436   | +12.7  |
| Balgowlah Heights - Clontarf              | 1,757  | 1,817  | +60    | +3.4   |
| Bayview                                   | 1,723  | 1,771  | +48    | +2.8   |
| Beacon Hill                               | 2,457  | 2,886  | +429   | +17.5  |
| Belrose - Oxford Falls                    | 3,228  | 3,873  | +645   | +20.0  |
| Bilgola                                   | 1,340  | 1,356  | +16    | +1.2   |
| Brookvale                                 | 1,485  | 1,827  | +342   | +23.0  |
| Church Point - Scotland Island - Ku-ring- | 1,200  | 1,210  | +10    | +0.8   |
| Collaroy                                  | 3,275  | 3,796  | +521   | +15.9  |
| Collaroy Plateau                          | 1,510  | 1,662  | +152   | +10.1  |
| Cromer                                    | 2,802  | 3,231  | +429   | +15.3  |
| Curl Curl - North Curl Curl               | 2,233  | 2,469  | +236   | +10.6  |
| Davidson                                  | 934    | 1,180  | +246   | +26.3  |
| Dee Why                                   | 10,190 | 12,885 | +2,695 | +26.4  |
| Elanora Heights                           | 1,447  | 1,524  | +77    | +5.3   |
| Fairlight                                 | 2,783  | 2,975  | +192   | +6.9   |
| Forestville                               | 3,067  | 3,678  | +611   | +19.9  |
| Frenchs Forest                            | 4,466  | 7,184  | +2,718 | +60.9  |
| Freshwater                                | 3,861  | 4,470  | +609   | +15.8  |
| Ingleside <sup>24</sup>                   | 326    | 3,091  | +2,765 | +848.2 |
| Killarney Heights                         | 1,476  | 1,831  | +355   | +24.1  |
| Manly (Eastern Hill)                      | 2,753  | 2,819  | +66    | +2.4   |
| Manly (Pittwater Road)                    | 3,916  | 4,451  | +535   | +13.7  |

<sup>23</sup> id forecasts.

<sup>24</sup> id forecasts.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

| Suburb   | 2016           | 2036           | Change         |              |
|--|----------------|----------------|----------------|--------------|
| Manly (Town Centre)  | 1,838          | 2,421          | +583           | +31.7        |
| Manly Vale   | 2,617          | 3,216          | +599           | +22.9        |
| Mona Vale  | 4,326          | 4,583          | +257           | +5.9         |
| Narrabeen  | 4,103          | 4,724          | +621           | +15.1        |
| Narraweena   | 2,481          | 2,924          | +443           | +17.9        |
| Newport  | 3,921          | 4,065          | +144           | +3.7         |
| North Balgowlah  | 1,201          | 1,372          | +171           | +14.2        |
| North Manly  | 1,040          | 1,187          | +147           | +14.1        |
| North Narrabeen  | 2,157          | 2,240          | +83            | +3.8         |
| Palm Beach - Whale Beach   | 1,464          | 1,489          | +25            | +1.7         |
| Queenscliff  | 1,700          | 1,768          | +68            | +4.0         |
| Seaforth   | 2,467          | 2,681          | +214           | +8.7         |
| Terrey Hills - Duffys Forest   | 1,154          | 1,357          | +203           | +17.6        |
| Warriewood   | 2,696          | 3,561          | +865           | +32.1        |
| Wheeler Heights  | 991            | 1,086          | +95            | +9.6         |
| <b>Total</b>   | <b>102,586</b> | <b>121,723</b> | <b>+19,137</b> | <b>+18.7</b> |
| <b>Total (excluding Dee Why, Frenchs Forest, Warriewood and Ingleside)</b> | <b>84,908</b>  | <b>95,002</b>  | <b>+10,094</b> | <b>+11.9</b> |

Source: id forecasts.

a-\* Although Ingleside is nominated as an urban release area its future development for urban purposes is uncertain because of bushfire evacuation concerns. See <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Ingleside>

The urban development growth will translate into moderate population growth across the LGA, as shown in Table 7. Figure 3 further illustrates where growth will be concentrated.

In the 20 years to 2036, there is forecast to be almost 43,000 additional residents living in the Northern Beaches. As at 2019, it is estimated that 2% of this growth has already occurred.<sup>25</sup>

Outside of the growth areas (Dee Why Town Centre, Frenchs Forest Hospital Precinct and Warriewood Valley), the population is expected to increase by 20,300 or 9.2% between 2016 and 2036. This represents additional demand for local infrastructure in the Northern Beaches in the order of 1,000 more residents each year.

<sup>25</sup> id forecasts.



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Table 7 Population forecast 2016 - 2036

| Suburb                                    | 2016   | 2036   | Change |        |
|---|--------|--------|--------|--------|
|   | Number | Number | Number | %      |
| Allambie Heights                          | 7,274  | 7,860  | +586   | +8.1   |
| Avalon Beach - Clareville                 | 11,284 | 11,120 | -164   | -1.5   |
| Balgowlah                                 | 8,338  | 10,088 | +1,750 | +21.0  |
| Balgowlah Heights - Clontarf              | 5,385  | 5,611  | +226   | +4.2   |
| Bayview                                   | 3,964  | 4,048  | +84    | +2.1   |
| Beacon Hill                               | 7,831  | 8,304  | +473   | +6.0   |
| Belrose - Oxford Falls                    | 9,335  | 11,174 | +1,839 | +19.7  |
| Bilgola                                   | 3,794  | 3,588  | -206   | -5.4   |
| Brookvale                                 | 3,474  | 4,350  | +876   | +25.2  |
| Church Point - Scotland Island - Ku-ring- | 2,193  | 2,339  | +146   | +6.7   |
| Collaroy                                  | 8,196  | 9,234  | +1,038 | +12.7  |
| Collaroy Plateau                          | 4,971  | 5,181  | +210   | +4.2   |
| Cromer                                    | 7,879  | 8,980  | +1,101 | +14.0  |
| Curl Curl - North Curl Curl               | 6,859  | 6,997  | +138   | +2.0   |
| Davidson                                  | 2,899  | 3,404  | +505   | +17.4  |
| Dee Why                                   | 22,778 | 28,042 | +5,264 | +23.1  |
| Elanora Heights                           | 4,627  | 4,484  | -143   | -3.1   |
| Fairlight                                 | 6,441  | 6,932  | +491   | +7.6   |
| Forestville                               | 8,729  | 9,977  | +1,248 | +14.3  |
| Frenchs Forest                            | 14,135 | 20,183 | +6,048 | +42.8  |
| Freshwater                                | 9,569  | 10,516 | +947   | +9.9   |
| Ingleside <sup>a</sup>                    | 996    | 10,415 | +9,419 | +945.7 |
| Killarney Heights                         | 4,598  | 5,227  | +629   | +13.7  |
| Manly (Eastern Hill)                      | 5,523  | 5,692  | +169   | +3.1   |
| Manly (Pittwater Road)                    | 8,688  | 9,710  | +1,022 | +11.8  |
| Manly (Town Centre)                       | 3,077  | 4,237  | +1,160 | +37.7  |
| Manly Vale                                | 6,429  | 7,716  | +1,287 | +20.0  |
| Mona Vale                                 | 10,936 | 11,187 | +251   | +2.3   |
| Narrabeen                                 | 8,538  | 10,516 | +1,978 | +23.2  |
| Narraweena                                | 6,755  | 7,972  | +1,217 | +18.0  |
| Newport                                   | 9,854  | 10,066 | +212   | +2.2   |
| North Balgowlah                           | 3,825  | 3,832  | +7     | +0.2   |
| North Manly                               | 3,216  | 3,478  | +262   | +8.1   |
| North Narrabeen                           | 6,053  | 6,024  | -29    | -0.5   |
| Palm Beach - Whale Beach                  | 2,062  | 2,230  | +168   | +8.1   |
| Queenscliff                               | 3,605  | 3,771  | +166   | +4.6   |
| Seaforth                                  | 7,542  | 7,713  | +171   | +2.3   |

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**

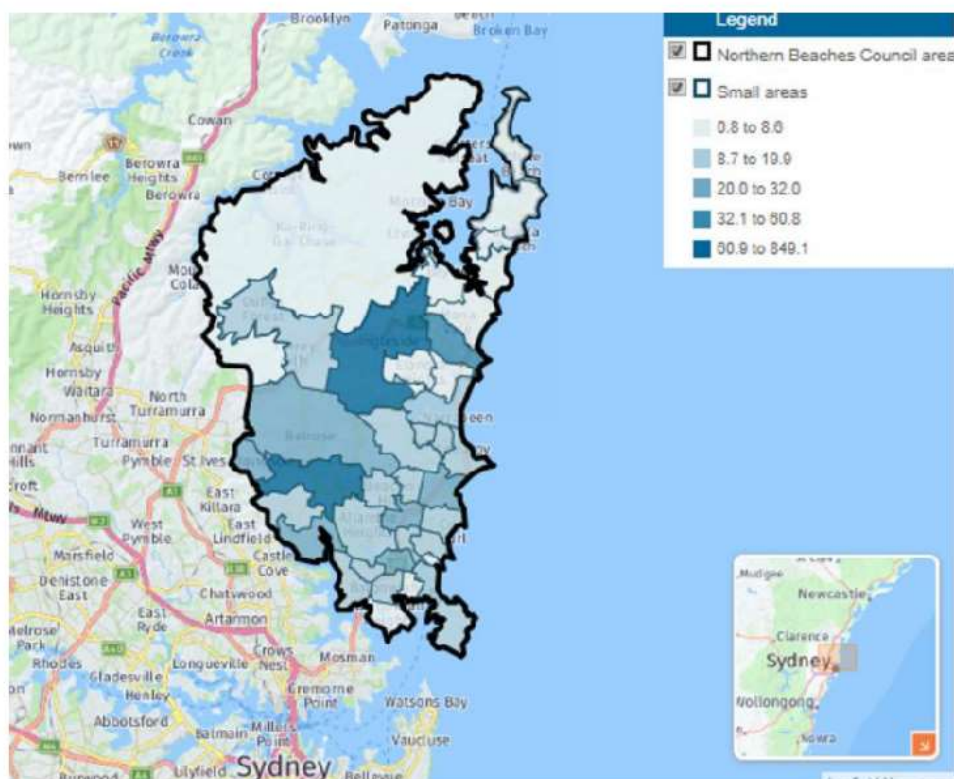
Northern Beaches Council

| Suburb   | 2016           | 2036           | Change         |              |
|--|----------------|----------------|----------------|--------------|
| Terrey Hills - Duffys Forest                                   | 3,658          | 4,115          | +457           | +12.5        |
| Warriewood   | 7,859          | 9,817          | +1,958         | +24.9        |
| Wheeler Heights  | 3,176          | 3,203          | +27            | +0.9         |
| <b>Total</b>   | <b>266,344</b> | <b>309,333</b> | <b>+42,989</b> | <b>+16.1</b> |
| <b>Total (excluding Dee Why, Frenchs Forest and Ingleside)</b> | <b>220,576</b> | <b>240,876</b> | <b>+20,300</b> | <b>+9.2</b>  |

Source: id forecasts.

a-\* Although Ingleside is nominated as an urban release area its future development for urban purposes is uncertain because of bushfire evacuation concerns. See <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Ingleside>

Figure 3 Northern Beaches LGA forecast population change, 2016-36



Source: id forecasts.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

### 3.1.4 Expected non-residential development and employment growth

The Northern Beaches has a strong and stable economy with GSP valued at \$16.3 billion and an unemployment rate of 3.5%.<sup>26</sup>

The value of non-residential development approved in the LGA in a year has averaged \$242.8m over the past three years (Table 8).<sup>27</sup>

Table 8 Value of non-residential building, 2016/17-2018/19

|                             | 2016/17  | 2017/18  | 2018/19  | 3-year annual average |
|-----------------------------|----------|----------|----------|-----------------------|
| <b>Northern Beaches LGA</b> | \$279.2m | \$208.5m | \$240.6m | <b>\$242.8m</b>       |

Source: ABS, Building Approvals, Cat No. 8731.0, Australia, June 2017 and December 2018.

This level of growth in non-residential development is expected to continue over the life of this plan and will extend demand for improved civic amenity, connectivity and accessibility in the town centres, in particular.

The workforce is highly professional and the Northern Beaches also has a healthy job containment rate with 52.1% of residents working in the area.<sup>28</sup> Figure 4 over page shows the distribution of workers by location across the LGA.

The North District Plan's 'high' targets for employment growth in Frenchs Forest Hospital Precinct, Brookvale-Dee Why, Manly and Mona Vale amount to an additional 12,900 workers to 2036.<sup>29</sup> The associated key strategic directions for these centres in the district plan are as follows:

- Frenchs Forest is to be a strategic centre for health and education with the Northern Beaches Hospital development anchoring new health and education opportunities, and providing flow-on knowledge-intensive, innovation and service impacts for the whole region.
- Brookvale and Dee Why already provides the greatest number of jobs in the Northern Beaches but Brookvale's industrial, retail and tertiary education areas will provide leverage opportunities for further growth. Greater connectivity of Dee Why's combined centre will also attract further employment, retail and local services to the district.
- In the strategic centre of Manly, continued cultural, tourist, retail and entertainment activities will abound for residents as well as local and international visitors. Recreational opportunities from the coastal location will continue to provide economic opportunities such as eco-tourism around North Head and Cabbage Tree Bay Aquatic Reserve.
- The strategic centre of Mona Vale needs to be strengthened to build on its potential as an important mixed-use area including retail, commercial, community, light industrial and residential uses, with sufficient retail and commercial floor space to meet future demand and improved accessibility and connectivity.<sup>30</sup>

<sup>26</sup> Economy profile id, with 2017 economic value estimate.

<sup>27</sup> ABS, Building Approvals, Cat No. 8731.0, Australia, June 2017-December 2018.

<sup>28</sup> Economy profile id.

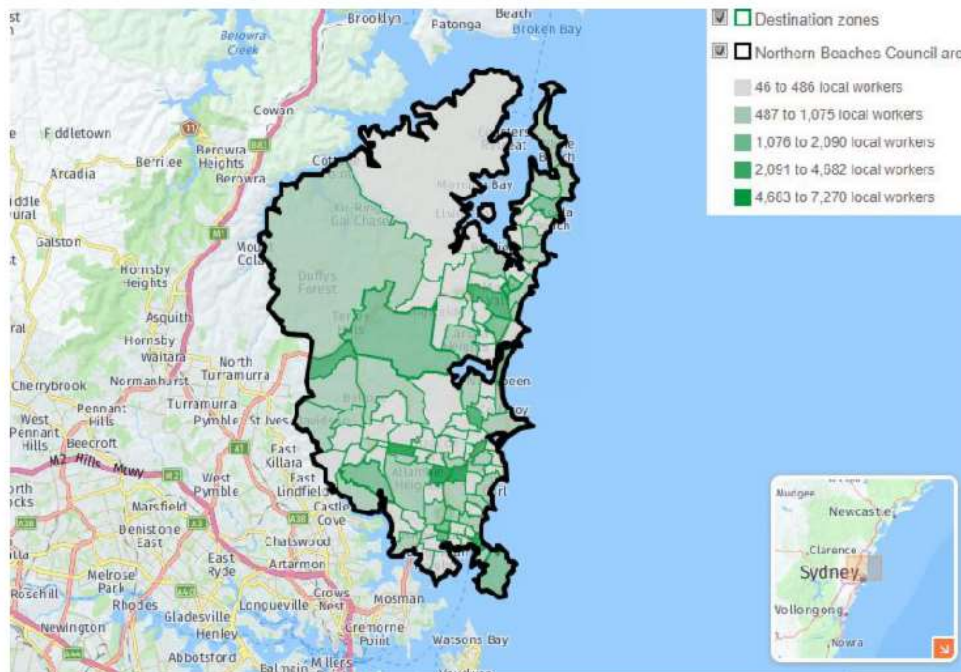
<sup>29</sup> North District Plan, pp 66-77.

<sup>30</sup> North District plan, pp 66-77.



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Figure 4 Distribution of employment in the Northern Beaches LGA, 2016



Source: id forecasts.

NSW Government employment forecasts also show that over the next 20 years, health and social assistance will be the fastest growing job sector across the Northern Beaches (62% or 6,800 new jobs), followed by retail (38% or 4,750 new jobs) and education and training (45% or 3,500 jobs).<sup>31</sup>

While many of these employment opportunities will be created in Frenchs Forest and Dee Why Town Centre, non-residential development is also anticipated in areas such as Mona Vale, Brookvale, broader Dee Why (outside the town centre precinct) and Manly.

## 3.2 Infrastructure strategies

### 3.2.1 Strategic planning to meet the needs of a growing community

Council consulted extensively with the community in developing *Shape 2028 – Northern Beaches Community Strategic Plan* (CSP) which provides a vision and roadmap for the next 20 years.

The CSP has informed the Delivery Program and Operational Program (2018-2023) for Council, and the capital works expenditure priorities over the next four years to deliver on the goals and objectives established in the CSP. Key objectives in the plan are to foster the active lifestyle of residents, maintain and protect the natural environment, and ensure thriving and vibrant local communities. The local infrastructure identified in **Appendix A** aligns with many of the infrastructure works identified in the 4-year capital works program.

<sup>31</sup> Northern Beaches Affordable Housing Needs Analysis, 2016, p 8.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**

Northern Beaches Council

In setting the expenditure priorities for the future, Council has also drawn upon its more targeted needs assessments and service delivery strategies for different facilities. This includes the multitude of facility strategies already established to inform planning for the former LGAs.

For open space and recreation facilities, ~~Council's the Northern Beaches Sportsground Strategy (July 2017)~~ has been critical in informing the need for new and upgraded sportsground facilities and sportsground conversions to synthetic surfaces.

To plan for the longer term transport needs of the community, Council developed *Move – Northern Beaches Transport Strategy 2038*, which establishes a strategy over the next 20 years to meet the community's vision for a safe, sustainable and smart transport network.

Council's continued strategic planning will include an Economic Development Strategy to better inform the needs of commercial centre upgrades, and a range of other active transport studies already planned or underway to guide specific infrastructure needs and outcomes related to walkways, cycleways, parking, public transport, freight and road safety.

A Community Facilities Strategy and an Arts & Creativity Strategy are currently being prepared. Once finalised and adopted these strategies will play a role in identifying future needs for the community.

### 3.2.2 Social infrastructure

#### Objectives

The CSP has laid out the community's desire "to see more vibrancy and ambience in our open spaces and make it easier to get together in our local neighbourhoods, villages and centres."<sup>32</sup>

Strategic planning also aims to ensure that the Northern Beaches community is healthy, active, and enjoys a broad range of creative, sporting and recreational opportunities. In the context of meeting the needs of a growing community, the main objectives are to:

- Provide well-maintained and safe spaces that equitably support active and passive recreation, and
- Encourage a broad range of activities that enable social interaction, stimulate wellbeing, and support people at each stage of their lives.

#### Needs assessment and infrastructure strategy

##### *Active open space*

Social infrastructure in the Northern Beaches must meet the needs of a resident population of around 309,000 by 2036. In recognition of an undersupply of active open space already emerging in the area, Council developed the Sportsground Strategy, July 2017 as a 15 year plan to provide a single approach to the management and long term planning of sporting facilities on the Northern Beaches.<sup>33</sup>

The Strategy identified that the Northern Beaches currently has:

<sup>32</sup> CSP, p 27.

<sup>33</sup> Sportsground Strategy, July 2017, p 4.



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

- 122 sports fields supplying a total playing area of 116.5 hectares to over 50,000 playing members across 17 sports, plus thousands of spectators, families and volunteers.
- 13 golf courses covering 453 hectares catering to over 10,000 members, 7 of which are on public land covering 180 hectares catering to over 4,000 members, as well as thousands of rounds of public golf by non-members.<sup>34</sup>

It further found that there is a current and growing shortfall of sports fields:

- Grass sports fields have a 'sustainable capacity' of 35 hours per week and average usage is well above this, with 92 of 122 sports fields over-used. This equates to bookings of more than 800 hours per week over sustainable capacity.
- There is a current shortfall of 24 hectares of playing area, equivalent to over 24 sports fields, based on using all fields at sustainable capacity. This increases to 41 hectares by 2031.<sup>35</sup>
- The Northern Beaches has around half or less sportsgrounds supply per capita when compared to some other similar sized councils (e.g. The Hills and Sutherland Shire Councils).
- Participation rates are growing, many people are being turned away and forecasts indicate playing numbers will only continue to grow particularly in women's sport and over 35 competitions.<sup>36</sup>

Council explored a number of actions to address the shortfall in supply:

- **Action 1:** Make better use of existing sportsgrounds to increase availability and resilience, including; irrigation, drainage, lighting, reconfiguration and re-allocation of fields.
- **Action 2:** Convert more existing sports fields to synthetic to increase sustainable capacity.
- **Action 3:** Acquiring or securing additional private land as part of new housing developments.
- **Action 4:** Converting existing open space to sports fields (e.g. golf courses where this an identified over supply in the LGA).
- **Action 5:** Acquiring additional land by purchasing Crown, private or other land.
- **Action 6:** Do nothing and accept the shortfall in supply.<sup>37</sup>

In response, Council has planned to deliver a number of new fields including in Warriewood Valley and Ingleside, and work with schools to provide use of school fields for community sports and install synthetic surfaces to enable fields to be used to the full potential.<sup>38</sup>

In the shorter term, it will also implement actions to increase the capacity of existing fields and to provide additional supply which was strongly supported by the community.<sup>39</sup> This plan will fund new and upgraded sportsgrounds outside new release areas and synthetic sportsground conversions. The key priorities for this expenditure are to:

- Improve capacity and resilience of existing sports fields. Improvements including irrigation, drainage, lighting, reconfiguring fields, upgrade amenities and car parking to improve capacity of fields.

<sup>34</sup> Sportsground Strategy, July 2017, p 4.

<sup>35</sup> Sportsground Strategy, July 2017, p 10.

<sup>36</sup> Sportsground Strategy, p 4.

<sup>37</sup> Sportsground Strategy, p 4.

<sup>38</sup> Sportsground Strategy, p 6.

<sup>39</sup> Sportsground Strategy, p 6.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**

Northern Beaches Council

- Install synthetic surfaces on some existing sports fields to enable greater use.
- Undertake a feasibility study into the potential funding, location, management and viability of developing dedicated wet surface synthetic hockey fields.<sup>40</sup>

It is acknowledged that even with these steps, there would still be a significant shortfall of 14 fields in the Northern Beaches. In the longer term, Council will also consider the conversion of some golf course land, where a surplus has been identified, to sporting fields.

***Passive Open Space***

Council intends to develop a broader open space strategy for consolidated planning to meet the needs of a growing community, as it has done for Sportsground facility planning.<sup>41</sup> At this stage, the Delivery Program has primarily informed the priorities of passive open space facility works funded by this plan.

Council is investing in an inclusive and active program which will put Northern Beaches on the map as a leading destination for playgrounds designed for kids with all abilities. It includes a program of inclusive playgrounds and equipment<sup>42</sup>.

The plan also includes a range of other reserve and park improvements identified in the Delivery Program forward works priorities, which align with the CSP goals:

- Youth-friendly spaces and youth facilities
- Implementation of adopted masterplans

Additionally the plan allocates funds for new and upgraded recreation trails, consistent with recreation facility goals and achieving best practice environmental sustainability principles.<sup>43</sup>

**3.2.3 Active transport and public domain**

**Objectives**

The objectives for active transport and public domain works are to:

1. Enhance existing centres and plan new urban developments with integrated transport solutions, which encompass wide footpaths that make walking and cycling the first choice in moving around the neighbourhood, and
2. Create vibrant connected places that support sustainable growth and improve the community's quality of life.

**Needs assessment and infrastructure strategy**

Council's 850km road network is vital to mobility and protection of the environment and requires ongoing monitoring, renewal and upgrade work.<sup>44</sup>

<sup>40</sup> Sportsground Strategy, p 24.

<sup>41</sup> Delivery Program, p 51.

<sup>42</sup> Delivery Program, p 25.

<sup>43</sup> Delivery Program, p 53.

<sup>44</sup> CSP, p 13.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Meeting the needs of a growing population and a thriving local economy presents the dual challenge of addressing the need for better road infrastructure while reducing the need for car-based travel in the first place.

*Move – Northern Beaches Transport Strategy 2038* outlines Council's key future directions, plans and actions on transport infrastructure over the next 20 years to reduce congestion and change travel behaviour.

The Strategy will underpin the more detailed plans that direct the delivery of the outcomes:

- Northern Beaches Walking Plan (2019) & Northern Beaches Bike Plan (2019)
- Local Pedestrian Access and Mobility Plans (various) travel from home to places of work, education and to access services and socialise.
- Parking Plan
- Road Network Plan
- Public Transport Plan
- Freight Plan
- Road Safety Plan.

All these plans will be focused on a "Places for People First" ethos to enhance the Northern Beaches' lifestyle. It will be supported by a four-year capital works program of transport projects that will be reviewed annually.

The Strategy contains a balance of:

- Relatively low-cost, short-term actions such as a major bus route upgrade, improvements to footpath and cycleway networks, allowing new transport platforms and shared mobility providers entry into the network, and providing for the full integration of traffic management that effectively utilises existing infrastructure.
- Major infrastructure projects (such as new light rail and metro rail systems and major road upgrades) that require substantial investment from the State and Commonwealth Governments in the medium-to-long term.

Among the shorter term actions is the expansion of footpath and shared path networks to improve connectivity and safety that makes walking and cycling attractive alternatives to the car.

To achieve this objective, Council has prioritised new footpath works and new kerb and gutter works in this plan. These works will cater for the increased demand on the active transport network, with expenditure consistent with the capital works program from 2020/21.

Council will also develop an Economic Development Strategy which will identify growth sectors and opportunities to promote the Northern Beaches economy. Pivotal to this strategy will be the activation plans for town and village centres, which will be developed in consultation with the community and local businesses to create a sense of vibrancy and community, nurture small business and local employment; and reflect the character and heritage of the relevant area.<sup>45</sup>

<sup>45</sup> Delivery Program, p 34.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

This plan allocates funding to streetscape improvements, based on the allocation in the capital works program from 2020/21 towards required centre upgrades. Council will undertake an assessment of the villages and centres to prioritise where works are needed.<sup>46</sup>

The allocation of expenditure per year towards each of these programs, overall, is shown in the full program of works in **Appendix A**.

### 3.2.4 Plan administration

Council must implement and manage this plan so that the contributions remain reasonable over the life of the plan, and infrastructure is provided in a reasonable timeframe.

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council is required to manage, monitor and maintain the contributions plan. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions.
- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules.
- Monitoring and programming works identified in the works schedules.
- Determining the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications.
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Reviewing and determining the suitability of any works in kind and/or other material public benefits proposed by a developer.
- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the general public regarding the operation of the plan.
- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan.

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to pay a levy under this plan.

<sup>46</sup> Delivery Program, p 34.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Costs included in this plan for management and administration are determined based on the IPART benchmark of an allowance equivalent to 1.5% of the cost of construction works that are to be met by development approved under this plan.<sup>47</sup>

<sup>47</sup> Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs*, p 63.



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

## 4. How and when will levies be imposed on developments?

### 4.1 Levies are authorised by this plan

This plan authorises the Council or an accredited certifier when determining an application for a Development Application or a Complying Development Certificate, and subject to other provisions of this plan, to impose a condition requiring a contribution under section 7.12 of the EP&A Act on that approval for:

- the provision, extension or augmentation of local infrastructure to be provided by Council; and
- the recoupment of the previous costs incurred by Council in providing existing local infrastructure.

A section 7.12 levy cannot be imposed on the same development consent where the consent has imposed payment of a section 7.11 levy contribution.

The types of development subject to a section 7.12 levy are identified in Sections 2.4 and 2.5 of this plan.

Accredited certifiers should also refer to Section 4.4 of this plan as to their obligations in assessing and determining applications.

Section 7.12 levies are calculated as a percentage of the cost of development.

Clause 25J of the EP&A Regulation 2000 sets out how the proposed cost of carrying out development is determined for the purpose of calculating a development contribution. It is the Applicant's responsibility to provide the cost of works in accordance with Clause 25J.

### 4.2 Cost Summary Report must accompany development application or complying development certificate

Where a section 7.12 levy is required under this plan in relation to a DA or application for a CDC, the application is to be accompanied by a Cost Summary Report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development.

Council will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. This includes Cost Summary Reports accompanying CDCs. Should the costing as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant's cost, engage a person referred to in Section 4.3 to review a Cost Summary Report submitted by an applicant.

The cost of works will be based on the information provided at the time of determination.

### 4.3 Who may provide a Cost Summary Report?

The persons approved by the Council to provide an estimate of the proposed cost of carrying out development:

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

- where the applicant's estimate of the proposed cost of carrying out the development is less than \$1,000,000 – any building industry professional; or
- where the proposed cost of carrying out the development is \$1,000,001 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

#### 4.4 Obligations of accredited certifiers

##### 4.4.1 Complying development certificates (CDC's)

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

##### 4.4.2 Procedure for determining the section 7.12 levy amount

1. Ensure that the development is not subject to a section 7.11 contribution under any other contributions plan adopted by the Council and that remains in force.
2. Determine the section 7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under Section 4.2 of this plan using the rates included in Table 2 of this plan and taking into account any exempt development specified in Section 2.5 of this plan.
3. Obtain Council's approval of the proposed cost of development in the Cost Summary Report.

#### Terms of a section 7.12 condition

The terms of the condition requiring a section 7.12 levy are as follows:

##### Contribution

*The developer must make a monetary contribution to Northern Beaches Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the Northern Beaches Section 7.12 Contributions Plan 2019.*

*This contribution is based on a proposed cost of works of \$ [insert amount]. The contribution must be indexed between the date of this consent and the date of payment in accordance with the following formula:*

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current CPI}}{\text{Base CPI}}$$

*Where:*

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Northern Beaches Council

*\$Co is the original monetary contribution at the time of the issue of the complying development certificate.*

*Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment.*

*Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution.*

*Time for payment*

*The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by clause 136L of the Environmental Planning and Assessment Regulation 2000. Deferred payments of contributions will not be accepted.*

**4.4.3 Construction certificates**

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work, or a Subdivision Certificate if no works are proposed, to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the ~~CDC~~ or development consent.

The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been paid in full and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, or planning agreement has been agreed and signed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

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Northern Beaches Council

## 5. How and when can a levy requirement be settled?

### 5.1 Timing of payments

For a CDC, the levy is to be paid prior to any work authorised by the certificate commencing, as required by clause 136L of the EP&A Regulation.

For a DA involving building works, the levy is to be paid prior to the issue of a Construction Certificate.

For a DA involving land subdivision, the levy is to be paid prior to the issue of a Construction Certificate or prior to the issue of a Subdivision Certificate (whichever occurs first).

At the time of payment, it will be necessary for the levy amount to be updated in accordance with the relevant indexes (see Section 6.3).

### 5.2 Deferred or periodic payments

Council will not accept the deferred or periodic payment of a levy imposed under this plan.

### 5.3 Can the levy be settled by dedicating land or undertake works?

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a levy amount required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan on the Council's behalf ~~delivering that infrastructure~~, then the developer can approach this either one of two ways:

- The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- If the developer has already received a development consent containing a condition requiring a monetary contribution, the developer may offer to undertake works in kind through a works in kind agreement.

Any offer of works or land should be consistent with the relevant LEP and DCP applying to the land.

The decision to accept settlement of a levy requirement by way of works in kind or the dedication of land is at the sole discretion of Council.

#### 5.3.1 Offers and agreements generally

Any offer for a works in kind or other material public benefit must be agreed and signed prior to the payment of the monetary contribution. Any offer shall be made in writing to the Council, and shall be made prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

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Northern Beaches Council

Works in kind may be accepted by the Council under the following circumstances:

- Council will generally only accept offers of works in kind that are items included in the schedule of local infrastructure in this plan, and
- Council determines that the works in kind are appropriate and meets a broad community need.

In assessing the request, Council will consider the following:

- The design of the facilities, and whether the design will result in facilities that are fit for purpose.
- The proposed works or land dedication will not constrain the future provision of facilities identified in the works schedule, or conflict with what Council has prioritised in this plan.

Plans and cost estimates of the proposed works are to be prepared by suitably qualified professionals and submitted by the applicant.

Should an offer of works in kind be accepted, Council will negotiate with the applicant, as relevant, the following:

- an acceptable standard for workmanship and materials
- frequency of progress works inspections
- the program for completion of the works
- an appropriate defects liability period.



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Northern Beaches Council

## 6. Other administration matters

### 6.1 Relationship of this plan to other contributions plans

The following contributions plans are repealed by this plan:

- Manly Section 94 Contributions Plan 2004 (as amended)
- Pittwater Section 94 Contributions Plan for Residential Development (In Force 7 November 2015)
- Northern Beaches Council Section 94A Plan 2017.

This plan however does not affect development consents containing conditions requiring contributions or levies under the above plans. Contributions imposed on developments under the above plans and paid to or held by Council will be applied to local infrastructure in the same ~~former LGA area that as~~ they were collected.

### 6.2 Savings and transitional arrangements

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date this plan took effect.

Development applications and CDCs that have been determined prior to this plan coming into force have been determined in accordance with the contributions plan in force at the time. These applications are subject to the rates in the now repealed plans. Any modification application will continue to be considered against the contribution plan in force at the time of the original determination. A modification application to apply the contribution rate in this new contribution plan will not be accepted by Council.

### 6.3 Adjustment of levy amounts to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation, this plan authorises that levy amounts included in consents will be adjusted over time.

The monetary contribution will be indexed by the Consumer Price Index (All Groups) for Sydney as published quarterly by the Australian Bureau of Statistics at the time of payment in accordance with the following formula:

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current CPI}}{\text{Base CPI}}$$

*\$Co is the original monetary contribution at the time of the issue of the complying development certificate.*

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

*Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment.*

*Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution.*

In the event that the current CPI figure is less than the previous quarter it will be taken to be the same as the previous quarter.

#### **6.4 Refunds**

A refund will only be considered if:

- The DA has been formally surrendered and no Construction Certificate has been issued, or where a modification application seeks to reduce the cost of development, a Construction Certificate has not been issued.
  - The CDC has been surrendered and works have not commenced.
- The contribution amount was imposed incorrectly where the Applicant had provided all required information to determine the cost of development in accordance with Clause 25J of the EP&A Act at the time of determination.

#### **6.5 Pooling of levies**

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in **Appendix A** of this plan.

Contributions collected by this plan may be supplemented with the reserves of the plans repealed by this plan to deliver local infrastructure identified in **Appendix A**.

#### **6.6 Accountability and access to information**

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

Accounting records for development contribution income and expenditure under this plan will be published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided.

Draft Northern Beaches Section 7.12 Contributions Plan 2019  
Northern Beaches Council

## 6.7 Dictionary

Words and phrases used in this plan generally have the same meaning as the terms defined in the former council LEPs (Warringah LEP 2011, Pittwater LEP 2014 and Manly LEP 2013), or the EP&A Act.

For further clarity, words and phrases in this plan have the following meanings:

**CDC** means complying development certificate.

**Consent authority** has the same meaning as in section 4.5 of the EP&A Act but also includes an accredited certifier responsible for issuing a complying development certificate.

**Cost summary report** means a report prepared by a suitably qualified person that sets out the proposed cost of carrying out of development as defined in clause 25J of the EP&A Regulation.

**Council** means the Northern Beaches Council.

**EP&A Act** means the NSW Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the NSW Environmental Planning and Assessment Regulation 2000.

**GSP** means Gross State Product.

**LGA** means local government area.

**Local infrastructure** means ~~public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services~~ infrastructure delivered by this plan.

**Planning agreement** means a voluntary agreement referred to in section 7.4 of the EP&A Act.

**Proposed cost of development** means the cost of development proposed in a development application or a complying development application under the provisions of clause 25J of the EP&A Regulation.

**Works in kind** means the construction or provision of the whole or part of a public facility that is identified in a works schedule in a contributions plan, by a private developer, in accordance with an agreement with Council.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

## APPENDIX A

### Infrastructure schedule and location map

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Table A1 Local Infrastructure Program to be funded by Section 7.12 levies under this plan (\$Mar2019)

| Local Infrastructure <sup>1</sup>                  | 2020/21            | 2021/22            | 2022/23            | 2023/24            | Total (2020-24)     |
|--|--------------------|--------------------|--------------------|--------------------|---------------------|
| Playground – new and upgrade program               | \$140,000          | -                  | -                  | -                  | \$140,000           |
| Sportsground – new and upgrade program             | \$250,000          | -                  | \$800,000          | -                  | \$1,050,000         |
| Synthetic Sportsground Conversion                  | \$1,500,000        | -                  | -                  | -                  | \$1,500,000         |
| Reserves – new and upgrade program                 | \$350,000          | -                  | -                  | -                  | \$350,000           |
| Recreational Trails – new and upgrade program      | -                  | -                  | \$1,900,000        | -                  | \$1,900,000         |
| Youth Friendly Spaces                              | \$200,000          | \$200,000          | \$200,000          | \$200,000          | \$800,000           |
| North Curl Curl Youth Facility                     | \$100,000          | \$1,800,000        | -                  | -                  | \$1,900,000         |
| Glen Street Masterplan Implementation              | \$1,200,000        | -                  | -                  | -                  | \$1,200,000         |
| Freshwater Beach Masterplan Implementation         | \$1,500,000        | \$2,000,000        | -                  | -                  | \$3,500,000         |
| <b>Total Social Infrastructure Facilities</b>      | <b>\$5,240,000</b> | <b>\$4,000,000</b> | <b>\$2,900,000</b> | <b>\$200,000</b>   | <b>\$12,340,000</b> |
| New Footpath                                       | \$1,500,000        | \$1,500,000        | \$1,500,000        | \$1,500,000        | \$6,000,000         |
| New Kerb and Gutter                                | \$500,000          | \$500,000          | \$500,000          | \$500,000          | \$2,000,000         |
| <b>Total Active Transport</b>                      | <b>\$2,000,000</b> | <b>\$2,000,000</b> | <b>\$2,000,000</b> | <b>\$2,000,000</b> | <b>\$8,000,000</b>  |
| Commercial Centres Upgrades [Streetscape Projects] | \$1,000,000        | \$2,000,000        | \$2,000,000        | -                  | \$5,000,000         |
| <b>Total Public Domain Works</b>                   | <b>\$1,000,000</b> | <b>\$2,000,000</b> | <b>\$2,000,000</b> | <b>-</b>           | <b>\$5,000,000</b>  |
| <b>Total Local Infrastructure</b>                  | <b>\$8,240,000</b> | <b>\$8,000,000</b> | <b>\$6,900,000</b> | <b>\$2,200,000</b> | <b>\$25,340,000</b> |

| Local Infrastructure <sup>2</sup>        | 2020/21          | 2021/22          | 2022/23          | 2023/24 | Total (2020-24)    |
|--|------------------|------------------|------------------|---------|--------------------|
| 1 Playground - new and upgrade program   | <u>\$140,000</u> | =                | =                | =       | <u>\$140,000</u>   |
| 2 Foreshores - new and upgrades program  | <u>\$550,000</u> | <u>\$650,000</u> | <u>\$440,000</u> |         | <u>\$1,640,000</u> |
| 3 Sportsground - new and upgrade program | =                | =                | <u>\$800,000</u> | =       | <u>\$800,000</u>   |



**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

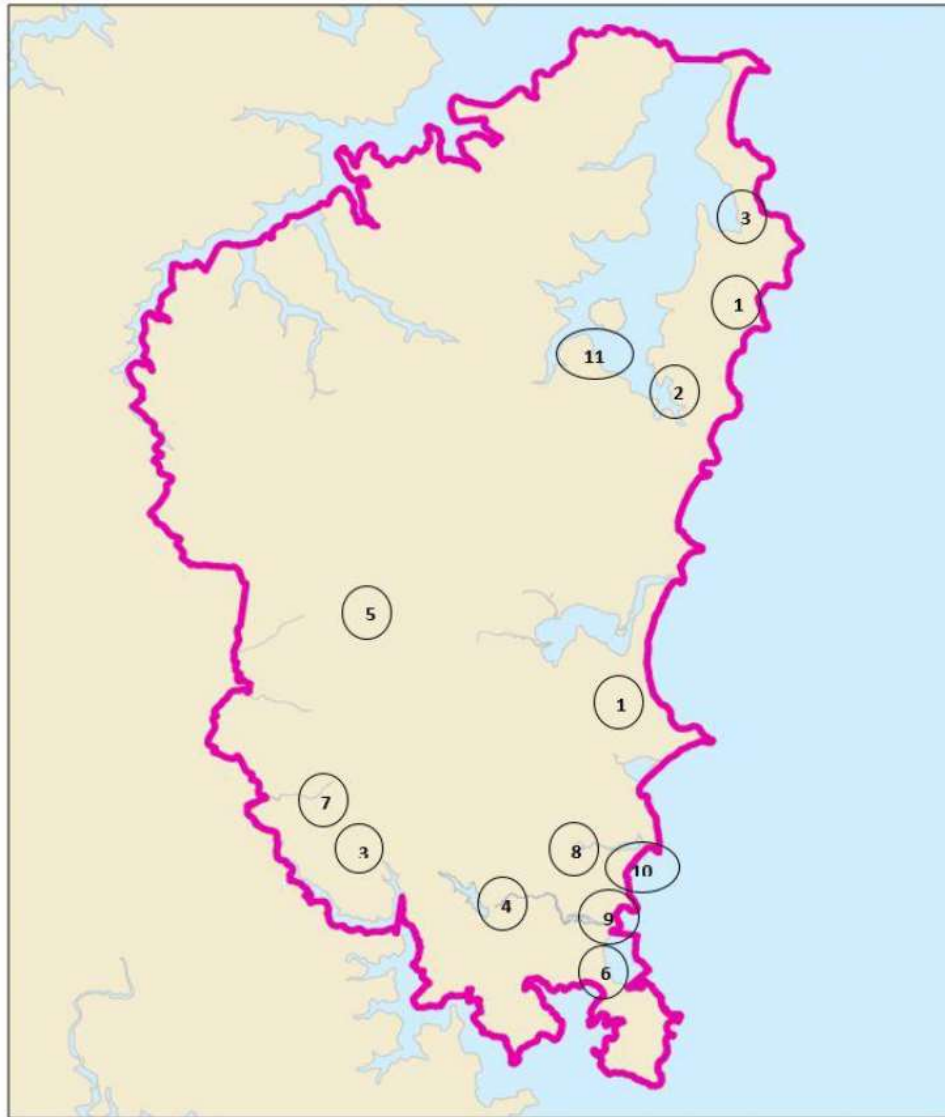
| Local Infrastructure <sup>(1)</sup>                  | 2020/21            | 2021/22            | 2022/23            | 2023/24            | Total 2020-24       |
|--|--------------------|--------------------|--------------------|--------------------|---------------------|
| 4 Synthetic Sportsground Conversion                  | \$1,500,000        | =                  | =                  | =                  | \$1,500,000         |
| 5 Wyatt Avenue Futsal Centre                         | \$1,371,450        |                    |                    |                    | \$1,371,450         |
| 6 Reserves - new and upgrade program                 | \$350,000          | =                  | =                  | =                  | \$350,000           |
| * Recreational Trails - new and upgrade program      | =                  | =                  | \$1,900,000        | =                  | \$1,900,000         |
| 7 Youth Friendly Spaces                              |                    | \$200,000          | \$200,000          | \$200,000          | \$600,000           |
| 8 North Curl Curl Youth Facility                     | \$100,000          | \$1,800,000        | =                  | =                  | \$1,900,000         |
| 9 Freshwater Beach Masterplan Implementation         |                    | \$1,500,000        | 2,000,000          | =                  | \$3,500,000         |
| 10 McKillop Park walk upgrade                        |                    | \$150,000          | 1,500,000          |                    | 1650,000            |
| <b>Total Social Infrastructure Facilities</b>        | <b>\$4,011,450</b> | <b>\$4,300,000</b> | <b>\$6,840,000</b> | <b>\$200,000</b>   | <b>\$15,351,450</b> |
| * New Footpaths                                      | \$500,000          | \$500,000          | \$500,000          | \$500,000          | \$6,000,000         |
| * New Kerb and Gutter                                | \$255,725          | \$268,933          | \$283,185          | \$500,000          | \$2,000,000         |
| * New Traffic facilities                             | \$200,000          | \$200,000          |                    |                    |                     |
| <b>Total Active Transport</b>                        | <b>\$955,725</b>   | <b>\$968,933</b>   | <b>\$783,185</b>   | <b>\$1,000,000</b> | <b>\$3,707,843</b>  |
| * Commercial Centres Upgrades (Streetscape Projects) | \$1,000,000        | \$2,000,000        | \$2,000,000        | =                  | \$5,000,000         |
| 11 Church Point Wharf Expansion                      | \$42,000           | \$340,138          |                    |                    |                     |
| <b>Total Public Domain Works</b>                     | <b>\$1,042,000</b> | <b>\$2,340,138</b> | <b>\$2,000,000</b> | <b>=</b>           | <b>\$5,382,138</b>  |
| <b>Total Local Infrastructure</b>                    | <b>\$6,009,175</b> | <b>\$7,609,071</b> | <b>\$9,623,185</b> | <b>\$1,200,000</b> | <b>\$24,441,431</b> |

\* Works are proposed at various locations across the LGA

(1) Development contributions may be one of several different funding (e.g. grants) sources required to deliver local infrastructure.

**Draft Northern Beaches Section 7.12 Contributions Plan 2019**  
Northern Beaches Council

Figure A1 Locations of Local Infrastructure to be funded by Section 7.12 levies



### Attachment 3 - Submissions Table

| Issues Raised  | Council Response   |
|--|--|
| <i>Submission 1</i>  |  |
| <p>This plan will affect residents in that it applies to all development, new and old. How does a renovation of an existing house cause the need for new or improved infrastructure?</p>   | <p>A fixed rate development contribution applies to all new development to fund a broader range of infrastructure and services that will benefit everyone in the collection area that the contributions plan will apply. The contribution is collected to fund the extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).</p> <p>For example, the Northern Beaches Walking Plan includes a footpath priority schedule to deliver new footpaths across the Northern Beaches. Development contributions are one of the funding sources used to deliver this program. Most of these new footpaths are within existing residential areas which have already been developed.</p> <p>This contributions plan is prepared under section 7.12 of the <i>Environmental Planning &amp; Assessment Act</i> (EP&amp;A Act). The plan will apply to all development however the fixed rate levy is only imposed if the cost of development is above \$100,000. The cost of development does not include internal fitout, fittings or furnishings eg internal alterations such as upgrading a kitchen within an existing house or building.</p> |
| <p>All single house renovations owned by local private residents should be exempt. The contribution policy should only apply to developments owned by company/commercial enterprises.</p>  | <p>As per above response. The contributions plan applies to all development however the fixed rate levy is only imposed if the cost of development is above \$100,000. The cost of development does not include internal fitout, fittings or furnishings eg internal alterations such as upgrading a kitchen within an existing house or building.</p>   |
| <p>Under the proposed policy, new commercial/residential developments are being financially subsidised by ratepayers helping the developer to make a profit. There must be higher levies for high value CBD areas. Again, by not having this distinction private ratepayers are subsidising profit making enterprises.</p> | <p>This is incorrect. A fixed rate development contribution is not based on the value of the land being developed or the value of the land after the development occurs. The fixed rate development contribution can only be levied if the cost of development is above \$100,000 at up to 1% of the cost of the development.</p> <p>In growth areas such as Dee Why Town Centre and the Warriewood Valley release area, a specific contributions plan is applied to each as these growth areas generate increased infrastructure demand commensurate with the development uplift in these growth areas.</p>   |
| <i>Submission 2</i>  |  |
| <p>Home owners who use a property as their primary residence should be excluded. Instead, this should apply to developers of commercial and residential properties.</p>  | <p>A fixed rate development contribution applies to all new development to fund a broader range of infrastructure and services that will benefit everyone in the collection area that the contributions plan will apply. The contribution is collected to fund the extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).</p>   |

|  |   |
|--|---|
|  | <p>For example, the Northern Beaches Walking Plan includes a footpath priority schedule to deliver new footpaths across the Northern Beaches. Development contributions are one of the funding sources used to deliver this program. Most of these new footpaths are within existing residential areas which have already been developed.</p> <p>This contributions plan is prepared under section 7.12 of the Environmental Planning &amp; Assessment Act (EP&amp;A Act). The plan will apply to all development however the fixed rate levy is only imposed if the cost of development is above \$100,000. The cost of development does not include internal fitout, fittings or furnishings eg internal alterations such as upgrading a kitchen within an existing house or building.</p>  |
| <p>A genuine problem is that wealthy individuals and business will legally manipulate their costs to reduce the levies. For example exclusions that reduce the total cost of development on paper. This means that new home owners / buyers with less financial power and abilities to manipulate their finances will have a disadvantage over wealthier individuals or businesses.</p>  | <p>Clause 25J of the EP&amp;A Regulation stipulates how to determine the proposed cost of development for calculating a contribution. The Contributions Plan stipulates that for developments under \$1million the cost of development can be identified by any building industry professional. For costs over \$1million a report from a registered quantity surveyor is required.</p> <p>This will ensure that higher value developments are not excluding costs that are not stipulated by clause 25J the EP&amp;A Regulation.</p>   |
| <p>The distribution of funds is not sufficiently connected to the property location that it was collected. If property owners in Ingleside, for example, have most funds allocated to projects in Freshwater and locations that they rarely visit, it is an unfair distribution. Funds need to very specifically contribute to infrastructure within the vicinity of the paying resident. In addition, these residents should also have a genuine voice in deciding how the budget is allocated.</p> | <p>A fixed rate levy contribution plan is collected to fund the extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).</p> <p>The notion for contributions funding infrastructure in the area that the contribution is collected applies however it must be recognised that it is a broader collection area accounting from all of the Northern Beaches except for Warriewood Valley and Dee Why Town Centre.</p> <p>The expenditure of development contributions is based on Council's Capital Works Delivery Program. The priorities of works in this program are based on a range of factors such as need, risk and benefit to the community. The Capital Works Delivery Program is publicly exhibited each year. The Contributions Plan will be regularly reviewed to ensure that the works schedule aligns with the Capital Works Delivery Program.</p> |
| <p>The proposed contributions plan penalises first-time home builders (new home buyers who wish to renovate). A consequence is that the quality and value of developments can decrease as 1% is still a significant amount of money for a young home owner but also for major developers. The 1% needs to be financed as well in real money terms (considering interest) also can represent actual</p>   | <p>The contributions plan is being applied to all development however the fixed rate levy is only imposed if the cost of development is above \$100,000. The cost of development does not include internal fitout, fittings or furnishings eg internal alterations such as upgrading a kitchen within an existing house or building.</p> <p>It benefits all as the contributions will fund a broader range of infrastructure and services that will benefit everyone in the collection area that the contributions plan will apply. The contribution is collected to fund the extension or augmentation of public amenities or public services (or</p>  |

|   |  |
|---|--|
| money value of 2 - 2.5% over the term of a bank loan. \$2,000 effectively requires a young and private homeowner to pay \$4000 - \$5000 over the loan lifetime to the bank though the infrastructure value still remains at \$2000. | towards recouping the cost of their provision, extension or augmentation).   |
| <i>Submission 3</i>   |  |
| Council should spend the development contributions for a development in the immediate vicinity of where it is collected.  | <p>A fixed rate levy contribution plan is collected to fund the extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).</p> <p>The notion for contributions funding infrastructure in the area that the contribution is collected applies however it must be recognised that it is a broader collection area accounting from all of the Northern Beaches except for Warriewood Valley and Dee Why Town Centre.</p> <p>The expenditure of development contributions is based on Council's Capital Works Delivery Program. The priorities of works in this program is based on a range of factors such as need, risk and benefit to the community.</p> |
| <i>Submission 4</i>   |  |
| I agree with the proposed changes.  | Noted.   |
| <i>Submission 5</i>   |  |
| All contributions should be in line with the approach currently levied on land under Warringah Local Environmental Plan.  | Noted. The contributions plan is the same approach as currently applies to land under Warringah Local Environmental Plan. The contributions plan is a fixed rate levy of up to 1% and imposed if the cost of development is above \$100,000. The cost of development does not include internal fitout, fittings or furnishings eg internal alterations such as upgrading a kitchen within an existing house or building.   |
| <i>Submission 6</i>   |  |
| I strongly support the draft Contributions Plan as I feel this is a much more equitable situation.  | Noted.   |
| <i>Submission 7</i>   |  |
| A footpath should be provided on Robertson Road, North Curl Curl.   | <p>Agree. The Northern Beaches Walking Plan includes a footpath priority schedule to deliver new footpaths across the Northern Beaches. The western side of Robertson Road, from Austin Avenue to the existing path/steps at Molong Street is identified in that priority schedule (as Items 266 and 351).</p> <p>The expenditure of development contributions is based on Council's Capital Works Delivery Program. The priorities of</p>   |



|  |  |
|--|--|
|  | works in this program are based on a range of factors such as need, risk and benefit to the community. The Capital Works Delivery Program is publicly exhibited each year. The Contributions Plan will be regularly reviewed to ensure that the works schedule aligns with the Capital Works Delivery Program. |
|--|--|

## Implementation Plan for Major Capital Works Procurement Review Recommendations related to Trim 2019/009673 Status Update & Report on Capex PMM

Refer to Council meeting on 27 September 2016 – Council resolved (item 7.5)

June 2019

| Value Network Recommendation  | Value Network Comment/background  | Northern Beaches Council Actions  | Value Network Timeframe | Current Status        |
|---|---|---|-------------------------|-----------------------|
| <b>Recommendation 1 – Roles and System / Process Ownership</b>  |   |   |                         |                       |
| 1.1 Procurement Group to retain ownership and responsibility for the Procurement Framework (Manual, Tendering, Supplier Evaluation and Contract Forms) and governance of the processes  | Issue a direction reinforcing role of Procurement Group<br><br>Procurement Group to consult with all stakeholders in respect of any proposed changes / amendments to Framework  | Memo from Capital Projects (dated 31.08.17) has been issued to relevant business units for propagation to team members as appropriate: Role of Procurement (process owner).<br><br>Capital Projects & Procurement to consult – PSG formed.  | July 2018               | Completed August 2017 |
| 1.2 Capital Projects Group to take ownership and responsibility for the Project Management Methodology and design / delivery strategies for major capital projects. The group is to provide expert advice on contract forms, including being involved when any changes to contract forms are considered | Issue a direction defining role of Capital Projects Group<br><br>Capital Projects Group to consult with all stakeholders in respect of any proposed changes / amendments to PMM | Memo from Capital Projects (dated 31.08.17) has been issued to relevant business units for propagation to team members as appropriate.<br><br>Capital Projects appointed Change Manager and a Project Steering group was formed PSG formed. | July 2018               | Completed August 2017 |

| Value Network Recommendation  | Value Network Comment/background  | Northern Beaches Council Actions  | Value Network Timeframe                             | Current Status   |
|---|---|---|---|--|
| 1.3 Asset Management Groups to retain ownership and responsibility for the management of their programs (including construction of non-major capital works) and the development and maintenance of up-to-date forward estimates   |   | Memo from Capital Projects (dated 31.08.17) was issued to relevant business units for propagation to team members as appropriate: Role of Asset groups (process owner).   | July 2017   | Completed August 2017  |
| <b>Recommendation 2 – Discipline in Process Management</b>  |   |   |   |  |
| Changes or amendments to any of Council standard Capital Works procurement processes (documentation or procedures) should only occur with the approval of the process owner   | Reinforces current organisational objectives in having a consistent approach across Council | Memo from Capital Projects (dated 31.08.17) has been issued to relevant business units for propagation to team members as appropriate: Role of Asset groups (process owner).  | July 2017   | Completed August 2017  |
| <b>Recommendation 3 – Service Delivery Test</b>   |   |   |   |  |
| Introduce a ‘service delivery’ process requirement / test at the beginning of Council’s Project Management Methodology (PMM). The requirement / test should as a minimum address alternative service delivery (non-build solutions, demand management, etc.) and delivery methods such as joint ventures and aggregation. | Capital Projects Group to include the test within the approved PMM framework                | <p>Hold point added to draft CapexPMM for Major Capital Works. Refer to activity 7.5 of the START UP phase of the CapexPMM (Capital Projects Review).</p> <p>This is also embedded into the new Detailed Business Case template. Refer to activity 7.4 of the START UP phase of the CapexPMM.</p> <p>Investigate options to be innovative around procurement strategies and engage with a</p> | <p>October 2017</p> <p>N/A (Council initiative)</p> | <p>Completed October 2017</p> <p>Completed November 2017</p> |

| Value Network Recommendation   | Value Network Comment/background   | Northern Beaches Council Actions  | Value Network Timeframe                             | Current Status  |
|--|--|---|---|---|
|  |  | <p>specialist consultant to undertake a Procurement Review on FY2017/18 Projects.</p> <p>The report was presented at the E&amp;I Managers meeting and the PSG meeting in December 2017. The PSG are reviewing/identifying opportunities for efficiencies through packaging similar types of works under the main program delivery areas – Civil, Building and Parks and Reserves.</p> | N/A (Council initiative)                            | Completed & Ongoing                                       |
| <b>Recommendation 4 – Delivery Strategy ‘Hold’ Point</b>   |  |   |   |   |
| 4.1 The full range of delivery strategies should be considered for major capital works including Alliance / Joint Venture style contracts, D&C, DD&C, Lump Sum and Construction Management. This should include the adoption of a formal hold point which requires executive management level signoff of the recommended delivery strategy | Capital Projects Group in conjunction with Finance / Procurement to add the hold point within the approved PMM framework | <p>Selection of Procurement &amp; Contract Model strategies is part of preparing the formal “Project Plan” of the PLANNING phase of the CapexPMM.</p> <p>An overview of “Contract Models for Delivery of Capital Works” was presented to the PSG and distributed to EM’s to assist with the understanding of the range of delivery contract models available.</p>                     | <p>October 2017</p> <p>N/A (council initiative)</p> | <p>Completed October 2017</p> <p>Completed April 2018</p> |
| <b>Recommendation 5 – Develop a Strategic Procurement Program</b>  |  |   |   |   |
| 5.1 Undertake a strategic review of procurement opportunities to establish a strategic procurement program, and thereby realise value add opportunities across the full  | Each Asset Group is to review forward works program to ensure relevancy and accuracy (Oct 2017)                          | Thelem Consulting Procurement Review undertaken 29 Nov 2017 & Discussion with the PSG.  | October 2017  | Completed November 2017                                   |

| Value Network Recommendation   | Value Network Comment/background   | Northern Beaches Council Actions  | Value Network Timeframe  | Current Status                                 |
|--|--|---|--|--|
| gamut of Council's capital works programs  | <p>The forward works programs are to be forwarded to the Capital Works Group (Senior Managers) to identify possible value adding opportunities (Nov 2017)</p> <p>The results of this exercise is to be forwarded to Procurement for input into the wider procurement strand of Council's services integration program (Dec 2017)</p> <p>The Capital Works Group is to be supported by the Capital Projects Group</p> | <p>"Master Program" developed. This program (in the form of a Gantt chart) includes every project in the Delivery program. This Master Program will be monitored by the Capital Projects team and project managers' will be revising and updating the scheduled start/finish times of each project monthly. This will provide forward visibility of the Delivery program to assist with identifying opportunities.</p> <p>Opportunities identified will be relayed back to Management via monthly Capital Works Review meetings</p> | N/A (Council initiative)   | Completed June 2019                            |
| 5.2 Following establishment of the strategic procurement program, an annual review should occur as a Council planning cycle requirement                                  | Capital Works Group (i.e. Senior Managers) to be responsible carriage for the annual review, including benchmarking savings / efficiencies of strategic procurement program  | Annual reviews to be undertaken by the Capital Works Review Committee.  | June 2018  | Ongoing  |
| 5.3 Development of the Strategic Procurement Program should be undertaken as priority action as part of the procurement strand of Council's services integration program | To be implemented in conjunction with the actions identified under Recommendation 5.1  | <p>Thelem Consulting Procurement Review undertaken 29 November 2017.</p> <p>Thelem Consulting engaged beginning of May 2018 to provide strategic procurement analysis. Their report was completed in September 2018.</p>  | <p>February 2018 and ongoing</p> <p>N/A (Council initiative)</p> | <p>Ongoing</p> <p>Completed September 2018</p> |



| Value Network Recommendation   | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe | Current Status         |
|--|---|--|-------------------------|------------------------|
|  |   | Thelem has completed a comparative report on standard and collaborative contracting models, with an emphasis on how they would be applied to “programs of renewal work”. |                         |                        |
| <b>Recommendation 6 – Project Impact Assessment (Scalability)</b>  |   |  |                         |                        |
| <p>6.1 Develop a Project Impact Assessment tool as a basis for identifying projects that would:</p> <ul style="list-style-type: none"> <li>Require Capital Projects Group’s involvement in the project’s scope development</li> <li>Be subjected to enhanced project feasibility and implementation requirements e.g. business case and procurement strategy assessment</li> </ul> | <p>Capital Projects Group Identify available options for consideration by Procurement and Capital Works Groups</p> <p>Develop and implement a tool</p> <p>Link to revised Project Initiation Phase (i.e. Recommendations 3, 4 and 7) and include in the PMM</p> | Project impact assessment tool developed and linked to the project management START UP phase.  | December 2017           | Completed January 2018 |
| <p>6.2 Establish Impact related project requirements that dictate:</p> <ul style="list-style-type: none"> <li>Governance requirements, including internal and external consultation</li> </ul>   | Requirements are to be developed in conjunction with implementing the Project Impact Assessment Tool  | Requirements based on impact have been embedded into the CapexPMM.   | December 2017           | Completed August 2018  |

| Value Network Recommendation  | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe | Current Status         |
|---|---|--|-------------------------|------------------------|
| <ul style="list-style-type: none"> <li>Capital Projects Group's involvement in the project's scope development</li> <li>Project feasibility and implementation requirements e.g. business case and procurement strategy assessment, including contract arrangements and general conditions</li> </ul> |   |  |                         |                        |
| <b>Recommendation 7 – Business Case and Investment Decision</b>   |   |  |                         |                        |
| 7.1 Expand the project initiation process to require preparation of a business case for major or high impact projects that will clearly identify project objectives, cost and benefits and facilitate an informed investment decision   | To be carried out by Capital Projects Group in collaboration with Finance and Major Capital Works Groups as part of the implementation of Recommendation 3, on projects identified from Community Strategic Plan. | A Detailed Business Case is required for all new assets (low, moderate or high impact) but not required for renewed assets (unless the project value is > \$5M. Addressed in CapexPMM                            | October 2017            | Completed October 2017 |
| 7.2 To ensure that the capital procurement process is not over burdened with unnecessary business case documentation, the scale / extent of the business case requirement could be  | To be carried out by Capital Projects Group in collaboration with Finance and Major Capital Works Groups as part of the implementation of Recommendation 3, on projects   | Refer to actions in recommendation 3 & 6.<br><br>A Detailed Business Case is required for all new assets (low, moderate or high impact) but not required for renewed assets (unless the project value is > \$5M. | December 2017           | Completed July 2018    |

| Value Network Recommendation  | Value Network Comment/background   | Northern Beaches Council Actions  | Value Network Timeframe | Current Status                     |
|---|--|---|-------------------------|------------------------------------|
| linked to the Project Impact Assessment process (refer Recommendation 6)  | identified from Community Strategic Plan   | Addressed in START UP phase of the CapexPMM.  |                         |                                    |
| 7.3 The Business Case should be reviewed prior to accepting a tender and following project completion (refer Recommendation 14) to identify any differences between actual outcomes and the Business Case objectives / desired outcomes   | To be carried out with the other recommendations augmenting the Project Initiation phase of the PMM                                      | Business case are to be developed in accordance with the START UP phase of the CapexPMM.<br><br>Hold points included within activity 6.1 of the RFQ/RFT Evaluation process, which is a sub-process of the DELIVERY-DESIGN (complex project) phase of the CapexPMM.                              | October 2017 & ongoing  | Completed October 2017 & July 2018 |
| <b>Recommendation 8 – Identify Sustainability Goals</b>   |  |   |                         |                                    |
| Clearly identify sustainability objectives to be included / realised by the project early in project definition and incorporate these objectives in all stages of project implementation and delivery i.e. the objectives become part of the value for money measure of project success | All Asset Groups to consult with Natural Environment and Climate Change in the development of project objectives for major capital works | Embedded prompts within the “Project Brief, “Project Budget” and “Detailed Business Case” templates. Refer to activities 7.0, 7.1 & 7.4 of the START UP phases of the CapexPMM respectively.<br>Sustainability objectives are considered again in the “Project Plan” within the PLANNING phase. |                         | Complete                           |
| <b>Recommendation 9 – Budget Reliability</b>  |  |   |                         |                                    |
| Adopt the following 5 Step ‘Best Practice’ approach for the   |  |   |                         |                                    |

| Value Network Recommendation   | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe | Current Status          |
|--|---|--|-------------------------|-------------------------|
| preparation and management of capital works budgets:   |   |  |                         |                         |
| 1 - Project Scope Definition – ensure initial project scope clearly defines the required functionality / performance requirements  | To be implemented as part of the changes to the Project Initiating Phase under Recommendation 4   | Added to the CapexPMM. Embedded within the “Project Brief” and associated “Needs Analysis” templates.  | July 2017               | Completed October 2017  |
| 2 - Base Estimate – adopt a consistent whole-of-council approach and / or understanding to estimate preparation. The Base Estimate should include all costs such as staff, approval / certification, design, construction, contingencies (risk based and general) and administrative costs | Whole-of -Council budget / accounting policy to require all project costs to be included in preparation and management of project budgets   | New budget templates have been created and linked to the CapexPMM START UP phase.  | December 2017           | Completed December 2017 |
| 3 - Risk and Contingency Allowances – apply a risk based approach to contingency allocation i.e. the contingency allowance to reflect the project phase, market conditions and associated risk profile   | Risk based approach to budget contingency allocation to developed by the Major Capital Works Group in collaboration with Finance and oversight by the Capital Works Group (Senior Managers) | New budget templates have been created and linked to the CapexPMM and include prompts for Construction contingencies. New templates – “Contract Administration Toolbox” and “Minor Contract Administration Toolbox” include the provision to track and report on spends against contingency” |                         | Completed December 2017 |
|  | Implementation is to commence January 2018 and be   | Framework includes allowances for risks and contingency to reflect market conditions.  | March 2018              | Completed July 2018     |

| Value Network Recommendation  | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe | Current Status       |
|---|---|--|-------------------------|----------------------|
| 4 - Budget Review – establish an annual budget review process (including CPI variances) to ensure projects included in forward programs reflect the anticipated final out turn cost | <p>embedded within the PMM by March 2018</p> <p>To be implemented in conjunction with strategic procurement program (Recommendation 5.2)</p>  | <p>Included in activity 4.1 of the PLANNING phase of the CapexPMM (“Project Plan”)</p> <p>Initial project contingencies are to be evaluated by Capital Projects as part of the Capital Justification review process. Refer to activity 7.5 of the START UP phase. Contingencies are developed using the new Budget template which automates the inclusion of contingencies around CPI and forecast “market conditions” (Building Price Index). Refer to activity 7.1 of the START UP phase. This is now embedded in the budget cycle which includes a Capital Works Review Committee .</p> | March 2018              | Completed July 2018  |
| 5. Change Management – implement a project change management process that will manage scope change and ensure any scope change request identifies the budget / cost impacts         | <p>Develop a Scope Change Management process to apply to any pre and post contract award changes. Key elements to include:</p> <ul style="list-style-type: none"> <li>• Establishment of an approved Project Scope Statement as part of the project feasibility stage</li> <li>• Where the project is to be delivered over time or in stages, individual works</li> </ul> | <p>Scope Change is included in the template for a Project Steering Group meeting agenda. It also forms part of the Risk Management Strategy developed as part of the Project Plan in the CapexPMM PLANNING phase.</p>  | March 2018              | Completed March 2018 |



| Value Network Recommendation  | Value Network Comment/background   | Northern Beaches Council Actions   | Value Network Timeframe | Current Status          |
|---|--|--|-------------------------|-------------------------|
|   | <p>packages are to be framed in the context of the overarching Project Scope Statement</p> <p>A Scope Change approval process to be established within the overall governance arrangements for project delivery</p>                                |  |                         |                         |
| <b>Recommendation 10 – Principal’s Authorised Person Contract Model</b>   |  |  |                         |                         |
| Council transition to a Principal’s Authorised Person (PAP) contract model in place of the current AS4000 suite of contracts  | To be Implemented in Conjunction with Recommendations 11.2 and 11.3  | <p>Discussions with the PSG re construction contract models was undertaken.</p> <p>Refer to Recommendation 11.</p>   | June 2019               | Completed February 2019 |
| <b>Recommendation 11 – General Conditions of Contract</b>   |  |  |                         |                         |
| <p>On the basis that Council adopts Recommendation 10, the following General Conditions of Contract are recommended:</p> <p>11.1 For low risk – low impact works up to \$250K, adopt the NSW Government nine (9) page Mini Minor Works General Conditions of Contract</p> | <ul style="list-style-type: none"> <li>Capital Projects Group in consultation with Legal and Procurement to review and amend Mini-Minor Works to meet Council’s requirements</li> <li>Revised contract (which should be in keeping with</li> </ul> | <p>A mini minor works construction RFT and contract in accordance with Council’s Procurement, Finance/Insurance and Legal Policies was developed.</p> <p>The Mini Minor works contract and RFQ templates have been created but are not</p> |                         | Completed June 2018     |

| Value Network Recommendation  | Value Network Comment/background  | Northern Beaches Council Actions  | Value Network Timeframe | Current Status          |
|---|---|---|-------------------------|-------------------------|
|   | intent of the Mini-Minor Works Contract) to be used for all low risk–low impact works   | considered to be appropriate for use at this time due key clauses being missing that relate to construction contracts. Council has existing alternate contract templates available for use that cover these issues.   |                         |                         |
| 11.2 For medium risk – medium impact works over \$150K and up to \$1.0M, adopt the NSW Government MW21 General Conditions of Contract | <ul style="list-style-type: none"> <li>Capital Projects Group in consultation with procurement, Legal and other key stakeholders to review contracts to identify the how Council wants to conduct business including risk profiles variances with current suite of AS contracts (by March 2018)</li> <li>Target full Implementation of revised suite of contracts by June 2019</li> </ul> | The Minor Works (MW21) contract and RFQ/RFT templates have been created but are not considered to be appropriate for general use at this time. Potential use will be made available to the Capital Projects team on select projects in the future. This is due to difficulties in aligning MW21 to Councils' procurement systems and to ensure compliance with the Local Government Act.  | June 2018               | Completed August 2018   |
| 11.3 For high risk – high impact works over \$1.0M, adopt the NSW Government GC21 (Edition 2) General Conditions of Contract          |   | The NSW Government GC21 was reviewed but is not considered to be appropriate for general use at this time. Potential use will be made available to the Capital Projects team on select projects in the future. This is due to difficulties in aligning GC21 to Councils' procurement systems. Additionally GC21 transfers additional risk to the contractor and may result in increased costs to Council. This transfer of risk is consider more appropriate for larger scale infrastructure projects typically undertaken at a NSW state government level. |                         | Completed February 2019 |

| Value Network Recommendation   | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe | Current Status         |
|--|---|--|-------------------------|------------------------|
| <b>Recommendation 12 – Procurement Manual</b>  |   |  |                         |                        |
| Review / recast (medium to longer term) the Procurement Manual to place a greater emphasis on what can be done i.e. encourage innovation in procurement  | To be carried out within wider procurement strand of Council's services integration program   | Procurement has completed the Procurement Manual and the Capital Projects team has reviewed.                             | June 2018               | Completed              |
| <b>Recommendation 13 – Contract Management</b>   |   |  |                         |                        |
| Establish a whole-of-council contract management system that would be incorporated as part of the Project Management Methodology. Significant elements of the system exist in the practices variously used by different groups within Council and / or project e.g. the major projects 'Project Dashboard' | <ul style="list-style-type: none"> <li>Capital Projects Group to identify various practices been used across Council</li> <li>Using best of the existing practices develop a contract management system for incorporation within the PMM</li> <li>Obtain the Capital Works Group endorsement prior to implementation</li> </ul> | The "Contract Administration Toolbox" and the "Minor" variant have been rolled out for use and attached to the CapexPMM. | June 2018 and ongoing   | Completed. July 2018   |
| <b>Recommendation 14 – Post Completion Reviews</b>   |   |  |                         |                        |
| A Post Completion Review should be carried out on all major capital works, identifying any differences to  | <ul style="list-style-type: none"> <li>Requires reinforcing and highlighting the requirement</li> </ul>   | Post completion report template and meeting agenda template completed and incorporated within the CapexPMM.              | September 2017          | Completed January 2018 |

| Value Network Recommendation   | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe   | Current Status         |
|--|---|--|---------------------------|------------------------|
| actual outcomes with the project objectives and desired outcomes identified in the Business Case. The lessons learnt from these reviews should be recorded and maintained by the Capital Projects Group and provided to those responsible within the Asset Groups for the initiation / planning of major works | <p>for Project Completion reports within PMM</p> <ul style="list-style-type: none"> <li>Copies of all future Post Completion Reviews to be forwarded to the Capital Projects Group</li> </ul> | Prompt identified within the CapexPMM to address all future post completion reviews. |                           | Completed January 2018 |
| <b>Recommendation 15 – Centre of Excellence</b>  |   |  |                           |                        |
| Consistent with Recommendations 1, 2 and 6, the Capital Projects Group should be developed as a centre of excellence in capital works procurement. This would include  |   | Recently Appointed Director for Transport and Assets will need to review and advise. |                           | In progress            |
| 15.1 Identifying (from existing good practice) developing and maintaining whole-of-council practice  | Identify, review and document current practices across Council<br><br>To be carried out in conjunction with the implementation of Recommendation 13   | Continued development of new templates and tools, linked to the CapexPMM.            | June 2018 and ongoing     | Completed and ongoing  |
| 15.2 Involvement in decisions on the project initiation phase especially project scope, service delivery and procurement strategies for all major projects   | To be implemented in conjunction with Recommendation 6  | Addressed in the START UP phase of the CapexPMM                                      | December 2017 and ongoing | Completed January 2018 |

| Value Network Recommendation  | Value Network Comment/background  | Northern Beaches Council Actions   | Value Network Timeframe | Current Status                     |
|---|---|--|-------------------------|------------------------------------|
| 15.3 For any current AS4000 series contracts, the Executive Manager, Major Capital Projects Group should be nominated as the Superintendent for those contracts | Initially identify all contracts over \$0.5M and transfer the role of Superintendent to the Capital Projects Group or GM or CEO as appropriate<br><br>The Capital Projects Group is to identify organisational arrangements to carry out this role (i.e. roles and responsibilities with the Group)<br><br>Advise all affected contractors of the change in the role of Superintendent<br><br>For all future / transitional contracts the Superintendent is to be located within the Capital Projects Group | Reviewed by the PSG and agreed that there is no changes to be made to the superintendent role.<br><br>It was agreed that Executive Manager Capital Projects to delegate to Manager level to perform the Superintendent function for future contracts.    | August 2017             | Completed September 2017           |
| 15.4 Administer and co-ordinate training in administering capital works contracts and in the use of Council's Project Management Methodology                    | Identify all current training programs<br><br>In conjunction with the Capital Projects Group and Procurement identify training requirements<br><br>Finalise integrated program in collaboration with  | Training sessions were undertaken between August and October 2018 in the start up phase of the CapexPMM.<br><br>Capital Projects to continue to administer and roll out training in the use of the CapexPMM and associated templates and software tools. | December 2017           | Completed October 2018 and ongoing |



| <b>Value Network Recommendation</b> | <b>Value Network Comment/background</b> | <b>Northern Beaches Council Actions</b>   | <b>Value Network Timeframe</b> | <b>Current Status</b> |
|-------------------------------------|---|---|--------------------------------|-----------------------|
|                                     | Procurement, Legal and Human Resources  | Contract and procurement training is continually offered and is administered by the Procurement Team. |                                |                       |

## Policy

### Management of Beach and Water Safety

#### Policy Statement

Council aims to facilitate the safe and enjoyable use of our beaches and rock pools.

Council is committed to carrying out water safety functions and responsibilities to minimise the risk of injury or death. This includes providing public swimming facilities, patrols, lifesaving services, regulatory activities, education and community awareness programs.

#### Principles

Council will apply the following principles in managing the safety of the community using our beaches and rockpools:

- 1. Risk management:**

Council will take a risk management and evidence based approach to water safety to ensure appropriate mitigation strategies, lifesaving practices and community education programs are in place to address safety issues.

The identification, assessment and management of risk will determine which locations are provided with a lifeguard service, including both the scope and scale of the service. The provision of the service is subject to change pending the assessment of risk at any time.

- 2. Best practice**

Council will adopt and implement best practice and continuous improvement to ensure that we provide a high standard service to the community. All processes and procedures will be reviewed and updated regularly to ensure Council remains up to date with industry standards and statutory and legal changes.

- 3. Compliance**

Council will meet all relevant legislative and statutory requirements for beach and water safety management. The implementation of all relevant legislation includes the management of beach licence operators, beach events and compliance issues related to animals and crowd management.

- 4. Partnerships and collaboration**

Water safety and rescue organisations and other community groups play a key role in promoting and providing water safety to our community. In the Northern Beaches the Surf Lifesaving Sydney Northern Beaches Branch, the individual Surf Life Saving Clubs and their volunteers are key partners. Council will collaborate, engage and work in partnership with these groups and others to provide the best possible service to our community.

- 5. Community support and engagement**

Council will provide support to the Surf Lifesaving Associations and other community groups to facilitate the provision of high quality water safety services, programs and facilities. This support may include financial and staff assistance and the provision of goods, facilities, services and equipment.

This includes the annual Surf Life Saving Subsidy program, which provides funds to the Surf Clubs to assist in the purchase of rescue equipment and to the Surf Life Saving Sydney Northern Beaches Branch to help cover administration costs. Financial assistance

is also provided for the operations of the Surfcom Communications base at Fisherman's Beach.

## **6. Personnel training and qualifications**

Council will ensure that the staff designated to operate the service are suitably qualified and trained. Staff will be required to have the lifesaving skills and qualifications necessary to adequately address the risks associated with our beaches and other swimming locations.

## **7. Community education and awareness**

Council will work with the community to facilitate an awareness of water safety through the provision of education programs and day to day beach operations. Staff and volunteers will endeavour to raise the profile of beach and water dangers and educate the community on how these can be mitigated.

## **8. Beach Management**

The beaches are managed to ensure the general amenity and facilitate the enjoyment of users. At patrolled beaches, monitoring is undertaken to ensure the capacity of the beach is considered at all times, this includes involvement in the assessment and management of formal event bookings.

## **9. Communication**

Council will use a range of communication forms to ensure that water safety messages are delivered in a timely and effective manner. This may include the use of permanent and temporary signage, electronic media forums, council web pages, educational materials and advertisements.

## **Scope & Application**

This policy applies to all employees, agents and officers of Northern Beaches Council, along with all Councillors.

Northern Beaches Council is responsible for the safety of beaches and waterway locations and the foreshore reserves under the care, control and management of Council. Where that care, control and management of lifesaving and other non-regulatory water safety functions is not fully delegated to another organisation. Council remains responsible to the extent care, control and management remain with Council.

The primary role of the lifeguard service is to provide a safe swimming environment including establishing flagged swimming areas and surf craft prohibited zones, undertaking rescues, administering first aid and providing emergency life support and resuscitation. The lifeguards also undertake beach surveillance, enforcing relevant legislation, overseeing beach licence operators and manage beach and foreshore reserve events, compliance issues related to animals and crowds.

Council is also involved in providing education programs and improving community awareness of water safety and related waterways issues.

The day-to-day operations of the patrolled beaches is managed through the implementation of the Lifeguard Operations Manuals. These documents outline the levels of service and staff responsibilities at each location. There is considerable details on each beach, emergency response procedures and regulation enforcement. Council reviews these manuals annually.

## **References and related documents**

Draft Deed of Agreement Northern Beaches Council and Surf Life Saving Sydney Northern Beaches

Department of Local Government's Practice Note No. 15 – Water Safety

Department of Local Government Practice Note 15 lists other key guidance documents Council can use to help undertake our water safety functions, they include:

- Guidelines for Safe Pool Operations (Royal Life Saving Society of Australia)
- Signs as Remote Supervision (2014, Statewide Mutual)
- Australian Standard AS/NZS 2416.1:2010
- Water safety signs and beach flags – Specifications for water safety signs used in workplaces and public area (2010, SAI Global)
- Australian Standard AS/NZS ISO
- 31000:2009 Risk management – Principles and Guidelines (2010, SAI Global)
- Coronial reports and recommendations

Local Government Act 1993, Office of Local Government, NSW

Northern Beaches Council Annual Beach Services Lifeguard Operations Manual

Other relevant laws that Council should consider in carrying out water safety functions include the Civil Liability Act 2002 and the Public Health Act 2010.

## Definitions

**Event bookings** – Council receives applications to hold events on public land, including beaches and surrounding areas. Beach and beach foreshore reserve events can range from surf carnivals and SLISA events, surfing contests, school activities, markets and large events such as the music festivals. Each application is assessed prior to approval. Beach Safety staff are involved in the event assessment process. Applications are not required for casual beach and rock pool use by individuals.

**Evidence based approach** - Evidence-based practice means the conscientious use of the best practices available. An evidence-based approach constantly looks at new research and studies and re-evaluates practice based on findings.

**Surf craft prohibited zone** – is an area where surf craft are not able to enter. Surf craft is a general term for watercraft operated by one or more persons that can be propelled by paddling, motor, wind and water current.

## Responsible Officer

Executive Manager, Parks and Recreation

## Review Date

Four years from adoption.

**Revision History**

| Revision | Date | Change | HPE CM Ref |
|----------|------|--------|------------|
| 1        |      |        |            |
| 2        |      |        |            |
|          |      |        |            |



## Warringah Council Policy

### Policy No. CCS-PL 610

### Beach Safety

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#### 1 Purpose of Policy

To guide the management of beaches, rock pools and associated reserves under Council's care and control in accordance with statutory requirements, to minimize Council's exposure to liability and to meet community expectations, particularly in regard to safety.

#### 2 Policy Statement

This Policy covers all the beaches, rock pools and associated reserves under Council's care and control, which include:

##### Beaches

- Freshwater
- North Curl Curl
- South Curl Curl
- Dee Why
- Long Reef
- Collaroy
- South Narrabeen
- Narrabeen
- North Narrabeen

##### Rock pools

- Queenscliff
- Freshwater
- South Curl Curl
- North Curl Curl
- Dee Why
- Collaroy

Council manages the above beaches and rock pools 7 days a week during the beach season. To manage risk, Council undertakes a formal risk management assessment of each location and assesses the staff and equipment resources required.

Additional locations that are managed by Council under specific agreement/arrangement include:

- a) North Narrabeen Rock Pool
- b) North Narrabeen Lagoon Birdwood Park
- c) Warriewood Blowhole and Turimetta Beach
- d) Queenscliff Rock Pool
- e) Communications Base Fisherman's Beach Collaroy

Council may assist with life threatening situations at other beach locations within neighbouring local government areas.



Policy No. CCS-PL 610

As part of Council's overall risk management, Council provides a proactive approach that seeks to increase the level of knowledge, skills and awareness of all current and prospective beach visitors in Warringah in order to increase their capacity to swim safely and read the water conditions with confidence and minimise beach safety incidents.

### 3 Principles

- Council will provide a Beach Inspector Lifeguard Service during the beach season consistent with the identified risks which arise from public use and public need of the beaches and related facilities. Council's service will be provided according to the guidelines, roles and responsibilities detailed in the *Warringah Beach Services Lifeguard Operations Manual*, which is reviewed annually and the Department of Local Government's *Practice Note 15. - Water Safety* (updated 2012).

- Council will support the development and maintenance of a voluntary Surf Life Saving Movement covering the beaches in the Warringah local government area.

Council will work closely with all nine Surf Life Saving Clubs and Surf Life Saving Sydney Northern Beaches Incorporated regarding the implementation of the Deed of Agreement for the effective management of the beach reserves and rock pools. The Deed covers the Surf Life Saving Clubs and Surf Life Saving Sydney Northern Beaches Incorporated role on weekends and public holidays during the designated beach season.

Further details of Surf Club Operations including subsidy is provided in Attachment 1.

- Council will manage the joint weekend and public holiday service provided by the Surf Life Saving Clubs.
- All surf life saving volunteers will act in accordance with the roles and responsibilities outlined in the *Deed of Agreement* and *Honorary Beach Inspector Manual* signed by Warringah Council and the Surf Life Saving Sydney Northern Beaches Branch, as a representative of the nine Surf Life Saving Associations located within the Warringah LGA.
- Council will provide reliable, adequate and appropriate equipment and resources for the effective operation of the Beach Service as determined annually.
- Council will provide and maintain adequate surf club buildings. Further detail on surf club buildings refer to Attachment 2.
- Council will ensure that Council's Beach Service's staff (seasonal, casual and permanent) have adequate skills, knowledge and competencies to operate the service; and that all Beach Services staff are provided adequate training, support and resources to maintain and further develop their individual and team skills and knowledge.
- Beach Inspector Lifeguard Service vehicles shall have access to areas within the public place when essential to do so.
- Council will remain aware of and responsive to emerging issues in the industry and local environment and make recommendations and adopt as procedure items as deemed necessary for effectively managing public safety risks and for the provision of contemporary beach services pursuant to the *Local Government Act 1993*.

### 4 Risk Assessment

When applying this policy, Council will consider the Risk Enterprise Risk Management Framework Policy PL 700.

Policy No. CCS-PL 610

## 5 Authorisation

Policy No. 3.3.01 was authorised by Council on 14 August 1984.

This Policy was adopted by the Executive Committee on 28 February 2001 and 11 April 2001.

The Policy is due to be reviewed in May 2017.

## 6 Amendments

30 May 2003, 30 May 2005, 7 August 2006 and 28 May 2013

From 28 May 2013 the Surf Life Saving Movement Policy CCS-PL 611 has been incorporated in this policy.

## 7 Who is responsible for implementing this Policy?

Group Manager Community Services

## 8 Document owner

Deputy General Manager, Community

## 9 Legislation and references

*Local Government Act 1993*

Council's Strategic Community Plan

Warringah Council & Surf Life Saving Sydney Beaches Inc. *Deed of Agreement*

Warringah Council's *Beach Services Lifeguard Operations Manual* (2013)

Warringah Council's *Honorary Beach Inspector Manual* (2013)

Department of Local Government's *Practice Note No. 15 – Water Safety* (Updated July 2012)

Warringah Council, *Enterprise Risk Management Framework Policy – PL 700* (2012)

## 10 Definitions

### Public Place

Defined by the *Local Government Act 1993* (Schedule 3, Dictionary) as a public road, jetty, wharf, road ferry, public reserve, public bathing reserve, public baths, public swimming pool or other place which the public are entitled to use.



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ATTACHMENT 1

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**Surf Clubs Operations**

- a) The nine Warringah Surf Clubs shall properly patrol the beach they are located on with at least the minimum number of qualified persons during weekends and public holidays during the patrolling season in accordance with the Deed of Agreement between Council and Sydney Surf Life Saving Northern Beaches Branch Inc and the Honorary Beach Inspectors Manual.
- b) In default of any such agreement the clubs shall properly patrol the beach they are located on with at least the minimum number of qualified persons during weekends and public holidays during the patrolling season in accordance with the requirements of the National Council of Surf Life Saving Association of Australia, State Surf Life Saving Association and Local Branch and the reasonable requirements of Council.
- c) That all surf club operations be accordance with the relevant lease or other estate signed with Council.
- d) That Council receive annually an application for subsidy before November each year (so that it can be placed into Council's Budget process) from the Sydney Surf Life Saving Northern Beaches Branch Inc, and that an annual allocation be made by Council under the following guidelines:
- i) That Council, as a matter of general policy, subsidise only those portions of the operation of the Sydney Surf Life Saving Northern Beaches Branch Inc, which are consistent with the beach management and surf rescue (as opposed to offshore rescue) services of Council's Beach Inspector/Lifeguard Service at the time.
  - ii) An equal allocation of each of the nine Warringah Surf Clubs for essential Surf Life Saving equipment, with the proviso that Council must be advised annually of the purchases made with these funds by each Club by the end of the current swimming season.
  - iii) Warringah Surf Rescue Communications Base:
    - a) Telephones
    - b) Paging Systems
    - c) Repairs and Maintenance of Equipment
    - d) Licence Fees.
  - iv) Branch Inshore Rescue Boat Subsidy.
  - v) That Council release in full the funds allocated under Parts (ii) and (iv) in September of each year.
  - vi) That the funds annually allocated to the Warringah Surf Communications Base be retained by Council and that these funds be used for expenditure made in the categories of Part (iii) (a)-(d) inclusive by the Sydney Surf Life Saving Northern Beaches Branch Inc and for expenditure by Council on the telephone accounts at Warringah Surf Communication Base.
  - vii) That Council's priorities in supporting the Sydney Surf Life Saving Northern Beaches Branch Inc of the Surf Life Saving Association be as follows:
    - Firstly- the Clubs themselves and the provision of essential surf life saving equipment;
    - Secondly - the Branch's operations at Warringah Surf Communications Base;
    - Thirdly - the Branch's Inshore Rescue Boat.
- e) The Sydney Surf Life Saving Northern Beaches Branch Inc of the Surf Life Saving Association must acquire from Council the necessary license/permits, in advance, for the carnivals programmed for the ensuing season. In this regard, where casual use applications conflict, provided applications are lodged by the commencement of the season, preference will be given to the Surf Life Saving Association carnivals and competitions.
- f) Major events require at least three months prior approval and Council will not make available additional resources for the conduct of these events, unless the elected Council makes a special allocation.

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**ATTACHMENT 2**

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**Surf Club Buildings**

Council will provide and maintain adequate surf club buildings. Surf club buildings will have:

- o A specific room for Council's Beach Inspector Lifeguard Operations;
- o Provision of space for Surf Club executive operations;
- o Adequate public dressing rooms and toilet facilities;
- o Provision of suitable internal showers, toilets and change facilities for club members;
- o A first aid room
- o A shared hall with kitchen facilities; and
- o Storage space for club activities. Note: Rescue equipment will be given priority over competition equipment. Where there is insufficient space, competition equipment is to be stored off site.

The surf club buildings shall be maintained in accordance with lease agreements.

If development of the club is necessary, the maintenance of adequate public amenities and space for the Lifesaving and Council Lifeguard Operations are given priority.



|                       |                  |  |
|-----------------------|------------------|--|
| <b>Policy – No 24</b> | <b>Adopted:</b>  | <b>OM: 03.03.1997</b>                    |
|                       | <b>Reviewed:</b> |  |
|                       | <b>Amended:</b>  | <b>OM: 17.10.2011<br/>OM: 04.11.2013</b> |
|                       | <b>Revoked:</b>  |  |

**TITLE: PROFESSIONAL LIFEGUARD SERVICE**

**STRATEGY: BEACH & COASTAL  
RECREATIONAL MANAGEMENT**

**BUSINESS UNIT: RESERVES, RECREATION & BUILDING SERVICES**

**RELEVANT LEGISLATION:**

**RELATED POLICIES: NO. 52 - SURF LIFE SAVING MOVEMENT POLICY**

### **Objective**

To provide a weekday professional lifeguard service to the beaches of Pittwater throughout the swimming season.

### **Policy Statement**

Council will:

Provide a Lifeguard Service on the basis of the principle of a minimum of two professional lifeguards per designated beach as determined by Council.

Liaise with other coastal councils and appropriate organisations regarding issues of beach management and service.

Permit Lifeguard vehicles required for rescue to access beach reserves when required to do so and in accordance with the requirements of Policy No 52.

Liaise with the Surf Lifesaving Sydney Northern Beaches and its affiliated clubs regarding the effective management of the beach and beach reserve, sharing of necessary facilities and equipment and having regard to Council's Policy, regarding the Surf Life Saving Movement (Policy No 52).

### **Period of Coverage**

#### **Weekday Patrols**

The professional lifeguard service is provided at nominated Pittwater beaches for the specified periods of the swimming season as stipulated in the Lifeguard Service Contract between the professional lifeguard service and Council. This service is reviewed and altered as required from time to time.

## B20. Beach Management

**Title:** Beach Management Policy

**Policy No:** B20

**Keywords:** Beach Operations, Beach Management, Lifeguards, Surf Life Saving Clubs, Dogs, Beach First Aid

**Responsible Officer:** Divisional Manager – Human Services & Facilities

### 1. PURPOSE AND AUTHORITY

The purpose of this policy is to ensure that the correct balance between protecting the safety of beach users and maximising enjoyment for all key stakeholders is achieved within the functions of beach patrol, risk management, regulatory controls and within the delegated responsibilities of the professional lifeguards at Manly Beach.

This policy has been authorised by the Council and is available to all Council Officials and the community. It has been developed in consultation with staff and will be revised on a regular basis. Ownership of the policy rests with the Divisional Manager, Human Services and Facilities who is responsible for its implementation.

### 2. POLICY STATEMENT

Manly Council as a public authority is duty bound to maintain water safety at Manly Beach within designated hours of lifeguard patrol, for the local community and wider public in accordance with service provision, management of public land and regulatory control.

### 3. PRINCIPLES

#### Beach Management

The Council Lifeguard Service is responsible for the overall management of Manly Beach. The primary focus is on public safety which involves setting swimming areas and separating surf craft use areas and administering first aid.

Through delegated officers it enforces relevant legislations, oversees beach license operations and beach and surf related events, and compliance issues related to animals, beach activities, crowd management and behaviour.

#### Business licenses

Beach licenses are granted to selected businesses to operate on Manly Beach and in the surf. Their conduct and performance is monitored by the lifeguard service on a daily basis in accordance with conditions set with in the license upon which they operate.

#### Dog Control

Dogs are prohibited from all beaches and swimming enclosures. (Exception to this are assistance animals within the meaning of the Companion Animals Act 1998 (NSW))

#### Kite Flying

Flying of all styles of kites will not be permitted on Manly Beaches or the Beach Reserve.

#### Beach Events

Only beach related sport, recreation and community based events, with or without sponsorship; corporate functions such as dinners, picnics and volleyball games; documentary radio and television broadcasts may be approved with or without conditions.

The use of the beach or reserve for ongoing commercial activity must be authorized under a license issued by the Council.

Event applications giving sufficient details to enable Council to properly assess the proposal must be submitted in writing to the Council to obtain event approval.



#### **Crowd and Behaviour Management**

Lifeguards in accordance with Council compliance officers and the police address issues of inappropriate behaviour such as public drunkenness and non-compliance with water safety regulations and crowd management to ensure public safety.

#### **Water Safety and Surf Rescue**

The Lifeguard Service operates every day of the year and patrols South Steyne Beach all year. North Steyne and Queenscliff Beaches are patrolled from September school holidays till Anzac Day the following year.

The three local surf lifesaving clubs agree to provide weekend and public holiday voluntary beach patrols by qualified lifesavers from September school holidays till Anzac Day the following year.

#### **Flagged Areas**

All flagged areas will be kept free of surf craft during patrol hours only. The exception to this is when the beach is not considered safe for swimming and the beach is closed.

#### **Surf Craft Zones**

Surf craft zones will be clearly marked and kept a safe distance from the flagged swimming area. For this purpose a buffer zone of at least 30 metres both sides of the flagged area will be kept free of surf craft.

#### **Water Pollution/Beach Closure Procedure**

When it is reasonable to do so, Lifeguards or other Authorized Officers of the Council may close any beach for any period or periods for the safety and protection of the public due to pollution or beach conditions.

### **4. SCOPE**

This policy covers Council staff, Councillors, Surf Life Savings Clubs, beach licensees, the local community and visitors and event organisers.

### **5. DEFINITIONS**

**Lifeguard Service** is a operation of Council which employs professional lifeguards who are employed on a permanent, seasonal or casual basis to provide beach patrol seven days per week.

**A lifeguard** is a professional employee of Council, and maybe employed on a permanent, seasonal or casual basis to provide beach patrol seven days per week.

**Surf Life Saving Club** is a volunteer organisation which provides beach patrol at weekends and public holidays during the swimming season, in accordance with Surf Club management.

**A Lifesaver** is a volunteer and provides beach patrol at weekends and public holidays during the swimming season, in accordance with Surf Club management.

**Surf craft** is the general term for watercraft used outside the designated swimming area and operated by one or more persons that can be propelled by paddling, motor, wind and water current.

**Beach Licensee** is a business operator on the beach who has a licence with Council to provide a service relevant to beach use.

**Beach Patrol** is provided by both lifeguards and lifesavers to ensure water safety.

**Surf and Beach Events** are events sanctioned by Council to be conducted on the promenade, beach or water.

### **6. IMPLEMENTATION**

This policy will be implemented without delay once adopted by Council. Upon adoption by Council, this policy will be entered into Council's Policy Register, made available online and provided to all staff and any other people directly affected by this policy.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

## 7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

## 8. REPORTING

No specific compliance reporting is required under this Policy.

## 9. POLICY REVIEW

This policy will be reviewed on a two yearly basis. Where legislative, policy or funding environment impacts on the policy in its current form, the policy will be reviewed and amended accordingly.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Division of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

## 10. RELEVANT REFERENCES AND LEGISLATION

*Local Government Act 1993*

*Marine Safety Act 1998, Marine Safety (General) Regulation 2009*

*Work Health and Safety Act 2011*

Water Safety Practice Note No. 15, September 2010

Beach Safety for Visitors to Australian Beaches, [www.beachsafe.org.au](http://www.beachsafe.org.au)

## 11. RELEVANT COUNCIL POLICIES

Smoke Free Zones

Alcohol Prohibited Zones

Manly Council Code of Conduct

Manly Council Complaints Management Policy

Manly Council Guide to Ethical Behaviour – Staff

E40 - Manly Council Ethical Charter – Sustainability Policy

Manly Council Professional Lifeguard Services Policy

Manly Council Ocean Lifeguard Service Operations Manual

## 12. Revision Schedule

| Minute No | Date of Issue  | Action   | Author  | Checked by                 |
|-----------|----------------|--|---|----------------------------|
| PS53/11   | 2 May 2011     | Periodic Review  | Secretariat, Corporate Services                 | Manager, Administration    |
|           | September 2013 | Comprehensive Policy Review – number changes made and placed into new template | Divisional Manager, Human Services & Facilities | Governance, Legal and Risk |
| PS16/14   | 3 March 2014   | Periodic Review  | OM CSS  | Manager Governance         |



|                               |                  |   |
|-------------------------------|------------------|---|
| <b>Council Policy – No 88</b> | <b>Adopted:</b>  | <b>OM.11.09.00</b>  |
|                               | <b>Reviewed:</b> |   |
|                               | <b>Amended:</b>  | <b>OM 09.04.01, OM14.05.01<br/>OM12.07.04, OM 09.10.2006,<br/>OM:17.10.2011</b> |
|                               | <b>Revoked</b>   |   |

**TITLE:** Beach and Rockpool Management

**STRATEGY:** Beach & Coastal  
Recreation Management

**BUSINESS UNIT:** Reserves, Recreation & Building Services

**RELEVANT LEGISLATION:** Local Government Act, Workcover Authority of NSW

**RELATED POLICIES:** None

### **Objective**

To provide guidelines for the structured use of Council beaches, beach reserves and rockpools within the Pittwater LGA giving due consideration to the impact on the regular users of the areas.

### **Policy Statement**

#### **1. Beach and Beach Reserves**

Council will permit approved operators to occupy Council's beaches/ beach reserves and rockpools in accordance with adopted Plans of Management and statutory requirements, subject to permits/ licence agreements.

Charity organisations may be exempt from fees and charges at the discretion of the Council's General Manager upon application and subject to written evidence being provided by the Charity being represented.

#### **2. Beach Rockpools and Baths**

- (a) Groups wishing to use beach rockpools and baths must book in advance in accordance with Council's reserves booking practice, and pay a fee as determined by Council from time to time and contained within the fees and charges schedule within Council's adopted Delivery Plan.

- (b) An area must always be made available to the general public.
- (c) Bookings will not take precedence over the cleaning timetable.
- (d) All organisations wishing to use Council rockpools and beaches must have approved water safety plans in place that are approved by Council.

### 3. Regulations for the use of Public Bathing Reserves within Pittwater

- (a) Interpretation for the purpose of these regulations, the word “surfcraft” shall mean any surfboard, surf ski, canoe, surf boat, hand board or belly board, stand up paddleboard and foam board with fin, wind surfer or sailboard.
- (b) No portion of a public bathing reserve shall be used for surf shooting or surf riding by means of a surfcraft where such portion is to the seaward of, and immediately opposite to, that portion of the beach thereof bounded on the north and the south by prohibiting red, white and black marker discs (Surf craft prohibition sign); such red, white and black marker discs shall be set up and moved from time to time by and at the discretion of a Lifeguard/Lifesaver in charge of life saving operations on the public bathing reserve and no other person shall interfere with any such marker sign or flag.

The wording on the “red, white or black marker” discs shall be “SURFCRAFT PROHIBITED”, with a painted arrow pointing in the direction of the prohibited area.

- (c) Shark spotting or rescue patrol work performed by any surf club member or Lifeguard/Lifesaver shall not be subject to the prohibitions contained in these regulations.

### 4. Beach Usage Fees

- (a) Contests held on beaches (non-Surf Life Saving Association)

Exclusive use of a beach or portion thereof which, in the opinion of a lifeguard requires the provision of a lifeguard service to oversee the event, the fee shall be:-

- (i) a suitable bond as determined having regard to the likely cleaning costs
- (ii) a minimum charge per day as fixed by Council.

Application is to be made a minimum of 28 days in advance, on the prescribed application form, including Certificates of Currency indemnifying Council for Public Liability, Professional Indemnity insurance and Workers Compensation Insurance of an amount as determined by Council from time to time.

The cost of employing a professional lifeguard and arrangements for attendance shall be the responsibility of the event organiser and details must be provided to Council 28 days in advance of the proposed event.

- (b) Surf Life Saving Association Contestants

Applications are to be made a minimum of 28 days in advance, on the prescribed application form including Certificates of Currency, indemnifying Council for Public Liability and Professional Indemnity insurance of an amount as determined by Council from time to time.

(c) Promotions on Beaches and Beach Reserves

Promotions by profit making organisations will be charged a minimum fee per day as fixed by Council or part thereof of a fee as determined by Council from time to time and contained within the fees and charges schedule within Council's adopted Delivery Plan for the use of any beach or beach reserve, with a bond and Public Liability insurance, Professional Indemnity and Workers Compensation Insurance of an amount as determined by Council from time to time.

Applications are to be made a minimum of 28 days in advance on the prescribed application form.

(d) Australian Defence Forces A minimum fee per day as fixed by Council shall apply for beach exercises, training, etc. A bond as determined by Council from time to time is required. Applications are to be made in writing a minimum of 28 days in advance. Certificates of Currency, indemnifying Council for Public Liability and Professional Indemnity insurance of an amount as determined by Council from time to time.

(e) Other

Applications for beach usage where participants are charged a fee by the organising body will be charged a fee per day or part thereof, plus a bond.

Applications are to be made a minimum of 28 days in advance, on the prescribed application form including Certificates of Currency indemnifying Council for Public Liability and Professional Indemnity Insurance of an amount as determined by Council from time to time.

## 5. Management of Commercial Activities on Beach Reserves

Commercial activities will only be permitted if authorised under the existing Plan of Management for the specified area.

### a) Commercial Filming

Council charges a fee for the use of Council's beaches and reserves by commercial filming companies as set out in Council's Delivery Plan.

### b) Corporate Functions

Applications for Corporate Functions will be considered on their merit and in some cases a report may need to be submitted to Council for determination given consideration to impact, noise, size of event etc.

Applications for Corporate Functions must be submitted to Council 4 months prior to event to allow for community consultation, comments from other departments of Council and assessment.

Council may accept late applications subject to late application fees being charged. Late applications may be refused where it is considered that there is insufficient time available for adequate public consultation.

Event organisers are required to hold a \$20 million Public Liability Insurance Policy and will be required to submit evidence of such prior to the event.



Events will be subject to security bonds and fees as adopted by Council in the Delivery Plan. Such fees may include supervision of event, noise monitoring, cleansing, inspection fees and other fees associated with the event as deemed appropriate by Council.

Event organisers are required to adhere to conditions from the Council's Environmental Health Officer with regards to food preparation etc and cleansing requirements.

A deposit fee will be required on reservation of the location for the event. The Organiser is required to adhere to conditions as set out in the approval letter once the event has been approved by Council.

### **c) Powerboat Racing**

That all powerboat racing events are only permitted during the period 1 May to 31 August each year at a beach that is deemed appropriate by Council.

### **d) Fireworks**

A fireworks permit must be obtained from the Workcover Authority of NSW and copy of same submitted to Council.

Approval is required from the local Fire Brigade.

The area is required to be cordoned off from the general public who must be located an appropriate distance away.

Fireworks must not cross over or burst above spectators.

Approval is subject to any regulatory changes as advised to Council by the Workcover Authority of NSW.

Public Liability Insurance Cover is required to a minimum of \$20 million.

Security bond and fees as adopted by Council in the Delivery Plan are required.

### **e) Surf Contests**

(Excluding Surf Life Saving Sydney Northern Beaches Branch sanctioned events) including paddling events, 20 Beaches Ocean Classic, biathlons, triathlons.

Applications for ocean events are required to be lodged at least 6 months in advance for assessment. These events may be required to be submitted to the Department of Land and Water Conservation for their consideration and approval and may be required to be submitted to the full Council for their consideration.

In the instance of biathlons and triathlons where the running leg of the event involves road closures or road running etc the organiser is required to lodge a Traffic Management Plan to the Council's Traffic Committee for their consideration at least 4 months prior to event.

Ocean events are subject to approval from the Waterways Authority of NSW and an Aquatic Licence is required to be lodged with Council prior to event.

Liaison with the beach patrol on duty on the day of event is required as to appropriate entry and exit locations.

Liaison with Council's contracted Lifeguard Service is required if the event falls during the services patrol hours and/or days. Supervision by Council's contract Lifeguard Service may be required at a cost to the event organiser.

Exclusive use of the beach area is not permitted and as such non participants are not to be excluded from the area being used.

Public Liability Insurance of a minimum of \$20 million is required and evidence provided to Council prior to event.

Security bond and fees will be payable as determined by Council from time to time and contained within the fees and charges schedule within Council's adopted Delivery Plan.

## **6. Beach Compliance**

Persons ignoring the direction of a lifeguard will be dealt with under the relevant clauses of the Local Government Act, 1993.

## **7. Charges relating to the release of Impounded Equipment**

A recovery fee as fixed by Council will be charged for any impounded article.

## **8. Vehicles/Quad Bikes/All Terrain Vehicles on Beach Reserves**

All vehicles on beach reserves are prohibited except with the express approval of the Council and with the exception of the following cases:

(a) Emergency vehicles in the performance of their duties.

(b) Authorised maintenance and construction machinery.

(c) *Quad Bikes/All Terrain Vehicles on Beach Reserves*

- (i) All vehicles must be driven by financial members of Surf Lifesaving that are 18 years and older and the holder of at the minimum P2 (Green) Licence, and must be tested for Competency for operation of a quad bike / all terrain vehicles by SLSA and SLSS.
- (ii) The names of all newly qualified operators must be supplied to Council prior to each swimming season.
- (iii) All vehicles must carry the wording "Surf Rescue" or Lifeguard".
- (iv) All vehicles whilst towing rescue vessels, rescue equipment or patrolling the beach must not travel more than 20kph on the beach or reserve area with exception of emergency situations.
- (v) 4WD vehicles must be registered and in good condition.
- (vi) 2/4WD Motor bikes must apply for an "Application for Unregistered Vehicle Permit" from the RTA. Copies to be supplied to Council.
- (vii) Permission to operate such vehicles must be in accordance with the relevant ordinances of the local Council authority and the RTA.
- (viii) All vehicles must be left immobilised when left unattended.
- (ix) An accurate log book be kept detailing all vehicle movements and driver details, with the clubs nominating a driver for each patrol. It will be the nominated driver's responsibility for the upkeep of the vehicle and log book. The log is to be available for inspection by Council officers.

- (x) Surf Clubs to advise Council of location of storage of Quad Bikes prior to approval being granted
- (xi) All 4WD motor vehicles are to be fitted with a flashing light and headlights are to be illuminated.

(xii) Other equipment to be carried:

|                          |                          |
|--------------------------|--------------------------|
| 4WD Vehicles             | <u>2x4WD Motor Bikes</u> |
| Radio                    | Radio                    |
| Rescue Tube              | Rescue Tube              |
| Swim flippers            | Swim flippers            |
| Rescue Board             | Pocket mask              |
| A portable first aid kit |                          |
| Oxygen Resuscitator      |                          |

(d) *North Palm Beach*

North Palm Beach SLSC shall be granted continued approval to use a 4WD vehicle on North Palm Beach for the purpose of roving patrols and assisting in distance beach rescues, subject to the following conditions:-

- (i) Council may terminate such use at any time.
- (ii) The vehicle is to be used for the transportation of life savers and rescue equipment to effect rescues within the patrolling area defined as Barrenjoey Headland to Black Rock. The vehicle is to be used only during patrol hours unless directed otherwise by Warringah Surf Rescue and must be stationed adjacent to the patrol enclosure when on standby. Under no circumstances is the vehicle to be used for any other activities.
- (iii) The vehicle must be clearly marked as a rescue unit and utmost care in the use of vehicle is to be observed at all times.
- (iv) As much as possible, the vehicle should proceed along the high water mark of the beach with flashing lights on at all times. A siren is to be used when effecting a rescue or when the warning of beach users is required. The patrol captain is responsible for directing the use of the vehicle.
- (v) All drivers must hold a current NSW drivers licence (Class P2 or above) and be endorsed by the Club. A copy of the drivers' names and licence numbers will be forwarded to Council's Reserves and Recreation Manager at the beginning of each season.
- (vi) A log book be kept detailing all vehicle movements and driver details. The log is to be available for inspection by Council officers.
- (vii) A copy of the Surf Club's public liability insurance policy and Surf Lifesaving Sydney Northern Beaches public liability insurance policy noting the interest of Pittwater Council to a minimum value of \$20M is to be forwarded to Council prior to the commencement of each season.



|                               |                  |  |
|-------------------------------|------------------|--|
| <b>Council Policy – No 52</b> | <b>Adopted:</b>  | <b>OM: 02.03.1998</b>                    |
|                               | <b>Reviewed:</b> |  |
|                               | <b>Amended:</b>  | <b>OM: 17.10.2011<br/>OM: 04.11.2013</b> |
|                               | <b>Revoked:</b>  |  |

**TITLE: SURF LIFE SAVING MOVEMENT**

**STRATEGY: BEACH & COASTAL  
RECREATION MANAGEMENT**

**BUSINESS UNIT: RESERVES, RECREATION AND BUILDING SERVICES**

**RELEVANT LEGISLATION:**

**RELATED POLICIES: NO. 24 – PROFESSIONAL LIFEGUARD SERVICE POLICY**

### **Objective**

To support the development and maintenance of a voluntary Surf Life Saving Service and junior training and development program in Pittwater.

### **Policy Statement**

#### **1. Surf Clubs Buildings**

That the following minimum standards apply for Surf Club buildings:-

- (a) Room for equipment and gear of lifeguards/lifesavers.
- (b) Female and male public dressing rooms with toilet facilities
- (c) Locker room and internal showers for club use
- (d) Ambulance or casualty room
- (e) Boat and gear room
- (f) Accommodation for weekday (Contract) Lifeguards

#### **2. Surf Club activities/administrative arrangements.**

That the following primary activities/administration apply:-

- (a) Patrols to be structured to a standard set by the Surf Life Saving Association of Australia's National Council, to be fostered by Surf Clubs, so that all surf beaches (as nominated as part of Surf Life Saving Sydney Northern Beaches coverage) in



Pittwater are satisfactorily patrolled on weekends and public holidays throughout the swimming season.

- (b) Council, will deal with surf life saving matters directly with the Surf Life Saving Sydney Northern Beaches Branch of the Surf Life Saving Association of Australia.
- (c) Surf Clubs will provide access to relevant premises and equipment in order for Council's nominated professional lifeguard service to undertake their contractual obligations with Council in providing an effective weekday lifeguard service on Council's nominated beaches (see Policy No 24).
- (d) Amplifiers are not be used other than as is necessary for the functioning of Surf Club activities and to issue warnings to swimmers in the water.
- (e) Surf Clubs will operate in accordance with their lease of premises from Council for the use and occupation of buildings and refer in particular to obligations of landlord and tenant.
- (f) Refer to Council's Annual performance requirements of Surf Clubs as contained within lease agreements in relation to:-
  - Use of premises by community groups
  - Beach patrol and surf rescue
  - Youth training and development

### 3. Identifying Surf Life Saving/Public Buildings on Beach Reserves

The name of the whole building shall be (beach name) Beach Surf Life Saving Club, with other words, equal in size, placed underneath:

*"Pittwater Council Community Facility"* and that any other users be identified in smaller lettering if appropriate.

### 4. Use of Quad Bikes/All Terrain Vehicles on Beach Reserves

#### *Quad Bikes/All Terrain Vehicles on Beach Reserves*

- (i) In accordance with guidelines established for use by Surf Life Saving Sydney Northern Beaches, all vehicles associated with surf life saving must be driven by financial members of Surf Lifesaving that are 18 years and older and the holder of at the minimum P2 (Green) Licence, and must be tested for Competency for operation of a quad bike / all terrain vehicles by SLSA and Council's nominated lifeguard service provider.
- (ii) An up-to-date register of licenced drivers is to be maintained by Surf Life Saving Sydney Northern Beaches
- (iii) All vehicles must carry the wording "Surf Rescue" or Lifeguard".
- (iv) All vehicles whilst towing rescue vessels, rescue equipment or patrolling the beach must not travel more than 20kph on the beach or reserve area with exception of emergency situations.
- (v) 4WD vehicles must be registered and in good condition.
- (vi) Quad Bikes/All terrain vehicles must apply for an "Application for Unregistered Vehicle Permit" from the RMS. Copies to be supplied to Council.
- (vii) Permission to operate such vehicles must be in accordance with the relevant ordinances of the local Council authority and the RMS.

- (viii) All vehicles must be left immobilised when left unattended.
- (ix) An accurate log book be kept detailing all vehicle movements and driver details, with the clubs nominating a driver for each patrol. It will be the nominated driver's responsibility for the upkeep of the vehicle and log book. The log is to be available for inspection by Council officers.
- (x) Surf Clubs to advise Council of location of storage of Quad Bikes prior to approval being granted
- (xi) Other equipment to be carried:
  - Quad Bikes/All Terrain Vehicles
  - Radio
  - Rescue Tube
  - Swim flippers
  - Rescue Board
  - A portable first aid kit
  - Oxygen Resuscitator

(5) *North Palm Beach*

In addition to (4) above, the following applies to North Palm Beach:

North Palm Beach SLSC shall be granted continued approval to use a 4WD vehicle on North Palm Beach for the purpose of roving patrols and assisting in distance beach rescues, subject to the following conditions:-

- (i) Council may terminate such use at any time.
- (ii) The vehicle is to be used for the transportation of life savers and rescue equipment to effect rescues within the patrolling area defined as Barrenjoey Headland to Black Rock. The vehicle is to be used only during patrol hours unless directed otherwise by Warringah Surf Rescue and must be stationed adjacent to the patrol enclosure when on standby. Under no circumstances is the vehicle to be used for any other activities.
- (iii) The vehicle must be clearly marked as a rescue unit and utmost care in the use of vehicle is to be observed at all times. It is to be fitted with a flashing light and headlights are to be illuminated.
- (iv) As much as possible, the vehicle should proceed along the high water mark of the beach with flashing lights on at all times. A siren is to be used when effecting a rescue or when the warning of beach users is required. The patrol captain is responsible for directing the use of the vehicle.
- (v) A log book be kept detailing all vehicle movements and driver details. The log is to be available for inspection by Council officers.
- (vi) A copy of the Surf Club's public liability insurance policy and Surf Lifesaving Sydney Northern Beaches public liability insurance policy noting the interest of Pittwater Council to a minimum value of \$20M is to be forwarded to Council prior to the commencement of each season.