Northern Beaches Section 7.12 Contributions Plan 2019

northern beaches council

Contents

1	**Introduction**	4
2	**Plan summary**	7
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
3	**Anticipated development and the infrastructure strategies**	12
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
4	**How and when will levies be imposed on developments?**	26
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
5	**How and when can a levy requirement be settled?**	28
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

6	**Other administration matters**	29
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

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

Figures

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

Appendices

Appendix A	Infrastructure schedule and location maps	31

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.'[1]

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.[2] 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.[3]

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.[4] New development is also expected to yield at least 13,000 additional workers in the LGA during the same period.[5]

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.[6]

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.

[1] Northern Beaches Council, Shape 2028 Northern Beaches Community Strategic Plan 2018 – 2028 (CSP), p 6.

[2] 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).

[3] .idcommunity Northern Beaches Economic Profile based upon National Economics (NIEIR) - Modelled series, 2017 (id economic profile).

[4] id forecasts.

[5] 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.

[6] 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.[7] 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.[8]

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.

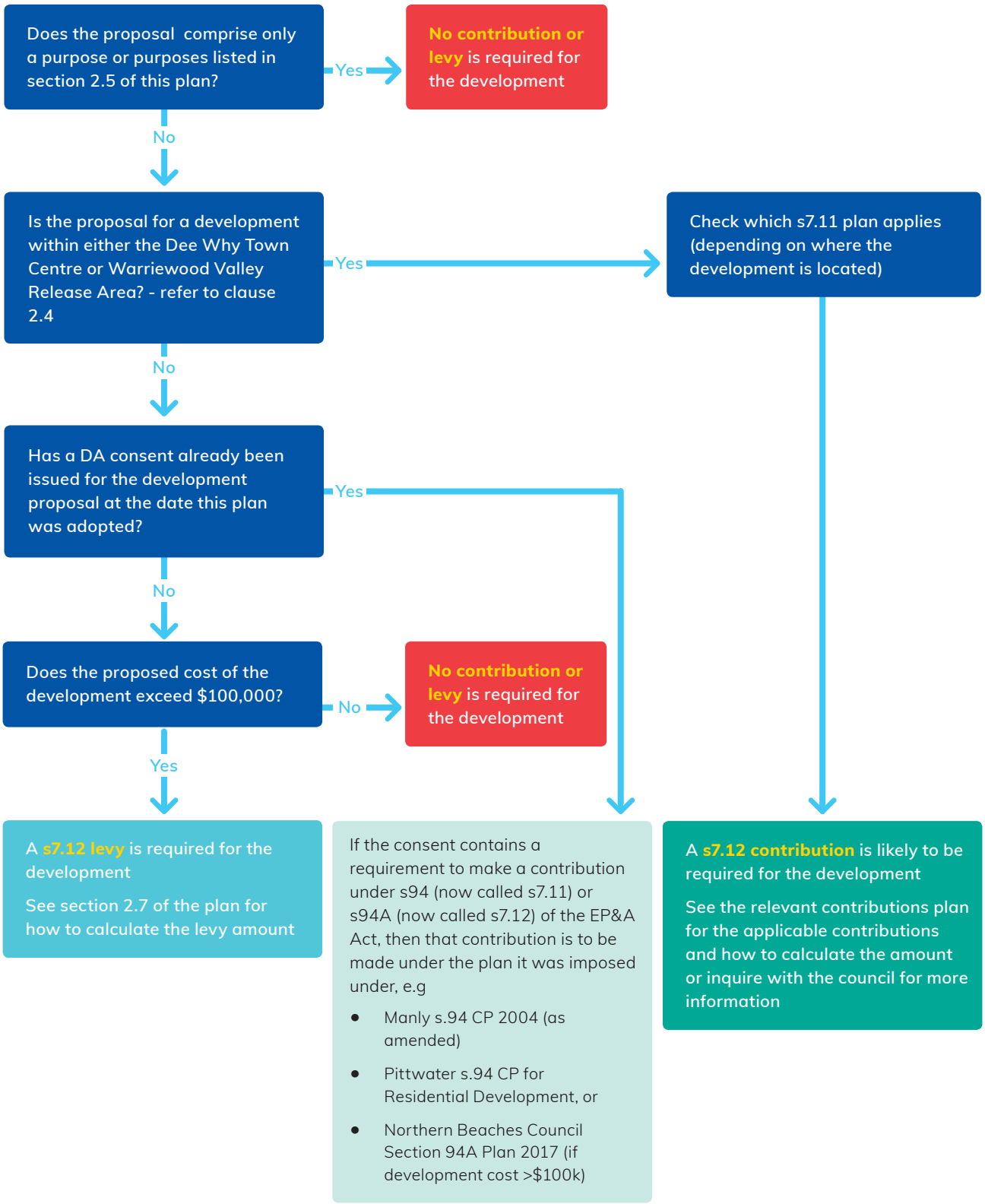
This plan includes the following:

- 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.

[7] The Northern Beaches Council was proclaimed on 12 May 2016.

[8] 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.

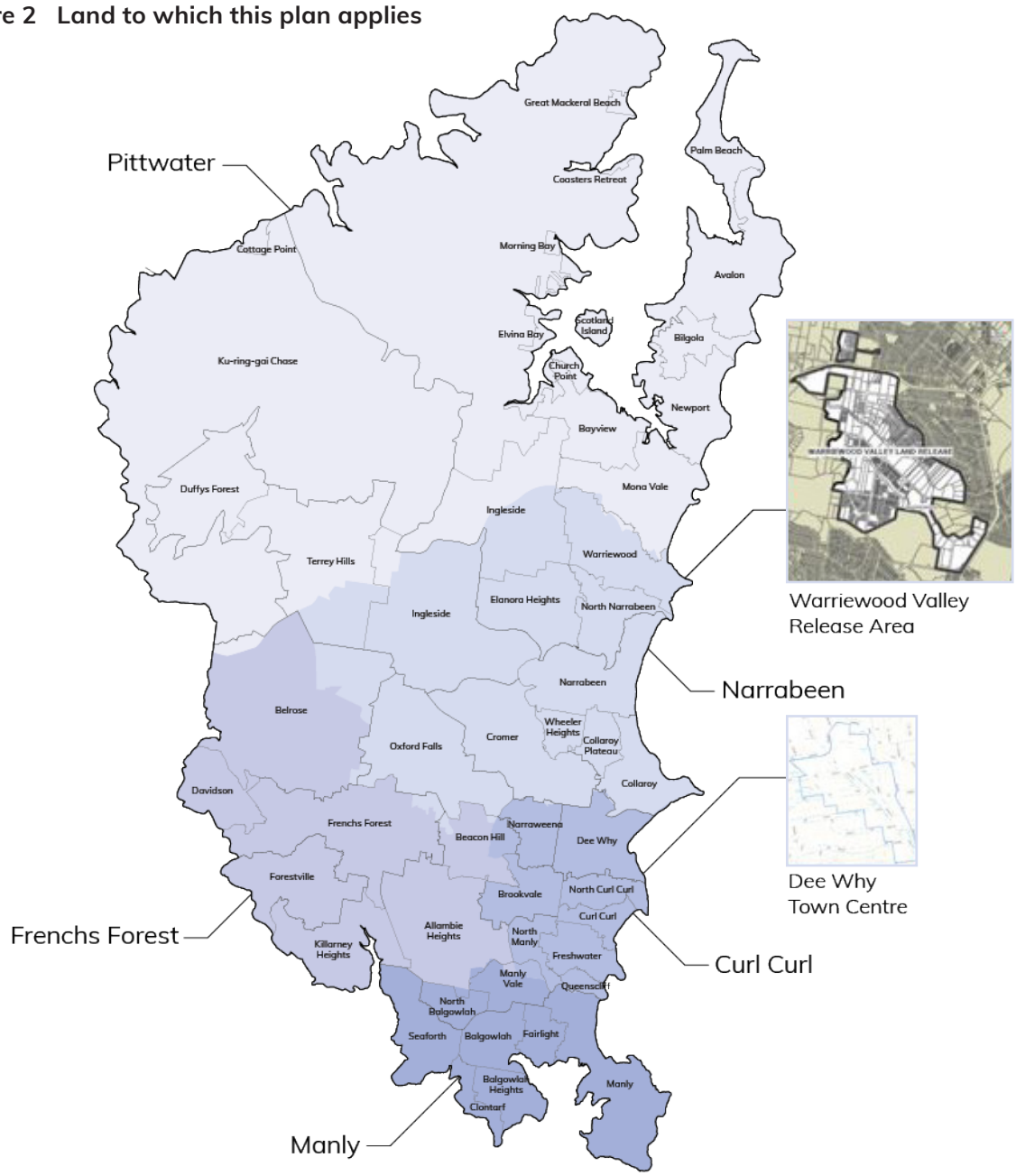
2.4 What land and development does this plan apply to?

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[9] 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.

[9] 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[1]	$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
Total	**$6,009,175**	**$7,609,071**	**$9,623,185**	**$1,200,000**	**$24,441,431**

* 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
Total levy	**= $875**

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
Total levy	**= $60,000**

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.[10] It comprises a land area of 254 km2 and combines a diverse range of land uses and economic activities.[11] Pittwater, Narrabeen, Frenchs Forest, Curl Curl and Manly represent the five wards of Council.[12]

The Northern Beaches is already home to an estimated resident population of 271,519 in 2019.[13] 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.[14] With continued urban development, forecasts suggest an additional 38,000 residents in the LGA by 2036.[15] Residents enjoy an active lifestyle with the Northern Beaches boasting half of all the beaches in Sydney,[16] 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.[17] 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[18] 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.

[10] https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council.
[11] CSP, p 11.
[12] http://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council/wards-and-suburbs.
[13] id forecasts.
[14] Community id profile.
[15] id forecasts.
[16] https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council.
[17] North District Plan, pp 66-77.
[18] id forecasts.
[19] 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
Total Private Dwellings	**97,617**	**100**	**101,468**	**100**	**+3,851**

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.[20]

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.[21]

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.

[20] Northern Beaches Affordable Housing Needs Analysis, 2016.

[21] CSP, p 11

[22] 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
Total	**252,885**	**100**	**100**	**237,709**	**100**	**100**	**+15,176**

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
Total households	**92,406**	**100.0**	**100.0**

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.[23] 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.[24]

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

[23] id forecasts.

[24] 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
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
Total	102,586	121,723	+19,137	+18.7
Total (excluding Dee Why, Frenchs Forest, Warriewood and Ingleside)	**84,908**	**95,002**	**+10,094**	**+11.9**

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

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. [25]

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.

[25] id forecasts.

Table 7. Population forecast 2016 - 2036

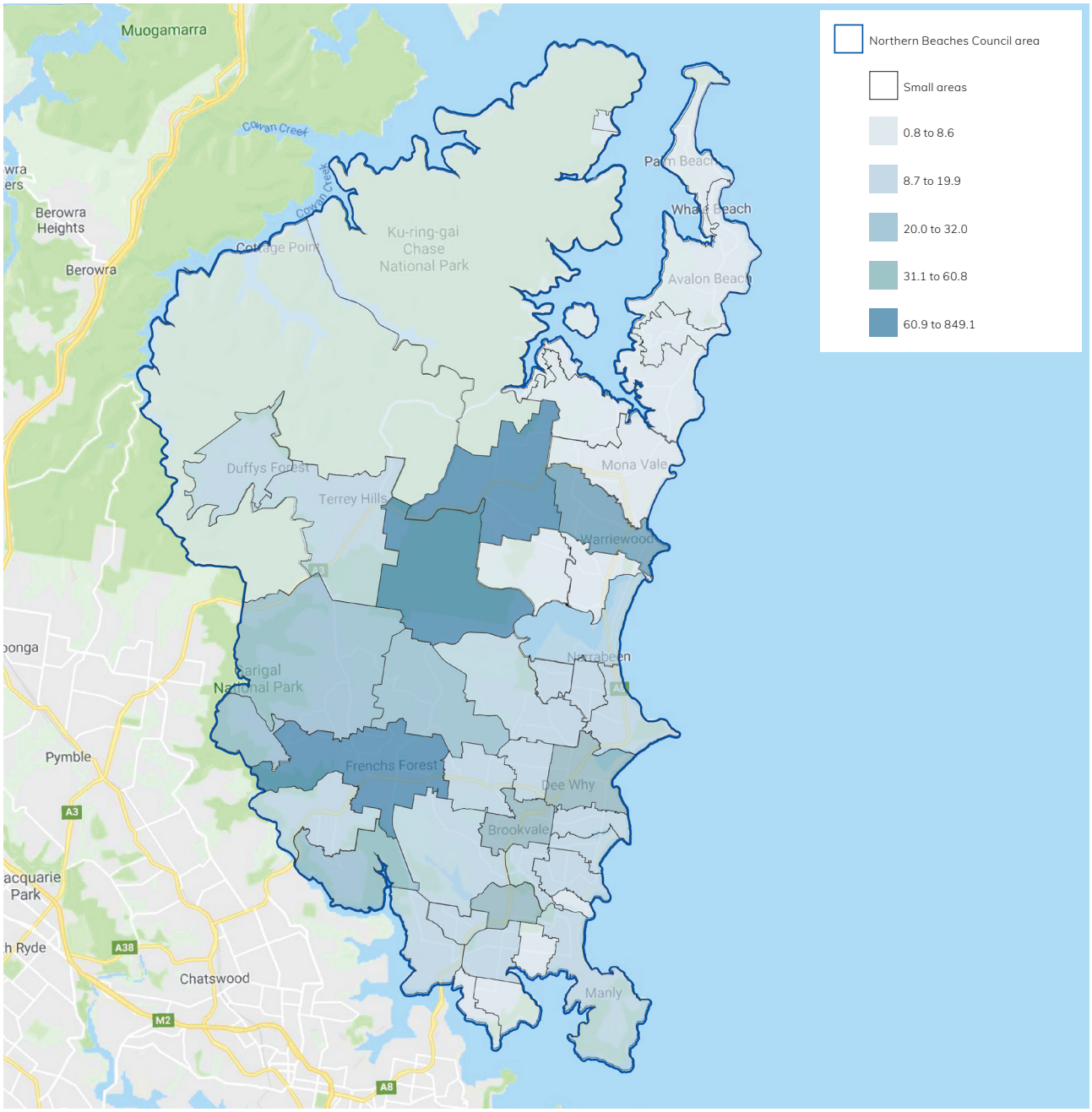
Suburb	2016	2036	Change	
	Number	Number	Number	%
Allambie Heights	7,274	7,860	+586	+8.1
Avalon Beach - Clareville	11,284	11,120	-164	-1.5
Balgowlah	8,338	10,088	+1,750	+21.0
Balgowlah Heights - Clontarf	5,385	5,611	+226	+4.2
Bayview	3,964	4,048	+84	+2.1
Beacon Hill	7,831	8,304	+473	+6.0
Belrose - Oxford 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
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
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
Total	**266,344**	**309,333**	**+42,989**	**+16.1**
Total (excluding Dee Why, Frenchs Forest and Ingleside)	**220,576**	**240,876**	**+20,300**	**+9.2**

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

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).[27]

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

	2016/17	2017/18	2018/19	3-year annual average
Northern Beaches LGA	$279.2m	$208.5m	$240.6m	**$242.8m**

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.[28] 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.[29] 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.[30]

[26] Economy profile id, with 2017 economic value estimate.

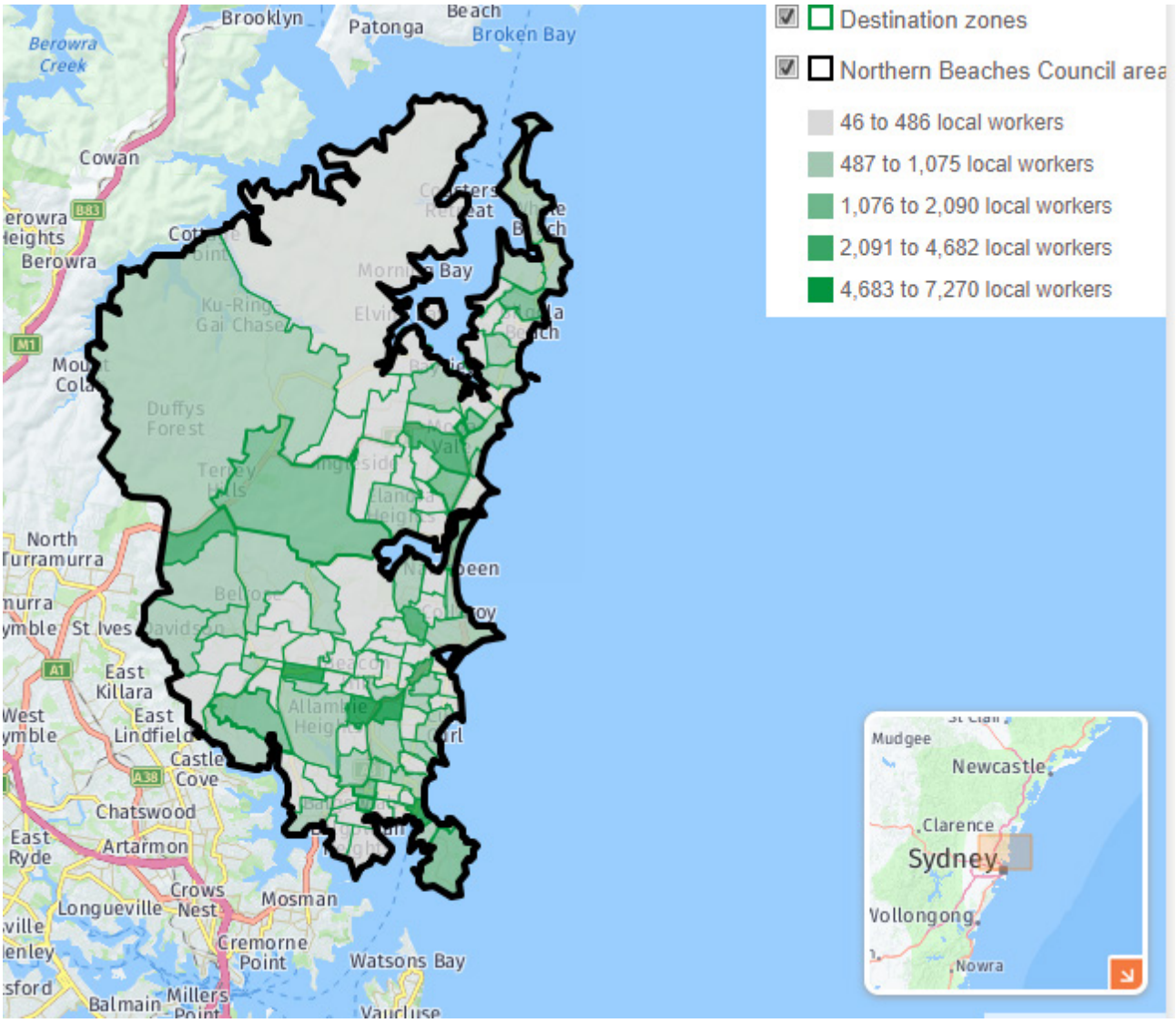
[27] ABS, Building Approvals, Cat No. 8731.0, Australia, June 2017-December 2018.

[28] Economy profile id.

[29] North District Plan, pp 66-77.

[30] 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.

[31] 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."[32]

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.[33]

[32] CSP, p 27.

[33] 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.[34]

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. [35]
- 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.[36]

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.[37]

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.[38]

[34] Sportsground Strategy, July 2017, p 4.

[35] Sportsground Strategy, July 2017, p 10.

[36] Sportsground Strategy, p 4.

[37] Sportsground Strategy, p 4.

[38] 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.[39] 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.[40]

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.[41] 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.[42]

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.[43]

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.[44]

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.

[39] Sportsground Strategy, p 6.

[40] Sportsground Strategy, p 24.

[41] Delivery Program, p 51.

[42] Delivery Program, p 25.

[43] Delivery Program, p 53.

[44] 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.[45]

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.[46]

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.

[46] 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.[47]

[47] 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 Infrastructure1	2020/21	2021/22	2022/23	2023/24	Total (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
	Total Social Infrastructure Facilities	**$4,011,450**	**$4,300,000**	**$6,840,000**	**$200,000**	**$15,351,450**
*	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
	Total Active Transport	**$955,725**	**$968,933**	**$783,185**	**$1,000,000**	**$3,707,843**
*	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
	Total Public Domain Works	**$1,042,000**	**$2,340,138**	**$2,000,000**		**$5,382,138**
	Total Local Infrastructure	**$6,009,175**	**$7,609,071**	**$9,623,185**	**$1,200,000**	**$24,441,431**

* 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