



northern
beaches
council

SUPPLEMENTARY AGENDA

Notice is hereby given that an Ordinary Meeting of Council will be held at the Civic Centre, Dee Why on

Tuesday 24 May 2022

Beginning at 6:00pm for the purpose of considering and determining matters included in this agenda.

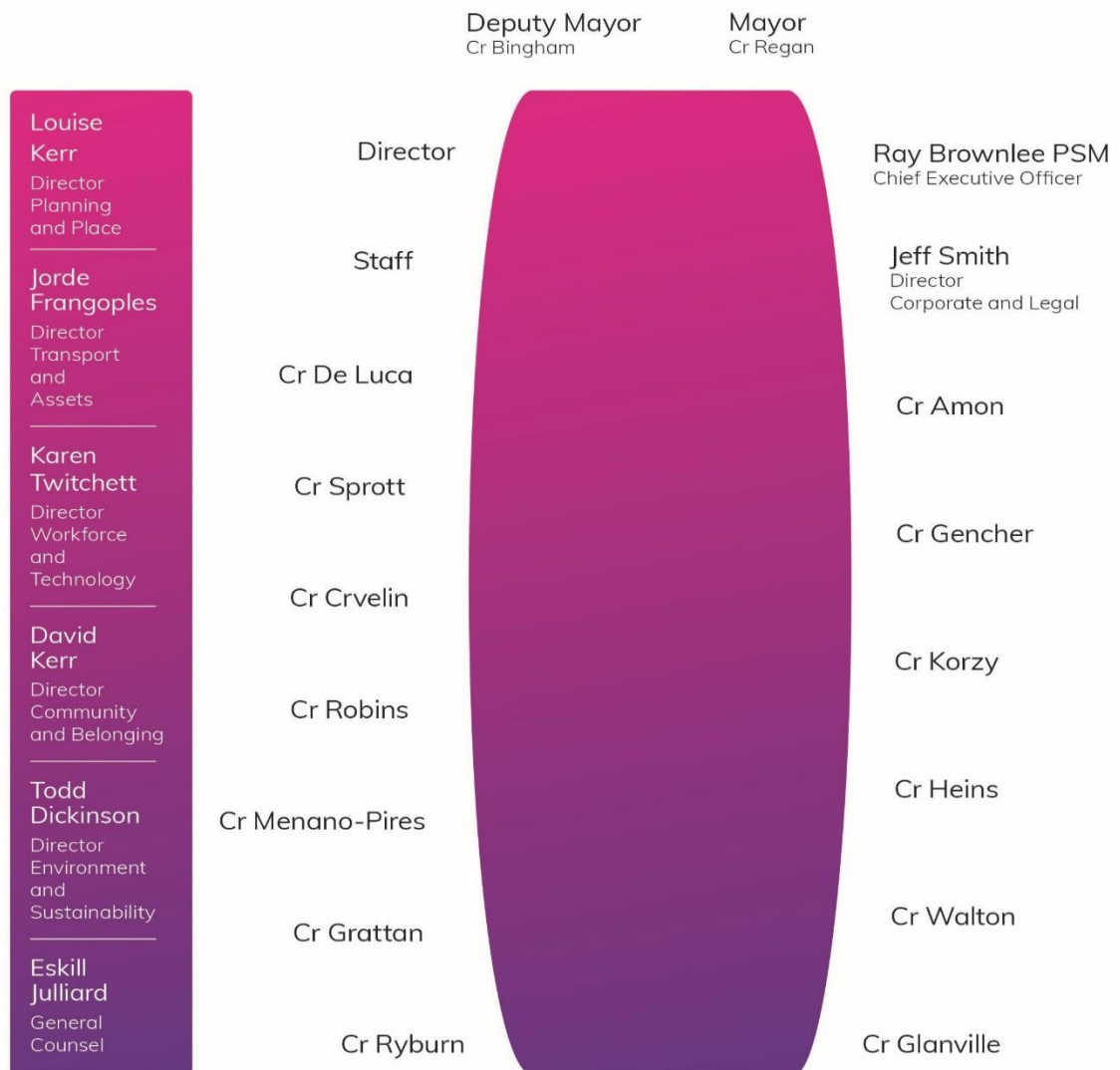
Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 24 May 2022
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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12.1	Outcome of Public Exhibition - Frenchs Forest Town Centre Contributions Plan	4

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	OUTCOME OF PUBLIC EXHIBITION - FRENCHS FOREST TOWN CENTRE CONTRIBUTIONS PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2022/260998
ATTACHMENTS	1 Frenchs Forest Town Centre Contributions Plan 2 Frenchs Forest Special Infrastructure Contribution Determination 3 Ministerial Direction 4 Community Engagement Report

SUMMARY

PURPOSE

To update Council on the outcomes of the public exhibition of the draft Frenchs Forest Town Centre Contributions Plan (the draft Contributions Plan) and to recommend that Council adopts the Contributions Plan (as amended) and forwards it to the Independent Pricing and Regulatory Tribunal (IPART) for review.

EXECUTIVE SUMMARY

Development contributions are a levy imposed on development by councils to fund the delivery of essential local infrastructure.

At its meeting of 1 August 2017, Council adopted the Northern Beaches Hospital Precinct Structure Plan (the Structure Plan) and instructed staff to prepare a development contributions plan and place the contributions plan on public exhibition in accordance with legislative provisions.

The rezoning of Phase 1 of the Structure Plan (known as the Frenchs Forest Town Centre) was a State Government-led project managed by the Department of Planning and Environment (the Department).

On 17 December 2021, the NSW Government finalised the Frenchs Forest 2041 Place Strategy (the Place Strategy). The Place Strategy will deliver approximately 2,000 new dwellings and 47,000 square metres of non-residential floor space in the Frenchs Forest Town Centre. The new planning controls will come into effect on 1 June 2022.

The draft Frenchs Forest Town Centre Contributions Plan (the draft Contributions Plan) was prepared and exhibited in accordance with Council's 2017 resolution. The draft Contributions Plan identifies local infrastructure required to support development in the Frenchs Forest Town Centre.

Public exhibition commenced on 18 March 2022 and concluded on 1 May 2022. A total of 42 submissions were received.

Developers of land will be required to make monetary contributions towards the provision, extension, or augmentation of local infrastructure to meet the increased demands caused by the development in the Frenchs Forest Town Centre. Funding from the contribution plan will enable the delivery of parks and open spaces and improve traffic and transport services for the area. A works schedule and map are included in the Draft Contributions Plan.

Traffic and Transport Services

Development in the Frenchs Forest Town Centre will create additional vehicle trips on the existing road network. Funds collected will pay for infrastructure to accommodate the demand including new roads, widening of existing roads, intersection upgrades, relocation of bus stops, traffic calming infrastructure, off-road shared paths, and cycleways. These works will augment the existing network to help accommodate the new traffic generated by the development in the precinct.

The provision of traffic infrastructure is crucial to support development in the Frenchs Forest Town Centre. The funding and delivery of traffic infrastructure is the responsibility of both Council (via the draft Contributions Plan) and the NSW Government, via the Special Infrastructure Contribution (SIC) which has been finalized by the State Government, and other State funding sources.

Parks and Open Spaces

The strategy to address open space needs for the precinct is to provide a high-quality central parkland within the Town Centre complemented by a network of safe walking and riding links to surrounding upgraded open space areas. Upgrading existing fields to provide lights for night-time use will also provide additional capacity. The NSW Government have committed in writing to the dedication of 15,000m² of open space in the town centre being dedicated to council free of cost.

Social Infrastructure

Future development within the Frenchs Forest Town Centre will require the delivery of social infrastructure to support the new community. The NSW Government's Place Strategy plans for approximately 9,670sqm of floor space for community, indoor sport, childcare, and library land uses. Whilst the planning controls and strategic documents allow for the potential to include a community hub, it remains an unfunded project.

Having regard for current legislative restrictions imposed by the NSW Government, Council is unable to collect funds for the construction of these facilities in a Contributions Plan. Alternative funding sources/negotiations with developers will be required to inform decisions and support delivery of the community hub.

Amendments proposed to draft Contributions Plan following Public Exhibition

During and following the public exhibition of the draft Contributions Plan, further analysis of the division of responsibility between local and state infrastructure was undertaken. The outcome of this review recommends that the infrastructure identified in the exhibited draft Contributions Plan to deliver the intersection upgrade at Forest Way and Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to be required for the functioning of the State Road traffic network, and thus is the responsibility of the State to deliver.

Accordingly, elements associated with this intersection improvement and Naree Road extension have been removed from the draft Contributions Plan. The updated Frenchs Forest Town Centre Contributions Plan (the Contributions Plan) is now presented to Council for consideration (Attachment 1).

The removal of these State items reduced the overall cost of the Contributions Plan, and a subsequent reduction in the per dwelling contribution rates (noting that the contribution rate for two- and three-bedroom dwellings will be above the \$20,000 threshold), thereby requiring the review of the Contributions Plan by IPART.

The Forest Way and Naree Road intersection works, including the Naree Road extension items (acquisition and works) still need to be delivered, but will need to be delivered by the State Government as they directly relate to the intersection upgrade works for the functioning of the State Road network.

Need for IPART Review and Approval

The Ministerial Direction titled *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012* sets out the maximum amounts that may be imposed by councils via conditions of consent under section 7.11 of the Environmental Planning and Assessment Act for residential development. This Direction caps contributions for residential development at \$20,000 per new dwelling/lot. However, the Direction allows councils to impose contributions that exceed the capped amounts where the relevant contributions plan has been reviewed by the Independent Pricing and Regulatory Tribunal (IPART).

The residential contribution rates in the Contributions Plan exceed the maximum permitted rate of \$20,000 per new dwelling/lot. Accordingly, the Contributions Plan will need to be reviewed by IPART before a contribution rate above \$20,000 can be imposed.

The rezoning of the town centre comes into effect on 1 June 2022 and development applications for the development in the precinct can be lodged to Council from 1 June 2022.

It is expected that a review of the Contributions Plan may take between 6 to 12 months. To safeguard the ability for Council to impose conditions of consent requiring the payment of development contributions during the period in which the Contributions Plan is being reviewed by IPART, a notation has been added to the Contributions Plan which will enable Council to impose the maximum rate of \$20,000 per dwelling until such time as the Contributions Plan has been reviewed by IPART.

Representations have also been made to the DPE regarding this matter, and in late May 2022 a commitment was made by DPE that a legislative amendment to Warringah LEP 2011 was being prepared that would prevent a consent authority from determining applications until an IPART reviewed plan was in force (subject to final approval from Parliamentary Counsel).

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Note the outcomes of the public exhibition of the draft Frenchs Forest Town Centre Contributions Plan.
 2. Adopt the draft Frenchs Forest Town Centre Contributions Plan (as amended).
 3. Forward the adopted Frenchs Forest Town Centre Contributions Plan to the Independent Pricing and Regulatory Tribunal for review.
 4. Notify submitters of the Council decision.
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REPORT

BACKGROUND

Northern Beaches Hospital Precinct Structure Plan

Development contributions are a levy imposed on development by councils to fund the delivery of essential local infrastructure.

At its meeting of 1 August 2017, Council adopted the Northern Beaches Hospital Precinct Structure Plan (the Structure Plan) and instructed staff to prepare a development contributions plan and place the contributions plan on public exhibition in accordance with legislative provisions as follows:

That Council:

D. Prepare and exhibit the following documents in accordance with the planning framework identified in the Northern Beaches Hospital Precinct Structure Plan:

c. Section 94 Contributions Plan.

It is noted that since the above resolution of Council in 2017, changes have been made to the numbering in the Environmental Planning and Assessment Act (the EP&A Act). Contributions plans are now given effect via s7.11 and s7.12 of the EP&A Act.

The adopted Structure Plan is shown in Image 1.



Image 1: Northern Beaches Hospital Precinct Structure Plan

The Structure Plan proposes the phased delivery of three stages to achieve the anticipated land use outcomes. Traffic modelling indicated that the existing local road network could initially only accommodate the development of Phase 1 with the delivery of specific road and intersection upgrades. These infrastructure upgrades were identified in the Structure Plan and include the widening of Frenchs Forest Road West/Naree Road and intersection upgrade with Forest Way, the closure of Russell Avenue and the extension of Naree Road to Grace Avenue.

The phasing strategy in the Structure Plan is shown in Image 2.



Legend










	B1 Neighbourhood Centre		R2+ Low Density Residential plus additional land uses		R3+ Medium Density Residential plus additional land uses
	B4 Mixed Use		R3 Medium Density Residential		SP2 Infrastructure
	Phase 1 (Immediately)		Phase 2 (10 years)		Phase 3 (10 years+)

Image 2: Phasing Strategy

Frenchs Forest 2041 Place Strategy

On 17 December 2021, the NSW Government finalised the Frenchs Forest 2041 Place Strategy (the Place Strategy). The Place Strategy will deliver approximately 2,000 new dwellings and 47,000 square metres of non-residential floor space in the Frenchs Forest Town Centre. The new planning controls will come into effect on 1 June 2022.

The Frenchs Forest Special Infrastructure Contribution (SIC) Determination (Attachment 2) was signed on 7 December 2021. The SIC applies to all land in the adopted Structure Plan and came into effect on 1 April 2022. The SIC identifies some infrastructure that will be funded by the NSW Government.

Additionally, the new planning controls will also be introduced to allow Council to collect contributions for affordable housing in accordance with the rates in Council's adopted Affordable Housing Contributions Scheme namely:

- Area A – 10%
- Area B – 15%

applying to land identified in the map in Image 3.

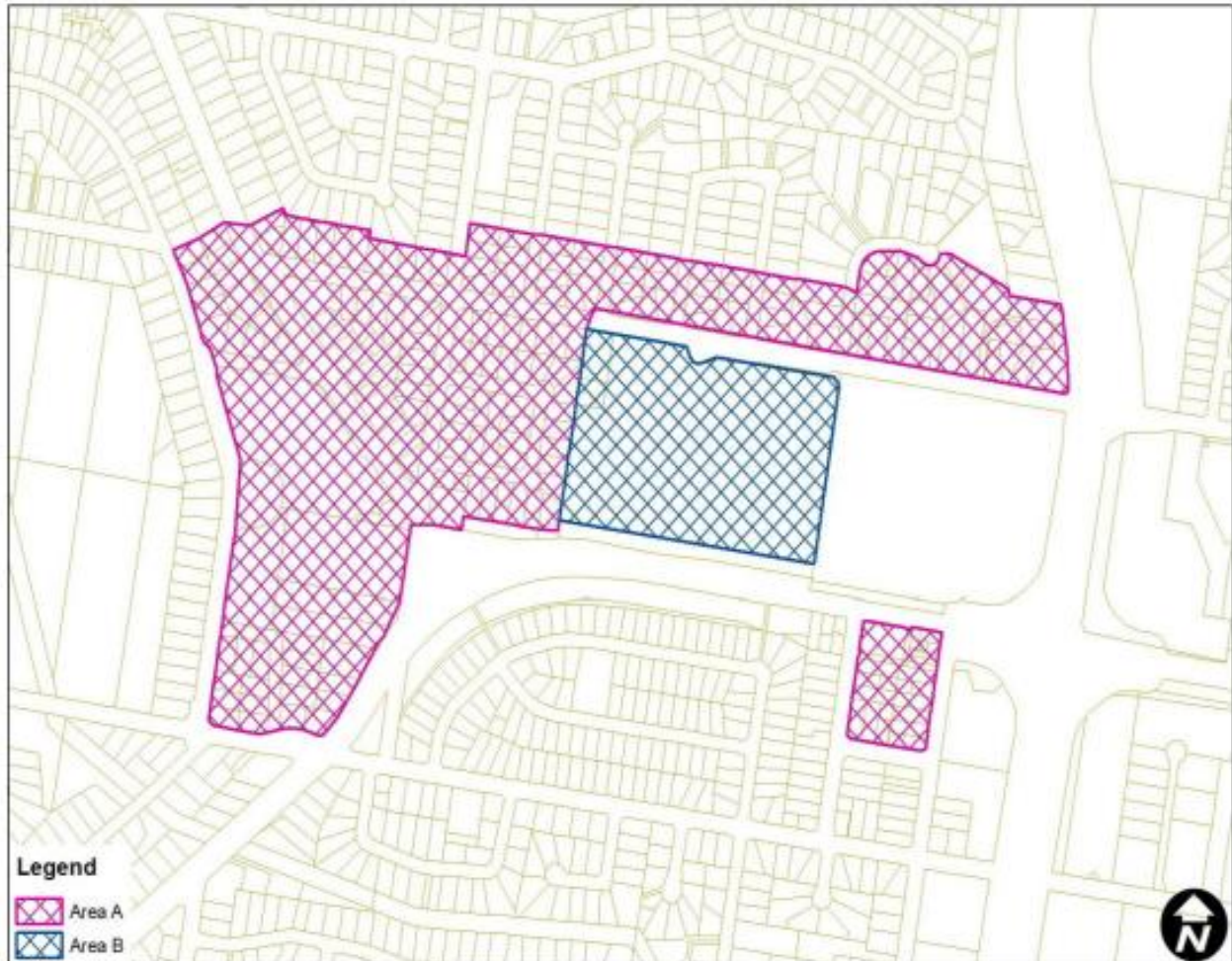


Image 3: Frenchs Forest Rate Areas – Affordable Housing Contributions Scheme September 2022

Draft Frenchs Forest Town Centre Contributions Plan

At its meeting of 11 August 2020, Council's then Development Contributions Committee (now the Development Infrastructure Contributions Panel) agreed that a contributions plan should only be prepared for Phase 1 of the Structure Plan. This is due to the uncertainty with the timing of Phases 2 and 3 being progressed to rezoning in the future.

Council has engaged a planning consultant, GLN Planning, to prepare a draft contributions plan that is informed by the following technical studies:

- Transport Strategic Design Report – Arup, dated 3 September 2021
- Social Infrastructure Study – Cred Consulting, dated August 2019
- Open Space for Recreation Options Analysis – Otium Planning, dated August 2021
- Water Sensitive Urban Design Strategy – Alluvium, dated December 2019

The Contributions Plan addresses the anticipated infrastructure demands of the incoming population.

Traffic and Transport Infrastructure Identified in the Contributions Plan

The additional development in the Frenchs Forest Town Centre will create additional vehicle trips on the existing road network. Funds are proposed to be collected to pay for infrastructure to accommodate this demand including new roads, widening of existing roads, intersection upgrades, relocation of bus stops, traffic calming infrastructure, off-road shared paths, and cycleways. These works will augment the existing network to help accommodate the new traffic generated by the development in the precinct.

The provision of traffic infrastructure is crucial to support development in the Frenchs Forest Town Centre. Funding and delivery of this infrastructure is the responsibility of Council (via the Contributions Plan) and the NSW Government, via the Special Infrastructure Contribution (SIC) and other State funding sources.

During, and following the exhibition of the draft Contributions Plan, further analysis of the division of responsibility between local and state infrastructure was undertaken. The outcome of the review is that the infrastructure included in the draft Contributions Plan to deliver the intersection upgrade at Forest Way and Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue has been identified to be part of the State Road traffic network and therefore, it is the responsibility of the State Government to deliver.

Accordingly, elements associated with these improvements have been removed from the Contributions Plan. This has resulted in a reduced overall cost of the Contributions Plan and subsequent reduction in the per dwelling contribution rates.

These removed infrastructure items (acquisition and works) will still need to be delivered but are required to be delivered by the State Government.

Council commissioned a Transport Strategic Design Report to identify all required traffic infrastructure to support development of the Frenchs Forest Precinct. Following the removal of the State infrastructure items, the remaining traffic infrastructure is included in the Contributions Plan as described below:

Traffic Infrastructure	Label
Acquisition of land for Holland Crescent extension to Town Centre	LA2
Acquisition of land for second entry to Town Centre	LA3
Acquisition of land for widening of Frenchs Forest Road West and Naree Road	LA4
Construction of new road - Holland Crescent extension to Town Centre	R2
Construction of new road - second entry to Town Centre	R3
Road widening of Naree Road	R4
Road widening of Frenchs Forest Road West	R5
Intersection upgrade – Adams Street/Forest Way	R8
Intersection upgrade – Adams Street/Rabbett Street	R9
Intersection upgrade for bus infrastructure – Rabbett Street/Forest Way	R10
Relocation of bus stops	

Traffic calming	
Active transport	

Table 1: Traffic infrastructure in the Contributions Plan

The identified infrastructure will not perform adequately in isolation. These works are inter-related, and the removal of any infrastructure item will adversely impact the remaining network and cause increased vehicular queue lengths and wait times. The timely and coordinated delivery of all traffic infrastructure items is required to ensure that the road network functions appropriately. Traffic works are required to come online at key stages in the development process to address expected traffic volumes.

To facilitate the delivery of the above infrastructure, some full and partial property acquisition is required. The below properties are listed for full or partial acquisition in the Contributions Plan.

Property Address	Full or Partial Acquisition	Purpose
16 and 26 Holland Crescent	Full	Second entry road link into the Town Centre (from Holland Crescent to Frenchs Forest Road West at Sylvia Place)
NSW Police station at 137-139 Frenchs Forest Road West	Full	
141, 143, 145, 147, 149, 151, 153 and 155 Frenchs Forest Road West; and 1, 3, 5, 7 and 9 Naree Road; and 15 Rabbett Street	Partial	Road Widening of Frenchs Forest Road West and Naree Road, from Bluegum Crescent to Forest Way

Table 2: Acquisition of land for traffic infrastructure in the Contributions Plan

The traffic infrastructure in the Contributions Plan, including properties to be partially/fully acquired are shown in Image 4.

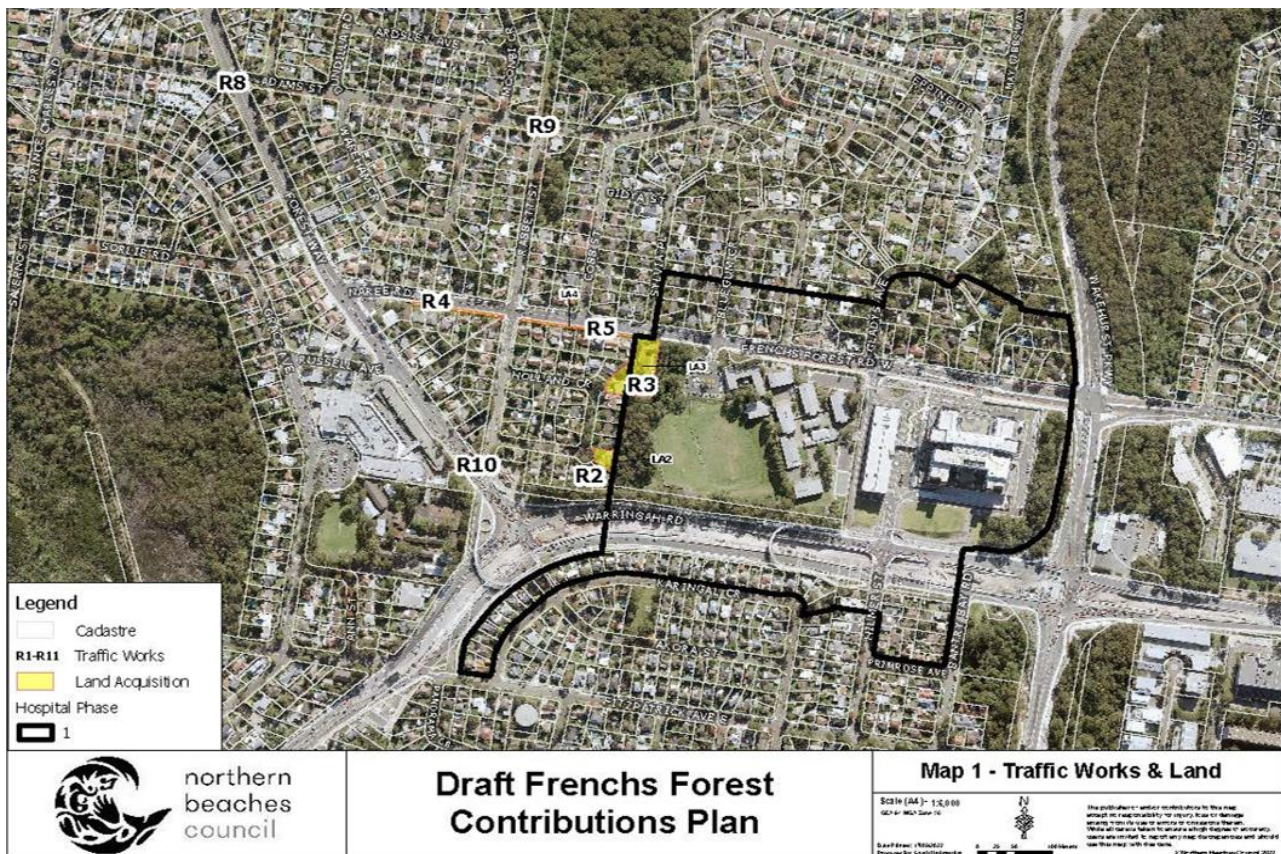


Image 4 – Traffic infrastructure (works and land) in the Contributions Plan

In addition to the above and following further analysis of the division of responsibility between local and state infrastructure it is noted that significant traffic and transport infrastructure is required to be provided by the NSW Government. This includes the intersection upgrade at Forest Way and Naree Road, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue. This work was included in the draft Contributions Plan but has since been removed. The items to be removed from the Contributions Plan are shown in Image 5.

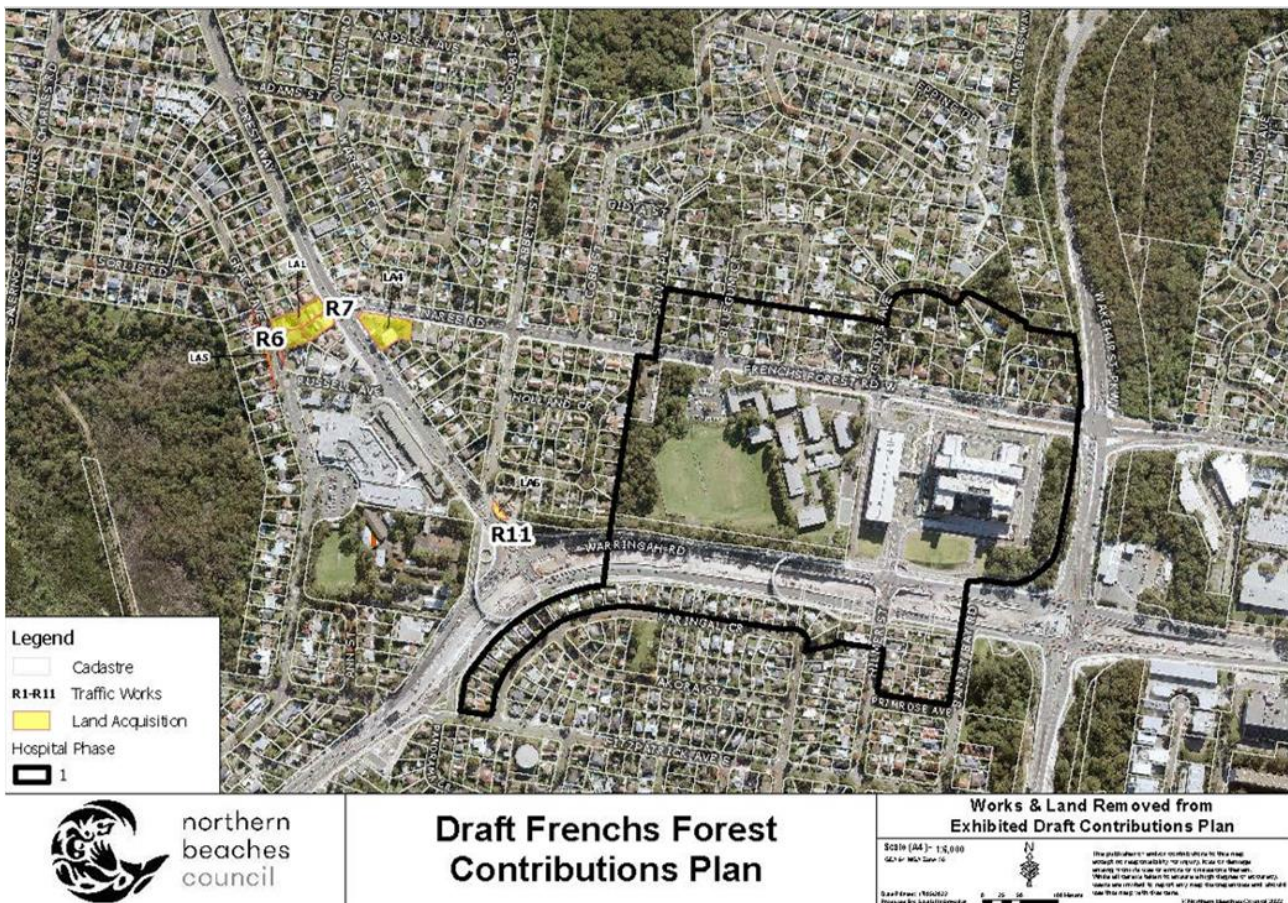


Image 5 – Infrastructure removed from the draft Contributions Plan

In relation to the above, Council's Manager Transport Network advises:

The infrastructure that provides a connection between Forest Way and Naree Road, including the new link road between Grace Avenue and Forest Way are required to be provided as an overall package to increase the capacity of the right turn movement into Naree Road from Forest Way. Modelling of future traffic volumes associated with the Phase 1 redevelopment of the Frenchs Forest Town Centre indicates that without the upgrade there are significant delays in both the AM and PM peak periods with queuing potentially extending to the south towards Forestville, some 2 km away (west of Darley Street in the PM peak).

To facilitate the intersection upgrade, it is necessary to close Russell Avenue to traffic, and acquire additional land for road widening along Forest Way to construct a dual right turn facility to cater for traffic entering the precinct to the east of Forest Way.

The extension of Naree Road through to Grace Avenue requires some additional acquisition along Grace Avenue to provide a signalised intersection and as this work is a result of the primary intersection upgrade on Forest Way all works should be undertaken by Transport for NSW as part of the works.

It is acknowledged that this intersection is listed as a Special Infrastructure Contribution (SIC) levy funded item, however it is also noted that the SIC nominal amount is significantly less than what is required to provide the upgrade to the road network.

The impact of not undertaking the upgrade of the Naree Road and Forest Way intersection will result in a PM traffic queue of almost 2.5km extending back towards Roseville Bridge. If the closure of Russell Avenue was to proceed on the proposed safety grounds, without the extension of Naree Road through to Grace Avenue, the access to the Forestway Shopping Centre and adjoining

residential precinct west of Forest Way would require the traffic to turn right over 900 metres north and impact residential streets not designed to carry the volume of traffic required.

As confirmed above, these infrastructure items (acquisition and works) are needed to be delivered but should be delivered by the State Government.

Open Space

The strategy to address open space needs of the Frenchs Forest Precinct is to provide a high-quality central parkland within the Town Centre complemented by a network of safe walking and riding links to surrounding upgraded open space areas. Upgrading existing playing fields to provide lights for night-time use will also provide additional capacity.

1.5 hectares of open space is identified in the Town Centre on the current school site. On 31 January 2022, the Department of Education confirmed that the future contract of sale for the Forest High School will state that 1.5 hectares of this land is for new open space area divested to Council, free of cost. The embellishment of the dedicated land will be funded by the Contributions Plan.

On 16 April 2021, Council successfully secured grant funding from the Department of planning and Environment of approximately \$6.1 million to upgrade the existing Brickpit, Akora and Rabbett Reserves. These upgrades will be managed by Council and are expected to be completed by 1 July 2024. The Contributions Plan recognises the grant funding to ensure that Council is not double dipping for these infrastructure upgrades.

The Contribution Plan also identifies the acquisition of four privately owned properties to increase the available quantum of open space. This comprises the acquisition of three properties on Karingal Crescent to expand Akora Reserve and one property on Rabbett Street to expand Rabbett Reserve. These properties were identified by Otium as required to meet anticipated open space demands and are located to facilitate the expansion of existing reserves. The Contributions Plan funds the acquisition and embellishment of this new land.

The image below (image 6) shows the location of open space and recreation infrastructure funded by the Contributions Plan.

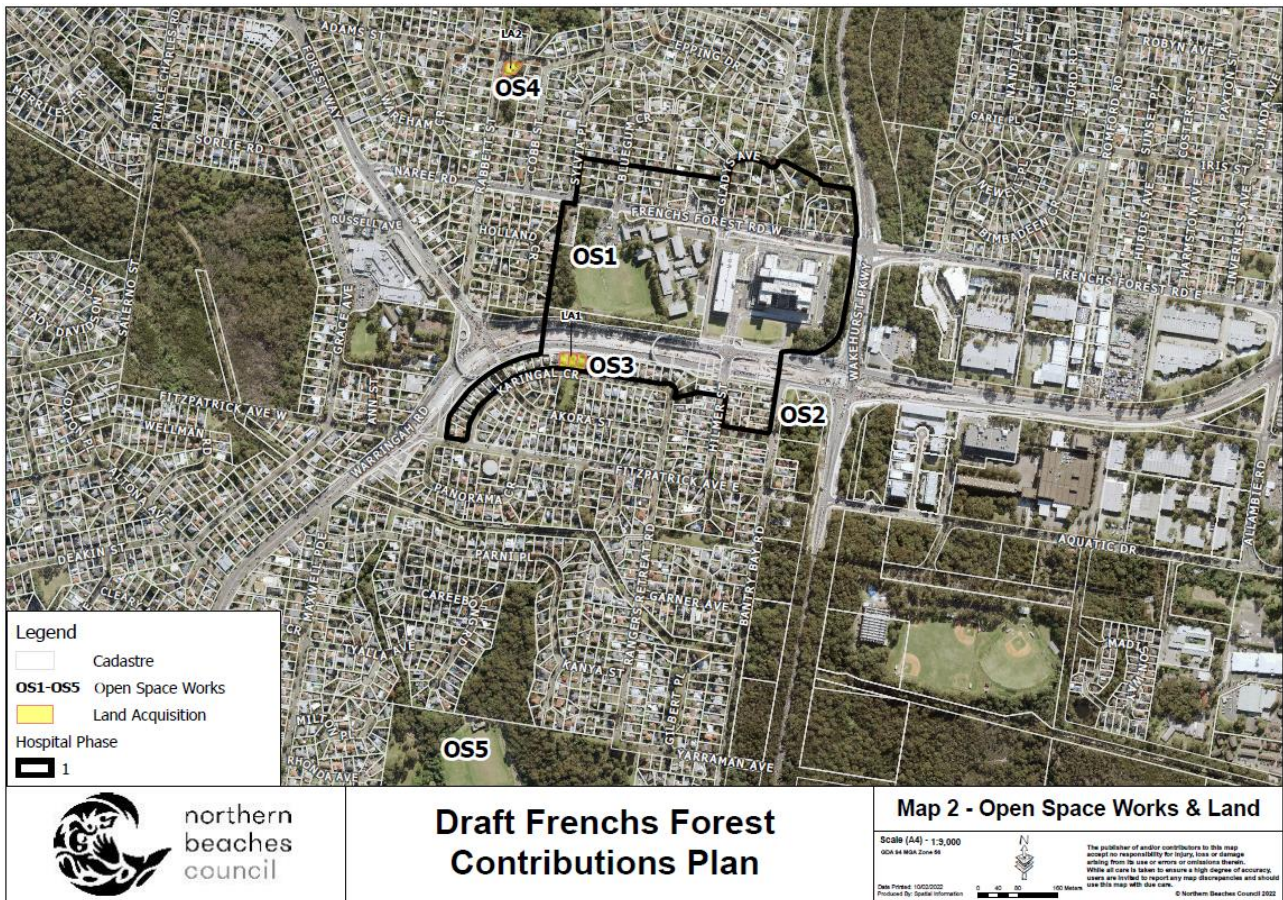


Image 6 – Open space infrastructure funded by the Contributions Plan

Open space infrastructure is:

Infrastructure	Label
The delivery of a new park within the Town Centre (1.5 hectares in size) and embellishment of this land	OS1
Embellishment of the existing Brickpit Reserve	OS2
The expansion of Akora Reserve through the acquisition of three properties and embellishment of this new land.	LA1
Embellishment of existing Akora Reserve	OS3
The expansion of Rabbett Reserve through the acquisition of one property and embellishment of this new land.	LA2
Embellishment of existing Rabbett Reserve	OS4
Embellishment of Forestville Park to provide two high quality playing fields with lighting and an amenities building to increase the available hours of use.	OS5

Table 3: Open space infrastructure in the Contributions Plan

To facilitate the delivery of the above infrastructure, some property acquisition is required. The below properties are listed for full acquisition in the Contributions Plan.

Property Address	Acquisition	Purpose
34, 36 and 38 Karingal Crescent	Full	Meet open space land quantum - Extension and embellishment of Akora Reserve
32 Rabbett Street	Full	Meet open space land quantum - Extension and embellishment of Rabbett Reserve

Table 4: Open space land identified for acquisition in Contributions Plan

The three properties identified for land acquisition on Karingal Crescent provide a total of 1,637m² of open space, and will augment the existing Akora Reserve.

Council's Manager Park Assets advised: *"The three properties offer an unimpeded green corridor connecting Warringah Road to Akora Reserve, which will greatly amplify the effectiveness and capacity of the existing Reserve".*

These three properties are highly desirable for open space provision. As an amalgam, these properties are relatively unconstrained that provide utility as an open space area and opportunities for a variety of passive open space activities. Secondly, its location creates an important green link between the primary active transport network along Warringah Road through to the upgraded Akora Reserve. This new connection is vital to ensure that areas of high-quality open space are accessible and within proximity to the new town centre.

32 Rabbett Street is located on the corner of Rabbett Street and Epping Drive and abuts Rabbett Reserve on two sides. The acquisition of this property will augment Rabbett Reserve by providing an additional 757m² to the existing park that, in turn, will improve the recreational utility of the reserve rather than delivering smaller 'pocket parks' that are dispersed across the area that would only be utilised by residents of that street. By making Rabbett Reserve larger, it will provide a variety of recreational activities to be undertaken in this reserve which is within walking distance of the new town centre.

The location of all properties identified for acquisition is shown in Image 6, above.

Social Infrastructure

Future development within the Frenchs Forest Town Centre will require the delivery of social infrastructure to support the new community. The NSW Government's Frenchs Forest 2041 Place Strategy plans for approximately 9,670sqm of floor space for community, indoor sport, childcare, and library land uses. Whilst the planning controls and strategic documents allow for the potential to include a community hub, it remains an unfunded project. Having regard for current legislative restrictions imposed by the NSW Government, Council is unable to collect funds for the building of these facilities in the Contributions Plan. Alternative funding sources/negotiations with developers will be required to inform decisions and support delivery of the community hub.

Council has continually raised its concerns to the Department of Planning and Environment (the Department) regarding the inability to collect development contributions to fund delivery of the community facilities. In September 2021, as part of Council's submission to the Department's exhibition of the Frenchs Forest Place Strategy, concerns were again raised regarding the community hub. An extract from Council's submission reads as follows:

The draft planning package identifies that a 'community hub' will be located within the town centre site, positioned towards the south-western corner of the town centre. The community

hub will overlook the new open space and be near the proposed piazza area, where outdoor dining and cafes are expected. It will also be adjacent to a 10-storey residential apartment development (on the eastern side of the community hub site) and close to the six storey commercial buildings which front Warringah Road. If the Green Bridge for a future bus interchange at Warringah Road proceeds, then the community hub will also be near the future bus service.

Council supports the identification of the community hub in the Department's plans, however, advises that Council has no way of delivering the full extent of the community hub land uses with the current rules governing Development Contributions Plans (Section 7.11) in place. In relation to community buildings, councils can collect funds for the land on which they are located but not for the construction of the building itself. It is noted that the State Government is currently considering changes to Development Contribution legislation. These changes are silent on any proposed changes to the essential infrastructure list that may include a review of the ability to collect for the floorspace for community centres or not.

Whilst Council intends to deliver community facilities within the town centre site on land that is expected to be dedicated to Council, free of cost, the range of facilities to be provided is likely to be limited due to funding constraints. Some of the uses such as a childcare centre and indoor recreation facility could be provided by the private market. To date, no funding source has been identified for the construction of the community hub, making this an unfunded project.

To date no response has been provided to the concerns raised. As outlined above, alternative funding sources/negotiations with developers will be required to inform decisions and support delivery of the community hub.

Revised Contribution Rate

As outlined above, following the exhibition period, several infrastructure items have been removed from the draft Contributions Plan. Removing these items will reduce the total infrastructure expenditure from \$105M to **\$77,073,440**. This results in changes to the contribution rates as follows:

Residential Rates	Rate in exhibited Contributions Plan	Updated Rate in Contributions Plan
Per resident	\$15,760	\$11,974
Boarding House Room	\$22,065	\$16,765
Self-Contained Seniors Living Dwelling	\$23,641	\$17,960
1 Bedroom Dwelling	\$25,217	\$19,159
2 Bedroom Dwelling	\$34,673	\$26,345
3+ Bedroom Dwelling	\$48,857	\$37,120
Non-Residential Rates	Rate in exhibited Contributions Plan	Updated Rate in Contributions Plan
Per m ² of GFA	\$561	\$337

Table 5: Rates in the Contributions Plan

Ministerial Direction Related to Development Contributions and Submission to IPART

On 21 August 2012, the then Minister for Planning issued a Ministerial Direction (Attachment 3) titled *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012*. The Ministerial Direction sets out the maximum amounts that may be imposed by councils via conditions of consent under section 7.11 of the Environmental Planning and Assessment Act (the EP&A Act) for residential development. This Direction caps contributions for residential development at \$20,000 per new dwelling/lot. However, the Direction allows councils to impose contributions that exceed the capped amounts where the relevant contributions plan has been reviewed by the Independent Pricing and Regulatory Tribunal (IPART).

The residential contribution rates in the Contributions Plan for two- and three-bedroom dwellings exceed the maximum permitted rate of \$20,000 per new dwelling/lot. Accordingly, the Contributions Plan will need to be reviewed by IPART before a rate above \$20,000 can be imposed.

The rezoning of the town centre comes into effect on 1 June 2022 and development applications for the development in the precinct can be lodged to Council from 1 June 2022.

It is expected that a review of the Contributions Plan by IPART may take between 6 to 12 months. To safeguard the ability for Council to impose conditions of consent requiring the payment of development contributions during the period in which the Contributions Plan is being reviewed by IPART, a notation has been added to the Contributions Plan which will enable Council to impose the maximum rate of \$20,000 per dwelling until such time as the Contributions Plan has been reviewed by IPART.

Representations have also been made to the DPE regarding this matter, and in late May 2022 a commitment was made by DPE that a legislative amendment to Warringah LEP 2011 was being prepared that would prevent a consent authority from determining applications until an IPART reviewed plan was in force (subject to final approval from Parliamentary Counsel).

Planning Certificates

A Planning Certificate contains planning information relevant to land. Section 10.7 of the EP&A Act and associated Regulation sets out the prescribed matters that should be included in a Planning Certificate. Section 10.7 of the EP&A Act reads as follows:

10.7 Planning certificates

- (1) A person may, on payment of the prescribed fee, apply to a council for a certificate under this section (a **planning certificate**) with respect to any land within the area of the council.
- (2) On application made to it under subsection (1), the council shall, as soon as practicable, issue a planning certificate specifying such matters relating to the land to which the certificate relates as may be prescribed (whether arising under or connected with this or any other Act or otherwise).
- (3) (Repealed)
- (4) The regulations may provide that information to be furnished in a planning certificate shall be set out in the prescribed form and manner.
- (5) A council may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware.
- (6) A council shall not incur any liability in respect of any advice provided in good faith pursuant to subsection (5). However, this subsection does not apply to advice provided in relation to contaminated land (including the likelihood of land being contaminated)

land) or to the nature or extent of contamination of land within the meaning of Schedule 6.

- (7) *For the purpose of any proceedings for an offence against this Act or the regulations which may be taken against a person who has obtained a planning certificate or who might reasonably be expected to rely on that certificate, that certificate shall, in favour of that person, be conclusively presumed to be true and correct.*

The information contained in Part 2 Planning Certificates (issued under Section 10.7(2) of the EP&A Act) is prescribed under Schedule 4 of the Regulation 2000. Council cannot issue Part 2 Planning Certificates that contain any additional information beyond that which is expressly prescribed in the legislation. For example, Council cannot include reference in Part 2 Planning Certificates to draft contribution plans.

Council may include advice in a Planning Certificate in accordance with Section 10.7(5) of the EP&A Act if that information is considered relevant to the land in Part 5 of Planning Certificates. However, it is noted that inclusion of Part 5 Planning Certificates in property transactions is voluntary and may not be requested by potential purchasers or included in the contract of sale of the land.

Council placed a notation on Part 5 Planning Certificates for the following scenarios:

- Land within the adopted Northern Beaches Hospital Structure Plan.
- Land that is subject of the State Infrastructure Contribution (SIC) Determination.
Note: The land aligning the western side of Grace Avenue is not in the adopted Structure Plan and so the SIC Determination do not apply to same.
- Land within the draft Contributions Plan that was on public exhibition. At commencement of the public exhibition of the draft Contributions Plan on 18 March 2022 a notation was included on Part 5 Planning Certificates for the land impacted by the draft Contributions Plan. This included:
 - a. Properties in the catchment area of this draft Contributions Plan for the purposes of collecting development contributions and
 - b. Properties that are outside of the catchment area but were identified for land acquisition for a specific public purpose in the draft Contributions Plan.

On 1 October 2022, the prescribed information to be contained in Part 2 of the Planning Certificates will be updated to expressly include the applicable contributions plan (either as a draft or adopted) and SICs. An extract of Schedule 2 Planning Certificates from the Environmental Planning and Assessment Regulation 2021 reads as follows:

Schedule 2 Planning Certificates

3 Contributions plans

- (1) *The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.*
- (2) *If the land is in a special contributions area under the Act, Division 7.1, the name of the area.*

Impact on possible Development Contributions Income from Affordable Housing Dwellings

Based on Council's affordable housing targets of 15% within the Town Centre and 10% elsewhere in the precinct, it is anticipated that approximately 245 affordable dwellings will be provided within the Frenchs Forest Precinct.

At present, councils can collect development contributions under section 7.11 or section 7.12 from dwellings provided as affordable housing. However, in late 2021 legislative reforms regarding infrastructure contributions were exhibited by the NSW Government including Clause 25J of the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Regulation 2021 which reads as follows:

25J Development and land in relation to which local infrastructure conditions and local levy conditions may be imposed

(1) *A local infrastructure condition and local levy condition must not be imposed on a development consent in relation to development for the following purposes —*

- (a) *public housing within the meaning of the Housing Act 2001,*
- (b) *seniors housing carried out by or on behalf of a social housing provider,*
- (c) *affordable housing carried out by or on behalf of a social housing provider,*

(5) *In this clause—*

social housing provider means the following—

- (a) *Services Australia,*
- (b) *the Land and Housing Corporation,*
- (c) *a registered community housing provider,*
- (d) *the Aboriginal Housing Office,*
- (e) *a registered Aboriginal housing organisation within the meaning of the Aboriginal Housing Act 1998,*
- (f) *a local government authority that provides affordable housing,*

If the updated definition and legislative reforms comes into effect, Council will be unable to levy development contributions under the Contributions Plan for dwellings designated affordable housing dwellings and dedicated to Council. This is likely to result in a funding shortfall of approximately \$8.3 million in development contributions able to be collected from the 245 affordable housing dwellings.

The Department has not provided updated timing on the implementation of the 2021 exhibited reforms on infrastructure contributions and this legislation remains in draft form. As such, it is recommended that the Contributions Plan be finalised based on the current legislation i.e., all dwellings, including affordable housing dwellings, will be charged a contribution rate.

If the proposed legislative changes are made, to mitigate the funding shortfall an option that could be explored is that any rental income generated by the affordable housing units be put towards the infrastructure costs within the precinct.

CONSULTATION

The draft Contributions Plan was prepared and exhibited in accordance with Council's resolution of 1 August 2017.

The draft Contributions Plan was placed on public exhibition for six weeks from 18 March to 1 May 2022. The following supporting documents were made available:

- Transport Strategic Design Study – Arup, dated 3 September 2021

- Social Infrastructure Study – Cred Consulting, dated August 2019
- Open Space for Recreation Options Analysis – Otium Planning, dated August 2021
- Water Sensitive Urban Design Strategy – Alluvium, dated December 2019

The following engagement activities were undertaken:

- Your Say page with FAQs and links to related information.
- Inclusion in 2 editions of Council's fortnightly electronic newsletters to 23,000 subscribers.
- Inclusion in 2 editions of Council's weekly e-news to 180,000 subscribers.
- Email to the dedicated Frenchs Forest Structure Plan subscriber list - 1,736 subscribers
- Letters to all 33 landowners identified for potential land acquisition. The letters offered a further in-person meeting with Council staff. From these letters:
 - 14 phone conversations with landowners identified for potential land acquisition.
 - 9 in-person meetings with landowners identified for potential land acquisition.

There were 1,105 visitors to the Your Say webpage. 40 submissions were received during the exhibition period. Two submissions were received after the close of exhibition.

Of the 42 total submissions received, 10 submissions came from landowners identified for land acquisition under the draft Contributions Plan. Council staff did not receive correspondence or phone calls from 14 of the 33 landowners identified for potential acquisition.

Responses to the issues raised in the submissions are provided within the Community Engagement Report in Attachment 4. The main issues raised relate to:

- The land acquisition process and calculation of future compensation.
- Traffic congestion from development.
- Proposed traffic upgrades including the extension of Naree Road to Grace Avenue.
- Information in Planning Certificates issued by Council.

TIMING

The statutory provisions related to the zoning of the Frenchs Forest Precinct are due to come into effect on 1 June 2022.

Council's Contributions Plan is recommended to be submitted to IPART for review immediately following adoption of the Plan by Council.

Staff from DPE have confirmed (subject to Parliamentary Counsel sign off) that they will facilitate an amendment to the Warringah Local Environmental Plan 2011 to ensure that development application cannot be determined until such time as an IPART approved contributions plan is in place.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.

FINANCIAL CONSIDERATIONS

If Council does not adopt the Contributions Plan, there will be no bespoke contributions plan applying to land in the Frenchs Forest Precinct. This means that there will be no mechanism to collect development contributions for the delivery of the identified local infrastructure commensurate with the Town Centre development.

If the Department do not introduce the necessary amendments to Warringah LEP there may be a period when the Town Centre is rezoned, and consent authorities do not have an exemption from determining development applications until the Contributions Plan is reviewed by IPART. To mitigate this risk a notation has been included in the Contributions Plan to allow for the collection of the capped amount per dwelling of \$20,000 until such time as an IPART review of the plan has been completed.

If changes to infrastructure contributions legislation is introduced, the Contributions Plan may have an \$8.3M shortfall due to the inability to apply a contributions charge on affordable housing dwellings.

SOCIAL CONSIDERATIONS

Future development within the Frenchs Forest Town Centre will require the delivery of social infrastructure to support the new community. The NSW Government's Place Strategy plans for approximately 9,670sqm of floor space for community, indoor sport, childcare, and library land uses. Whilst the planning controls and strategic documents allow for the potential to include a community hub, it remains an unfunded project. Having regard for current legislative restrictions imposed by the NSW Government, Council is unable to collect funds for the building of these facilities in the Contributions Plan. Alternative funding sources/negotiations with developers will be required to inform decisions and support delivery of the community hub.

ENVIRONMENTAL CONSIDERATIONS

The Contributions Plan will deliver new open space (land and works). The new park within the Town Centre will conserve and enhance the native environment. The 1.5-hectare park incorporates the retention of native vegetation as part of the embellishment of this land.

GOVERNANCE AND RISK CONSIDERATIONS

The Contributions Plan has been prepared and exhibited in accordance with all relevant legislation.



Frenchs Forest Town Centre Contributions Plan 2022

Frenchs Forest Town Centre Contributions Plan 2022



Frenchs Forest Town Centre Contributions Plan 2022

Prepared for



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Appendices

Appendix A:	Infrastructure schedule and location maps
Appendix B:	Infrastructure demand and the calculation of the contribution rates
Appendix C:	Credit list



Glossary of terms and abbreviations

Words and phrases used in this plan have the same meaning as the terms defined in the relevant local environmental plan applying to a development site, or the Environmental Planning and Assessment Act 1979, except as provided for below.

bedroom means any room or space within a dwelling capable of being used as or converted to a bedroom as determined by Council

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 complying development certificate

Council means Northern Beaches Council

developer means the person having the benefit of a development consent for the time being

DPE means the Department of Planning and Environment

EP&A Act means the NSW Environmental Planning and Assessment Act 1979

EP&A Regulation means the NSW Environmental Planning and Assessment Regulation 2000

GFA means gross floor area and is defined in the relevant local environmental plan applying to the land the subject of a DA or CDC affected by this plan

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

Minister means the NSW Minister for Planning and Minister for Homes

planning agreement means a voluntary agreement referred to in section 7.4 of the EP&A Act with the relevant planning authority

public housing has the same meaning as in the Housing Act 2001

residential accommodation means any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (baa) co-living housing,
- (c) dual occupancies,
- (d) dwelling houses,

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- (e) group homes,
- (f) hostels,
- (faa) independent living units,
- (g) residential flat buildings,
- (h) multi dwelling housing,
- (i) semi-detached dwellings,
- (j) a group of self-contained dwellings that is seniors housing,
- (k) shop top housing.

social housing provider means any of the following:

- (a) the New South Wales Land and Housing Corporation constituted by the Housing Act 2001,
- (b) a registered community housing provider within the meaning of the Community Housing Providers National Law (NSW),
- (c) the Aboriginal Housing Office constituted by the Aboriginal Housing Act 1998,
- (d) a registered Aboriginal Housing organisation within the meaning of the Aboriginal Housing Act 1998,
- (e) a provider of special disability accommodation under the National Disability Insurance Scheme Act 2013 of the Commonwealth,
- (f) not used,
- (g) a not-for-profit organisation that is a direct provider of rental housing to tenants.



Plan summary

The Northern Beaches Hospital Precinct (NBHP) is to be redeveloped over the next 20 years. A new town centre will be located at the Forest High School site. Council's NBHP Structure Plan adopted in 2017, identifies the staged delivery of approximately 5,360 new dwellings and 2,981 new jobs in three phases.

The Department of Planning and Environment is leading the rezoning of Phase 1 which is land centred around the hospital and in the Frenchs Forest Place Strategy to accommodate approximately 2,000 dwellings and 1,435 jobs. **The increase in demand for local infrastructure created by only the Phase 1 development is addressed in this plan.**

Developers of land will be required to make monetary contributions toward the provision, extension, or augmentation of local infrastructure to meet those increased demands. This will be done by contributions being imposed on developments under section 7.11 (s7.11) of the Environmental Planning and Assessment Act 1979, in accordance with this plan.

This plan authorises a consent authority – whether it is Northern Beaches Council, a planning panel, or a private certifier – to require contributions of land, money or both from developers of land to provide for extra local infrastructure needed by new development at the NBHP.

Monetary contribution requirements are based on the contribution rates included in Tables 2 and 3 of this plan. Explanation of how the contribution rates were determined is contained in Appendix B of the plan.

Accredited certifiers (including private certifiers) are responsible for calculating the contribution for complying development as shown in this plan and imposing a condition in the complying development certificate. Details of the responsibilities of private certifiers are included in section 3.4.

This plan also includes information on the following matters:

Table 1 Key matters addressed in the plan

Matter	Section of plan
The contribution rates to be used in calculating contribution amounts	Tables 2 and 3
Development that is exempted from contributions or levies	Section 1.4
How to calculate a contribution amount for any individual development, including worked examples	Section 2.0
When contributions are to be paid	Section 4.1
How contribution rates and amounts will be adjusted for inflation	Section 4.2
How to pay a contribution	Section 4.4
The infrastructure to be funded by the plan, including costs, location, staging and priority	Appendix A

Frenchs Forest Town Centre Contributions Plan 2022



Matter	Section of plan
How the s7.11 contribution rates were derived	Appendix B
Transitional arrangements for applications lodged but not yet determined when the plan commenced	Section 5.2
Alternative ways of settling a contributions obligation, other than by paying money	Section 4.5

Summary of contribution rates

The contribution rates that apply to development are as shown Tables 2 and 3.

Residential accommodation development creating additional population

Residential accommodation developments that provide for additional residents will be levied a s7.11 contribution. Where the development includes both residential and non-residential components, a s7.11 contribution will be levied for the both the residential and non-residential components.

Table 2 Section 7.11 contribution rates for NBHP residential development

Infrastructure category	Per resident*	Per boarding house room	Per self-contained seniors living dwelling	Per 0 or 1 bedroom dwelling, 0 or 1 bedroom secondary dwelling	Per 2 bed dwelling, or 2 bedroom secondary dwelling	Per 3+ bedroom dwelling
Open space land	\$2,365	\$3,311	\$3,547	\$3,784	\$5,203	\$7,331
Open space works	\$3,842	\$5,379	\$5,763	\$6,147	\$8,453	\$11,910
Roads and active transport land	\$3,227	\$4,518	\$4,840	\$5,163	\$7,099	\$10,003
Roads and active transport works	\$2,446	\$3,425	\$3,669	\$3,914	\$5,382	\$7,584
Administration	\$94	\$132	\$141	\$151	\$208	\$292
Total	\$11,974	\$16,765	\$17,960	\$19,159	\$26,345	\$37,120

* the per resident rate is relevant to calculating the contributions for residential care facilities, group homes and hostels

Notes:

- any credits (Section 2.1) to be applied for existing developments to be in accordance with the rates in this table
- residential contribution rates will be imposed in accordance with the Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012 until such time as an IPART-reviewed contributions plan is in force.



Non-residential development creating additional floorspace

Non-residential development in the NBHP will also be levied contributions for open space and recreation facilities, traffic and active transport facilities and administration in recognition of the expected worker population in that centre who are likely to use such facilities.

Table 3 Section 7.11 contribution rate for NBHP non-residential development

Infrastructure item	Per m ² GFA
Open space land	\$0
Open space works	\$3
Roads and active transport land	\$191
Roads and active transport works	\$141
Administration	\$2
Total	\$337

Summary of local infrastructure

The local infrastructure to be provided by contributions from developers received under this plan is listed below:

- Open space and recreation land and works including playing fields, amenities buildings, playgrounds, landscaping, seating, lighting and equipment, and
- Road and intersection upgrades and active transport including traffic facilities, shared paths and cycleways.

A summary of the costs of local infrastructure included in this plan is shown in Table 4. The contributions anticipated under this plan will fund only a portion of the total infrastructure costs. This is because of the need for s7.11 contributions to be reasonable.

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



Table 4 Summary of proposed infrastructure costs

Type of local infrastructure	Total cost of works
Open space land	\$9,226,480
Open space and recreation facilities (including water quality and management)	\$21,403,204
Roads and active transport land	\$26,228,866
Roads and active transport works	\$19,599,845
Plan administration	\$615,045
Total	\$77,073,440

How to use this plan

To work out whether a development is subject to a contribution under this plan:

- If the development meets the criteria for a type of development covered in section 1.3 then the development is subject to a contribution under this plan.
- If the entire development is a type of development listed in section 1.4 then the development is exempted from contributions under this plan. If only a part of the development is the type of development listed in section 1.4 then only that part of the development is exempted contributions under this plan.

To calculate an estimated contribution for a certain development under this plan:

- If the development is a development type required to pay contributions, then calculate the s7.11 contribution by following the steps in section 2.1.
- If the development is a mix of residential development and non-residential development, then a s7.11 will apply to the development. Follow the steps in section 2.1 and section 2.2 to determine the contribution amount.

If you wish to settle a contribution obligation that was imposed under this plan:

- Contact Council's customer service staff and request an adjusted (indexed) contribution amount.
- Pay the amount as per the requirements in section 4.4, or
- propose an alternative settlement option as per the requirements set out in section 4.5

To find out what infrastructure is planned to be provided using contributions collected under this plan refer to the works program and works location maps in Appendix A.



1 Is a contribution required?

1.1 Name and purposes of this plan

This plan is called the Frenchs Forest Town Centre Contributions Plan 2022.

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 either a contribution under s7.11 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 Hospital Precinct, or
- that has been 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 development contributions in the Northern Beaches area.
- To establish the relationship between the expected development and proposed local infrastructure to demonstrate that the s7.11 contributions required under this plan are reasonable (refer to Appendix B).
- To ensure, within the constraints imposed by the NSW government, that the broader Northern Beaches community is not unreasonably burdened by the provision of local infrastructure that is required as a result of development.

1.2 Where this plan applies

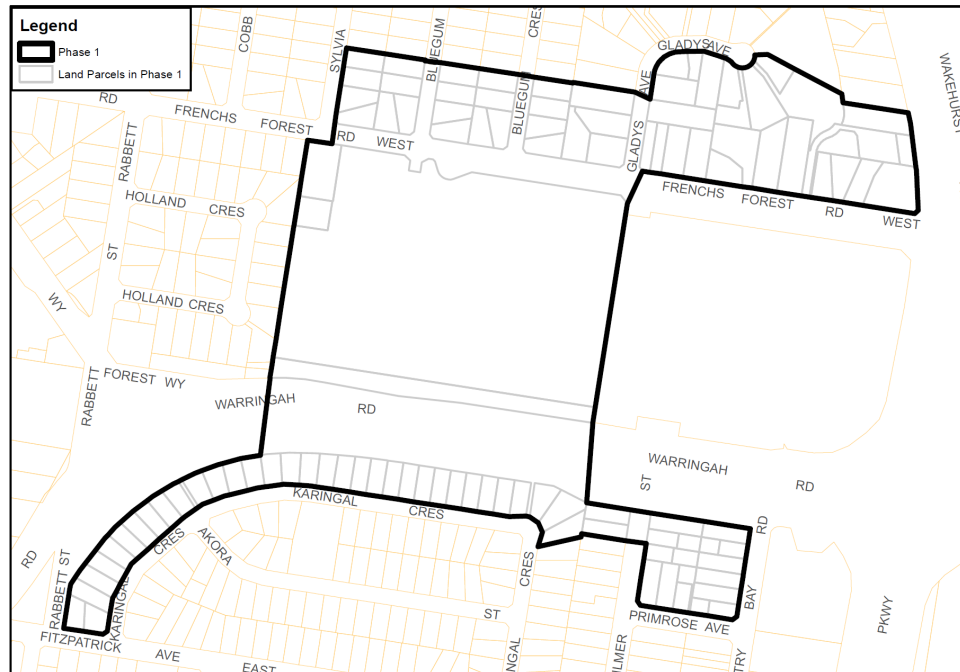
This plan applies to all the land contained within the Phase 1 area in Frenchs Forest, being the area within the heavy black line shown in Figure 1.

1.3 What development does this plan apply to?

Subject to Section 1.4 of this plan, this plan applies to:

- all residential accommodation development that will result in an increase to the number of residents within the precinct
- all non-residential (commercial and retail) development that will result in an increase to the non-residential floorspace within the precinct.

Frenchs Forest Town Centre Contributions Plan 2022



Source: Northern Beaches Council

Figure 1 Contribution catchment

1.4 What development is exempted from contributions?

The following development is exempt from s7.11 contributions identified in this plan:

- development exempted by direction made by the Minister under s7.17 of the EP&A Act.

Applicants seeking an exemption should say how their development is consistent with the relevant exemption in their development application. If Council is satisfied the development is consistent with the relevant exemption, it will exclude the development from payment of a contribution. In the case of complying development, Council will need to verify any exclusions granted in writing.

1.5 What contribution type applies to different developments?

Residential accommodation developments will be subject to condition requiring the payment of a contribution imposed under s7.11 of the EP&A Act. Refer to **Table 2** for the contribution rates that apply.

Non-residential developments will be subject to a condition requiring the payment of a contribution under s7.11 of the EP&A Act. Refer to **Table 3** for the levy rate that applies.

Where a single development application comprises a mix of residential and non-residential developments, a s7.11 contribution will be imposed for the respective residential and non-residential portions of the development.

Frenchs Forest Town Centre Contributions Plan 2022



Source: Artists impression Draft Urban Design and Public Domain Strategy, CHROFI + Architectus, 2018



2 Calculating the contribution amount

This section provides the process for calculating residential and non-residential contributions.

2.1 Residential accommodation development

For a consent authority to impose a s7.11 contribution on residential accommodation development on land in the NBHP, the development must result in a net increase in the number of residents on the site.¹

The determination of whether there is a net increase in the number of residents will be based on the occupancy assumptions in Table 5.

The s7.11 contribution that applies to a development is calculated using the rates shown in Table 2, less any allowances or credits for assumed infrastructure demand arising from existing developments, if applicable.

The occupancy rates included in Table 5 reflect the estimate of future infrastructure demand attributable to proposed residential development, as well as the estimate of existing demand allowances (or credits) for existing development.

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population) will be applied to determine whether there is a net increase in population. The credit applied will be based on the rates shown in Table 2. A credit map showing the existing residential development in Phase 1 is shown in Appendix C.

Table 5 Assumed occupancy rates for calculation of contributions and demand credits

Development type	Assumed occupancy rate
Dwellings with 3+ bedrooms	3.1 persons per dwelling
Dwellings with 2 bedrooms	2.2 persons per dwelling
Dwellings with 0 - 1 bedroom	1.6 persons per dwelling
Self-contained seniors living dwellings	1.5 persons per dwelling
Boarding house room	1.4 persons per room

If there is a net increase in demand, then the monetary rates in Table 2, indexed in accordance with section 3.3, are used to determine the contribution amount. Council will publish the latest indexed s7.11 rates on its website.

¹ Net increase in population means the new population is greater than the existing population on the development site.

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The amount is the difference between the contribution calculated for the proposed residential development less the credit contribution amount deemed to apply to any existing residential development, i.e.

$$s7.11 \text{ Contribution } (\$) = \$ \text{Contribution } Res \text{ Dev} - \$ \text{Contribution } Credit$$

Where:

\$ Contribution *Res Dev* is the \$ amount determined by multiplying - for each residential accommodation type listed in Table 2 in the proposed development - the number of dwellings, persons or beds by the relevant contribution rate shown in Table 2 for each type of residential accommodation development.

\$ Contribution *Credit* is the \$ amount determined by multiplying - for each residential accommodation type listed in Table 2 existing on the development site - the number of dwellings, persons or beds by the relevant contribution rate shown in Table 2 for each type of residential accommodation development.

2.2 Non-residential development

For a consent authority to impose a s7.11 contribution on non-residential development on land in the NBHP, the development must result in an increase in the gross floor area on the site.

The s7.11 contribution that applies to a development is calculated using the rate shown in Table 3, less any allowances or credits for assumed infrastructure demand arising from existing developments, if applicable.

The occupancy rates included in Table 5 are used to estimate of existing demand allowances (or credits) for existing development.

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population) will be applied to determine the contribution amount. The credit applied will be based on the rates shown in Table 2.

$$s7.11 \text{ Contribution } (\$) = \$ \text{Contribution } NRD - \$ \text{Contribution } Credit$$

Where:

\$ Cont *NRD* is the \$ amount determined by multiplying – the total GFA (m²) in the proposed development - by the relevant contribution rate shown in Table 3 for the non-residential development.

\$ Contribution *Credit* is the \$ amount determined by multiplying the existing GFA (m²) by the relevant contribution rate shown in Table 3 for the existing development.



2.3 Mixed-use development

For a consent authority to impose a s7.11 contribution on mixed-use development on land in the NBHP, the development must result in a net increase in the number of residents or gross floor area on the site.

The s7.11 contribution that applies to a development is calculated using the rates shown in Table 2 and Table 3, less any allowances or credits for assumed infrastructure demand arising from existing developments, if applicable.

The occupancy rates included in Table 5 are used to estimate of existing demand allowances (or credits) for existing residential development.

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population) will be applied to determine the contribution amount. The credit applied will be based on the rates shown in Table 2.

$$s7.11 \text{ Contribution } (\$) = \$ \text{Contribution } Res \text{ Dev} + \$ \text{Contribution } NRD - \$ \text{Contribution } Credit$$

Where:

\$ Cont Res Dev is the \$ amount determined by multiplying - for each residential accommodation type listed in Table 2 in the proposed development - the number of dwellings, persons or beds by the relevant contribution rate shown in Table 2 for each type of residential accommodation development.

\$ Cont NRD is the \$ amount determined by multiplying – the GFA (m²) in the proposed development - by the relevant contribution rate shown in Table 3 for the non-residential development.

\$ Contribution Credit is the sum of:

the \$ amount determined by multiplying - for each residential accommodation type listed in Table 2 existing on the development site - the number of dwellings, persons or beds by the relevant contribution rate shown in Table 2 for each type of residential accommodation development, and

the \$ amount determined by multiplying the existing non residential GFA (m²) by the relevant contribution rate shown in Table 3 for any existing non residential development.



2.4 Worked examples

Worked example 1

A proposed shop top housing development involves the demolition of an existing 3 bedroom house and construction of a mixed-use development containing 30 x 2-bedroom apartments and 300 square metres of ground floor retail GFA.

Section 7.11 contribution amount

30 x 2 bedroom dwellings	=	30 x \$26,345 (refer to Table 2) = \$790,350
Plus 300m ² ground floor retail	=	300m ² x \$337 (refer to Table 3) = \$101,100
<u>less</u> 1 dwelling house	=	\$37,120 (as per Note in Table 2)
Total contribution	=	\$854,330

The contribution amount that would be imposed on this development would therefore be \$854,330.

Worked example 2

A proposed high-density development involves the demolition of 3 existing dwelling houses on separate allotments and the construction of 12 storey residential building. It will provide 40 x 2 bedroom and 5 x 1 bedroom residential dwellings with basement parking.

40 x 2 bedroom dwellings	=	40 x \$26,345 (refer to Table 2) = \$1,053,800
plus 5 x 1 bedroom dwellings	=	5 x \$19,159 = \$95,795
<u>less</u> 3 dwelling houses	=	3 x \$37,120 = \$111,360
Total contribution	=	\$1,038,235

The contribution amount that would be imposed on this development would therefore be \$1,038,235.

Worked example 3

A development is proposed is across two allotments. One is a vacant allotment and the other contains a dwelling house to be demolished. The development will comprise a 10 storey mixed-use building with 500m² ground floor retail, 4 x 3 bedroom units, 25 x 2 bedroom units and 4 x 1 bedroom units. The applicant has not been able to confirm what was contained on the allotment, as it has been vacant for over 40 years. Council records show it may have been a former vehicle repair shed.

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Section 7.11 contribution amount

4 x 3 bedroom dwellings	=	4 x \$37,120 (refer to Table 2) = \$148,480
Plus 25 x 2 bedroom dwellings	=	25 x \$26,345 (refer to Table 2) = \$658,625
Plus 4 x 1 bedroom dwellings	=	4 x \$19,159 (refer to Table 2) = \$76,636
plus 500m ² ground floor retail	=	\$337 x 500m ² (refer to Table 3) = \$168,500
<u>less</u> 0 for the vacant allotment	=	\$0 as there is no formal record of a dwelling being on the site and no credit for non-residential uses.
<u>less</u> 1 dwelling house	=	\$37,120
Total contribution	=	\$1,015,121

The contribution amount that would be imposed on this development would therefore be \$1,015,121.

Following the approval of this development application, the applicant lodges a subsequent modification application to convert the proposed retail floorspace into 4 x 2 bedroom dwellings. The modification application requests Council to review and update the contributions applicable to the development.

The contributions that apply are:

4 x 3 bedroom dwellings	=	4 x \$37,120 (refer to Table 2) = \$148,480
Plus 29 x 2 bedroom dwellings	=	29 x \$26,345 (refer to Table 2) = \$764,005
Plus 4 x 1 bedroom dwellings	=	4 x \$19,159 (refer to Table 2) = \$76,636
plus 500m ² ground floor retail	=	\$337 x 0m ² (refer to Table 3) = \$0
<u>less</u> 0 for the vacant allotment	=	\$0 as there is no formal record of a dwelling being on the site and no credit for non-residential uses.
<u>less</u> 1 dwelling house	=	\$37,120
Total contribution	=	\$952,001

The contribution amount that would be imposed on this modification development would therefore be \$952,001.

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Source: Artists impression Draft Urban Design and Public Domain Strategy, CHROFI + Architectus, 2018



3 Imposing the contribution

3.1 Monetary contributions

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a complying development certificate, and subject to other provisions of this plan, to impose a condition requiring a monetary contribution under s7.11 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.

The condition will specify the contribution amount payable. Where the land subdivision will create a lot to accommodate multiple dwellings being constructed on this lot, and the actual quantum of dwellings is unknown (i.e. not part of the development consent for the land subdivision), the development contribution is not to be applied to this lot at the time. The contribution must be applied at the time when the consent authority consents to the actual number of dwellings to be constructed on this lot.

Accredited certifiers should also refer to Section 3.4.1 of this plan as to their obligations in assessing and determining applications, and Section 4.1 for the timing of payment.

3.2 Land contributions

This plan authorises the consent authority, other than a private certifier, when granting consent to an application to carry out development to which this plan applies, to impose a condition under s7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of local infrastructure to be provided by Council.

A consent authority may exercise this authority where the land to be dedicated is land identified in the works schedule in Appendix A.

3.3 S7.11 contributions will be imposed in accordance with indexed rates

To ensure that the value of s7.11 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 will be adjusted over time.

Council will - without the necessity of preparing a new or amending contributions plan - make changes to the s7.11 contribution rates set out in this plan to reflect annual movements in the Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics. The base period for the adjustment of contribution rates in line with movements in CPI is the March 2022 quarter.

Council will publish the latest indexed s7.11 rates on its website.



3.4 Obligations of accredited certifiers

3.4.1 Complying development

Accredited certifiers are responsible for calculating the contribution for complying development as shown in this plan and imposing a condition in the complying development certificate requiring the contribution.

Procedure for determining a s7.11 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 under s7.11(6) of the EP&A Act (i.e. '\$ Contribution *Credit*' that appears in the formula in section 2.1 of this plan), or an exemption of part or the whole of the development under section 1.4 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 2 and 3 of this plan, taking into account any exempted development specified in Section 1.4 and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with Section 4.2 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.

3.4.2 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 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 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 works 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 Paying the contribution

4.1 When to pay

A monetary contribution is to be paid at the time specified in the condition in the approval. Depending on when the contribution is paid, the amount shall be adjusted in accordance with Section 4.2.

Generally, the condition will provide for payment as follows:

- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development involving subdivision and works that will require a construction certificate, the contributions are to be paid prior to the issue of the subdivision certificate or construction certificate, whichever occurs first.
- For development not involving subdivision, but where a construction certificate is required the contribution must be paid prior to the release of the construction certificate for any works authorising construction above the floor level of the ground floor. See note below.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the EP&A Regulation.

Note: For a development application not involving subdivision, and having a capital investment value of \$10 million or more, timing of payment will be in accordance with the Minister's direction dated 25 June 2020 which can be accessed on the website of the Department of Planning and Environment. The direction requires that until 25 September 2022 the contribution for these developments must be paid before the issue of the first occupation certificate in respect of any of the buildings to which the consent relates. After 25 September 2022, payment will be made in accordance with the above.

4.2 Indexation of the contribution amounts in consents

A s7.11 monetary contribution amount required by a condition of development consent under this plan, will be indexed between the date of the consent and the date of payment in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Modification of consents

If Council grants consent to a modification of a development consent under s4.55 or the EP&A Act and the applicant has already paid the contribution required under that consent, Council will only index the contribution required for the modified part of the development. If the original contribution has not been paid, Council will index the contribution for the whole development (including the modification).



4.3 Deferred payments

Council will not accept deferred payments.

4.4 How to pay

When applicants are required to pay their contributions, they should contact Council to confirm the adjusted contribution amount.

Contributions may be paid by credit/debit card, cash or bank cheques made payable to Northern Beaches Council.

Council will provide a receipt to confirm the payment. A copy of the receipt can then be presented to a private certifier to obtain a construction certificate.

4.5 Alternatives to monetary contributions

The EP&A Act provides that development contributions may be met by payment of a monetary contribution, the dedication of land, the carrying out of works in kind, the provision of some other material public benefit or any combination of these methods. Each of these methods is considered a form of payment.

If an Applicant wishes to satisfy a development contribution by other means than a monetary contribution, they may negotiate a planning agreement with Council under the provision of the EP&A Act. This agreement may involve a proposal to dedicate land, carry out works in kind and/or provide a material public benefit.

A planning agreement may be additional to or in lieu of paying a contribution in accordance with a condition of development consent authorised by this Plan. This will be a matter for negotiation with Council. The offer to enter into the planning agreement, together with a copy of the draft agreement should (where possible) accompany the relevant Development Application or Planning Proposal.

The EP&A Act and the EP&A Regulation require a draft planning agreement to be exhibited concurrently with a Development Application or a Planning Proposal where practicable. In order to satisfy these criteria, the applicant must notify Council of its preference to negotiate any non-monetary payment of development contributions as soon as possible.

If the Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this Plan requiring the payment of a contribution. Council may also agree to enter into a planning agreement that does not exclude the application of this Plan.

Where a planning agreement involves the dedication of land to Council, the estimated value of the land will be negotiated as part of the planning agreement, taking into account the unique characteristics of the land and the circumstances of the transfer.

Council may accept an offer by the applicant to provide a material public benefit (other than the dedication of land) in lieu of the applicant satisfying its obligations under this Plan in a development consent. A material public benefit may include an offer by the applicant to complete part or all of a works item identified in the Plan (also known as works in-kind). Council is under no obligation to

Frenchs Forest Town Centre Contributions Plan 2022



accept a material public benefit offer and in considering any such offer, will assess the benefits to Council and the community.

In accepting a material public benefit other than works in-kind, Council must be satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan and that this benefit warrants Council accepting responsibility to fulfil the Plan notwithstanding a reduction in expected cash contributions. Material public benefit proposals must be formally agreed to by Council and documented in a formal written agreement.

Works in-kind relate to the undertaking of works of specific or equivalent work specified in the Plan and are therefore more readily capable, in comparison to other types of material public benefits, of providing benefit to the community. Works in-kind agreements must also be formally agreed by Council and documented in a formal written agreement. Council may review the valuation of works offered and may seek the services of an independent person to verify the costs. Proposals for material public benefits can accompany a development application or can be made after the grant of development consent but before the monetary contribution is paid. If a material public benefit is accepted by the Council the written agreement must be entered into before payment of the development contribution becomes due under the development consent. The development contribution will then be adjusted at the time of payment to reflect the value of the material public benefit under the agreement, as determined by Council.

If a material public benefit is accepted by Council during the assessment of a development application, Council will acknowledge its acceptance of the Applicant's proposal via a condition of consent which sets out the adjustment to be made to the monetary contribution once an agreement is entered into. Once a formal written agreement is entered into, the agreed reduced cash contribution can be paid.

All planning agreements must be entered into prior to the payment of a monetary contribution and the delivery of the material public benefit/works-in-kind. The cost of verifying the cost of works and preparing the agreement will be at the expense of the Applicant. Council's Planning Agreement Policy is available on its website and identifies the process for the preparation and consideration of planning agreements.



5 Other administration matters

5.1 Relationship of this plan to other contributions plans

The Northern Beaches Section 7.12 Contributions Plan 2019 is to be updated so that it does not apply to the land subject to this plan – i.e. the Phase 1 Precinct area.

This plan does not affect development consents applying to land in the Northern Beaches LGA containing conditions requiring contributions or levies under the above plan.

Requests for modifications of consents under s4.55 of the EP&A Act will be assessed against the contributions plan(s) that applied at the time the original development consent was issued.

Contributions imposed on developments under the above plans and paid to or held by Council will be applied to completing the works schedules in that plan.

5.2 Transitional arrangements

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

5.3 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 that is in effect in the Northern Beaches LGA to be paid 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 the works schedule of this plan².

5.4 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.

The register will be maintained at regular intervals and will include the following:

- Particulars sufficient to identify each development consent for which contributions have been sought
- Nature and extent of the contribution required by the relevant condition of consent
- Name of the contributions plan under which the condition of consent was imposed
- Date the contribution was received, for what purpose and the amount.

² Section 27(3) EP&A Regulation 2000 allows pooling where the consent authority is satisfied the infrastructure will be delivered in a reasonable time.

Frenchs Forest Town Centre Contributions Plan 2022



Separate accounting records will be maintained for each contribution type in this plan 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 administration office and may be inspected upon request.

5.5 Review of contributions plan

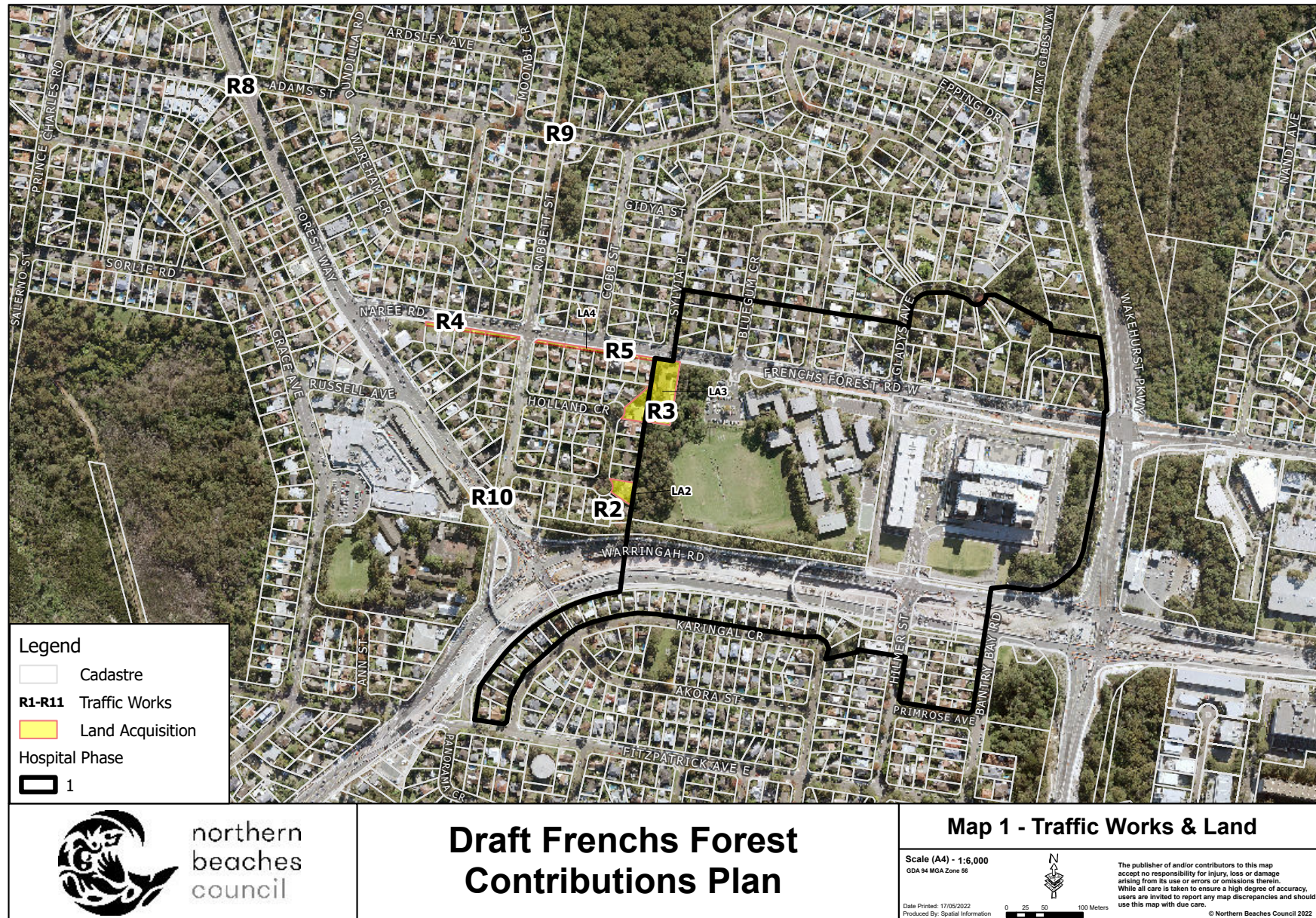
The contributions plan will be reviewed regularly following the date of adoption. Council may review the plan at any time if required by changes to, planning instruments, legislation or development conditions.

APPENDIX A: Infrastructure schedule and location maps

Frenchs Forest Town Centre Contributions Plan 2022
Roads and Active Transport

										Residential development			Non residential development			
Map Ref.	Arup Ref.	Item description 1	Description 2	Land area (m2)	Cost of land	Works cost	Item apportioned to plan	Cost apportioned to plan	Nexus	Residential demand	Demand persons	Contribution per person	Non residential demand	Demand floor space	Contribution rate per sqm	Anticipated Timing*
LAND																
New roads land																
LA2	1B	Holland Crescent (extension to town centre	Land acquisition	696	\$4,234,976		100%	\$ 4,234,976	Future residents and workers	48%	3902	\$ 521	52%	71528	\$ 31	S
LA3	3I	Unnamed road link second entry	Land acquisition	3711	\$12,034,982		100%	\$ 12,034,982	Future residents and workers	48%	3902	\$ 1,481	52%	71528	\$ 87	S
Road widening land																
LA4	2A	Naree Road / Frenchs Forest Road West	Land acquisition	1091	\$ 9,958,908		100%	\$ 9,958,908	Future residents and workers	48%	3902	\$ 1,225	52%	71528	\$ 72	M
Intersection upgrade land																
Land subtotal				5498	\$26,228,866			\$ 26,228,866				\$ 3,227			\$ 191	
WORKS																
New Roads works																
R2	1B	Holland Crescent (extension)	Extension to Town Centre			\$ 900,219	100%	\$ 900,219	Future residents and workers	48%	3902	\$ 111	52%	71528	\$ 7	S
R3	3I	Unnmged road link (second entry)	Between Holland Crescent to Frenchs Forest Road West 130m long			\$ 3,007,639	100%	\$ 3,007,639	Future residents and workers	48%	3902	\$ 370	52%	71528	\$ 22	S
Road widening works																
R4	2A	Naree Road	Widen by one lane between Rabbett Street and eastern boundary of property 21A Forest Way			\$ 7,394,163	100%	\$ 7,394,163	Future residents and workers	48%	3902	\$ 910	52%	71528	\$ 54	M
R5	2A	Frenches Forest Road West	Widen by one lane between Bluegum Cres and Rabbett St			incl. above										M
			Undergrounding of 33kV power lines required to facilitate the widening of Naree/Frenches Forest Rd West.			\$ 6,517,000	100%	\$ 6,517,000	Future residents and workers	48%	3902	\$ 802	52%	71528	\$ 47	
Intersection upgrades works																
R8	3E	Adams Street/ Forest Way	Provide an additional traffic lane on the eastern approach - 50 m long			\$ 610,179	100%	\$ 610,179	Future residents and workers	48%	3902	\$ 75	52%	71528	\$ 4	M
R9	3F	Adams Street/Rabbett Street	Upgrade to a roundabout with splitter islands on all approaches			\$ 231,889	100%	\$ 231,889	Future residents and workers	48%	3902	\$ 29	52%	71528	\$ 2	M
R10	2C	Rabbett Street/ Forest Way	Bus infrastructure - Extension of bus priority			\$ 12,903	100%	\$ 12,903	Future residents and workers	48%	3902	\$ 2	52%	71528	\$ 0	S
Bus stops																
	3H	Relocation of bus stops	Frenchs Forest Rd East			\$ 76,715	100%	\$ 76,715	Future residents and workers	48%	3902	\$ 9	52%	71528	\$ 1	M
Traffic Calming																
4C		Wareham Crescent	Provide 3 flat top concrete speed humps			\$ 586,901	100%	\$ 586,901	Future residents and workers	48%	3902	\$ 72	52%	71528	\$ 4	L
4C		Dundilla Road	Provide 3 flat top concrete speed humps			incl. above										
4C		Greendale Avenue	Provide 2 flat top concrete speed humps			incl. above										
4C		Sturt Street	Provide 2 flat top concrete speed humps			incl. above										
Active transport																
5.3.4		Rabbett Street	Off-road shared path 2.5-3m wide, 250m long			\$ 262,238	100%	\$ 262,238	Future residents	100%	3902	\$ 67	0%	0	\$ -	L
Works Subtotal						\$ -	\$ 19,599,845					\$ 2,446			\$ 141	

*Infrastructure delivery is dependant on development uptake. S = Short term (0-5 years), M = Medium term (6-10 years), L = Long term (11+ years)

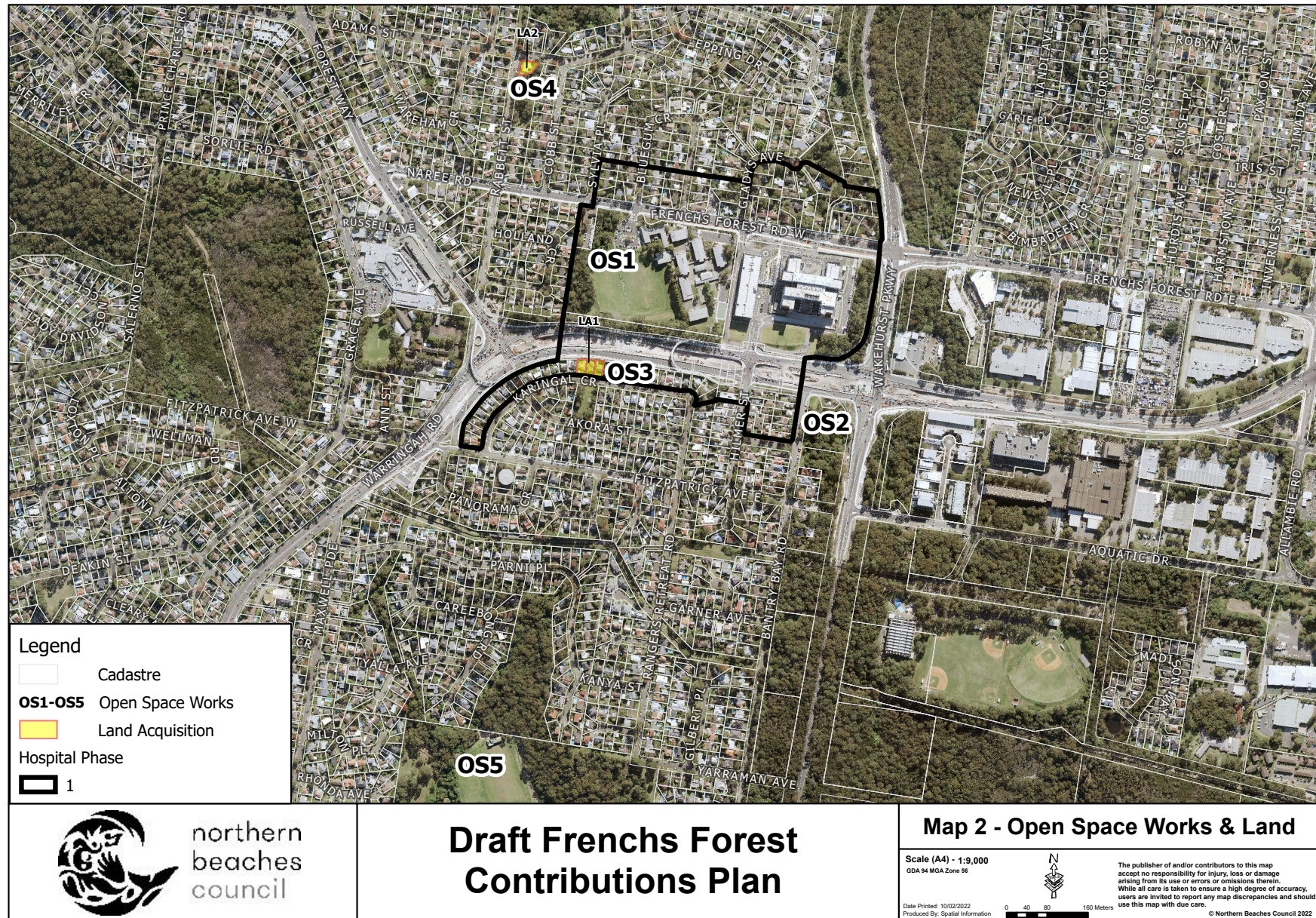


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Northern Beaches Hospital Precinct Contributions Plan 2022
Open Space

									Residential demand			Non-residential demand			
Ref	Item decription 1	Description 2	Land (m2)	Cost of land	Cost of essential works	Item apportioned to plan	Nexus	Cost apportioned to plan	Residential demand	Demand persons	Contribution per person	Non residential demand	Demand floorspace	Contribution rate per sqm	Anticipated Timing*
LAND															
Open space land															
LA1	Akora Reserve	Additional land for upgrade	1,669.00	\$6,589,868		100%	Future residents	\$ 6,589,868	100%	3902	\$ 1,689	-			L
LA2	Rabbett Reserve	Additional land for upgrade	740.00	\$2,636,612		100%	Future residents	\$ 2,636,612	100%	3902	\$ 676	-			L
Land Subtotal			2,409.00	\$9,226,480				\$ 9,226,480			\$ 2,365			\$ -	
WORKS															
Passive open space works															
OS1	Town Centre	Embellishment of 7,755 sqm district level standard park- include kickabout space, 2 large play nodes for young and very young, paths, shade, tables, fitness stations, event space (demolition of existing school is excluded)			\$ 3,614,686	100%	Future residents and workers	\$ 3,614,686	97%	3902	\$ 896	3%	71528	\$ 2	S
		Embellishment of 5,528 sqm forest adjacent to park			\$1,249,499	100%	Future residents and workers	\$ 1,249,499	97%	3902	\$ 310	3%	71528	\$ 1	S
		Embellishment of piazza			\$2,503,283	100%	Future residents and workers	\$ 2,503,283	97%	3902	\$ 621	3%	71528	\$ 1	S
		Construction of Rainwater Harvesting System and GPT			\$232,500	100%	Future residents and workers	\$ 232,500	97%	3902	\$ 58	3%	71528	\$ 0	S
OS2	Brick Pit Reserve	Upgrade - implement Master Plan include Older children Play, Youth activity, Picnic facility, link to Aquatic Reserve			\$1,652,791	100%	Future residents	\$ 1,652,791	100%	3902	\$ 424	-	-	-	M
		WSUD measures - biofiltrations basin and associated items			\$714,843	100%	Future residents	\$ 714,843	100%	3902	\$ 183				M
OS3	Akora Reserve	Upgrade - implement Master Plan include play spaces for young and older children, youth space, open grass area for games, linkages to active transport			\$1,970,650	100%	Future residents	\$ 1,970,650	100%	3902	\$ 505	-	-	-	L
		WSUD measures - biofiltrations basin and associated items			\$ 329,011	100%	Future residents	\$ 329,011	100%	3902	\$ 84				L
OS4	Rabbett Reserve	Embellishment of additional 1669 sqm land			\$ 584,150	100%	Future residents	\$ 584,150	100%	3902	\$ 150				L
		Upgrade - implement Master Plan include play spaces for young and older children, Active rec such as exercise stations, open grassed area, picnic facilities			\$ 1,893,027	100%	Future residents	\$ 1,893,027	100%	3902	\$ 485	-	-	-	L
		Embellishment of additional 740 sqm land			\$ 259,000	100%	Future residents	\$ 259,000	100%	3902	\$ 66				L
		Cost adjustment due to grant approved by DPIE for upgrade works to Brick Pit Reserve, Akora Reserve or Rabbett Reserve \$6,165,679					Future residents		100%	3902	-\$ 1,580				
Active open space															
OS5	Forestville Park	Upgrade 2 fields, lighting, provide a new amenities block, road entry and car park	-	\$ -	\$ 6,399,763	0%	Future residents	\$ 6,399,763	100%	3902	\$ 1,640	-	-	-	M
Works Subtotal								\$ 21,403,204			\$ 3,842			\$ 3	

*Infrastructure delivery is dependant on development uptake, S = Short term (0-5 years), M = Medium term (6-10 years), Long term (11+ years)



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APPENDIX B: Infrastructure demand and the calculation of the contribution rates

This appendix describes the types of local infrastructure that are required by the expected population of the Northern Beaches Hospital Precinct (NBHP). The information contained here is derived from the following:

- Northern Beaches Council Frenchs Forest Town Centre Transport Strategic Design, ARUP 2021
- Frenchs Forest Town Centre Traffic Modelling Review, Arcadis 2020
- Frenchs Forest WSUD Strategy, Alluvium 2019
- Frenchs Forest Social Infrastructure Needs Study, Cred Consulting 2018,
- Addendum – Frenchs Forest Social Infrastructure Study, Cred Consulting 2019
- Open Space for Recreation Options Analysis – Frenchs Forest Hospital Precinct – Addendum No. 2 – Phase One Revised Provision Strategy, Otium Planning Group, 2021
- Northern Beaches Sportsground Strategy, Northern Beaches Council, 2017
- Draft Frenchs Forest Precinct Urban Design Report and Public Domain Strategy, CHROFI + Architectus, 2018

This appendix is structured as follows:

- Section B.1 Section 7.11 contributions must be shown to be reasonable
- Section B.2: Development and population context
- Section B.3: Expected development and population
- Section B.4: Infrastructure strategies and nexus
- Section B.5: Open space and recreation
- Section B.6: Traffic and active transport
- Section B.7 Plan administration

Infrastructure demand and calculation of the contribution rates

B.1 Introduction

This part of the contributions plan provides detail around how the s7.11 contribution rates for development in the Northern Beaches Hospital Precinct (NBHP) were determined.

This is important because the Environmental Planning and Assessment Act 1979 and associated Regulation and development contributions practice notes require that s7.11 contributions:

- can only be imposed on development if it 'will or is likely to require the provision of or increase the demand for public amenities and public services within the area' (s7.11(1)), and
- must be 'reasonable' (s7.11(2) and (4)).

These requirements as well as the Environmental Planning and Assessment Regulation 2000 (clause 27) mean that a s7.11 contributions plan for an area needs to show:

- the types and amount of development expected over the life of the plan
- the infrastructure needs likely to be generated by the expected development
- the list of infrastructure (both land and works) required to meet those needs
- the cost of each infrastructure item, and
- an assessment of how those costs are to be apportioned among the expected development in a way that fairly reflects the development's demand for the infrastructure in the plan.

The assessment includes whether the infrastructure is designed to serve existing or new populations or both, and whether the demand for the infrastructure is generated solely by NBHP development, or is also generated by development beyond the NBHP boundary.

The focus of this part of the plan is therefore to show how the contribution rates in the plan fairly and reasonably reflect the relationship or nexus between the expected development and the infrastructure included in the plan.

This part is structured as follows:

- Section B.1 Introduction
- Section B.2: Development and population context
- Section B.3: Expected development and population
- Section B.4: Infrastructure strategies and nexus
- Section B.5: Open space and recreation
- Section B.6: Traffic and active transport
- Section B.7 Plan administration

B.2 Development and population context

B2.1 Area context

The NBHP is located in the suburb of Frenchs Forest within Northern Beaches Local Government Area and part of the Northern Beaches Hospital Structure Plan. It is located approximately 18km north of the Sydney CBD, 9.7km from Chatswood and within 4km of Warringah Mall (Brookvale).

The precinct is located near the junctions of several major roads including Frenchs Forest Road West, Wakehurst Parkway, Forest Way and Warringah Road.

This contributions plan addresses the expected development of 'Phase 1' of the precinct. Phase 1 area is characterised by:

- the Northern Beaches Hospital and the adjacent Forest High School (which is intended to become a new town centre) as the focus, with surrounding development consisting of:
- suburban-style low density detached dwellings on large and medium sized lots to the north of Frenchs Forest Road; and
- suburban-style low density detached dwellings on medium sized lots to the south of Warringah Road.

B2.2 Recent development and population characteristics

The demographic profile that follows has been developed by through an analysis of 2016 ABS Census data comparing the suburb of Frenchs Forest to the Northern Beaches LGA and Greater Sydney.

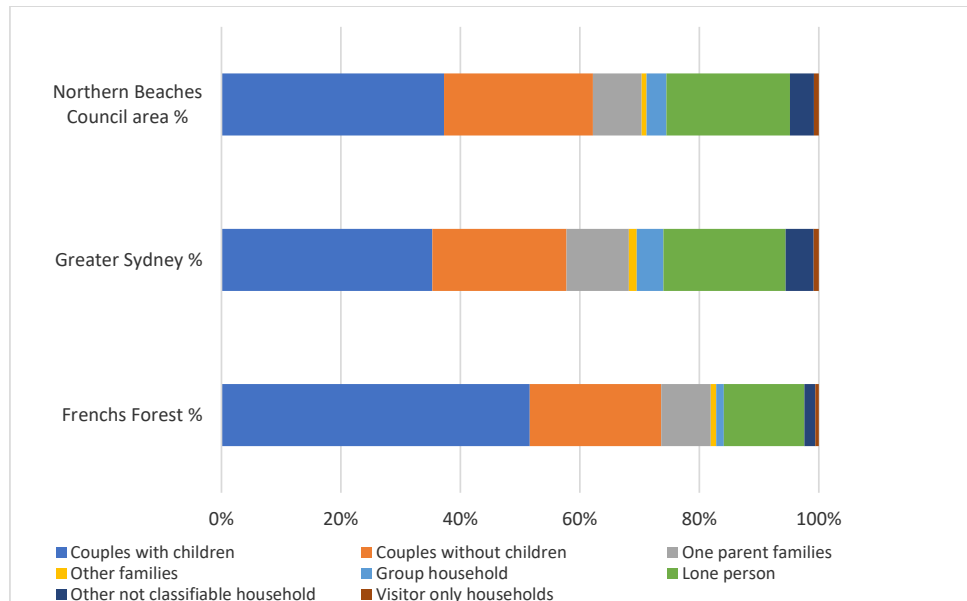
Household type

In 2016, the population of Frenchs Forest suburb was 14,045 people with an average household size of 3.14 people per dwelling (this is higher than the Northern Beaches LGA at 2.6 and Greater Sydney at 2.7 persons per household). In 2016, the suburb was a low-density suburban area.

Figure 1 compares household composition in the Frenchs Forest suburb, Northern Beaches LGA, and Greater Sydney at the 2016 census data.

From the figure it is seen that:

- a higher proportion of households are made up of couples with children with approximately 50% in Frenchs Forest,
- households containing couples without children are comparatively equal across the nominated areas, and
- group households, one parent families and lone person households are less common in Frenchs Forest.

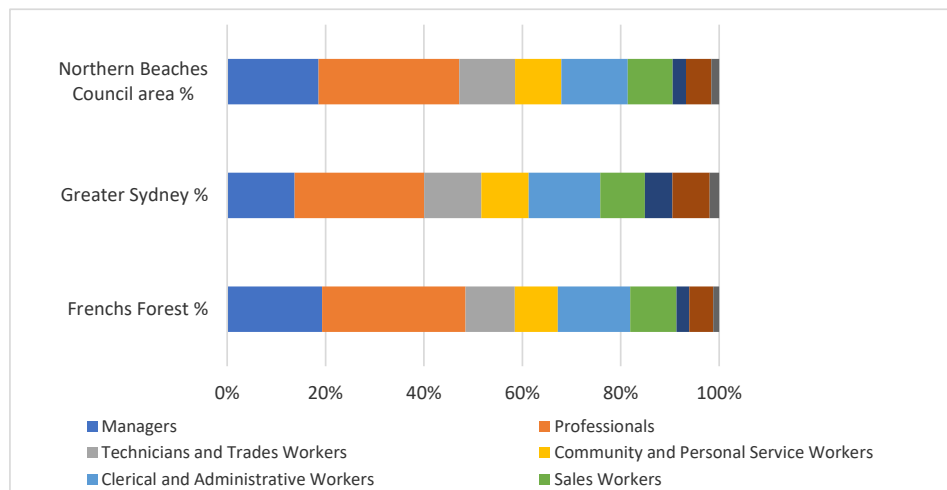


Source: ABS Census 2016

Figure 1 Household composition of all dwellings 2016

Labour force and education

Analysis of 2016 census data allows comparison between occupation and education in the nominated areas, as shown in Figure 2 and Figure 3.

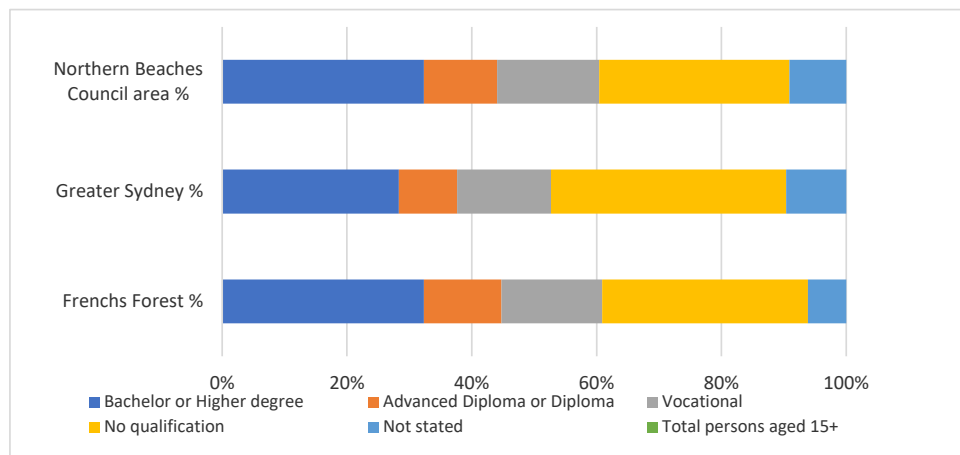


Source: ABS Census 2016

Figure 2 Frenchs Forest occupations 2016

From the figure it is seen that:

- a higher proportion of residents in Frenchs Forest are employed as either manager or professionals with approximately 50% when compared to Greater Sydney (40%),
- there are fewer residents in Frenchs Forest that are employed as machinery operators and drivers when compared to Greater Sydney, and
- occupations such as technicians and trade, community and personal services, clerical and administrative, and sales workers are close to equally represented across the nominated areas.



Source: ABS Census 2016

Figure 3 Frenchs Forest education 2016

From the figure it is seen that:

- a higher proportion of residents in Frenchs Forest have attained a bachelor or higher degree and an advanced diploma or diploma with approximately 45% when compared to Greater Sydney (approximately 37%)
- there are fewer residents in Frenchs Forest that have no qualifications (30%) when compared to Greater Sydney (38%), and
- Residents that have attained a vocational education qualification is close to equally represented across the nominated areas.

In summary, the area has a population that:

- has high numbers of families with children
- is relatively highly educated
- has a workforce with a high representation of managers and professionals.

B.3 Expected development and population

B3.1 Planning framework

Future development in the NBHP is guided by number of plans and policies, including the Greater Sydney Regional Plan ('A Metropolis of Three Cities') and the Northern District Plan - both prepared by the Greater Sydney Commission (**GSC**); as well as Council's Northern Beaches Hospital Structure Plan, the Northern Beaches Local Strategic Planning Statement (**LSPS**) and Council's Community Strategic Plan: 2018-2028 (**CSP**).

Much of the strategic planning for the area has been commissioned and managed by the Department of Planning and Environment (**DPE**) in consultation with the relevant stakeholders including Council.

The NBHP is covered by the Northern Beaches Hospital Structure Plan. Key priorities of the plan relevant to this contributions plan are:

- transition Frenchs Forest into a Strategic Centre
- create a health and wellness precinct
- inclusion of affordable housing
- reinforce the precinct as an economic hub
- clarify the street network
- integrate public transport commensurate with a strategic centre
- enhance the natural environment
- create an active and healthy precinct.

In 2021 DPE prepared the Draft Frenchs Forest 2041 Place Strategy.

The Place Strategy establishes the following objectives:

1. Provide a clear vision and design principles for the future of Frenchs Forest
2. Plan for a mixed-use centre on the current The Forest High School site to support a range of retail, civic, commercial and residential uses
3. Create and identify opportunities for high quality, attractive and welcoming public spaces and pedestrian and cycling connections that positively contribute to Frenchs Forest's character
4. Provide a range of housing types and densities, including apartments, terraces and affordable housing, to improve housing choice and create opportunities for key workers to live close to the hospital
5. Create a new neighbourhood centre on Bantry Bay Road to activate Brick Pit Reserve
6. Promote Frenchs Forest as a self-sustaining precinct that integrates sustainability at a precinct level using industry-recognised building rating tools

7. Install green infrastructure, create green spaces, reduce heat island effect, reduce the environmental footprint, enhance ecosystems and create opportunities and spaces for people to relax outdoors
8. Relocate The Forest High School to create a state-of-the-art education facility that is within easy access of transport connections and recreation facilities.¹

B3.2 Anticipated residential development and population

Council's LSPS and DPIE forecasts anticipate that the population in the LGA will grow by approximately 22,900 people by 2036. The NBHP is a growth area that will accommodate a significant share of this growth.

Council's NBHP Structure Plan (2017) identified the potential delivery of up to 5,300 new dwellings over the next 20 years, over the three phases. Phase 1 of the development includes the future town centre located on the current Forest High School site and rezoned land surrounding the new town centre as shown in Figure 4.

This contributions plan is for the Phase 1 area of the structure plan only. Phase 1 of the NBHP development is proposed to be about 23% of the total future population of the Frenchs Forest suburb.











Phases 2 and 3 are longer term options that will require significant regional road works such as the proposed Bus Transit and Beaches Link before changes to the existing planning controls are open to consideration.²

¹ Draft Frenchs Forest 2041 Place Strategy, DPIE 2021, page 15

² Draft Frenchs Forest 2041 Place Strategy, DPIE 2021 page 10



Legend

 B1 Neighbourhood Centre	 R2+ Low Density Residential plus additional land uses	 R3+ Medium Density Residential plus additional land uses
 B4 Mixed Use	 R3 Medium Density Residential	 SP2 Infrastructure
 Phase 1 (Immediately)	 Phase 2 (10 years)	 Phase 3 (10 years +)
 Proposed new road		

Source: Hospital Precinct Structure Plan, Northern Beaches Council 2017

Figure 4 Phases of the NBHP Structure Plan

The Draft Place Strategy reinforces the Council's Structure Plan in relation to the Phase 1 area.

Relocation of The Forest High School will make way for the creation of a mixed use town centre including:

- around 1,000 new dwellings in the town centre and 1,000 dwellings in surrounding transition areas, with up to 250 affordable housing dwellings for key workers such as hospital staff
- new jobs in a thriving health and education precinct, supported by the Northern Beaches Hospital, commercial spaces and connections to the local business park
- open spaces to complement the bushland setting and new community facilities
- a mix of shops, restaurants, cafes and places for people to gather or relax, day and night.

Phase 1 is proposed to accommodate a net increase of 1,930 dwellings in total, with a combination of R2 low density, R3 medium density, and B4 mixed use dwellings. This accounts for approximately 44% of the total population growth anticipated by Council's adopted NBHP Structure Plan.

Figure 5 shows the proposed land use zones for the Phase 1 development.

The total population expected to reside within the Phase 1 area of the NBHP is 3,902 people.³ There are approximately 14,045 existing residents in Frenchs Forest, resulting in a future total population for the suburb of 18,291 people.⁴

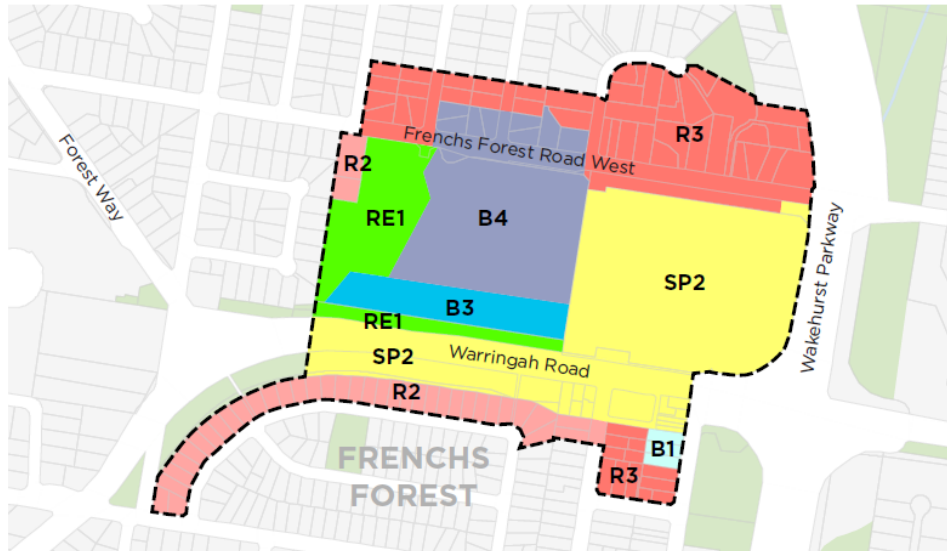


Figure 5: Land zoning

Land Zone

B1 Neighbourhood Centre	B3 Commercial Core
B4 Mixed Use	R2 Low Density Residential
R3 Medium Density Residential	RE1 Public Recreation
SP2 Infrastructure	

Source: Frenchs Forest 2041 Place Strategy

Figure 5 NBHP Phase 1 proposed land use zones

Future household occupancy rates

For the purposes of this plan, it has been determined to use the average household occupancy rates found in the suburb of Warriewood. This is because the types of development in Warriewood are those that most resemble the future development expected in the NBHP.⁵

³ Frenchs Forest Social Infrastructure Study, Addendum. Cred Consulting, 2019, page 2 has 4,246 people. The estimate has been adjusted to exclude the existing demand within the Phase 1 area of approximately 345 people.

⁴ Frenchs Forest Social Infrastructure Study, Addendum. Cred Consulting, 2019, page 2

⁵ The occupancy rates per bedroom are determined using Census data for the suburb of Warriewood. The infrastructure study by Cred Consulting assumed an average 2.2 people per dwelling.

Table 1 Occupancy rates – NBHP – Phase 1

Residential development type	Occupancy rate
0 and 1 bedroom dwellings and secondary dwellings	1.6 persons per dwelling
2 bedroom dwellings and secondary dwellings	2.2 persons per dwelling
3+ bedroom dwellings	3.1 persons per dwelling*
Self-contained seniors housing dwellings	1.5 persons per dwelling
Boarding house room	1.4 persons per room

Source: Compiled from ABS census 2016 data for Warriewood suburb using Tablebuilder. Warriewood used as it is a comparable recent development precinct.

* data on 5+ bedroom dwellings disregarded as it is unlikely that dwellings this large will be built in the contributions plan area

Recent research compiled by PwC and the Property Council of Australia and others⁶ indicate that self-contained seniors living dwellings have an occupancy rate of between 1.4 -1.5 persons per dwelling. For the purposes of this plan an occupancy rate of 1.5 persons has been adopted.

Secondary dwellings and boarding houses also make up the housing mix in the LGA. The ABS census does not separate data for occupancy of these dwelling types. For the purposes of this plan, Council has assumed an average dwelling occupancy rate for secondary dwellings according to the number of bedrooms per dwelling and an average occupancy rate of 1.4 persons per boarding house room.

Future age structure

The NBHP is expected to have a high proportion of young and middle-aged adults. Approximately 81% of residents will be between the ages of 18-49 years, as shown below.

Table 2 Age profile of the future population

Age group (years)	2036 NBHP %
0 - 4	4.7
5 - 11	2.4
12 - 17	1.4
18 - 24	21.8
25 - 34	39.4
35 - 49	19.8
50 - 59	5.7
60 - 69	3.2

⁶ PwC and Property Council Retirement Census, November 2018 and Seniors Living Insight, Knight Frank September 2017

Age group (years)	2036 NBHP %
70 +	1.6

Source: Frenchs Forest Social Infrastructure Study, Addendum. Cred Consulting, 2019, page 3

B3.3 Non-residential development

There will be a high number of workers within the NBHP town centre across a range of industries. The NBHP is specifically designated as a Strategic Centre (health and education precinct) and forms part of a network of health and education infrastructure serving the broader district population.

The new Northern Beaches Hospital itself will support a range of knowledge-intensive jobs, innovation and service delivery, commencing with 1,000 jobs and potentially increasing to 2,000+ jobs in the longer term⁷.

The inclusion of a B4 Mixed Use and B3 Commercial Core zones in Phase 1 of the NBHP will provide an anchor for the precinct enabling the creation of a new Town Centre adjacent to the Northern Beaches Hospital. Retail and commercial uses as well as community facilities will be incorporated into high density residential developments providing employment opportunities for residents.

The B1 Neighbourhood Centre zone will also provide further opportunities for jobs.

The total proposed non-residential floor space expected in Phase 1 is 56,153m².⁸

⁷ The Northern Beaches Hospital Planned Precinct – part 3 Report, Planned Precinct Employment Strategy, MacroPlan Dimasi, 2018

⁸ Refer to Table 4 for breakdown of floorspace by use. The table is replicated from Table 3 of the Arup Transport Report to estimate traffic generation for Phase 1, (page 52) and provides a total of 71,528m². The estimate of non-residential floor space is 71,528 – 15,375 (which is the floorspace allocated for aged care/community). While the aged care/community floorspace generates workers, it is not included as non-residential floorspace.

B.4 Infrastructure strategies and nexus

B4.1 Background

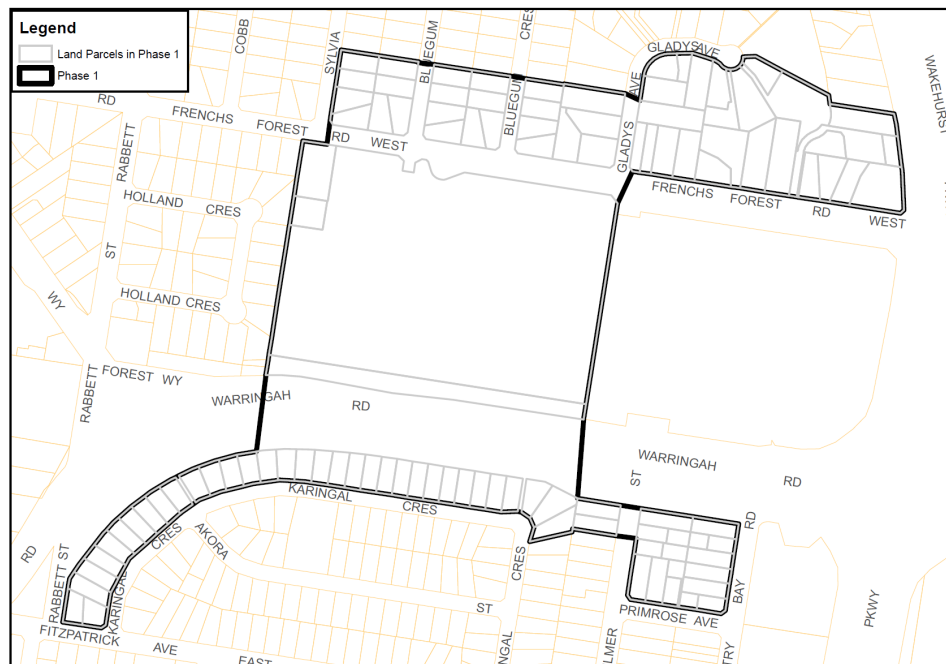
Council has identified a schedule of local infrastructure items to meet the needs of the Phase 1 population growth. The schedule including estimated costs and staging, and location maps are included in **Appendix A**.

The following studies were used to determine the infrastructure schedule in this contributions plan:

- Northern Beaches Council Frenchs Forest Town Centre Transport Strategic Design, ARUP 2021
- Frenchs Forest Social Infrastructure Needs Study, Cred Consulting 2018
- Frenchs Forest WSUD Strategy, Alluvium 2019
- Addendum – Frenchs Forest Social Infrastructure Study, Cred Consulting 2019
- Open Space for Recreation Options Analysis – Frenchs Forest Hospital Precinct – Addendum No. 2 – Phase One Revised Provision Strategy, Otium Planning Group, 2021
- Northern Beaches Sportsground Strategy, Northern Beaches Council, 2017
- Draft Frenchs Forest Precinct Urban Design Report and Public Domain Strategy, CHROFI + Architectus, 2018

B4.2 Contributions catchment

The NBHP catchment subject to this contributions plan is the Phase 1 area outlined in black shown in Figure 5 below.



Source: Northern Beaches Council

Figure 5 Catchment where this contributions plan applies

S7.11 contribution rates are based on the cost of a facility divided by the anticipated demand for a facility.

In this plan, demand is expressed in persons (specifically, residents) for residential development and gross floor area for non-residential development.

B.5 Open space and recreation facilities

Objectives

Provide a range of open space and recreation facilities that will meet the demand of future residents and the non-residential population.

Needs assessment and infrastructure strategy

The Open Space for Recreation Options Analysis (2021) found that there will be a major shortfall of locally accessible open space and outdoor recreation opportunities for Phase 1 of the NBHP⁹. The Northern Beaches Sportsground Strategy (2017) also found that there was no significant spare capacity within the current supply across the city and based on the analysis within that study, there is no available capacity to meet demand from Phase 1 without investment in additional fields or upgrading the capacity of existing facilities¹⁰.

The primary strategy will be to provide a high-quality central parkland within the Town Centre complemented by a network of safe walking and riding links to surrounding upgraded open space areas. Upgrading existing fields to and providing lights for night-time use will also provide additional capacity.

Principles for facility provision

The NBHP Open Space for Recreation Options Analysis study recommended the following key principles for meeting open space and recreation needs:

- Expand the capacity of existing sporting spaces and facilities where possible and supplement field space with built solutions.
- Confirming the importance of providing a central park (town centre park) to service the future town centre and higher density residential adjacent.
- Strategic expansion of some existing parks to improve capacity and accessibility.
- Expand the extent of trail networks and improve linkages to nature-based trails from the high-density residential areas.

⁹ Open Space for Recreation Options Analysis – Frenchs Forest Hospital Precinct – Addendum No. 2 – Phase One Revised Provision Strategy, Otium Planning Group, 2021

¹⁰ Northern Beaches Sportsground Strategy, Northern Beaches Council, 2017

- Improve active transport and walking links throughout the precinct to address barriers from high volume roads.
- Pursue opportunities for indoor sport and recreation spaces as part of built solutions in the town centre.

The strategy provided in 2019 has been updated to reflect that the relocation of the Frenchs Forest High School to Aquatic Reserve is no longer being pursued. That means the associated sportsfields and courts that had been proposed at the high school are no longer valid options.

The items that are proposed to accommodate the population growth for Phase 1 are outputs from a demand analysis model that uses a set of data based on the following:

- sport and recreation participation data for NSW or Northern Beaches LGA
- assessments of the capacity of sporting facilities to accommodate additional use
- projections of the use hours needed to accommodate new demand
- available participation data for non-sport active recreation.

The model is calibrated for the LGA and provides a demand profile for each sport or activity which is then converted to a need for different facilities or active recreation opportunities.¹¹

Based on the multiple approaches to assessing demand from the population growth associated with Phase 1, the following summary provides an overview of the established provision needed¹².

Table 3 Open space and recreation required provision

Type of Demand	Provision Recommendation	Comment
Sporting Space	3.8ha – 4.5ha for fields and outdoor courts 2,300m ² of indoor sport and indoor program floor area	Based on demand using current participation data. Sportsground Social Infrastructure Plan suggest 1ha/1000 (4.5ha)
Parkland / Open space for recreation	6.8ha – 7.7ha of parkland Including around 0.72ha for daytime population of workers	Northern Beaches Social Infrastructure Plan suggests 1.5ha/1000 for urban parkland (6.8ha). Projections using Greener Places 7.7ha.

Source: Open Space for Recreation Options Analysis – Frenchs Forest Hospital Precinct – Addendum No. 2 – Phase One Revised Provision Strategy, Otium Planning Group, 2021, page 16

Open space and recreation works proposed to accommodate the demand are shown below. These items are contained in the works schedule (**Appendix A**).

- Land (1.5ha) and embellishment for a new park in the proposed Town Centre

¹¹ Open Space for Recreation Options Analysis – Frenchs Forest Hospital Precinct – Addendum No. 2 – Phase One Revised Provision Strategy, Otium Planning Group, 2021, page 6

¹² Open Space for Recreation Options Analysis – Frenchs Forest Hospital Precinct – Addendum No. 2 – Phase One Revised Provision Strategy, Otium Planning Group, 2021

- Land (0.24ha) and embellishment for upgraded open space in Akora Reserve and Rabbett Reserve
- Embellishment of Brick Pitt Reserve to upgrade to carry additional capacity
- Upgrade 2 fields with lighting, carparking and landscaping at Forestville Park

The State Government has provided Council with a grant of approximately \$6.16 million to assist with the works (not including stormwater management) identified at Brick Pitt Reserve, Akora Reserve and Rabbett Reserve. The grant funding has been deducted from the costs presented in the works schedule to calculate the contribution rate (**Appendix A**).

Nexus and apportionment

The open space provisions included in this plan for Phase 1 are based on meeting the needs for the Phase 1 resident and daytime worker populations. Accordingly, this plan levies s7.11 contributions on residential accommodation and non-residential development for the Town Centre open space works and only residential accommodation for the works outside the Town Centre.

Workers in the Phase 1 area will not use open space facilities to the same degree as residents. Based on Government Architect advice,¹³ this plan assumes that the demand for open space created by 1 resident is equivalent to 10 workers. That is, 1 worker generates 1/10 of the demand of 1 resident.

The expected non-residential floorspace in Phase 1 is 71,528m² and will comprise a mix of commercial, retail, hotel, education, community, and residential care facilities. The expected type of floorspace has been converted to workers. The total number of workers is provided in Table 4 below.

Table 4 Non-residential floorspace and expected workers

Floorspace type	Expected (m ²)	New workers
Commercial	5,852	293
Retail (supermarket)	5,891	98
Retail (other)	8,660	173
Hotel	11,300	141
Education	24,450	445
Community/residential care ¹⁴	15,375	285
Total	71,528	1,435

Source: Floorspace from Table 3 of Transport Report ARUP (2021) converted to workers for each floorspace type.

In terms of infrastructure demand, the expected 1,435 workers are the equivalent of 143 residents, making the total equivalent number of residents 4,389 people (4,246+143). The proportion of open

¹³ NSW Government Architect (2020), Draft Greener Places Design Guide, pages 22, 23

¹⁴ This use is included because there are workers attached to the uses that generate traffic.

space costs that should be attributed to the residential development is 97% (i.e. 4,246/4,389) and the worker population 3% (i.e. 143/4389).

Water quality and management works

The works schedule contains three works items that are for the purpose of water quality and management. The first is in the Town Centre Park and the remaining items are in Brick Pitt Reserve and Rabbett Reserve.

This plan similarly levies contributions on residential accommodation and non-residential development for the Town Centre works and only the residential population for the works in Brick Pitt Reserve and Rabbett Reserve.

Contribution rates calculation for residential development

The contribution formula for open space and recreation infrastructure can be expressed as follows:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF \times RAF}{P} \right)$$

Where:

- \$INF is the apportioned estimated cost of providing each of the recreation infrastructure items required to meet the development of the NBHP (refer works schedule in **Appendix A**).
- RAF is the residential 'apportionment factor', i.e. the percentage of the total cost of each facility that is apportioned to residential development – i.e. 97%.
- P is the expected persons that will generate the demand for the open space and recreation infrastructure (future growth of 3,902 people).

To determine the contribution rate per dwelling, multiply the contribution rate per person by the relevant assumed occupancy rate shown in Table 1.

Contribution rates calculation for non-residential development

The contribution formula for open space and recreation infrastructure can be expressed as follows:

$$\text{Contribution per m2 GFA (\$)} = \sum \left(\frac{\$INF \times NRAF}{GFA} \right)$$

Where:

- \$INF is the total estimated \$ cost of providing each of the open space and recreation facilities (refer works schedule).
- NRAF is the non-residential 'apportionment factor', i.e., the percentage of the total cost of each facility that is apportioned to non-residential development in Phase 1 – i.e., 3%.
- GFA is the expected employment development that will demand each facility – that is, the expected employment GFA in Phase 1 (in m²) i.e., 71,528m².

B.6 Roads and active transport

Objectives

Provide improvements to the existing road network and an array of active transport to meet the demands of the future residential and non-residential population.

Needs assessment and infrastructure strategy

The additional development expected in the NBHP will create additional vehicle trips on the existing road network, as it is transitioning to a higher density residential area.

There is currently a high reliance on private vehicles for most travel with some limited public transport use for journey to work trips. Current public transport consists of buses connecting the precinct to the wider Sydney Area including Dee Why, Chatswood and Wynyard.

The initial traffic modelling for the Phase 1 area was conducted by Jacobs on behalf of DPIE. Supplementary modelling was carried out by Council to understand the implications of traffic on the road network for the future Phases 2 and 3 of the development precinct. The Jacobs study assessed impacts of the Phase 1 development traffic using an Aimsun traffic model to identify constraints in the network. Phases 2 and 3 were assessed using the SIDRA intersection microsimulation software.

The main outcome from Council's modelling shows that levels of service for local roads are significantly affected once the 70% of dwellings in Phase 1 are occupied. Additional traffic works proposed to accommodate traffic impacts contained in a report prepared on Council's behalf by ARUP¹⁵ will not improve the overall level of service of intersections. The main impact is the reduction of queue lengths of traffic and the delay experienced by vehicles.

Table 5 provides a summary of the proposed traffic works, the location in the ARUP report discussing the item, a description of the impact and the proposed apportionment to the Phase 1 development.

¹⁵ Frenchs Forest Town Centre Transport Strategic Design, ARUP 2021

Table 5 Transport infrastructure items identified for delivery

Development Phase	Item No. ARUP report	Description	Section in ARUP report	Apportionment to Phase 1 (%)	Justification for inclusion
Initial	1B	Holland Cres extension to Town Centre (requires land acquisition)	4.2.2	100	Provides initial secondary access/egress to Town Centre at Rabbett Street/Frenchs Forest Road West. Without it, primary access will operate LOS F, queue 148m and delay of 218 seconds.
Phase 1 – 50% build out	2A	Road widening – Frenchs Forest Road West/Naree Road from Bluegum Cres to Forest Way*	4.3.1	100	Provides additional road capacity to reduce queue lengths and delays.
	2C	Southern end of Holland Cres to Forest Way/Rabbett St intersection – convert to bus only exit	4.3.3	100	Reduce the number of vehicles accessing Forest Way out to reduce congestion.
Phase 1 – 70% build out	3E	Adams Street / Forest Way – provide additional land on the eastern approach of Adams St	4.4.5	100	Future intersection will operate at LOS F with queue of 421 m and delays of 73 seconds. With intersection works the intersection will operate at LOS F with queue length 229m and delay of 87 sec.
	3F	Adam Street / Rabbett St – upgrade to roundabout	4.4.6	100	Additional delays along Rabbett Drive into Frenchs Forest Rd West without works.
	3H	Relocation of bus stops of Frenchs Forest Rd East	4.4.8	100	Without relocation significant delays along Frenchs Forest Rd East in morning peak.
	3I	New road from Holland Cres to Sylvia Place - acquisition of land required.	4.4.9	100	Second signalised entry into the Town Centre. Reduces the queue length from 147m to 73m at Rabbett Street/Frenchs Forest Rd West intersection.
	4C	Traffic calming works various locations	4.5.3	100	Proposed to reduce rat-runs and keep traffic on collector roads
	5.3.4	Active transport - Rabbett Street link	5.3.4	100	Active transport link within the Phase 1 area.

* widening works extend to eastern boundary of property 21A Forest Way only

The new precinct will require intersection improvements and the provision of improved cycleways and share paths to encourage the reduction of private vehicle use within the precinct. The works included in the works schedule are identified in the ARUP Transport Report as required by:

- Initial delivery
- 50% build of Phase 1
- 70% build of Phase 1.

The following traffic and road intersection works proposed to accommodate the demand are contained in the works schedule in **Appendix A**.

- New roads (including existing road extensions and access roads)
- Widening of existing roads
- Four intersection upgrades
- Relocation of bus stops
- Traffic calming infrastructure
- Off-road share paths

Nexus and apportionment

Roads and traffic management

Several intersection upgrades and some minor road-widening and road extensions are required within the NBHP Phase 1 to improve traffic circulation. The works will augment the existing network to help accommodate new traffic generated by the redevelopment of the precinct.

As the works are required as the result of the proposed increase in residents and worker population to the area, this plan levies \$7.11 contributions on residential accommodation and non-residential development for the Phase 1 area.

The apportionment of the works to the type of development is based on the traffic generated by each development. The traffic generation is identified in Table 3 of the ARUP report shown below in Figure 6.

The traffic modelling assumes the traffic generation for the AM peak. For the purposes of calculation of a contribution rate, the AM traffic generation attributed to residential development is 48% (876/1,841)¹⁶ and the non-residential development is 52% (965/1,841).

¹⁶ Aged care residential traffic generation rates have been excluded from the traffic generation table. It is assumed that they are negligible.

Table 3: Phase 1 Traffic Generation

Land Use	AM Rate	PM Rate	Phase 1		
			Yield (Phase 1)	AM Trips/ Hour	PM Trips/ Hour
Resi dwellings (high density)	0.4 per dwelling	0.45 per dwelling	1,901	760	855
Resi dwellings (med density)	0.5 per dwelling	0.55 per dwelling	231	116	127
Commercial	1.6 per 100m2	1.2 per 100m2	5,852 m ²	94	71
Retail (supermarket)	4.3 per 100m2	12.3 per 100m2	5,891 m ² GLFA	254	725
Retail (other)	2.7 per 100m2	7.6 per 100m2	8,660 m ² GLFA	233	658
Hotel	0.3 per 100m2	0.3 per 100m2	11,300 m ²	34	34
Education	0.8 per 100m2	0.8 per 100m2	24,450 m ²	196	196
Aged care/community	1.0 per 100m2	1.6 per 100m2	15,375m ²	154	246
Total				1,841	2,912

Source: Frenchs Forest Town Centre Transport Strategic Design, ARUP 2021, page 52

Figure 6 Traffic generation for Phase 1 - residential and non-residential

Cycleways and shared paths

A comprehensive program of works is proposed in the ARUP report to extend the cycle and share-path network. The active transport connections will be delivered on a priority basis with to provide connections to the bus priority network.¹⁷ One item has been identified for delivery in the Phase 1 area. The remaining items will be considered for delivery in future development phases.

It is reasonable for the purpose of determining the contribution rate that the cost of the infrastructure works is 100% apportioned to the new residential growth.

Contribution rates calculation for residential development

The contribution formula for roads and active transport can be expressed as follows:

$$\text{Contribution per resident (\$)} = \sum \left(\frac{\$INF \times RAF}{P} \right)$$

Where:

\$INF is the apportioned estimated cost of providing each of the transport infrastructure items (refer works schedule in **Appendix A**).

¹⁷ Northern Beaches Council Frenchs Forest Town Centre Transport Strategic Design, ARUP 2019

RAF is the residential 'apportionment factor', i.e. the percentage of the total cost of each facility that is apportioned to residential development .– i.e. 48%.

P is the expected persons that will generate the demand for the active transport infrastructure (new growth population 3,902 people).

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in **Table 1**.

Contribution rates calculation for non-residential development

The contribution formula for roads and active transport infrastructure can be expressed as follows:

$$\text{Contribution per m2 GFA (\$)} = \sum \left(\frac{\$INF \times NRAF}{GFA} \right)$$

Where:

\$INF is the total estimated \$ cost of providing each of the transport infrastructure items (refer works schedule).

NRAF is the non-residential 'apportionment factor', i.e., the percentage of the total cost of each facility that is apportioned to non-residential development of Phase 1 – i.e., 52%.

GFA is the expected employment development that will demand each facility - that is, the expected employment GFA in Phase 1 (in m²) i.e., 71,528m².

B.7 Plan administration

Objectives

Implement and manage this plan so that the contributions remain reasonable over the life of the plan, and that the infrastructure is provided in a reasonable time.

Strategy

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 including design works and land acquisition.
- 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 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.
- Plan reviews

Nexus and apportionment

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 make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark¹⁸ of an allowance equivalent to 1.5% of the cost of construction works (excluding land acquisition) that are to be met by development approved under this plan.

Contributions rate calculation

The contribution formula for plan administration can be expressed as follows:

$$\text{Contribution per person or m2 GFA (\$)} = \sum (\$ \text{Works rate} \times 1.5\%)$$

Where:

\$ Works rate is the contribution rate per person or per m² of non-residential floorspace for each of the infrastructure items in **Appendix A** that the development is contributing towards.

¹⁸ Independent Pricing and Regulatory Tribunal of New South Wales (2014), Local Infrastructure *Benchmark Costs*, page 63

APPENDIX C: Credit list

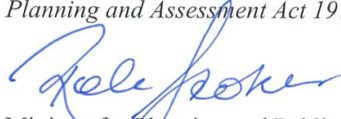
Property No	Address	Legal description	Is a credit applicable? Yes or No	Number of 3 bedroom dwellings	Per boarding house room	Number of people	Notes
102685	44 Bantry Bay Road	Lot 17 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
102687	48 Bantry Bay Road	Lot 19 DP 15045	Yes	1		3.1	Approved DA for medical centre but never enacted. Historical approval for dwelling house. Assumed 3 bedroom dwelling.
102688	50 Bantry Bay Road	Lot 20 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
102689	52 Bantry Bay Road	Lot 21 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104017	2 Bluegum Crescent	Lot 80 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104018	4 Bluegum Crescent	Lot 79 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104019	6 Bluegum Crescent	Lot 78 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104020	8 Bluegum Crescent	Lot 77 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104031	30 Bluegum Crescent	Lot 84 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104032	32 Bluegum Crescent	Lot 83 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104033	51 Bluegum Crescent	Lot 103 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104034	49 Bluegum Crescent	Lot 102 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104035	47 Bluegum Crescent	Lot 101 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104055	5 Bluegum Crescent	Lot 62 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
104056	3 Bluegum Crescent	Lot 61 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
112822	2 Fitzpatrick Avenue East	Lot 119 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113498	142 Frenchs Forest Road West	Lot 59 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113499	1 Bluegum Crescent	Lot 60 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113500	136 Frenchs Forest Road West	Lot 81 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113501	134 Frenchs Forest Road West	Lot 82 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113502	130 Frenchs Forest Road West	Lot 2 DP 25713	Yes	0	18	25.2	18 room boarding house development approved. Final OC issued 2019. Unlikely to re-develop
113503	128 Frenchs Forest Road West	Lot 20 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113505	124 Frenchs Forest Road West	Lot 22 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113506	122 Frenchs Forest Road West	Lot 23 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113507	120 Frenchs Forest Road West	Lot 1 DP 213608	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113508	118 Frenchs Forest Road West	Lot 2 DP 213608	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113509	116 Frenchs Forest Road West	Lot 24 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113510	114 Frenchs Forest Road West	Lot 25 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113511	112 Frenchs Forest Road West	Lot 4 DP 510616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113512	110 Frenchs Forest Road West	Lot 3 DP 510616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113513	108 Frenchs Forest Road West	Lot 11 DP 524792	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113514	106 Frenchs Forest Road West	Lot 12 DP 524792	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113913	2 Gladys Avenue	Lot 1 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113934	4 Gladys Avenue	Lot 3 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113946	15 Gladys Avenue	Lot 4 DP 580693	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113947	13 Gladys Avenue	Lot 5 DP 580693	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113948	11 Gladys Avenue	Lot 14 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113949	7 Gladys Avenue	Lot 16 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113950	3 Gladys Avenue	Lot 18 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
113951	1 Gladys Avenue	Lot 19 DP 25713	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
116217	1 Hilmer Street	Lot 28 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
116229	4 Hilmer Street	Lot 52 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
116230	2 Hilmer Street	Lot 53 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118400	2 Karingal Crescent	Lot 118 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118401	4 Karingal Crescent	Lot 117 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118402	6 Karingal Crescent	Lot 116 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118403	8 Karingal Crescent	Lot 115 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118404	10 Karingal Crescent	Lot 114 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118405	12 Karingal Crescent	Lot 113 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118406	14 Karingal Crescent	Lot 112 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118407	16 Karingal Crescent	Lot 111 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118408	18 Karingal Crescent	Lot 110 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118409	20 Karingal Crescent	Lot 109 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118410	22 Karingal Crescent	Lot 108A DP 36755	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118411	24 Karingal Crescent	Lot 107A DP 36755	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118412	26 Karingal Crescent	Lot 106 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118413	28 Karingal Crescent	Lot 105 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118414	30 Karingal Crescent	Lot 104 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118415	32 Karingal Crescent	Lot 103 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118416	34 Karingal Crescent	Lot 102 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118417	36 Karingal Crescent	Lot 101 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118418	38 Karingal Crescent	Lot 100 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118419	40 Karingal Crescent	Lot 99 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118420	42 Karingal Crescent	Lot 98 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118421	44 Karingal Crescent	Lot 97 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118422	46 Karingal Crescent	Lot 96 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118423	48 Karingal Crescent	Lot 95 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118424	50 Karingal Crescent	Lot 94 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118425	52 Karingal Crescent	Lot 93 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118426	54 Karingal Crescent	Lot 92 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118427	56 Karingal Crescent	Lot 91 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118428	58 Karingal Crescent	Lot 90 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118429	60 Karingal Crescent	Lot 89 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118430	62 Karingal Crescent	Lot 88 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118431	64 Karingal Crescent	Lot 87 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
118432	66 Karingal Crescent	Lot 86 DP 36616	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
130197	3 Primrose Avenue	Lot 24 DP 15045	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
130198	5 Primrose Avenue	Lot 25 DP 15045	Yes	1		3.1	Existing dwelling. Approval for outbuilding not being used as secondary dwelling.
135494	26 Sylvia Place	Lot 58 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
135495	25 Sylvia Place	Lot 57 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
135496	24 Sylvia Place	Lot 56 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
135497	23 Sylvia Place	Lot 55 DP 30700	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
138180	4 Wakehurst Parkway	Lot 2 DP 206440	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
146340	Police Station 137-139 Frenchs Forest Road West	Lot 1 DP 746670, Lot 2 DP 535422	No	0		0	Not eligible for credit. Existing police station, no existing dwelling.
146563	3 Hilmer Street	Lot 100 DP 846005	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
146564	3A Hilmer Street	Lot 101 DP 846005	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
146841	5 Gladys Avenue	Lot 171 DP 849591	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
146842	5A Gladys Avenue	Lot 172 DP 849591	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
146935	1 Primrose Avenue	Lot 1 DP 851023	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
146936	1A Primrose Avenue	Lot 2 DP 851023	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
147041	9A Gladys Avenue	Lot 152 DP 847732	Yes	2		6.2	Assumed 2 x 3 bedroom dwelling.
147042	9 Gladys Avenue	Lot 151 DP 847732	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
147232	5 Hilmer Street	Lot 201 DP 850798	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
147233	7 Hilmer Street	Lot 200 DP 850798	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
147894	54 Bantry Bay Road	Lot 220 DP 862371	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
147895	18 Primrose Avenue	Lot 221 DP 862371	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
150344	53 Bluegum Crescent	Lot CP SP 51625	Yes	2		6.2	Historical approval for 2 unit residential strata building. Assumed 3 bedrooms per unit. Unlikely to re-develop
152825	2A Wakehurst Parkway	Lot 301 DP 1028902	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
154003	2 Wakehurst Parkway	Lot 3022 DP 1035325	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
159464	126A Frenchs Forest Road West	Lot 1 DP 1114075	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
159465	126B Frenchs Forest Road West	Lot 2 DP 1114075	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
329118	46 Bantry Bay Road	Lot 181 DP 1133753	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
329119	46A Bantry Bay Road	Lot 182 DP 1133753	Yes	1		3.1	Historical approval. Assumed 3 bedroom dwelling.
474214	Frenchs Forest Road West	Part Lot 99 DP 1241021	No			0	Not eligible for credit. Existing school site, no existing dwellings.
474215	Frenchs Forest Road West	Part Lot 99 DP 1241021	No			0	Not eligible for credit. Existing school site, no existing dwellings.
Total				103	18	344.5	

Environmental Planning and Assessment (Special Infrastructure Contribution – Frenchs Forest) Determination 2021

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, in pursuance of section 7.23 of the *Environmental Planning and Assessment Act 1979*, make the following Determination.



Minister for Planning and Public Spaces

Dated: 7th December, 2021.

1 Name of Determination

This Determination is the *Environmental Planning and Assessment (Special Infrastructure Contribution – Frenchs Forest) Determination 2021*.

2 Commencement

This Determination takes effect on the date of its publication in the Gazette.

3 Land to which Determination applies

This Determination applies to the Frenchs Forest Special Contributions Area.

4 Object of Determination

The main object of this Determination is to require special infrastructure contributions to be made for the provision of infrastructure in connection with the intensification of residential development in Frenchs Forest, as generally outlined in the Northern Beaches Hospital Precinct Structure Plan, adopted by Northern Beaches Council on 1 August 2017.

5 Definitions

(1) In this Determination:

Charge Area 1 means the area identified as Charge Area 1 on the Frenchs Forest Special Contributions Areas Map.

Charge Area 2 means the area identified as Charge Area 2 on the Frenchs Forest Special Contributions Areas Map.

contribution rate – see clauses 10 and 11.

CPI number means the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics.

developer means the person having the benefit of a development consent for the time being.

development consent includes a complying development certificate.

Frenchs Forest Special Contributions Area means the special contributions area of that name as described in Schedule 4 to the Act.

Frenchs Forest Special Contributions Area Map means the map marked “Frenchs Forest Special Contributions Area Map” approved by the Minister on the making of the *Environmental Planning and Assessment Amendment (Frenchs Forest Special Contributions Area) Order 2021*.

infrastructure has the same meaning as it has in Subdivision 4 of Division 7.1 of the Act.

planning agreement means a voluntary agreement referred to in section 7.4 of the Act with the Minister (whether or not another planning authority is also a party to the agreement).

public housing has the same meaning as in the *Housing Act 2001*.

residential accommodation means any of the following:

- (a) attached dwellings,
- (b) dual occupancies,
- (c) dwelling houses (but not secondary dwellings),
- (d) multi dwelling housing,
- (e) residential flat buildings,
- (f) semi-detached dwellings,
- (g) a group of independent living units that is seniors housing,
- (h) shop top housing.

residential SIC development means development for which a special infrastructure contribution must be made under clause 6.

Residential Use Areas Map means the map marked “Frenchs Forest SCA Residential Use Areas Map” that is published on the NSW Planning Portal and approved by the Minister on the making of this Determination, as amended by the Planning Secretary in accordance with clause 22 from time to time.

residential use land means land within the Frenchs Forest Special Contributions Area of either of the following kinds:

- (a) land identified as residential use land on the Residential Use Areas Map,
- (b) land included in Schedule 3 after this Determination takes effect by an amendment to this Determination made by the Minister.

social housing provider means any of the following:

- (a) the New South Wales Land and Housing Corporation constituted by the *Housing Act 2001*,
- (b) a registered community housing provider,
- (c) the Aboriginal Housing Office constituted by the *Aboriginal Housing Act 1998*,
- (d) a registered Aboriginal housing organisation within the meaning of the *Aboriginal Housing Act 1998*,
- (e) the Secretary of the Department of Communities and Justice,
- (f) a provider of specialist disability accommodation under the *National Disability Insurance Scheme Act 2013* of the Commonwealth,
- (g) a local government authority that provides affordable housing,
- (h) a not-for-profit organisation that is a direct provider of rental housing to tenants.

special infrastructure contribution works-in-kind agreement – see clause 20.

Standard Instrument means the standard instrument for a principal local environmental plan set out at the end of the *Standard Instrument (Local Environmental Plans) Order 2006*.

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

- (2) Words or expressions used in this Determination have the same meanings as they have in the Act, unless otherwise defined.
- (3) The following words or expressions have the same meanings as they have in the Standard Instrument:
 - (a) attached dwelling,
 - (b) boarding house,
 - (c) dual occupancy,
 - (d) dwelling,
 - (e) dwelling house,
 - (f) hostel,
 - (g) independent living unit,
 - (h) multi dwelling housing,
 - (i) registered community housing provider,
 - (j) residential flat building,
 - (k) secondary dwelling,
 - (l) semi-detached dwelling,
 - (m) seniors housing,

- (n) shop top housing.
- (4) If the Consumer Price Index (All Groups Index) for Sydney ceases to be published or issued by the Australian Bureau of Statistics, a reference in this Determination to the index is taken to be a reference instead to an index designated by the Minister for the purposes of this Determination.
- (5) A reference in this Determination to the Minister in relation to a special infrastructure contribution works-in-kind agreement includes a reference to the Planning Secretary, or other officer of the Department of Planning, Industry and Environment, acting for and on behalf of the Crown in right of the State of New South Wales.
- (6) The map set out in Schedule 1 shows the land within the Frenchs Forest Special Contributions Area that is residential use land at the time this Determination is made. It is included for information only.

6 Development for which SIC must be made

- (1) Subject to this clause, a special infrastructure contribution must be made for development on land that is residential use land when development consent for the development is granted, if the development consists of, or involves, development for the purpose of residential accommodation (including as part of mixed use development).

Note. A special infrastructure contribution may be imposed only as a condition of development consent. See the direction given by the Minister under section 7.24 of the *Environmental Planning and Assessment Act 1979* to consent authorities and registered certifiers to impose a condition to require a special infrastructure contribution in accordance with this Determination on a grant of consent given on or after the date on which this Determination takes effect.

- (2) A special infrastructure contribution is not required to be made for development on land to which a development application or an application for a complying development certificate relates if the development will not result in an increase in the number of dwellings on the land (whether contained in new buildings or existing buildings). Accordingly, if a single dwelling house is demolished and replaced by another single dwelling house, a special infrastructure contribution is not required.
- (3) A special infrastructure contribution is not required to be made for development for the purpose of public housing, or for the purpose of seniors housing or affordable housing carried out by or on behalf of a social housing provider.

Note. A special infrastructure contribution cannot be imposed as a condition of consent to the carrying out of development if a planning agreement made in accordance with section 7.4 of the *Environmental Planning and Assessment Act 1979* excludes the application of section 7.24 of the Act to the development.

7 Development that is residential SIC development in part only

A special infrastructure contribution is required to be made for residential SIC development even if the development consent for the residential SIC development:

- (a) not only authorises development on land within the Frenchs Forest Special Contributions Area, but also authorises development on land outside the Frenchs Forest Special Contributions Area, or
- (b) not only authorises development on residential use land, but also authorises development on other land, or
- (c) also authorises development that is not residential SIC development.

Note. A special infrastructure contribution is required to be made for development only to the extent that the development is on residential use land and is residential SIC development. See clause 12 (3) (c) and clause 13 (4) about the calculation of the number of additional dwellings for residential SIC development where it is part of a larger development that extends beyond land identified as residential use land.

8 Nature of contribution

- (1) The special infrastructure contribution for residential SIC development is to be made as:
 - (a) a monetary contribution, or
 - (b) a contribution of a kind specified in a special infrastructure contribution works-in-kind agreement that is in force in relation to the residential SIC development (being the carrying out of works for the provision of infrastructure or the dedication or other provision of land for the purpose of that infrastructure), or
 - (c) a contribution specified in a planning agreement that applies to the residential SIC development where:
 - (i) the contribution required to be provided under the agreement is for the provision of an item (or part of an item) of infrastructure specified in Schedule 2 or for the dedication or other provision of land for the purpose of that infrastructure, and
 - (ii) the agreement does not exclude the application of section 7.24 of the Act to the residential SIC development, and
 - (iii) the agreement provides that an obligation to make a special infrastructure contribution imposed by a condition of development consent for the residential SIC development in accordance with this Determination (or other determination under section 7.23 of the Act that applies to the land on which the residential SIC development may be carried out) may be met (wholly or partly) by the provision of the contribution under the planning agreement.

Note. A special infrastructure contribution works-in-kind agreement is an agreement that is entered into after a development consent imposing an obligation to make a special infrastructure contribution has been granted. It is an agreement about how that obligation may be satisfied. A planning agreement as described in section 7.4 of the *Environmental Planning and Assessment Act 1979* is generally entered into before development consent is granted.

- (2) The special infrastructure contribution may comprise part of the amount of the monetary contribution otherwise payable and the balance as a contribution provided by a special infrastructure contribution works-in-kind agreement (or a planning agreement of a kind described in subclause (1) (c)).

- (3) Despite subclauses (1) and (2), if residential SIC development is authorised by a complying development certificate, the special infrastructure contribution for the development may be made only as a monetary contribution.

9 Amount of monetary contribution

The monetary contribution that is payable as a special infrastructure contribution for residential SIC development authorised by a development consent is the amount calculated as follows:

$\$C_p = \$C_r \times D_N$ where:

$\$C_p$ is the monetary contribution payable

$\$C_r$ is the amount in dollars of the contribution rate, applicable at the date of payment, for the residential SIC development (as provided by clauses 10 and 11)

D_N is the number of additional dwellings resulting from the development authorised by the consent (as determined in accordance with clauses 12 and 13).

10 Contribution rates for determining monetary contribution

- (1) The contribution rates that apply, at any time before 1 July 2022, in the calculation of the monetary contribution for residential SIC development are as follows:

Charge Area in which development is to be carried out	Contribution rate
Charge Area 1	\$6,500 per additional dwelling
Charge Area 2	\$19,500 per additional dwelling

Each of the amounts of \$6,500 and \$19,500 is a **contribution amount** for the purposes of this clause and clause 11.

- (2) The contribution rate that applies at any time during the 12 month period commencing 1 July 2022, and during each subsequent 12 month period, is to be determined by adjusting each contribution amount in accordance with clause 11. Accordingly, the contribution rate for any such period is the adjusted contribution amount per additional dwelling.

11 Annual adjustment of contribution rates

- (1) On 1 July 2022 and on 1 July in each subsequent year, each contribution amount of \$6,500 and \$19,500, respectively, is to be adjusted by multiplying it by the following fraction:

$$\frac{\text{latest CPI number}}{\text{base CPI number}}$$

where:

latest CPI number is the CPI number for the March quarter in the year in which the adjustment is made, and

base CPI number is the CPI number for the March quarter in 2020.

(The March quarter is the quarter commencing on and including 1 January and ending on and including 31 March in the same year.)

- (2) However, if the adjustment of the contribution amount under this clause results in a contribution amount that is less than that for the preceding 12 month period, the contribution amount for that preceding 12 month period continues to apply.
- (3) If the adjustment of a contribution amount results in an amount that is not a whole number multiple of \$1, the amount is to be rounded up to the nearest whole number multiple of \$1.

12 Number of additional dwellings for calculating monetary contribution

- (1) For the purpose of calculating the amount of the monetary contribution under clause 9, the number of additional dwellings authorised by the development consent for the residential SIC development (the *relevant development consent*) is, subject to this Determination, the sum of:
 - (a) the number of dwellings that the consent authorises to be erected, including as a result of any extension or enlargement to an existing building, and
 - (b) the number of dwellings that will result from a change of use of an existing building that the consent authorises.
- (2) Any dwelling that is to be provided for public housing, or provided for seniors housing or affordable housing by or on behalf of a social housing provider, is not to be included, under subclause (1), in the number of additional dwellings authorised by the relevant development consent.
- (3) To avoid doubt, the number of additional dwellings authorised by the relevant development consent does not include:
 - (a) the number of existing dwellings on the land at the time that the relevant development consent was granted, or
 - (b) dwellings that are not residential accommodation, or
 - (c) dwellings that are not on residential use land.

Note. Under this clause, if development consent were granted for the erection of a dwelling on a lot where there is an existing house, so as to create a dual occupancy on that lot, the SIC would be calculated on the basis of there being only 1 additional dwelling authorised by the development consent.

13 Number of additional dwellings reduced by number of demolished dwellings

- (1) The number of additional dwellings, determined in accordance with clause 12, is reduced by the number of any dwellings on the land to which the relevant development consent applies that have been, or are authorised to be, demolished:
 - (a) under the relevant development consent, and
 - (b) under any other development consent that was granted no more than 3 years before the grant of the relevant development consent.
- (2) The demolition or proposed demolition of a dwelling cannot be relied on under subclause (1) (b) to reduce the monetary contribution payable for the residential SIC development if it has been relied on previously to reduce the monetary contribution for another residential SIC development.
- (3) For the purpose of determining, under this clause, the number of dwellings that have been, or are authorised to be, demolished:
 - (a) a dwelling that is not residential accommodation is to be included in the number, and
 - (b) a boarding house and a hostel are each to be treated as a single dwelling.
- (4) To avoid doubt, dwellings on land that is not residential use land at the time the relevant development consent is granted are not to be included in the number of dwellings that have been, or are authorised to be, demolished.

14 Calculation of contributions if SIC development in both charge areas

- (1) This clause applies if a single development consent for residential SIC development authorises the development on land that is partly within Charge Area 1 and partly within Charge Area 2.
- (2) The total amount of the monetary contribution for residential SIC development to which this clause applies is to be calculated by separately determining the contribution amounts for that part of the development within Charge Area 1 and that part of the development within Charge Area 2, applying the different contributions rates for each charge area in so far as it is practicable to do so. The total amount of the monetary contribution is the sum of those separately determined contribution amounts.

15 Final decision by Secretary of number of additional dwellings

- (1) A developer is entitled under this Determination to a reduction in, or an exclusion from, the determination of the number of additional dwellings only if the developer establishes the matters relevant to the reduction or exclusion to the Planning Secretary's satisfaction.

- (2) In particular, if a developer is unable to establish the number of dwellings in any building that may be, or have been, demolished under a development consent to the Planning Secretary's satisfaction, the Planning Secretary may decide to treat that number as any number less than the number that the developer asserts.
- (3) The Planning Secretary may make any decision required to be made for the purpose of calculating the special infrastructure contribution for residential SIC development in accordance with this Determination and, for that purpose, may have regard to any information available at the time, including information in an application for a construction certificate or modification of a construction certificate, or for a strata certificate.

16 When a monetary contribution for residential SIC development must be paid

- (1) If a special infrastructure contribution for residential SIC development is to be made as a monetary contribution, it must be paid before any construction certificate is issued in relation to building work the subject of the relevant development consent.
- (2) However, if the development consent for the residential SIC development authorises the erection of more than one building, and a construction certificate is sought for only one or some of those buildings (a *staged residential development*), the monetary contribution may be paid progressively, with an amount being paid before the issue of each construction certificate.
- (3) The amount that must be paid before the issue of each construction certificate is to be calculated in accordance with clause 9, but on the basis that the number of additional dwellings is the number of additional dwellings that will result from the building work to which the certificate relates. Clause 12 is to be applied accordingly.
- (4) Where a developer elects to pay the monetary contribution progressively for a staged residential development, the developer may distribute the reduction in the number of dwellings calculated in accordance with clause 13 (being the number of dwellings that may be, or have been, demolished) between the amounts payable before the issue of each construction certificate.
- (5) However, the amounts paid for a staged residential development under this clause must not be less than the total monetary contribution calculated for the residential SIC development as a whole.

17 When a monetary contribution for complying development must be paid

Despite clause 16, if a complying development certificate is issued for residential SIC development, the special infrastructure contribution must be paid:

- (a) within 60 days of the date endorsed on the certificate as the date on which it becomes operative and, in the case of a “deferred commencement” certificate (being a certificate subject to a condition of a kind referred to in section 4.28 (9A) of the Act), within 60 days of it operating, or
- (b) before the commencement of any work authorised by the certificate,

whichever is the earlier.

18 Additional contributions payable if more dwellings created by strata plan

- (1) The purpose of this clause is to require a further monetary contribution to be paid if a development consent for residential SIC development involving strata subdivision is modified so as to increase the number of additional dwellings authorised by the development consent after a special infrastructure contribution for the residential SIC development has already been made for the development (the *initial special infrastructure contribution*).
- (2) If a proposed strata plan for residential SIC development would, on registration, create more than the number of additional dwellings on which the initial special infrastructure contribution for the development was based, a further monetary contribution must be paid. That further monetary contribution is to be calculated in accordance with clause 9, but on the basis that the number of additional dwellings (represented by D_N in the formula set out in clause 9) is the difference between the following numbers:
 - (a) the number used in calculating the initial special infrastructure contribution for the development,
 - (b) the number of additional dwellings that will be created on registration of the strata plan.
- (3) The further monetary contribution under this clause must be paid before the issue of the strata certificate for the strata plan.
- (4) In this clause, *strata plan* means a strata plan within the meaning of the *Strata Schemes Development Act 2015* and includes a strata plan of subdivision within the meaning of that Act.

19 Reduction of rate up to June 2023

If a special infrastructure contribution is made as a monetary contribution:

- (a) at any time before 1 July 2022 – the amount that would otherwise be payable is reduced by one half, and
- (b) at any time between 1 July 2022 and 30 June 2023 – the amount that would otherwise be payable is reduced by one quarter.

20 Special infrastructure contribution works-in-kind agreement

- (1) For the purposes of this Determination, a special infrastructure contribution works-in-kind agreement is an agreement that meets the requirements set out in this clause.
- (2) A special infrastructure contribution works-in-kind agreement is an agreement between the Minister and the developer for the carrying out of works to provide an item (or part of an item) of infrastructure specified in Schedule 2, or for the dedication or other provision of land for the purpose of any such infrastructure, in lieu (in part or in whole) of the payment of a monetary contribution for the development concerned.
- (3) A special infrastructure contribution works-in-kind agreement, in relation to the carrying out of works, is to:
 - (a) specify or acknowledge the monetary contribution that would otherwise be payable for the residential SIC development, and
 - (b) describe the works that are to be, or may be, carried out by or on behalf of the developer to contribute to the provision of a specified item or items of infrastructure in lieu of a monetary contribution, and
 - (c) specify the attributable cost of the item or items of infrastructure and provide for the adjustment of that cost in a manner that is consistent with the adjustment of the contribution amount under this Determination, and
 - (d) provide that the maximum amount of the liability to make the special infrastructure contribution that may be discharged by the carrying out of the works is not to exceed the attributable cost of the item or items of infrastructure, and
 - (e) provide for the nature or form of security to be provided by the developer for a failure to meet obligations with respect to the special infrastructure contribution or in circumstances where the works concerned are not completed by the time at which the contribution, if made as a monetary contribution, would have been required to be made under this Determination.
- (4) A special infrastructure contribution works-in-kind agreement, in relation to the dedication or other provision of land, is to:
 - (a) specify or acknowledge the monetary contribution that would otherwise be payable for the residential SIC development, and
 - (b) specify the time by which the land is to be, or may be, dedicated or otherwise provided, and
 - (c) specify the value of that land, or the manner in which the value is to be calculated, and
 - (d) provide for the nature or form of security to be provided by the developer for a failure to meet obligations with respect to the special infrastructure contribution or in circumstances where the land concerned is not dedicated or otherwise provided by the time at which the contribution, if made as a monetary contribution, would have been required to be made under this Determination.

- (5) In this clause, *attributable cost*, in relation to an item of infrastructure, means the amount specified in Schedule 2 for that item.

Note. The decision to negotiate or enter into a special infrastructure contribution works-in-kind agreement as proposed by a developer is entirely at the Minister's discretion. The developer is not entitled to enter into any such agreement in lieu of making a monetary contribution. For example, if the NSW Government gives priority to providing one item of infrastructure over another, then the Minister may decide not to agree to the developer providing that other item.

21 Matters for which special infrastructure contribution is made

- (1) For the purpose of section 7.23 (3A) of the Act, 1.5% of a special infrastructure contribution required to be made by this Determination is for matters specified in section 7.22 (1) (d) of the Act.

Note. The matters specified in section 7.22 (1) (d) of the *Environmental Planning and Assessment Act 1979* are the carrying out of any research or investigation, preparing any report, study or instrument, and doing any other matter or thing in connection with the exercise of any statutory function under the Act, by the Minister, the Planning Ministerial Corporation, the Planning Secretary or the Department of Planning, Industry and Environment.

- (2) For the purpose of section 7.32 (6) of the Act, affordable housing is not a class of infrastructure for which special infrastructure contributions are required to be made by this Determination.

22 Identification of land in respect of which a SIC may be required

- (1) The Planning Secretary is to amend the Residential Use Areas Map, from time to time, to identify land within the Frenchs Forest Special Contributions Area as residential use land for the purposes of this Determination.
- (2) The Planning Secretary is to amend the Residential Use Areas Map by arranging for the publication of a substitute map on the NSW Planning Portal.
- (3) Subject to this clause, the Planning Secretary is to amend the Residential Use Areas Map to identify land as residential use land if and only if an amendment is made, after the publication of this Determination in the Gazette, to the environmental planning instruments (*EPI*) applying to the land that has any of the following effects:
- (a) rezones the land from Zone R2 Low Density Residential to Zone R3 Medium Density Residential, so as to permit development (with consent) for the purpose of attached dwellings and multi dwelling housing where development for those purposes was prohibited on the land immediately before the commencement of the amendment,
 - (b) rezones the land from Zone R2 Low Density Residential to Zone B4 Mixed Use or Zone MU1 Mixed Use, so as to permit development (with consent) for the purpose of shop top housing and residential flat buildings where development for those

- purposes was prohibited on the land immediately before the commencement of the amendment,
- (c) rezones the land from Zone B2 Local Centre to Zone R3 Medium Density Residential,
 - (d) rezones the land from Zone R2 Low Density Residential so as to permit development for the purpose of shop top housing where development for that purpose was prohibited on the land immediately before the commencement of the amendment,
 - (e) provides for the following additional permitted uses on land within Zone R2 Low Density Residential where all of those uses were prohibited immediately before the commencement of the amendment: attached dwelling, dual occupancy (attached), semi-detached dwelling.
- (4) To avoid doubt, if land is not identified on the Residential Use Areas Map at the time development consent to carry out development on that land is granted, the land is not residential use land in respect of which a special infrastructure contribution may be imposed (unless it is residential use land within the meaning of paragraph (b) of the definition of that term in clause 5).
 - (5) The Planning Secretary must ensure that land is identified as residential use land as soon as practicable when an amendment to an environmental planning instrument is made if the Planning Secretary is satisfied it is of a kind described in subclause (3). However, the Planning Secretary is not required to do so if Schedule 3 already includes a description of the land.
 - (6) A substitute Residential Use Areas Map that is published under this clause may also show residential use land within the meaning of paragraph (b) of the definition of that term in clause 5. However, inclusion of the land is for information only, and the land is not required to be shown on that map in order for a special infrastructure contribution to be imposed for development on that land.
 - (7) For the purposes of this clause, an amendment to an environmental planning instrument includes a replacement of the instrument, whether expressly or impliedly.

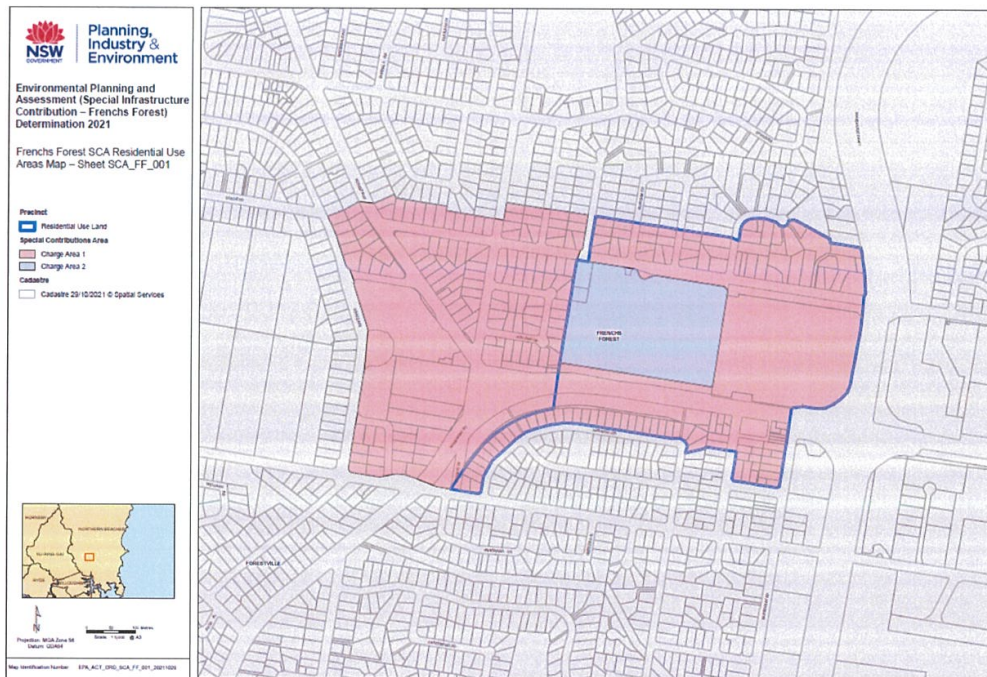
23 Reasons for the level and nature of special infrastructure contributions

For the purpose of section 7.23 (5) of the Act, the reasons for the level and nature of special infrastructure contributions required to be made by this Determination are as follows:

- (a) to assist in providing adequate funding for public infrastructure (described in Schedule 2) in the Frenchs Forest Special Contributions Area,
- (b) to ensure that future development bears a share of the cost of the provision of such infrastructure,
- (c) to provide for the adjustment of special infrastructure contributions to reflect changes in economic conditions between the time of imposing the contribution and the time at which the contribution is made,

- (d) to provide flexibility as to the manner in which special infrastructure contributions may be made,
 - (e) to ensure that special infrastructure contributions reflect a reasonable apportionment between the demand for infrastructure generated by existing development and the demand for that infrastructure that is likely to be generated by new development for which contributions must be paid,
 - (f) to ensure that the level of special infrastructure contributions does not adversely affect housing supply.
-

**SCHEDULE 1 – MAP SHOWING RESIDENTIAL USE LAND WITHIN FRENCHS
FOREST SPECIAL CONTRIBUTIONS AREA ON MAKING OF DETERMINATION**



SCHEDULE 2 – LIST OF INFRASTRUCTURE

Infrastructure	Attributable cost
Education	\$19,519,791
Additional primary and secondary school facilities	\$19,519,791
Roads	\$5,329,626
R1 Forest Way additional right turn lane from southern Forest Way leg into Naree Road (land and works)	\$4,789,626
R2 Signalised intersection at Frenchs Forest West Road/Sylvia Place	\$540,000
Public Transport	\$1,000,000
Supporting infrastructure for rapid bus services via Warringah Road between Dee-Why and Chatswood (investigation)	\$1,000,000
Active Transport and Green Links	\$10,915,608
P1 Southern Gateway - new stairway access to the pedestrian bridge over Warringah Road, west of Hilmer Street	\$443,866
P2 Manly Dam Regional Connection	\$8,000,000
P3 Warringah Road Green Bridge (investigation)	\$2,471,742
Planning and delivery	\$551,475
TOTAL	\$37,316,500

SCHEDULE 3 – ADDITIONAL RESIDENTIAL USE LAND

(When this Determination was made this Schedule was blank)

Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, in pursuance of section 94E of the *Environmental Planning and Assessment Act 1979*, give the following Direction.

Minister for Planning and Infrastructure

Dated:

1 Name of Direction

This Direction is the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012*.

2 When Direction takes effect

This Direction takes effect on 28 August 2012.

3 Consent authorities to whom Direction is given

(1) This Direction is given to:

- (a) local councils, and
- (b) Sydney district planning panels and regional planning panels.

In this Direction, a reference to a consent authority is a reference to a local council or planning panel to whom the Direction is given.

(2) To avoid doubt, this Direction also applies to:

- (a) any local planning panel when exercising, on behalf of a council, the functions of the council as a consent authority, and
- (b) any other officer or employee of such a council to whom the council delegates its functions as a consent authority.

4 No cap on contributions for development on Schedule 1 land

This Direction does not apply to a development consent to the extent that it authorises the carrying out of development on any land identified in Schedule 1, but applies to the carrying out of development on all other land within the State.

5 Definitions

(1) In this Direction:

- (a) **2017 Amendment Direction** means the *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017*, and
- (b) **condition** means a condition under section 94 (1) or (3) of the *Environmental Planning and Assessment Act 1979*, and
- (c) **dwelling** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile, and
- (d) **IPART** means the Independent Pricing and Regulatory Tribunal established by the *Independent Pricing and Regulatory Tribunal Act 1992*, and
- (e) **residential accommodation** has the same meaning as in the standard local environmental planning instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*, and
- (f) **residential lot** means a lot created by the subdivision of land for the purpose of a dwelling, not being a lot that, in the opinion of the consent authority, is to be further subdivided for the purpose of creating lots for the purpose of dwellings.

Note. See section 4B of the *Environmental Planning and Assessment Act 1979* for the meaning of “subdivision of land”.

- (2) A reference in this Direction to a development consent that authorises a dwelling is a reference to a development consent that authorises the erection of the dwelling or the use of a building or part of a building as a dwelling.

Note. See section 4 (2) of the *Environmental Planning and Assessment Act 1979* for interpretation of the phrase “erection of a dwelling”.

- (3) A reference in this Direction to an IPART reviewed contributions plan is a reference to a contributions plan that satisfies all of the following:
 - (a) IPART has reviewed the contributions plan (or a draft of the plan) in accordance with assessment criteria set out in any applicable practice note, including whether the facilities to which the contributions plan relates are on any essential works list set out in the practice note,
 - (b) IPART has published a report of its review on its website and forwarded it to the Minister for Planning,
 - (c) following the forwarding of the report to the Minister, the Minister (or a nominee of the Minister) has advised the relevant council as to any amendments required to the contributions plan,
 - (d) the Minister’s (or nominee’s) advice to the council has been published on the website of the Department of Planning and Environment,
 - (e) the relevant council has approved the plan, and has made any amendments to the plan, in accordance with the written advice of the Minister or the Minister’s nominee.

An applicable practice note, referred to in paragraph (a), is the *Revised Local Development Contributions Practice Note: For the assessment of Local Contributions*

Plans by IPART, issued by the Department of Planning and Environment, February 2014, as amended or replaced from time to time.

- (4) For the purposes of this Direction, a contributions plan does not cease to be an IPART reviewed contributions plan even though it is amended, if the amendment:
 - (a) does not expand the types of residential accommodation for which a contribution may be required, or the circumstances in which a contribution may be required for residential accommodation, and
 - (b) does not expand the circumstances in which a contribution may be required for subdivision of land into residential lots, and
 - (c) does not result in an increase in the amount of the contribution that may be required to be made for development for residential accommodation or subdivision into residential lots, and
 - (d) does not expand the area to which the contributions plan applies, and
 - (e) does not alter the public amenities and public services for which contributions may be required to be made.
- (5) To avoid doubt, a contributions plan does not cease to be an IPART reviewed contributions plan only because that plan is amended by another contributions plan to specify that a complying development certificate for development of a kind to which the plan otherwise applies must be issued subject to a condition requiring the payment of a contribution.
- (6) A reference in subclause (4) and (5) to an amendment to a contributions plan includes a reference to a contributions plan that is amended by repealing the plan and re-making it with amendment.
- (7) Notes in this Direction do not form part of this Direction.

6 Maximum amount of monetary contributions under s 94

- (1) This clause applies to a development consent to the extent that it authorises one or more dwellings or the subdivision of land into residential lots.
- (2) A consent authority must not grant development consent (other than for development on land identified in Schedule 2) subject to a condition 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.
- (3) A consent authority must not grant development consent for development on any land identified in Schedule 2 subject to a condition requiring the payment of a monetary contribution that:

- (a) in the case of a development consent that authorises one or more dwellings, exceeds \$30 000 for each dwelling authorised by the consent, or
 - (b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$30 000 for each residential lot authorised to be created by the development consent.
- (4) A consent authority may, in a particular case, require, as a condition on the grant of development consent, the payment of a monetary contribution that exceeds the maximum amount of the contribution calculated in accordance with subclause (2) or (3), but only with both the written agreement of the applicant for the consent and the written approval of the Minister, given before the condition is imposed.
- (5) This clause does not apply to the imposition (after the 2017 Amendment Direction takes effect) of a condition in accordance with an IPART reviewed contributions plan.

6A Raising cap on contributions in specified precincts after 2017 amendment direction

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to land to which any of the specified contributions plans apply when the 2017 amendment direction takes effect and authorises one or more dwellings on the land or subdivision of the land into residential lots.
- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds the amount specified in the table below for the relevant period (being the period in which the development consent is granted).

	Relevant period	Maximum amount of contribution
1	Date on which 2017 amendment direction takes effect to 31 December 2017	\$30,000 for each dwelling or each residential lot
2	1 January 2018 to 30 June 2018	\$35,000 for each dwelling or each residential lot
3	1 July 2018 to 30 June 2019	\$40,000 for each dwelling or each residential lot
4	1 July 2019 to 30 June 2020	\$45,000 for each dwelling or each residential lot
5	On and from 1 July 2020	An amount determined in accordance with the applicable contributions plan, if the contributions plan is a specified contributions plan as in force at the date on which the 2017 amendment direction takes effect or an IPART reviewed contributions plan

- (3) In this clause, *specified contributions plan* means any of the following:

The Hills Shire

- Contributions Plan No.13 – North Kellyville Precinct
- The Hills Section 94 Contributions Plan (CP) No.15 – Box Hill Precinct
- Contributions Plan No.12 – Balmoral Road Release Area
- The Hills Section 94 Contributions Plan (CP) No.16 – Box Hill North Precinct

Blacktown

- Section 94 Contributions Plan No.20 – Riverstone & Alex Avenue Precincts
- Section 94 Contributions Plan No.24 – Schofields Precinct
- Section 94 Contributions Plan No.22 – Area 20 Precinct
- Section 94 Contributions Plan No.21 – Marsden Park

Wollongong

- draft West Dapto Section 94 Development Contributions Plan 2017

- (4) For the purposes of this clause, the draft West Dapto Section 94 Contributions Plan 2017 as attached to the minutes of the meeting of Wollongong City Council of 3 April 2017 is taken to be the plan that applies to the relevant land when the 2017 amendment direction takes effect.
- (5) To avoid doubt, this clause continues to apply in relation to land to which a specified contributions plan as in force at 28 July 2017 applies (or applied) even if:
 - (a) that plan is amended or repealed, or
 - (b) any new or amended contributions plan that applies to the land also applies to other land.

Accordingly, a monetary contribution may be imposed as a condition of consent for development on any such land, if allowed by the applicable contributions plan, up to the maximum amounts set out in items 1 to 4 of the table to subclause (2), irrespective of whether the amended plan or the new plan is an IPART reviewed contributions plan.

- (6) If, on or after 1 July 2020, the contributions plan that applies when development consent is granted is not the relevant specified contributions plan as in force at 28 July 2017 or an IPART reviewed contributions plan, the consent authority must not grant development consent subject to a condition requiring the payment of a monetary contribution that exceeds \$30,000 for each dwelling or each residential lot.

Note. The plans listed above as in force at the date the 2017 amendment direction took effect can be viewed on the website of the Department of Planning and Environment. The 2017 amendment direction took effect on its date of publication in the Government Gazette, namely 28 July 2017.

The specified contributions plans were reviewed by IPART before the 2017 amendment direction took effect.

6B Raising cap in Rockdale Urban Renewal Area after 2017 amendment direction

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to land to which the draft *Rockdale Contributions Plan 2016 – Urban Renewal Area* (as submitted to IPART for review) applies and authorises one or more dwellings on the land or subdivision of the land into residential lots.

Note. The *Rockdale Contributions Plan 2016 – Urban Renewal Area* (as submitted to IPART for review in 2016) can be viewed on the website of the Department of Planning and Environment.

- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds the amount specified in the table below for the relevant period (being the period in which the development consent is granted).

	Relevant period	Maximum amount of contribution
1	Date on which the 2017 amendment direction takes effect to 31 December 2017	\$20,000 for each dwelling or each residential lot
2	1 January 2018 to 30 June 2018	\$25,000 for each dwelling or each residential lot
3	1 July 2018 to 30 June 2019	\$30,000 for each dwelling or each residential lot
4	1 July 2019 to 30 June 2020	\$35,000 for each dwelling or each residential lot
5	On and from 1 July 2020	An amount determined in accordance with the applicable contributions plan, if the contributions plan is an IPART reviewed contributions plan

- (3) To avoid doubt, this clause continues to apply in relation to land to which draft *Rockdale Contributions Plan 2016 – Urban Renewal Area* (as submitted to IPART for review) applies even if:
- (a) that draft contributions plan, when approved under the *Environmental Planning and Assessment Act 1979*, is amended, or
 - (b) the contributions plan, as approved, is amended or repealed, or
 - (c) any new or amended contributions plan that applies to the land also applies to other land.

Accordingly, a monetary contribution may be imposed as a condition of consent for development on any such land, if allowed by the applicable contributions plan, up to the maximum amounts set out in items 1 to 4 of the table to subclause (2), irrespective of whether the contributions plan is an IPART reviewed contributions plan.

- (4) If, on or after 1 July 2020, the contributions plan that applies when development consent is granted is not an IPART reviewed contributions plan, the consent authority must not grant development consent subject to a condition requiring the payment of a monetary contribution that exceeds \$30,000 for each dwelling or each residential lot.

6C Raising cap in Camden and Liverpool contributions areas after 2017 amendment direction

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to land to which a Camden/Liverpool contributions plan applies when the 2017 amendment direction takes effect and authorises one or more dwellings on the land or subdivision of the land into residential lots.
- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds the amount specified in the table below for the relevant period (being the period in which the development consent is granted).

	Relevant period	Maximum amount of contribution
1	Date on which the 2017 amendment direction takes effect to 31 December 2017	\$30,000 for each dwelling or each residential lot
2	1 January 2018 to 30 June 2018	\$35,000 for each dwelling or each residential lot if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan (when consent is granted) and \$30,000 for each dwelling or each residential lot in any other case
3	1 July 2018 to 30 June 2019	\$40,000 for each dwelling or each residential lot if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan (when consent is granted) and \$30,000 for each dwelling or each residential lot in any other case
4	1 July 2019 to 30 June 2020	\$45,000 for each dwelling or each residential lot if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan (when consent is granted) and \$30,000 for each dwelling or each residential lot in any other case
5	On and from 1 July 2020	An amount determined in accordance with the applicable Camden/Liverpool contributions plan if the applicable Camden/Liverpool contributions plan is an IPART reviewed contributions plan or another IPART reviewed contributions plan (when consent is granted), and \$30,000 for each dwelling or each residential lot in any other case

- (3) In this clause, *Camden/Liverpool contributions plan* means any of the following:

Liverpool

- Liverpool Contributions Plan 2008 (Edmondson Park)
- Liverpool Contributions Plan 2014 Austral and Leppington North Precincts
- Liverpool Contributions Plan 2014 – East Leppington Precinct

Camden

- Oran Park and Turner Road Precincts Section 94 Contributions Plan

- Camden Growth Areas Contributions Plan
- Catherine Fields (Part) Precinct Section 94 Contributions Plan

6D Raising cap in Riverstone East, Blacktown LGA, after 2018 amendment direction

- (1) This clause applies (instead of clause 6) to a development consent to the extent that the consent relates to rezoned land in Riverstone East (within Blacktown local government area) and authorises one or more dwellings on the land or subdivision of the land into residential lots.
- (2) A consent authority must not grant development consent that is subject to a condition requiring the payment of a monetary contribution that exceeds:
 - (a) if the contributions plan that applies to the development is an IPART reviewed contributions plan when development consent is granted - the amount specified in the table below for the relevant period, and
 - (b) in any other case - \$30,000 for each dwelling or each residential lot.

(The relevant period is the period in which development consent is granted.)

	Relevant period	Maximum amount of contribution
1	1 January 2018 to 30 June 2018	\$35,000 for each dwelling or each residential lot
2	1 July 2018 to 30 June 2019	\$40,000 for each dwelling or each residential lot
3	1 July 2019 to 30 June 2020	\$45,000 for each dwelling or each residential lot
4	On and from 1 July 2020	An amount determined in accordance with the applicable contributions plan

- (3) In this clause, **rezoned land in Riverstone East** means the land identified by pink hatching and the letter “F” within Riverstone East Precinct on the North West Growth Centre Land Application Map (as land to which Blacktown Growth Centres Precinct Plan 2013 applies), adopted by *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* as at 22 August 2016.

Note. The relevant land application map sheets identifying the land within Riverstone East Precinct in the North West Growth Centre to which the above SEPP applies are LAP_004, LAP_008 and LAP_009.

7 Pending development applications

- (1) This Direction extends to development applications made to a council, but not finally determined, before this Direction takes effect.
- (2) This Direction does not apply to:
 - (a) any application for modification of a development consent that was granted before this Direction takes effect, and

- (b) any condition of a development consent that was granted before this Direction takes effect.

8 Revocation of existing direction

- (1) The *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011* (which took effect on 4 March 2011) is revoked.
- (2) The revocation of the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011* does not affect:
 - (a) the operation of a condition of a development consent imposed in accordance with that Direction, or
 - (b) the operation of a condition of a development consent imposed in accordance with the earlier direction under section 94E of the *Environmental Planning and Assessment Act 1979* that took effect on 16 September 2010 and that was revoked by the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2011*.

9 Pending applications when Amending Directions take effect

- (1) This clause applies to amendments made to this Direction by the following Directions (“Amendment Directions”):
 - (a) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013*,
 - (b) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2016*,
 - (c) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017*,
 - (d) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2018*,
 - (e) *Environmental Planning and Assessment (Local Infrastructure Contributions) Further Amendment Direction 2018*,
 - (f) *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2019*.
- (2) The amendments made to this Direction by each Amendment Direction extend to development applications made to a consent authority, but not finally determined, before that Amendment Direction takes effect.
- (3) The amendments made to this Direction by each Amendment Direction do not apply to:
 - (a) any application for modification of a development consent if that consent was granted before the Amendment Direction takes effect, and
 - (b) any condition of a development consent that was granted before the Amendment Direction takes effect.

Note 1. The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2013* took effect on 16 July 2013.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2016* took effect on its date of publication in the Government Gazette, being 23 September 2016.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2017* took effect on its date of publication in the Government Gazette, being 28 July 2017.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2018* took effect on its date of publication in the Government Gazette, being 23 February 2018.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Further Amendment Direction 2018* took effect on its date of publication in the Government Gazette, being 18 January 2019.

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2019* took effect on its date of publication in the Government Gazette, being 20 December 2019.

Note 2. Section 94EC (1A) of the *Environmental Planning and Assessment Act 1979* provides as follows:

The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.

Schedule 1 Land in respect of which there is no cap on the amount of the contribution by virtue of this Direction

- (1) Land within the Bathurst Regional Local Government Area identified as Area E in the *Section 94 Contributions Plan Robin Hill - Roads and Drainage Construction*.
- (2) Land within the Blacktown City Local Government Area identified as any of the following:
 - (a) a 1980's Release Area in the *Section 94 Contributions Plan No.1 – 1980's Release Areas*,
 - (b) a catchment area in the *Section 94 Contributions Plan No.2 – Local Roadworks*,
 - (c) Catchment 1: Blacktown, Catchment 2: Rooty Hill/Mount Druitt or Catchment 3: Riverstone/Schofields in the *Section 94 Contributions Plan No.3 – Open Space in Established Residential Areas*,
 - (d) the Mount Druitt Development Area in the *Section 94 Contributions Plan No.4 – Mount Druitt Development Area*,
 - (e) the Parklea Release Area in the *Section 94 Contributions Plan No. 5 – Parklea Release Area*,
 - (f) the Metella Road Toongabbie Floodplain Catchment in the *Section 94 Contributions Plan No.15 – Metella Road Floodplain*.
- (3) Land within the Camden Local Government Area identified as:
 - (a) the Elderslie Release Area or the Spring Farm Release Area in the *Camden Contributions Plan 2011*, or
 - (b) the Narellan Release Area or the Harrington Park Release Area on the map marked 'Camden LGA – Exemptions Area' held at the head office of the Department of Planning and Infrastructure.
- (4) Land within the Campbelltown City Local Government Area identified as the Glenfield Road Urban Release Area in the *Section 94 Development Contributions Plan – Glenfield Road Urban Release Area*.
- (5) Land within the Coffs Harbour City Local Government Area identified as:
 - (a) the Wests Coffs Release Area in the *West Coffs Release Area Contributions Plan 2006*, or
 - (b) the Moonee Release Area identified in the *Moonee Developer Contributions Plan 2008*.
- (6) Land within the Hawkesbury City Local Government Area identified as the Pitt Town Residential Precinct in the *Hawkesbury Section 94 Contributions Plan 2008*.
- (7) Land within the Holroyd City Local Government Area identified as the Neil Street Precinct in the *Neil Street Precinct Section 94 Development Contributions Plan 2007*.
- (8) Land within the Ku-ring-gai Local Government Area identified as:
 - (a) zoned R3 Medium Density Residential, R4 High Density Residential, B2 Local Centre, B4 Mixed Use, B5 Business Development, B7 Business Park, SP2 Infrastructure or RE1 Public Recreation under the *Ku-ring-gai Local Environmental Plan (Town Centres) 2010* and to which the *Ku-ring-gai Contribution Plan 2010* applies, or

- (b) zoned No 2(d3) Residential “D3” under the *Ku-ring-gai Local Environmental Plan No 194* and to which the *Ku-ring-gai Contribution Plan 2010* applies.
- (9) Land within the Lake Macquarie City Local Government Area identified as:
 - (a) the Northlakes Urban Release Area in the *Lake Macquarie Section 94 Contributions Plan No.2 – Northlakes*, or
 - (b) Coorangbong (local roads sub-catchment 1), excluding North Coorangbong and Highland Avenue Urban Release Area, Highland Avenue URA (local roads sub-catchment 3) and Morisset (local roads sub-catchment 9B) in the *Lake Macquarie City Council Development Contributions Plan 2012 – Morisset Contributions Catchment*.
- (10) Land within the Liverpool City Local Government Area identified as Carnes Hill, Hoxton Park, Middleton Grange or Prestons in the *Liverpool Contributions Plan 2009*.
- (11) Land within the Marrickville Local Government Area to which the *Marrickville Section 94 Contributions Plan 2004* applies.
- (12) Land within the Palerang Local Government Area identified as Summerhill Road, Matthews Lane, the Woolshed Lane, Wanna Wanna Road, Clare Lane, Joe Rocks Road or Fernloff Road on the map marked ‘Palerang LGA – Exemptions Area’ held at the head office of the Department of Planning and Infrastructure.
- (13) Land within the Penrith City Local Government Area identified as:
 - (a) Claremont Meadows Stage 2 in the *Claremont Meadows Development Contributions Plan Amendment No.1*, or
 - (b) Glenmore Park Stage 1 in the *Glenmore Park Stage 1 Development Contributions Plan 2008*.
- (14) Land within the Pittwater Local Government Area identified as the Warriewood Valley Urban Release Area in the *Warriewood Valley Section 94 Contributions Plan No. 15 Amendment No.16*.
- (15) Land within the Port Macquarie-Hastings Local Government Area identified as Kings Creek in the *Kings Creek Contributions Plan Version 2.5*.
- (16) Land within the Queanbeyan City Local Government Area identified as the Wanna Wanna Road Precinct on the map marked ‘Queanbeyan LGA – Exemptions Area’ held at the head office of the Department of Planning and Infrastructure.
- (17) Land within the Shoalhaven City Local Government Area identified as the Riversdale Road Area, the Parma Road Area or the Kangaroo River Bridge Area in the *Shoalhaven Contributions Plan 2010*.
- (18) Land within The Hills Shire Local Government Area identified as any of the following:
 - (a) Kellyville/Rouse Hill in the *Section 94 Contributions Plan No.8 – Kellyville/Rouse Hill*,
 - (b) Bella Vista Village in the *Section 94 Contributions Plan No.2 – Bella Vista Village*,
 - (c) the West Pennant Hills Valley in the *Section 94 Contributions Plan No.2 – West Pennant Hills Valley*,

- (d) Crestwood in the *Section 94 Contributions Plan No.3 – Crestwood*,
 - (e) Glenhaven in the *Section 94 Contributions Plan No.4 – Glenhaven*,
 - (f) Castle Hill in the *Section 94 Contributions Plan No.5 – Castle Hill*,
 - (g) a Southern Precinct in the *Section 94 Contributions Plan No.7 – Southern Precincts*.
- (19) Land within the Tweed Local Government Area identified as Seaside City in the *Section 94 Contributions Plan No.28 – Seaside City*.
- (20) Land within the Wyong Local Government Area identified as:
- (a) The Entrance District in the *Section 94 Contributions Plan No.3 ‘The Entrance District’*, or
 - (b) the Warnervale District Release Areas in the *Section 94 Contributions Plan No.7A ‘Drainage, Water Quality, Open Space, Community Facilities and Roads – Warnervale District’*.

Schedule 2 Land subject to the \$30,000 maximum contribution

- (1) Land within the Ballina Shire Council Local Government Area identified as Precinct A - Cumbalum Urban Release Area on the map marked 'Cumbalum Urban Release Area Precinct A' held at the head office of the Department of Planning and Infrastructure.
- (2) Land within the Camden Local Government Area identified as Harrington Grove or Mater Dei on the map marked 'Camden LGA – Greenfield Release Areas' held at the head office of the Department of Planning and Infrastructure.
- (3) Land within the Coffs Harbour City Local Government Area identified as the Hearnese Lake Release Area or Sandy Beach Release Area in the *Hearnese Lake/Sandy Beach Release Area Developer Contributions Plan 2008*.
- (4) Land within the Eurobodalla Local Government Area identified as Glenella Service Road 1c, Batehaven Greenfield Area, Broulee Greenfield Area, Dalmeny Greenfield Area, Kianga Greenfield Area, Malua Bay Greenfield Area, Bay Ridge 1c, Moruya 1c, Tomakin Greenfield Area, Longbeach Greenfield Area, Moruya South Greenfield Area, Moruya West Greenfield Area, Mystery Bay Greenfield Area, Narooma Greenfield Area, Nelligen 1c, Rosedale Greenfield Area, Central Tilba 1c or Bingi 1c on the map marked 'Eurobodalla LGA – Greenfield Release Areas' held at the head office of the Department of Planning and Infrastructure.
- (5) Land within the Greater Taree City Local Government Area identified as the Old Bar Precinct 2B or Precinct 3 in the *Old Bar Contributions Plan 2010*.
- (6) Land within Lake Macquarie Local Government Area identified as:
 - (a) North Wallarah in the *Lake Macquarie Section 94 Contributions Plan No.5 – North Wallarah Peninsula (2004)*, or
 - (b) any of the following areas identified in the *Lake Macquarie City Council Development Contributions Plan – Glendale Contributions Catchment* (as at 1 December 2017): Glendale Central Urban Release Area, Glendale East Urban Release Area, Glendale West Urban Release Area and Warners Bay Urban Release Area, or
 - (c) Arcadia Vale Urban Release Area in the *Lake Macquarie City Council Development Contributions Plan – Toronto Contributions Catchment* (as at 1 December 2017), or
 - (d) the Urban Release Areas identified as Catherine Hill Bay Area 1, Catherine Hill Bay Area 2 and Nords Wharf Area 1 on the urban release area map (URA_011) adopted by *Lake Macquarie Local Environmental Plan 2014*, as in force at 1 December 2018.
- (7) Land within the Maitland City Local Government Area identified as:
 - (a) the Lochinvar Urban Release Area in draft *Lochinvar Section 94 Contributions Plan 2012* (being the area shown as Lochinvar Contributions Catchment in Figure 1), as exhibited between 12 December 2012 and 13 February 2013,
 - (b) the Thornton North Release Area in the *Thornton North Section 94 Contributions Plan 2008*, or

- (c) the Farley Urban Release Area in *Farley Section 94 Contributions Plan 2015*, adopted 12 April 2016.
- (8) Land within the Nambucca Shire Local Government Area identified as the Contribution Catchment on Map C1 in the *Smiths Lane Local Road and Traffic Infrastructure Developer Contribution Plan 2010*.
- (9) Land within the Penrith City Local Government Area identified as:
 - (a) the WELL Precinct in the *Werrington Enterprise Living and Learning (WELL) Precinct Development Contribution Plan*, or
 - (b) Glenmore Park Stage 2 in the *Glenmore Park Stage 2 Development Contributions Plan*.
- (10) Land within the Port Macquarie-Hastings Local Government Area identified as Thrumster, Innes Peninsula, Camden Haven or Lake Cathie / Bonny Hills on the map marked 'Port Macquarie-Hastings LGA – Greenfield Release Areas' held at the head office of the Department of Planning and Infrastructure.
- (11) Land within Port Stephens Local Government Area identified as Kings Hill - Raymond Terrace on the site identification map set out on page D-160 of the *Port Stephens Development Control Plan 2014* as in force at 1 December 2018.
- (12) Land within the Queanbeyan-Palerang Regional Local Government Area identified as:
 - (a) Locations 3 and 4 on the Fernleigh/Royalla Rural Roads Contribution Map in the *Queanbeyan City Council – Section 94 Contributions Plan 2012*, or
 - (b) Googong New Town (comprising Googong New Town Urban Area and Googong New Town Hamlets) in the *Queanbeyan City Council - Section 94 Contributions Plan (Googong) 2015*, as notified on 29 April 2016, or
 - (c) South Jerrabomberra Urban Release Area in *Queanbeyan-Palerang Regional Council South Jerrabomberra Local Infrastructure Contributions Plan 2018* as adopted on 26 April 2018.
- (13) Land within Shellharbour local government area identified in *Shellharbour City Council Section 94 Contributions Plan 2016 - 8th Review Amendment 1* (as in force at 1 August 2019) as:
 - (a) Benefit Area 9 – Tullimbar Infrastructure, or
 - (b) Precinct 9 – Calderwood.
- (14) Land within Shoalhaven City Local Government Area identified in *Shoalhaven Contributions Plan 2010* as any of the following:
 - (a) Iron Bark Road Tapitallee upgrade area,
 - (b) Flannery Lane upgrade area,
 - (c) Browns Mountain Road upgrade area,
 - (d) Broger's Creek Road gravel upgrade area,
 - (e) Wattamolla Road upgrade area,
 - (f) Graham's Road/unnamed road gravel upgrade area,

- (g) Spotted Gum Drive upgrade area,
 - (h) Hart Road bitumen upgrade area,
 - (i) Sinclair Road Part 3 bitumen upgrade area,
 - (j) Bendalong Mountain Road upgrade area,
 - (k) Pointer Road upgrade area,
 - (l) Bugong Road upgrade area.
- (15) Land within the Tweed Local Government Area identified as Black Rocks, Koala Beach, West Murwillumbah, Tanglewood, Kings Forest – Casuarina Beach, SALT, West Kingscliff, Area ‘E’ (Terranora), Terranora Village, Bilambil Heights, Cobaki Lakes, Nightcap Village or Hastings Point on the map marked ‘Tweed LGA – Greenfield Release Areas’ held at the head office of the Department of Planning and Infrastructure.
- (16) Land within Wollondilly Local Government Area referred to as Wilton Growth Area in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, with boundaries shown on the Wilton Growth Area Precinct Boundary Map adopted by that Policy as at 29 July 2016 (identified as PCB_001).
- (17) Land within the Wyong Local Government Area identified as Warnervale Town Centre in *Warnervale Town Centre Development Contributions Plan 2012*, other than land that is within a Warnervale District Release Area referred to in item 20 (b) of Schedule 1.
- (18) Land within the following growth centres precincts shown on the North West Growth Centre Precinct Boundary Map or the South West Growth Centre Precinct Boundary Map (other than land identified in Schedule 1), adopted by the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (as in force when the 2017 amendment direction takes effect):
- West Schofields
 - Vineyard
 - Riverstone East (other than rezoned land within Riverstone East, as defined in clause 6D)
 - Lowes Creek
 - Marylands
 - Riverstone West
 - Marsden Park North
 - Shanes Park
 - Rossmore
 - Bringelly
 - Catherine Fields
 - Catherine Fields North
-

Community and Stakeholder Engagement Report

Frenchs Forest Town Centre Section 7.11 Contributions Plan (Stage 1 of 2)

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1. Summary

This report outlines the outcomes of community and stakeholder engagement undertaken during the exhibition of the Frenchs Forest Town Centre Section 7.11 Contributions Plan (Section 7.11 Plan).



Engagement on the exhibition of the Section 7.11 Plan was carried out at the same time as the exhibition of the draft Northern Beaches Section 7.12 Contributions Plan 2022 (Section 7.12 Plan). The Section 7.12 Plan deletes Frenchs Forest from this plan and is a legislative requirement as only one (1) contributions plan can apply to land.



As both contributions plans were on exhibition, two (2) submissions were made to the Section 7.12 Plan however the issues in these two submissions raised concern with the Section 7.11 Plan. As such, these two submissions were incorporated into the findings of this report.

1.1. Key outcomes

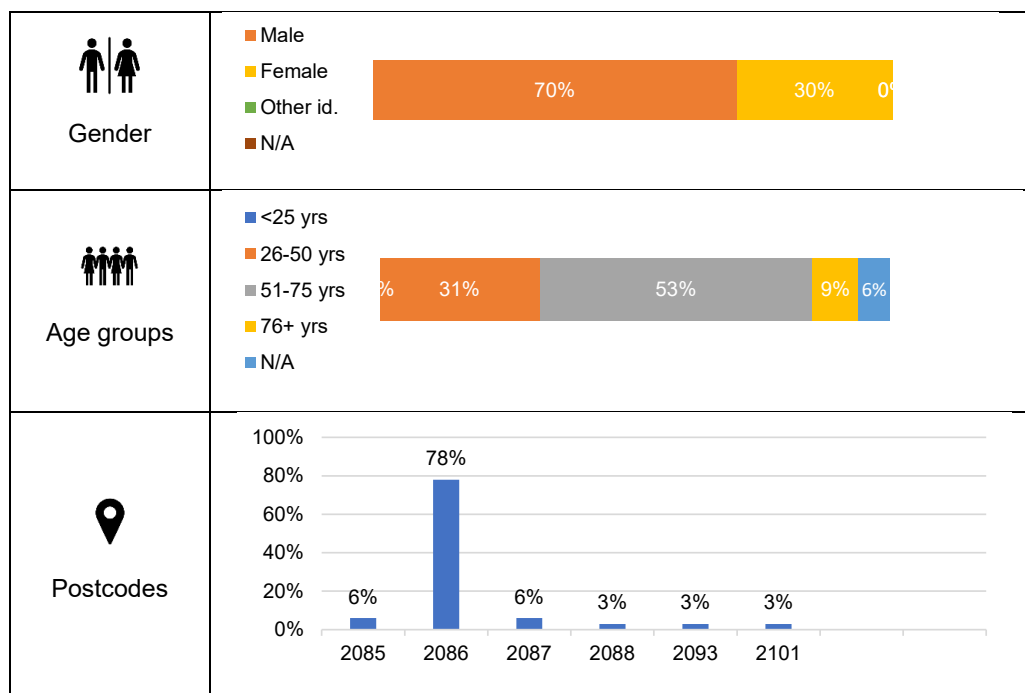
 Total unique responses	42*	
 How responses were received	Submission form (includes 2 accidentally submitted to the Section 7.12 Plan) Written responses (email / letter)	Completions: 34 Number received: 8
 Feedback themes	Land acquisition process and calculation of future compensation Traffic congestion from development Proposed traffic upgrades including the proposed extension of Naree Road to Grace Avenue	Information in a Planning Certificate issued by Council

1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 1,105	Visits: 773	Average time onsite: 2mins 20secs
 Print media and collateral	Letterbox drop: 33 landowners whose properties were identified for acquisition Collateral availability: Service Centres		Distribution: 33

 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions Council (weekly) e-News: 2 editions Stakeholder email: 1 (Frenchs Forest Town Centre subscribers)	Distribution: 23,000 subscribers Distribution: 180,000 subscribers Distribution: 1736
 Key stakeholder engagement	Interview: NA Meetings held with landowners identified for acquisition: 9 Phone calls received from landowners identified for acquisition: 14	Attendance: 0 Attendance: 9 landowners

1.3. Who responded¹



2. Background

The engagement involved the public exhibition of the Frenchs Forest Town Centre Section 7.11 Contributions Plan in accordance with legislative requirements. The Section 7.11 Plan was specifically prepared to address the local infrastructure requirements of the Frenchs

¹ Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

Forest Town Centre development now finalised by the NSW Department of Planning and Environment. The planning controls for this area come into effect on 1 June 2022.

3. Engagement objectives

Community and stakeholder engagement aimed to:

- Ensure compliance with legislative requirements regarding the making and amending of Development Contributions Plans
- Provide accessible information to build community and stakeholder awareness of the amendment
- Identify community and stakeholder concerns
- Seek out and facilitate the involvement of those affected by or interested in the amendment.

4. Engagement approach

Community and stakeholder engagement for the Section 7.11 Plan was conducted between 18 March 2022 and 1 May 2022 and consisted of a series of activities that provided opportunities for community and stakeholders to contribute.

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

A project page was established on our Have Your Say platform with information provided in an accessible and easy to read format. The project was accessible from both the Frenchs Forest Town Centre page and the Northern Beaches Section 7.12 Contributions Plan 2022 amendment Your Say pages.

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

Feedback was captured through an online submission form embedded onto the Have Your Say project page. An open-field comments box provided community members a space to document any feedback they wished to contribute.

Email and written comments were also invited.

5. Findings

A Submissions Response Table has been prepared and is in Appendix 1.

Appendix 1 Submissions Response Table

Number	Issues raised in submissions	Council Response
1	Insufficient notification to and consultation with the community beyond the impacted residents.	The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.
	Increased congestion on Sorlie Rd as more local residents use it as a "rat run" to access Forest Way.	The proposed road changes are designed to reduce the traffic using Sorlie Road and Grace Avenue, to access the precinct from the northwest and allows for improved safety in the area between Sorlie Road and Fitzpatrick Avenue.
	Increased danger to my primary school aged children with additional traffic on Sorlie Road and Grace Avenue.	The road network upgrade includes a full pedestrian signalised crossing on the Grace Avenue intersection and will also include a suite of other measures designed to come on line as the precinct develops to prioritise walking and cycling connectivity over cars for short trips. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.
	Increased traffic noise with more through-traffic and less mature trees to dampen traffic sounds.	It is noted that some trees will need to be removed to facilitate the upgrade works, however there is a commitment that replacement trees will be replanted within the precinct. The existing trees to be removed have limited impact on reducing traffic noise along Grace Avenue, especially given the placement and type of trees in the area.

	Changes to the quiet character of our “Forest” area.	This issue relates to the planning of the Frenchs Forest Town Centre and the future development that will occur as the land in the Frenchs Forest Place Strategy is now rezoned and comes into effect on 1 June 2022. The issues are not expressly regarding the exhibition of the draft Contributions Plan (as the funding mechanism to deliver the infrastructure or the infrastructure list in this draft Contributions Plan).
2	I wish to object to the part of the plan that impacts Grace Avenue and in particular the proposal to construct a signalled T-junction at the intersection of Naree and Grace. The plan fails to provide sufficiently detailed information as regards: 1) The business, environmental or any other rationale for having a T-junction at intersection of (an extended) Naree and Grace Avenue. What purpose will be served? Allowing more cars into/out of Forest Way Shops? Other? 2) How much will Grace Avenue be impacted? Which specific Grace Avenue residential properties will be impacted and how big will that impact be on each?	The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is required to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.
3	As a long term resident of Frenchs Forest I think that all the investment in the area has been great and there clearly there are exciting times to come.	The statement is noted

	<p>Insufficient notification to and consultation with the community beyond the impacted residents.</p> <p>Seems to be last minute details of upcoming changes to Naree Road and Grace Avenue.</p>	<p>The draft Contributions Plan was placed on public exhibition for a period of six weeks. Council staff undertook a range of consultation activities to support this exhibition including a dedicated Your Say webpage with FAQs and links to related information; inclusion in two editions of Council's fortnightly electronic newsletters to 23,000 subscribers; inclusion in two editions of Council's weekly e-news to 180,000 subscribers; email to the dedicated Hospital Precinct Structure Plan subscriber list - 1,736 subscribers; letters to all 33 landowners identified for potential land acquisition.</p> <p>The Naree Road extension was originally identified in the Hospital Precinct Structure Plan adopted by Council on 1 August 2017 following extensive community consultation. At the time, the traffic modelling informing the Structure Plan included a concept design and advised that additional design and traffic modelling were required to ensure safe operation of the road network for the local community as the precinct grows. A design for the intersection is in the accompanying Transport Strategic Design Report that was part of the background reference documents accompanying the exhibition of the Contributions Plan.</p>
4	<p>The Community has expresses major concerns in relation to increased traffic and congestion, noise, loss of habitat for wildlife for the past 4-5 years</p>	<p>This issue relates to the planning of the Frenchs Forest Town Centre and the future development that will occur as the land in the Frenchs Forest Place Strategy is now rezoned and comes into effect on 1 June 2022. The issues are not expressly regarding the exhibition of the draft Contributions Plan (as the funding mechanism to deliver the infrastructure or the infrastructure list in this draft Contributions Plan).</p>
5	<p>The overall vision is flawed if you look at similar completed plans elsewhere in Sydney. Macquarie Park, bordered by M2 / Delhi Rd / Epping Rd is not only an eyesore but a wind tunnel. This is low-cost housing with no regard to aesthetics.</p>	<p>The issues raised in this submission relates to the planning of the Frenchs Forest Town Centre and the future development that will occur as the land in the Frenchs Forest Place Strategy is now rezoned and comes into effect on 1 June 2022. The issues are not expressly regarding the exhibition of the draft Contributions Plan (as the funding mechanism to deliver the infrastructure or the infrastructure list in the Contributions Plan).</p>

	<p>The community is well served with existing commercial centres at Chatswood and Warringah, and suburban centres at Forestville and Forest Way.</p> <p>Forest Way shopping centre would surely suffer economically.</p> <p>Low-density housing is a feature of the heartlands of the Northern Beaches and should be preserved High to medium density housing should be expanded in areas already designated as such, Dee Why, Collaroy, Narrabeen for example.</p> <p>Our area is unique. Whilst development is not universally negative, our suburban atmosphere must be treated sympathetically, as once it's gone, there's no turning back.</p>	<p>Frenchs Forest Town Centre is identified as a new strategic centre and together with Manly, Brookvale, Dee Why and Mona Vale, makes up the 5 strategic centres in the Northern Beaches.</p> <p>NSW Government as part of its planning of the Frenchs Forest Place Strategy will have needed to consider any social impacts resulting from the economic impact on an existing centre. The planning controls to effect Frenchs Forest Place Strategy comes into force on 1 June 2022, and are not the subject of Council's exhibition.</p> <p>The planning controls aimed at achieving the vision of the Frenchs Forest Place Strategy as a medium density and mixed use centre come into effect on 1 June 2022. Council's exhibition of its contributions plan identifies the infrastructure required by the future development as a result of the planning controls introduced on 1 June 2022.</p>
6	<p>I wish to focus my reply on Grace Avenue, namely the small section from Sorlie Road towards Prince Charles Road, due to the proposed Extension of Naree Road. We would prefer that Grace Avenue be made a Residents Only Road or that in the afternoons, it be turned into a No Entry or a No Through Road, to prevent the unnecessary Rat Runners from coming through. Our small section of Grace Avenue is quite unique, in that it has a natural curve in the road, and it has become a HIGH Pedestrian, foot and bicycle traffic thoroughway.</p>	<p>The concept of resident access only streets is difficult to enforce and requires significant compliance and enforcement presence to make work. Residents would likely resist the closure to traffic that would be required to put an engineering control in place to prevent the section of Grace Avenue west of Fitzpatrick Avenue being used as a secondary route to Forest Way and Warringah Roads.</p>

We also are asking for the speed limit to be reduced from 40 km/h to 30km/h as they have done in Manly, which is also a high pedestrian area.
Considering these new road changes, (meaning the extension of Naree Road), this means that less cars need to use this small section of Grace Avenue.

It has become dangerous for pedestrians, (young and not so young alike), due to the curve in the road, which is outside number 20 towards 10 Grace Avenue. .

It is a blind curve, but cars come speeding through there and at number 12 and 10 Grace Avenue there are a lot of young children that need to cross the road to get to school. It has become very hazardous for them and we do NOT want a death or serious injury in our Road.

There is a perfectly good 6 lane road in Forest Way and Adams Street which leads into Blackbutts Road, for non-residents of Grace Avenue to use.

It is NOT essential for non-residents to use our small section of Grace Avenue. It is just a rat run for those the perceive that is faster, or a shorter route to cut through Grace Avenue going in both directions.

Speed limit reductions are based on the movement and place framework and it is agreed that the speed limit in the precinct generally need to be reviewed as the development comes on line. The 30km/h limit may have support when the project is developed to that level of detail and would be another tool to reduce the rat run along Grace Avenue West of Fitzpatrick Avenue.

The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.

<p>Another issue is that recently Sunnyfield Disability Services have built a home for 5 disabled residents at 11 Grace Avenue. There is a lot of movement 7 days a week into and out of the home. The Mini Bus, that transports the disabled residents, needs to load up the residents and take them out. Many disability workers have shifts at the home and there is a lot of activity all the time.</p> <p>I have personally seen many near misses, that could have been very bad accidents, when careless and speeding drivers come through this section of Grace Avenue.</p> <p>We the residents have had MANY side mirrors smashed off and no one stops as they should do and let the owner of the affected car know that they mirror has been smashed off their car.</p> <p>We have had enough of been disrespected and abused, just because we live here and others selfishly want to use this as a rat run/through road when they do not have to.</p> <p>If this extension of Naree Road goes ahead, it would be great if it is done with MINIMAL damage to the homes in Grace Avenue; meaning from 48 Grace Avenue towards Sorlie Road. That is 48/46/44/42/40 and 38 Grace Avenue.</p>	<p>Issues and concerns should be raised with the operators of Sunnyfield and NSW Police in the first instance. If there is a breach in conditions of consent, then this becomes a Council issue and will be investigated. The issues surrounding the group home are noted and may be addressed as part of the future works program in this section of Grace Avenue, potentially taking these concerns into account when undertaking the detailed design of the road network.</p>
<p>There are many old growth trees on the nature strip and in residents homes in the front gardens and we do not want to see more destruction of our trees in the area.</p> <p>We have had a lot of trees destroyed for the hospital to be built and we do not want to lose the character of our suburb. The name says it all Frenchs FOREST, it needs trees, please.</p>	<p>Some trees will need to be removed to facilitate the upgrade works, however there is a commitment that replacement trees will be replanted within the precinct. Street trees and landscaping will be considered and incorporated into the design of the road network where appropriate.</p>

	Is it totally essential to widen that section of Grace Avenue to 4 lanes? Having looked at the area, one lane in each direction will be sufficient, because more shoppers will go to the town centre. Forest Way Shops is essentially a small neighbourhood shopping centre, (like a corner shop if you will) and many residents walk there. There is also a large bus interchange outside in Forest Way Road that brings many shoppers.	The proposed widening of Grace Avenue identified in the exhibited draft Contributions Plan is required to accommodate the new intersection with Naree Road. This will ensure safe vehicular movement and adequate road reserve widths required for safe pedestrian access and a signalised pedestrian crossing. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest
7	I wish to focus my reply on Grace Avenue, namely the small section from Sorlie Road towards Prince Charles Road. We as residents and homeowners have had enough of this rat run traffic going through and past our homes. We are now at a point where the Roadworks seem closer and we would like to please, integrate this protection of Grace Avenue into your roadwork plans. We would prefer that Grace Avenue be made a Residents Only Road or that in the afternoons be turned into a No Entry or a No Through Road, to prevent the unnecessary Rat Runners from coming through.	The concept of resident access only streets is difficult to enforce and requires significant compliance and enforcement presence to make work. Residents would likely resist the closure to traffic that would be required to put an engineering control in place to prevent the section of Grace Avenue west of Fitzpatrick Avenue being used as a secondary route to Forest Way and Warringah Roads.

We also are asking for the speed limit to be reduced from 40 km/h to 30km/h as they have done in Manly which is also a high pedestrian area. Considering these new road changes, meaning the extension of Naree Road, this means that less cars need to use this small section of Grace Avenue.

This is directly across the Sunnyfield Home and so it's a compounded risk issue due to the natural curve in the road. There is a perfectly good 4 lane road in Forest Way and Adams Street which leads into Blackbutts Road for non-residents to use.

It is NOT essential for non-residents to use our small section of Grace Avenue. It is just a rat run for those the perceive that is faster or a shorter route to cut through Grace Avenue going in both directions. Cars cut through from Altona into Grace Avenue and go all the way past here and right into Prince Charles and then left into Blackbutts. It is totally unnecessary and its slower.

We really need to discourage drivers from using this as a rat run by reducing the speed to 30km/h and to have no entry and or no through times during the day.

Speed limit reductions are based on the movement and place framework and it is agreed that the speed limit in the precinct generally need to be reviewed as the development comes on line. The 30km/h limit may have support when the project is developed to that level of detail and would be another tool to reduce the rat run along Grace Avenue West of Fitzpatrick Avenue.

The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.

8	<p>We are writing today to express our objections to the Plan to extend Naree Road into Grace Avenue, via acquisition of 41 and 43 Grace Avenue (LA1). We also object to widening Grace Avenue (LA5). We object because of the following reasons:</p> <ul style="list-style-type: none"> - Increased traffic congestion around a quiet, family friendly neighbourhood and primary school. There are many families living in the area with young children. - Increased noise pollution to our quiet, leafy neighbourhood. - Increased air pollution around a primary school and our homes. - Increased parking problems around and outside our homes. - Possible increased traffic flow and parking congestion through Sorlie Road where we live. 	<p>This issue relates to the planning of the Frenchs Forest Town Centre and the future development that will occur as the land in the Frenchs Forest Place Strategy is now rezoned and comes into effect on 1 June 2022. The issues are not expressly regarding the exhibition of the Draft Contributions Plan (as the funding mechanism to deliver the infrastructure or the infrastructure list in this draft Contributions Plan). The only changes to traffic volumes predicted in Sorlie Road is background growth in the area and not due to the proposed changes. The road network changes are likely to reduce the rat running from Davidson along Sorlie Road. There are no changes to parking planned in Sorlie Road. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>
9	<p>I live in Grace Avenue and am writing about the proposed extension of Naree Road though to Grace Avenue. The street struggles with traffic at times currently, from the plan proposed I can only see this getting worse and object to the plan in its current form. I live in the section of Grace Ave, from Sorlie Road to Price Charles Road. It is very narrow and currently suffers from accidents regularly with traffic thoroughfare. It can already feel like a dangerous street. Possibly if there was a way to keep traffic flow away from this end of the street it may be more acceptable to the residents.</p>	<p>The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have e adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>

10	<p>I am referring to the proposed land acquisition of 32 Rabbett St Frenchs Forest noted in your Draft Frenchs Forest Contributions Plan, of which I am the owner.</p> <p>Your attempted notification of such, solely delivered by normal mail and dated 24/03/2022, only reached me by 13/04/2022. I have found myself struggling since then to come to terms with this "out of the blue" notification, and having only a few weeks with which to assess my position and reply, given the May 1st deadline for submissions.</p> <p>I find it hard to believe that, regarding one of the most crucial investments a single person makes(their home), can go all the way to this level (acquisition) without so much as a discussion, a phone call, an in-person assessment of the property involved and the individual situation. It took until I actually phoned the council before someone talked to me about this.</p>	<p>Letters to all landowners identified for potential future acquisition were hand delivered to postal addresses on 24 March 2022. According to Council's system, the postal address for the registered landowner of 32 Rabbett Street is 32 Rabbett Street; and Council's letter was hand-delivered on Friday 24 March 2022. Council's notification letter provided links to the exhibited information and offered an in-person meeting with Council staff to discuss the proposal. Council staff spoke to you and your legal representative on the phone on a number of occasions and each time, offered an in-person meeting. Council's invitation to a face to face meeting was declined (over the course of the phone conversations) and it is noted from Council records, that the invitation was not taken up by the landowner of 32 Rabbett Street.</p>
	<p>It would appear that sometime in the past year or more, my property came under consideration for land acquisition. No advance notice was given that this was being considered. I find it appalling that a home owner can be spending vast amounts of time and money on their property, when if they knew the facts they would not be doing this.</p>	<p>The draft Contributions Plan has been prepared to identify and fund local infrastructure improvements required to support development of the NSW Government's Frenchs Forest Place Strategy. The exhibition of the draft Contributions Plan is the first step in this process. Information on land identified for acquisitions under a Contributions Plan cannot be publicly exhibited until the draft Contributions Plan has been placed on public exhibition.</p>
	<p>I vehemently oppose the inclusion of my property as part of the proposed land acquisition.</p>	<p>Council notes the objection. However, the Contributions Plan, prepared in accordance with all legislative requirements, must identify all required infrastructure (including potential land acquisition), regardless of the anticipated timeline for delivery of these works. They must also attribute a value for all infrastructure works, including land acquisitions. All identified infrastructure has been informed by technical studies. The Open Space Report, prepared by Otium Planning, identified this property for acquisition to provide the necessary quantum of open space land for the precinct.</p>

	<p>Finally, to top it off, it is proposed to keep the acquisition in limbo with a “10+” year timeline. Essentially, during that time, I am not the owner of a property enjoying the normal rights of maintaining and improving my property with the knowledge of a fair open market sale uninhibited by value constraints.</p>	<p>All required infrastructure (including potential land acquisition) must also state an anticipated timeline for delivery of these works. These details are clearly stated in the Contributions Plan.</p> <p>The timing of infrastructure delivery is dependant on development take-up and development contributions available at the time, and the need by the new community at the Town Centre. Identifying a property for acquisition in a draft Contributions Plan does not prevent the landowner from maintaining or selling their property prior to a future purchase by a government authority.</p>
11	<p>The strategic transport study did not clearly show the need and justification for Naree Rd extension and the new traffic signals at Grace Ave. The Arup study did not show the impacts and changes in traffic volumes at Grace Avenue north and south of the new signals. No modelling was undertaken to confirm the LoS for the new signals at Grace Avenue.</p>	<p>The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is requires to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct.</p> <p>The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>

	<p>What is happening to the existing roundabouts at Grace Ave/Russell Ave and Grace Avenue/Sorlie Rd? Do they remain the same given no details was discussed in the Arup report given they are located so close to the new signals. Are there more traffic north of the new signals and north of Sorlie Rd at Grace Avenue? Traffic volumes are very high at Grace Ave north of Sorlie Rd already given its a local residential street, using it as a rat run to and from the shopping centre and sections of it are not wide enough because on street parking requirements along this local street. The study again did not consider the impacts or benefits of the changes to Grace Avenue. The lack of details provided and assessment of traffic changes to Grace Avenue is deeply concerning to local residents, especially significant acquisitions are required and all these works are resulted due to growth in the proposed town centre.</p>	<p>The roundabout at Sorlie Road will remain, however the roundabout at the intersection of Russell Avenue and Grace Avenue will be removed as part of the work. The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.</p>
	<p>We demand additional details of traffic changes and assessments of changes to Grace Avenue be undertaken. Updated traffic study should be provided to the local residents before the upgrades and acquisition are confirmed and proceeded further. Otherwise we object to the proposed Naree Road extension and the new signals at Grace Avenue.</p>	<p>In preparing the Transport Strategic Design Report, Council's consultants consulted Transport for NSW. The Strategic Design Report was included with the package of technical studies accompanying the exhibition of the Contributions Plan. Traffic infrastructure items recommended by this Report is now listed for delivery by NSW Government (funded by the Special Infrastructure Contributions) while the Contributions Plan will fund and deliver local traffic infrastructure.</p>
12	<p>This breaking through will mean our Skin Cancer clinic has to go as well as the over 55s housing. Where are these people going to live??</p>	<p>The issue is in the context of New Road to Grace Avenue. Land identified for purchase is subject to commercial negotiation however in order for the intersection upgrades to be constructed it will result in the clinic and any other development occurring on the land to be discontinued and for the clinic operator/ owners to relocate elsewhere.</p>

<p>If Naree gets extended then trucks will be disturbing residents from that new intersection leading through to the loading docks. We have had a gut full of unnecessary traffic coming through Grace avenue when they should be taking the main road.</p>	<p>The Naree Road extension will take the traffic that currently uses Russell Avenue and a little increase based on background growth only in the initial stage of the redevelopment. The full package of upgrades will provide an improved state and regional road network reducing the traffic using the Grace Avenue corridor as an alternative.</p>
<p>Grace has become this HORRIBLE rat run and it needs to stop. Are you going to give us a guarantee that you will close off Grace avenue from Sorlie Road going towards Prince Charles?? and/or will yet MORE traffic cut through Grace coming from Davidson to access the shops. Also people take a perceived short cut to Warringah road, by going all the way down Grace instead of going from Blackbutts Road which leads into Adams street and then right into Forest Way Road, to get to Warringah road in order to go right towards Forestville or Chatswood area. The opposite is also true many use this rat run in the afternoon to cut through Altona Road and into Grace avenue instead of staying on Warringah road and turning left into Forest Way and then left into Adams to go to Davidson.</p>	<p>The rat run through the back streets needs to be addressed through a broad package of additional works to reduce the volume of traffic that uses it today. The traffic signals will also provide a mechanism to reduce the viability of the rat run and the perception that the traffic is moving faster through the rat run. Speed limit reductions are based on the movement and place framework and it is agreed that the speed limit in the precinct generally need to be reviewed as the development comes on line. The 30km/h limit may have support when the project is developed to that level of detail and would be another tool to reduce the rat run along Grace Avenue West of Fitzpatrick Avenue.</p>
<p>What about the Sunnyfield Home that is fairly new in our street.? They have mentally and physically disabled residents who are been moved all the time by special Van and it's become dangerous for them with the unnecessary traffic and now you want to cause MORE traffic to come through our little road???</p>	<p>The issues surrounding Sunnyfield are noted and may be addressed as part of Council's future review of the local road network in this section of Grace Avenue. Nonetheless, the Transport Strategic Design Report, prepared by ARUP, identifies the required traffic improvements on Grace Avenue to address the impacts of the Frenchs Forest Town Centre development. This includes road widening, the extension of Naree Road and a new intersection with Grace Avenue. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>

Our small section of Grace Avenue has become an accident hotspot with speeding and TOO many cars coming through and our cars side mirrors are been Smashed off ALL the time and we cannot have MORE traffic going through here, you NEED to understand this please.

There are MANY young families in this road and it's become dangerous due to the huge quantity of traffic from cars that do not need to come through.

It is furthermore not necessary to widen Grace Avenue to 4 or 5 lanes because that is going to mean destroying old growth trees that are important and the gardens and old growth trees of the homes that you intend taking land from, in order to widen that small section of Grace Avenue. I have spoken to the neighbours affected and they are distraught to say the least that their homes will have a few metres cut off when those front gardens are TINY to start with.

If there is going to be a Town Centre then a LOT of people will go there to shop and won't need to come to our local Forest Way Shops, so therefore the size of the existing road is totally sufficient... Especially since Covid has changed the world and shopping habits things have changed, but this plan that was designed pre covid has not.

There are far too many issues that are not clear and that have not been considered. There is not even mention of the Beaches link tunnel that is vital in order to take into account changes in these road works plus many other issues that have not been mentioned by you.

The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.

The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming.

A small section of Grace Avenue is being widened to accommodate the intersection and requires a maximum of 2 metres across the frontage of the property for the replacement of the footpath. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.

Traffic volumes are based on a pre-covid assessment and the current data suggests that the traffic volumes are starting to normalise. The need for an improvement to the safety of the road network and additional capacity on the main road at Naree Road. The need for the upgrade has nothing to do with the Forestway shopping centre.

The modelling undertaken has taken the future Beaches Link project into account.

13	I write to you to voice my concerns over the proposed plans for expanding existing and creating new roads in and around Grace Avenue. We're experiencing a number of issues in our street including increased traffic (endangering pedestrians, cyclists, and school children as they walk to Forest High and Frenchs Forest Public School), increased car accidents	There is substantial investment in walking and cycling connections for the precinct to both the Frenchs Forest Public School and the relocated Forest High School - including additional safe pedestrian crossings at key intersections. The traffic modelling undertaken as part of this project has taken the future growth into account including the normal background growth of the area. The rat run through back streets needs to be addressed through a broad package of additional works to reduce the volume of traffic that uses it today. The traffic signals will also provide a mechanism to reduce the viability of the rat run and the perception that the traffic is moving faster through the rat run. Speed limit reductions are based on the movement and place framework and it is agreed that the speed limit in the precinct generally need to be reviewed as the development comes on line. The 30km/h limit may have support when the project is developed to that level of detail and would be another tool to reduce the rat run along Grace Avenue West of Fitzpatrick Avenue.
	There are insufficient public amenities such as parks, schools, childcare centres, sporting grounds.	The Contributions Plan identifies the acquisition and embellishment of land to provide the open space quantum commensurate with the Town Centre development and is unable to address existing shortfalls in sportsfields across the Northern Beaches. Childcare centres are not strictly provided by Council as the private sector also own/operate child care centres. The Special Infrastructure Contribution, imposed and collected by the NSW Government, funds school infrastructure (including improvements).
	The impact on the local environment and the continued encroachment of the suburbs on our bush land, and associated destruction of native habitats.	Council's Development Control Plan contains planning controls that will minimise impacts on the natural environment and existing community. This includes controls to manage stormwater run-off. The Contributions Plan identifies water management facilities within several parks to improve water quality.
	The increased run-off from more and more hard surfaces that will overcome our stormwater drains and further pollute our waterways.	

	Increased population levels will drive traffic volumes and commuting delays beyond current already unacceptable levels.	
	Lead to an overloaded and inadequate public transport system.	The precinct is supported with additional public transport services to link the precinct with Chatswood, Dee Why and the City.
	I'm also completely convinced that the residents that have land compulsory acquired will not receive adequate compensation.	Land identified for acquisition in a Contributions Plan is subject to a commercial agreement between the purchaser and seller. It is not a compulsory acquisition by Council unless it is identified in its Local Environmental Plan. Following a review of the Contributions Plan by the Independent Pricing and Regulatory Tribunal, Council will commence the process to amend the Warringah Local Environmental Plan. This amendment will update the Land Reservation Acquisition Map to identify all properties identified for land acquisition. The acquisition of this land will be subject to future negotiations between the parties at the time of acquisition in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act.
14	I am writing to oppose the roadworks planned for Grace Avenue, meaning the breaking down of homes, including the Sun Doctors medical practice and also for planning such a huge road just to get traffic into Grace Avenue. My aunty lives near Prince Charles in Grace Avenue and already its a nightmare with the amount of unnecessary traffic going through Grace Avenue.	The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.

<p>There is no mention as to what will happen to traffic if this proposed breaking through from Naree Road to Grace avenue happens.</p> <p>If there is a huge town centre been built then there should be less cars going to the Forest Way Shops coming from Naree Road its logical.</p> <p>Thus there is NO need for a 4 or 5 lane road from Naree through to Grace Avenue. A two lane road is sufficient and there is no need to create a 4 lane road is there? it makes sense.</p>	<p>The design of the intersection and roads leading to the Naree Road and Grace Avenue intersection is to provide storage for the traffic signals and allocation of traffic lanes for the direction of travel at each intersection.</p> <p>The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>
<p>Are you going to close off Grace Avenue to through traffic (from Sorlie Road roundabout to Prince Charles) if you do breakthrough from Naree into Grace???</p>	<p>The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.</p>

ALL of these people have put their entire lives savings into their homes and destroying their lifestyle with OVER CROWDED roads and taking away portions of their property as in the homes from The Forest Way Shops to Sorlie Road is NOT necessary and discussion and tweaking of this is totally necessary. These are people not just objects on a sterile plan on your computer or numbers, please have a heart and consider the long term residents and how both can be done with doing something differently. It CAN be done.

Several options to mitigate the traffic impacts of development in the Frenchs Forest Town Centre have been considered. The identified infrastructure is considered the best options to mitigate traffic congestion as development of the Town Centre occurs and seeks to minimise adverse impacts on surrounding residents.

The impact of not undertaking the upgrade of the Naree Road and Forest Way intersection will result in a PM traffic queue of almost 2.5km extending back towards Roseville Bridge. If the closure of Russell Avenue was to proceed on the proposed safety grounds, without the extension of Naree Road through to Grace Avenue, the access to the Forestway Shopping Centre and adjoining residential precinct west of Forest Way would require the traffic to turn right over 900 metres north and impact many residential streets not designed to carry the volume of traffic required.

This work is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.

15	<p>We are dramatically affected by the plans to extend Frenchs Forest Road into Grace Ave. After the road is extended by resuming 41 and 43 Grace Ave and the facing properties onto Forest Way we will become a corner house on the extension and Grace Avenue.</p> <p>The first issue I have is the change in environment we must experience from being on a relatively quiet suburban street to one where we are going to have a five lane road on our southern boundary and a significantly widened Grace Avenue with more traffic. I know the global justification is 'for the greater good' and 'someone must pay the price for the future' and I accept this if it made some small piece of sense. This approach is much like the approach which has been taken on Warringah Rd. All the 'improvements' has done is move the congestion points to the unaltered roads towards Forestville and Allambie, In my opinion the same thing is happening in this case.</p> <p>Increasing the Grace Avenue traffic by extending Frenchs Forest Road is just feeding the same network as now.....Sorlie Road and the other end of Grace Avenue. I am sure greater minds than mine have a theoretical traffic flow analysis but based on my observations on the traffic on Grace Avenue the majority is feeding into the other parts of Frenchs Forest and Belrose through Sorlie Road and Grace Avenue and extending Frenchs Forest Road does not make things better.</p>	<p>All options have been investigated and this option achieves the best outcome without the increase in traffic that other options showed during the modelling undertaken as part of the concept design development.</p> <p>The new intersection and extension of Naree Road from Forest Way through to Grace Avenue is requires to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct.</p> <p>As the extension of Naree Road and new intersection with Grace Avenue are required to (i) mitigate traffic congestion as development of the Town Centre occurs and (ii) as the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government, the Naree Road extension and intersection with Grace Avenue should be delivered by NSW Government rather than Council. As such, it has been removed from the Contributions Plan.</p>
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16	<p>I am quite concerned regarding the continuance of Naree Road, through to Grace Avenue. This continuation will have a significant effect on the local community bring more traffic into a residential neighbourhood. There appears to have been little thought given to these effects, and only to plans to support the big end of town. Shame on you all. What I appear to not have been told is what are the traffic plans for traffic entering Grace Avenue; is there a plan to close Russell Ave and if so, what is to happen to this public land; what are the time lines associated with these proposed changes; will the Beaches Link Tunnel project have any effect on traffic in this area; and what action is to be taken to protect the community from increase in traffic pollution.</p>	<p>The volume of traffic entering Grace Avenue is generally the same as what is currently using Russell Avenue today with an increase in line with normal background growth. Transport for NSW will require that Russell Avenue is closed at Forest Way to accommodate the widening and intersection improvement at Forest Way/Naree Road. The future of the existing road reserve to be considered at that time. The timing of infrastructure delivery is dependant on community need and is influenced by development take-up.</p> <p>Traffic modelling indicates that the Beaches Link project has a limited effect on the network west of Forest Way. The project is likely to see a reduction on traffic using Grace Avenue as rat run towards Chatswood and the City.</p>
17	<p>I have previously submitted my comments regarding the draft plan, so you are more than welcome to review them.</p> <p>I will also add that the 2011 Significant State Site plan that was introduced then was fair and equitable for all, and there was no reason at all to delay the implementation of it.</p>	<p>This is the first and only time that Frenchs Forest Town Centre Contributions Plan was placed on public exhibition so it difficult for earlier commentary to have been received in regard to the contributions plan not previously exhibited. It may be that the submitter had made a submission to (i) Council's exhibition of the Hospital Precinct Structure Plan (in early 2017); or (ii) last year when the Department exhibited the draft Frenchs Forest Place Strategy which include the state infrastructure contributions for this area.</p> <p>The Frenchs Forest State Infrastructure Contributions came into effect on 1 April 2022, and is levied on residential development in the adopted Hospital Precinct Structure Plan.</p>
18	<p>The draft Frenchs Forest Town Centre Plan seems to offer a balanced approach and will enhance the space previously occupied by The Forest High School. My only concern is the increased volume of traffic that will be generated and whether the road network will be able to adequately handle it..</p>	<p>Modelling has informed the traffic infrastructure improvements identified in the draft Contributions Plan. The delivery of this infrastructure will addresses the demands generated by development of the precinct.</p>

19	At present the proposal will affect my property at 45 Grace Ave. When developing the property 20 years ago I was seeking more parking but I was unable to do this as it would change the brick fence on the Grace Ave boundary. The council heritage officer made it clear that this was an important part of the building as a whole. As the proposal stands it shows that the fence would be destroyed. This appears to be for road widening purposes. My other issue in losing this piece of land is that it removes the disabled access from the building which operates as a health care facility. Please consider widening the road away from the boundary fence.	The extension of Naree Road and the new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan. The NSW Government will be responsible for the future delivery of this infrastructure and any necessary land acquisition. It is anticipated the infrastructure is still subject to detailed designs that may consider opportunities to relocate existing fences to minimise impacts on heritage items while maintaining appropriate property access.
20	I think that it is only appropriate that the costs of the required open spaces and infrastructure be paid for from the contributions.	Agreed. The Development Contributions Plan will impose a levy on new development to fund the provision of required infrastructure improvements.
21	Could you please incorporate in any future high rise building, a green vertical garden. Example: the parking building at Manly Vale B Line bus stop. Example: the block of units on Broadway. The parking station at the Northern Beaches hospital would have been an ideal place for greenery hanging from it.	This issue relates to the planning of the Frenchs Forest Town Centre and the future development that will occur as the land in the Frenchs Forest Place Strategy is now rezoned and comes into effect on 1 June 2022; and more relevant to the Development Control Plan that was adopted by Council in April 2022. The issues are not expressly regarding the exhibition of the draft Contributions Plan (as the funding mechanism to deliver the infrastructure or the infrastructure list in this draft Contributions Plan). Council's adopted Development Control Plan for this area contains controls to regulate the design and construction of built form in the precinct. These controls also seek to improve sustainability outcomes.

22	Can you help me understand why you would widen the Adams Street/Forest Way intersection and add a roundabout to the Rabbett Street/Adams Street junction? Surely, you're just encouraging people to not use the already widened Naree Road. Will the buses that use the Adams Street route be able to negotiate the new roundabout?	The need to upgrade the intersection at Adams Street and Forest Way is required to service the properties north of Rabbett Street and the roundabout at Rabbett and Adams Street will improve access to the new town centre for the same residents. All new infrastructure is suitable for the bus services that currently use the network and for future services to support the Frenchs Forest Town Centre.
23	Whilst a new site for the school has been tabled for Allambie Rd, no information has been published about the suitability of the proposed site in terms of key issues, such as traffic and transport, for example. Work on this draft Section 7.11 Contributions Plan should be suspended until the new school site has been tabled and fully reviewed for its suitability by all stakeholders (the planning department, council and residents / ratepayers), and issues resolved.	Council has been working with Education Infrastructure to address the transport issues related to the proposed school site. Infrastructure to support the relocation of the school is outside the scope of the draft Contributions Plan and will be subject to funding by the NSW Government. The Frenchs Forest Place Strategy was finalised by the NSW Government on 17 December 2021. The Contributions Plan prepared and exhibited by Council identifies the infrastructure improvements commensurate with the development of Frenchs Forest Town Centre; and this Plan facilitates the legal mechanism for Council to collect contributions to fund the identified infrastructure. The request to delay/defer the Contributions Plan is unreasonable as the planning controls come into effect on 1 June 2022 regardless that the school relocation is still under consideration by NSW Government.
24	How will the contribution plan fund changes potentially required for Karingal Crescent increase in traffic/parking requirements with the change in zoning? There is already limited parking in the area.	The Contributions Plan does not identify any traffic improvements or changes to existing on-street parking in Karingal Crescent. If, in assessment of a future Development application on land in Karingal Crescent results in traffic improvements due to the proposed development such as improving access including the road and drainage directly in front of the development site, then the improvements can be imposed as conditions of the development consent to be directly provided by the developer of the land. Each development is required to provide on-site parking as required under Council's adopted Development Control Plan.

25	<p>How much compensation will local residents just outside the development area receive for the road congestion and damage to our quality of life? How is the congestion of an additional 2000 units going to be alleviated, there is no more roads or space to add extra lanes?</p> <p>I believe that the contributions from all developers will need to be more than double what is earmarked otherwise how will the necessary train line be funded?</p> <p>How will the addition flooding on Wakehurst Parkway be fixed? A lot of new parks will need to be built and maintained as local residents adjoining this development area will be trapped in their residential side streets by congestion.</p>	<p>Compensation is not provided by Council. The Frenchs Forest Town Centre has been rezoned by the NSW Government and the new planning controls for this area come into effect on 1 June 2022. Council's Contributions Plan identifies a range of local infrastructure improvements that will be delivered to support this development. This includes road widening of Frenchs Forest Road West, intersection upgrades to Adams Street/Rabbett Street and traffic calming facilities in several locations. The NSW Government will also fund the delivery of infrastructure to improve access to the regional road network.</p> <p>The Contributions Plan has been prepared to facilitate development contributions that are received from development in the area to fund the necessary infrastructure improvements required to support development in this precinct. There is no train line proposed for Frenchs Forest Town Centre.</p> <p>The Contributions Plan identifies the delivery of new open space land to address demands generated by future development of the Town Centre. This includes the a new park 1.5 hectares in size in the centre of the Frenchs Forest Town Centre development, the expansion of Rabbett Reserve and Akora Reserve. The planning controls applying to land in the Town Centre ensure that any development minimises flooding impacts on adjacent and downstream properties.</p>
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26	<p>We want to express our objection to the extension of Naree Road and widening of Grace Avenue. There has been no public exhibition from Council in a timely way – I expect a similar process to that as is required for a DA in the Northern Beaches.</p>	<p>The draft Contributions Plan was placed on public exhibition for a period of six weeks. Council staff undertook a range of consultation activities to support this exhibition including a dedicated Your Say webpage with FAQs and links to related information; inclusion in two editions of Council's fortnightly electronic newsletters to 23,000 subscribers; inclusion in two editions of Council's weekly e-news to 180,000 subscribers; email to the dedicated Hospital Precinct Structure Plan subscriber list - 1,736 subscribers; letters to all 33 landowners identified for potential land acquisition.</p> <p>The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>
	<p>Increased traffic congestion around a quiet, family friendly neighbourhood and primary school. There are many families living in the area with young children. Increased noise and air pollution.</p>	<p>Speed limit reductions are based on the movement and place framework and it is agreed that the speed limit in the precinct generally need to be reviewed as the development comes on line. The 30km/h limit may have support when the project is developed to that level of detail and would be another tool to reduce the rat run along Grace Avenue West of Fitzpatrick Avenue.</p>
	<p>Sorlie Road becoming even more hazardous for young children due to potential as being used as a 'rat run' from Russell Avenue no longer existing and the widening of Grace Ave and extension of Naree.</p>	<p>The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes appropriate traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have e adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.</p>

27	<p>The proposal for the widening of Grace Ave, demolishing homes and businesses in Grace Ave and Forest Way to make way for a road extension into Naree Road in my opinion makes no real sense. Removing tree's and land to promote traffic is not what we should be planning to be inline with a neutral footprint we need to leave for our next generations of Forest families. Bike paths and better public transport should be the focus into as a more sustainable future for our area. Not the future of increased traffic dangers for our ageing population and young families. Not the increase of pollution to our community. Not demolishing trees and habitat of the wildlife that we are still privileged to have living in our suburb and bush land surrounding the earmarked destruction widening of Grace Ave road proposal.</p> <p>My concern that this timeline has been pushed quickly and secretly ahead of what I had thought was a rejected plan or in phase 3. The non transparent disclosure of the rushed timeline troubles me and my concerns are that the council believes this is the best possible solution to our current traffic situation. Please explain why as a resident of Grace Ave I had no idea this was about to happen?</p>	<p>The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is required to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct.</p> <p>The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p> <p>The Frenchs Forest Place Strategy was finalised by the NSW Government on 17 December 2021. The planning controls for this land will come into force on 1 June 2022. The draft Contributions Plan has been prepared to fund the infrastructure improvements required by the Place Strategy. The draft Contributions Plan was placed on public exhibition for a period of six weeks. Council staff undertook a range of consultation activities to support this exhibition including a dedicated Your Say webpage with FAQs and links to related information; inclusion in two editions of Council's fortnightly electronic newsletters to 23,000 subscribers; inclusion in two editions of Council's weekly e-news to 180,000 subscribers; email to the dedicated Hospital Precinct Structure Plan subscriber list - 1,736 subscribers; letters to all 33 landowners identified for potential land acquisition.</p>
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With only a few days to have my say it's hard to not be suspicious of the motives of our council, councillors and developers. Is this plan by the council to benefit the Forest Way shopping Centre? Or only the proposed town centre?	As discussed above, the extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan. Modelling of future traffic volumes in the Town Centre indicates that without this infrastructure there are likely to be significant delays in both the AM and PM peak periods with queuing potentially extending to the south towards Forestville, some 2 km away (west of Darley Street in the PM peak).
Will Forest Way Shopping Centre surprise me by another new development plan and perhaps the traffic issues that continually plagued their proposals in the past might just covenantally be approved now because Russell Ave is proposed to close and Grace Ave has become a through-fare?	Private landowners are free to submit development applications on their land at any time. Any redevelopment of the shopping centre will need to consider the future regional infrastructure works to the surrounding road network to be undertaken by the NSW Government.
I can not understand how pushing more cars into streets that can not cope currently with traffic and create bottlenecks metres down the street where there are no plans to widening or help with the traffic flow. Removing the obstacles (Russell Ave roundabout and any speed humps or visibility to Grace Ave from the crest joining from Sorlie Road) you need to slow traffic in Grace Ave and not adding additional car and large vehicle traffic passing residential homes. This will be a perfect storm for a death or serious injury. Grace Ave and Sorlie Road are residential streets and should remain safe and accessible to cross the road to say hi and have a cuppa with our neighbours without fear of being hit by a car or just not being able to cross the street!	The volume of traffic entering Grace Avenue is generally the same as what is currently using Russell Avenue today with an increase in line with normal background growth.

The council should spend my money on things that the community needs...pedestrian crossings and slowing down traffic. Not on more traffic on residential street, acquiring homes and land that really would be much more than their estimate costs. Spend my money on the walkways, parks and bike paths, crossings, community gardens etc. Spend it on Green open spaces and make Frenchs Forest the suburb that is living by its name...a Forest, a place families can be happy and safe with backyards bird's and other wildlife can live together in. Not over developed, over populated and not be a cookie cutter suburb like Chatswood or the like.

We don't want the widening and joining of Grace Ave to Naree Road. We already have existing roads that you can fill in the potholes and help move traffic on them. By not doing anything to Naree and Grace the savings could be better spent on beautification of our area and not stripping it of warmth, identity and it's safety. Grace Avenue does not need 4 lanes of traffic without infrastructure to help disperse on either end of the street.

The Contributions Plan includes additional land and embellishment of open space that is required for the incoming population of the Frenchs Forest Town Centre development and is not meant to address any existing shortfalls. The Plan also includes active transport facilities, connecting the Town Centre to this open space.

The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is requires to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct.

28	<p>My family and I have lived at 48 Grace Avenue since purchasing the property in July 2021. When we bought the property, due diligence was carried out in assessing any council developments. The following was obtained from Northern Beaches Council Planning Certificate EPLC2021/4003 via our solicitor:</p> <p>6. 'The land is not affected by a road widening or realignment proposal under Division 2 of Part 3 of the Roads Act 1993.'</p> <p>There is a note stating that a Contribution Plan applied to the land (Northern Beaches Section 7.12 Contribution Plan 2019). This document mentions no road widening or land acquisition plans in relation to Grace Avenue. We were therefore shocked when within 8 months of our purchase to receive a letter through the door outlining the road widening plan and potential compulsory purchase of 52m² of our front garden in order to widen Grace Avenue. This will have a dramatic impact on the value of our property and our personal health and mental well being.</p> <p>These plans should have been made public and available to property contract lawyers prior to our purchase of the property. We would not have bought the property if we knew the council's plans.</p>	<p>Section 10.7 of the Environmental Planning and Assessment Act and associated Regulation prescribes the information that council must include in Planning Certificates. At the time that the Planning Certificate was issued to this land, only the Northern Beaches Section 7.12 Contributions Plan applied to the land. 48 Grace Avenue is not in the Northern Beaches Hospital Precinct Structure Plan (adopted by Council in 2017) and so the Planning Certificate does not make reference to the adopted Structure Plan applying to this land.</p> <p>The NSW Government exhibited the Frenchs Forest Place Strategy in July and finalised it on 17 December 2021. The planning controls come into force on 1 June 2022. 48 Grace Avenue is not in the Frenchs Forest Place Strategy (either exhibited or final), and so there is no information on the Planning Certificate pertaining to the Frenchs Forest Place Strategy.</p> <p>The Frenchs Forest Town Centre Contributions Plan, prepared to identify and fund local infrastructure improvements required to support development in the Town Centre, is the only document that identifies 48 Grace Avenue for potential land acquisition for road widening.</p> <p>The public exhibition of the draft Contributions Plan commenced on 18 March 2022. On the same day Council updated Planning Certificates to include information against 48 Grace Avenue which references the draft Contributions Plan. This information is part of additional matters that Council can provide on a Planning Certificate Part 5 however a Planning Certificate Part 5 must be specifically applied for (unlike the Planning Certificate Part 2 that is always obtained).</p>
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Through our investigations for the submission we have also learnt that many of these plans were objected to in 2017 at a council meeting by many of the residents who still live on Grace Avenue. If this plan has been under way for over 5 years we are astounded that it not be included in a title search. How would it be possible for conveyancers to provide accurate advice without transparency from the Council. These plans were vehemently opposed in 2017 so it should come as no surprise that they still are.

The Hospital Precinct Structure Plan was adopted by Council in 2017 following extensive community consultation. Following adoption and in accordance with all legislative requirements, Council updated Part 5 of Planning Certificates to identify all land to which the Structure Plan applied. The land aligning the western side of Grace Avenue was not included in the adopted Structure Plan.

As the entire Beaches Link project is now very uncertain and very likely to be scrapped at the next election if there's a change of government, we believe this infrastructure plan needs to be put on hold. Relying on contributions for the development of Grace Avenue is a far from reliable way to proceed with such a large scale development. What is reliable is the damage to affected residents if this plan becomes an official development plan.

The infrastructure identified in the draft Contributions Plan is required to support the development of the Town Centre. During and following the public exhibition of the draft Contributions Plan, further analysis of the division of responsibility between local and state infrastructure was undertaken. The outcome of this review recommends that the infrastructure identified in the exhibited draft Contributions Plan to deliver the intersection upgrade at Forest Way/ Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to form part of the State Road traffic network, and thus is the responsibility of the State to deliver. Accordingly, elements associated with this intersection improvement, the Naree Road extension and works in Grace Avenue have been removed from the draft Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.

The NSW Government finalised the rezoning of this land on 17 December. The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is required to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct.

A major concern is that there appears to be no compensation plan or thought given to residents who may wish to sell before the compulsory purchases take place.

An offer to simply buy the land at an agreed price is a totally unacceptable form of compensation for owners of these affected properties. Residents who wish to sell prior to the compulsory purchase will either receive far lower offers than otherwise be made or be forced to stay as they can't afford to sell for the sale price offered. Council needs to address this as a matter of urgency.

A current video on Council's website clearly states Phase 3 of development (includes Grace Avenue widening and Naree Road extension) is subject to the delivery of state infrastructure including the Beaches Link Tunnel.

As the entire Beaches Link project is now very uncertain and very likely to be scrapped at the next election if there's a change of government, we believe this infrastructure plan needs to be put on hold.

The Contributions Plan, prepared in accordance with all legislative requirements, must identify all required infrastructure (including potential land acquisition), regardless of the anticipated timeline for delivery of these works. They must also attribute a value for all infrastructure works, including land acquisitions.

The timing of this infrastructure delivery is dependant on community need and is influenced by development take-up and will be delivered by the State Government. The identification of a property for acquisition in a draft Contributions Plan does not prevent the landowner from maintaining or selling their property prior to a future purchase by a government authority.

The video is on Council's Frenchs Forest Precinct webpage. The video advises that development of land in Phase 3 of the adopted Hospital Precinct Structure Plan is subject to the delivery of state infrastructure including the Beaches Link Tunnel.

The Contributions Plan identifies the infrastructure required to support the development of Phase 1 which is the Frenchs Forest Town Centre and is the land already rezoned by NSW Government through the finalisation of the Frenchs Forest Place Strategy. The planning controls comes into effect on 1 June 2022 and will require the Contributions Plan to be finalised as it states the infrastructure items commensurate for development of this area. To delay the Contributions Plan will mean development will occur without funding for local infrastructure.

Extending Naree Road into Grace Avenue is designed to increase traffic flow through the area and acquisitions are required in order to facilitate road widening on Grace Avenue. Whilst widening the road close to the proposed intersection would help traffic flow, there is no plan for what happens to the traffic beyond the intersection itself. Grace Avenue in its current state is narrow, has “no passing” speed bumps on both north and south ends as well as time-limited access to certain points of the day due to existing traffic issues and the Frenchs Forest Primary School. This draft plan proposes creating greater access to those north and south ends of Grace Avenue without a plan for what happens to traffic beyond in the surrounding area. Nor does it take into account the safety of the primary school students, many of whom walk to school down Grace Avenue. Furthermore there does not appear to be any traffic modelling available in the ARUP document for the work proposed along Naree and Grace and the Grace Avenue widening and the potential traffic impact on our roads and the roads beyond this work. The plan also fails to take into consideration the already troubled Sorlie Road roundabout or traffic management solutions for the entrance into Adams Street as only the East side of Adams Street is addressed.

The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is requires to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.

Grace Avenue only services a relatively small section of the community with only medium density housing allowed for in the Forest Way Shopping Centre land in the future. In the report (Northern Beaches Hospital Precinct Response to Submissions Report dated July 2017) it clearly states that the intention for Grace Avenue was to provide for local traffic circulation only. Most land in this area is not zoned for further development and as such there will be a minimal increase to the number of people needing to come from the future Frenchs Forest Precinct to Grace, Adams or Sorlie Roads to which the Naree / Grace intersection is meant to serve. In the report (Northern Beaches Hospital Precinct Response to Submissions Report dated July 2017) it clearly states that Grace Avenue cannot be developed due to fire risk. This not only prohibits us from selling to a developer as a collective but also means the population will not increase rapidly. We are privy to the fact that Forest Way Shopping Centre is actively renewing and offering new leases for a 10 year period with no demolition clauses. As such any medium density housing on Grace Avenue, which these changes mean to serve, are not likely to happen in the foreseeable future.

The Forest Way additional right turn lane from southern Forest Way leg into Naree road (land and works) is infrastructure item SIC R1 to be delivered by NSW Government. In the event NSW Government does not upgrade of the Naree Road and Forest Way intersection , this will result in a PM traffic queue of almost 2.5km extending back towards Roseville Bridge. If the closure of Russell Avenue was to proceed on the proposed safety grounds, without the extension of Naree Road through to Grace Avenue, the access to the Forestway Shopping Centre and adjoining residential precinct west of Forest Way would require the traffic to turn right over 900 metres north and impact many residential streets not designed to carry the volume of traffic required. All these traffic improvements including any land acquisition to accommodate them are required to be delivered by NSW Government. As it is not being delivered by Council, the Naree road/Forest Way intersection from 21A Forest Way, the New Road/Grace Avenue and Grace Avenue widening has been removed from the Contributions Plan.

The plan proposes that the Naree Road extension be added well in advance of the supporting road widening part of the project with the intersection being planned at 70% of Phase 1, while the road widening commences at 20% of Phase 2. The risk of increasing traffic flow without supporting roadworks is not outlined in the document. All of the information we can find pertains to this only happening if and when the Council can afford such works which was confirmed by the Council on our call.

There is no plan currently outlined with regards to remediation works which may be required due to the road works. All the properties affected are over 60 years old and roadworks would most likely impact the existing foundations and retaining walls of our home.

We are concerned about the impacts to our wildlife and the trees they call home. In order to widen the road in front of our property, established trees and indigenous plants which have been would need to be removed, thereby removing possum and other animal habitat. We have abundant wildlife in our front garden - possums, water dragons, native bees, geckos and bush turkeys who all move freely through the road side to the bush behind our home. There has been no consideration or mention as to how the increased traffic may impact the natural wildlife. We would like to better understand what plans the council has to regenerate the streets of Frenchs Forest with trees should these road widening events take place and the plans in place to protect the native wildlife.

The timing of infrastructure delivery is dependant on development take-up and resulting traffic volumes. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs.

The impact of not undertaking the upgrade of the Naree Road and Forest Way intersection will result in a PM traffic queue of almost 2.5km extending back towards Roseville Bridge. If the closure of Russell Avenue was to proceed on the proposed safety grounds, without the extension of Naree Road through to Grace Avenue, the access to the Forestway Shopping Centre and adjoining residential precinct west of Forest Way would require the traffic to turn right over 900 metres north and impact many residential streets not designed to carry the volume of traffic required.

Planning for remediation is part of the future detailed infrastructure designs and construction management of any infrastructure project. This may also form part of future commercial negotiations with landowners as part of any future acquisition.

Some trees will need to be removed to facilitate the future infrastructure upgrade works, however there is a commitment that replacement trees will be replanted within the precinct. The location of new landscaping within the road reserve is subject to future detailed design by the State Government.

The extension of Naree Road and widening of Grace Avenue will negatively impact the value of ours and our neighbours' properties. Due to antiquated land acquisition acts, which simply allow for the market rate value per square metre (pending negotiations), we do not believe we will be adequately compensated for the loss of value to our properties. This has been clearly evidenced by what has happened to families in Balgowlah, impacted by the potential Beaches Link Project, and further families in Frenchs Forest who were impacted by the Northern Beaches Hospital Project. Based on Naree Road widening works we know that we could potentially face 2 years worth of roadworks outside our house. Our front door will be mere metres from a 4 lane road which is dangerous for our pets and younger members of our extended family. Not to mention that any new retaining walls would block our natural light and make the house dark. We will experience a substantial increase in noise and air pollution which will impact our family Asthma. Our driveway will be significantly impacted and we will be expected to reverse out of our drive into 2 lanes of traffic, creating property access issues, increased risk of accident and again potentially devaluing our investment in the Frenchs Forest area.

Any acquisition process as a result of the extension of Naree Road and Grace Avenue widening will be the responsibility of the State Government. Items associated with this work have been removed from the Contributions Plan. The acquisition of this land will be subject to future negotiations between the purchaser and the seller at the time of acquisition in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act.

Neither realistic timings nor advice has been provided to impacted residents. Some parts of the document appear to show Grace Avenue as being addressed in Phase 3 of the proposal (page 6 of the aforementioned document), while subsequent pages show traffic infrastructure being delivered in Phase 1 (page 15). On the "Have your say" website linked to in Council's letters to us a further table has been provided (link) which indicated land acquisition, construction of the proposed Naree Road extension and widening of Grace Avenue are all "Long term" plans with a timeline of 11+ years. We believe these varying timings spread over different documents have created confusion and residents are unaware that they could be impacted by this proposal.

The lack of timings, clarity and concerns about the potential impact on our livelihoods and community have already led to high levels of stress and sleepless nights. We have concerns not just for ourselves, with this regard, but also our elderly neighbours who are even more severely impacted. We would like to understand what support the Council is planning to offer the elderly residents in the community impacted by these decisions, many of whom have lived here for most of their adult lives.

These traffic infrastructure upgrades are part of the Forest Way additional right turn lane from southern Forest Way leg into Naree Road (land and works) known as item SIC R1 and is funded by state infrastructure contributions and delivered by NSW Government. As such, the Naree Road/Forest Way intersection, New Road/Grace Avenue and Grace Avenue widening are to be delivered by NSW Government with SIC R1 including the land acquisition to accommodate the traffic upgrades. These upgrades will not be delivered by Council and have been removed from the Contributions Plan.

The Strategic Transport Report, prepared by ARUP, identified all works required to facilitate development of the Hospital Precinct Structure Plan (phase 1, 2 and 3). On 17 December 2021, the NSW Government finalised the Frenchs Forest Place Strategy (Phase 1 of the adopted Structure Plan), with the planning controls for this land come into force on 1 June 2022.

The development of phases 2 and 3 of Council's adopted Northern Beaches Hospital Precinct Structure Plan is dependant on significant regional infrastructure and will be subject to future rezoning investigations. This is clearly identified in the adopted Structure Plan.

Frenchs Forest was declared a Planned Precinct by the NSW Government. Detailed planning, including exhibition of relevant planning documents was undertaken by the NSW Government in 2021. The NSW Government finalised the Frenchs Forest Place Strategy on 17 December 2021, and the planning controls for the area will come into force on 1 June 2022. Infrastructure improvements to the State Road network is the responsibility of the NSW Government.

	<p>We received Council's letter regarding land acquisition dated 24/03/2022 on 29/3/2022. Having just over a month to fully understand a +280 page document with many technical studies which was put together over a +2 year period is neither good practice for the people the Council serves nor is it realistic even for well educated people like ourselves. In subsequent conversations with Council, seeking further clarification, we were advised to seek professional advice from a Solicitor, per the above a month is not long enough to enlist the help of a good Solicitor nor does it take into account the cost associated with this. Not being able to secure legal advice due to costs and timings will no doubt impact the small window of opportunity we've had to be able to draft the best response possible to stop this plan which has been years in the making and best capture our grave concerns with regards to how this process is being managed. Council have claimed that this is not classed as a compulsory acquisition but rather a contributions plan. What is unclear is the process from here on.</p>	<p>Letters to all landowners identified for potential future acquisition were hand delivered to postal addresses on 24 March 2022. The letter provides links to the exhibited information, FAQ's and offered an in-person meeting with Council staff to discuss the proposal. The submitter, as the landowner of property identified for future acquisition, spoke to Council. Council also spoke with the submitter's partner on a separate occasion. On both occasions, council invited the landowner to meet directly with council however on each occasion, Council's invitation was declined. On each occasion, Council staff explained the land acquisition as identified in a contributions plan, and were also advised to seek independent legal/planning advice. Council staff are happy to meet with you again to discuss the next steps in the process, however they cannot provide you with advice on legal matters.</p>
29	<p>The Naree Road extension to Grace Avenue would be a detriment to the community. It would also devalue all surrounding properties due to increased traffic noise and pollution. During a meeting with the council we attended on 14/4/2022. we were told that extending Naree Road directly</p>	<p>The infrastructure identified in the draft Contributions Plan is required to support the development of the Town Centre. During and following the public exhibition of the draft Contributions Plan, further analysis of the division of responsibility between local and state infrastructure was undertaken. The outcome of this review recommends that the</p>

though to Sorlie Road had been considered, however, because the two roads were not on a straight line they would not meet. Two screenshots have been included below from Google Maps, and Council Documents that show the two roads are indeed on the same plane. Council also pointed out that the number of properties requiring acquisitions for this was lower, indicating that the proposal is the cheaper option, not necessarily the best option.

The plan also proposes that the Naree Road extension be added well in advance of the supporting road widening part of the project with the intersection being planned at 70% of Phase 1, while the road widening commences at 20% of Phase 2. The risk of increasing traffic flow without supporting roadworks is not outlined in the document.

infrastructure identified in the exhibited draft Contributions Plan to deliver the intersection upgrade at Forest Way/ Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to form part of the State Road traffic network, and thus is the responsibility of the State to deliver. Accordingly, elements associated with this intersection improvement, the Naree Road extension and works in Grace Avenue have been removed from the draft Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.

The proposed alignment of the Naree Road extension is designed to address road geometry issues and acquisition impacts. It addresses concerns related to the increased traffic generation through volume management on the local network and is intended to replace the existing link provided by Russell Avenue. The volume of traffic entering Grace Avenue is generally the same as what is currently using Russell Avenue today with an increase in line with normal background growth.

The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.

The plan involves a lot of land acquisition and road widening, however makes no mention of trees and wildlife. As residents of Grace Avenue and property owners impacted by land acquisition, we are concerned about the impacts to our wildlife and the trees they call home. In order to widen the road in front of our property, established trees would need to be removed, thereby removing possum and other animal habitat. We also note that our yard is home to several brush turkeys who may be at risk due to increased traffic flow through the neighbourhood. We would like to better understand what plans the council has to regenerate the streets of Frenchs Forest with trees should these road widening events take place.

Some trees will need to be removed to facilitate the future infrastructure upgrade works, however there is a commitment that replacement trees will be replanted within the precinct. The location of new landscaping within the road reserve is subject to future detailed design and is the responsibility of the State Government.

We believe that the extension of Naree Road and widening of Grace Avenue will negatively impact the value of ours and our neighbours' properties. Beyond the market rate value per square metre (pending negotiations), we do not believe we will be adequately compensated for the loss of value to our properties. Our homes will be closer to a busier, noisier road, our trees will be removed and our privacy lost - issues which are not addressed in this proposal. As residents of 44 Grace Avenue our driveway will be right in the intersection of the proposed Naree Road/Grace Avenue meeting, creating property access issues, again potentially devaluing our investment in the Frenchs Forest area.

44 Grace Avenue is identified for land acquisition as part of the Grace Avenue widening. Grace Avenue widening, extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as Frenchs Forest Town Centre development occurs. The impact of not undertaking the upgrade of the Naree Road and Forest Way intersection will result in a PM traffic queue of almost 2.5km extending back towards Roseville Bridge. If the closure of Russell Avenue was to proceed on the proposed safety grounds, without the extension of Naree Road through to Grace Avenue, the access to the Forestway Shopping Centre and adjoining residential precinct west of Forest Way would require the traffic to turn right over 900 metres north and impact many residential streets not designed to carry the volume of traffic required.

All of this infrastructure is required with the Forest Way additional right turn lane from southern Forest Way leg into Naree Road (land and works), identified as SIC R1 for delivery by NSW Government, and NSW Government being responsible for the Grace Avenue widening, extension of Naree Road and new intersection with Grace Avenue (including land acquisition to accommodate these upgrades). Council is not delivering these infrastructure works and these items have been removed from the Contributions Plan. Any future land acquisition by the State Government will be subject to negotiations between the purchaser and the seller at the time of acquisition in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act.

Realistic timings have not been provided to impacted residents. Some parts of the document appear to show Grace Avenue as being addressed in Phase 3 of the proposal (page 6 of the aforementioned document), while subsequent pages show traffic infrastructure being delivered in Phase 1 (page 15). On the "Have your say" website linked to in Council's letters to us a further table has been provided (link) which indicated land acquisition, construction of the proposed Naree Road extension and widening of Grace Avenue are all "Long term" plans with a timeline of 11+ years. We believe these varying timings spread over different documents have created confusion and residents are unaware that they could be impacted by this proposal.

We question whether the proposed works in Phase 3 are a benefit to the community and residents of those neighbourhoods, or are designed to meet a government requirement to support the Northern Beaches Hospital.

The infrastructure identified in the exhibited draft Contributions Plan is required to support development in the Town Centre (phase 1). The delivery of the intersection upgrade at Forest Way/ Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to form part of the State Road traffic network, and thus is the responsibility of the State to deliver. Accordingly, elements associated with this intersection improvement, the Naree Road extension and works in Grace Avenue have been removed from the draft Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.

The Contributions Plan does not deal with phases 2 or 3 of the adopted Hospital Precinct Structure Plan. The development of phases 2 and 3 are, clearly identified in the adopted Hospital Precinct Structure Plan, heavily dependant on significant regional infrastructure and will be subject to future rezoning investigations.

30	<p>I came away from both meeting astonished at the colossal impact placing a through road from Naree Road to a traffic light controlled 'T' intersection in Grace Avenue will have on both of my property's and the occupants. It will alter this residential street into a busier through road and queuing at traffic light both in Grace Avenue and Forest Way at all times of the day and night. I am unequivocally opposed to this proposal. I am firm in my belief that if it is necessary for traffic from Naree Road to be connected to suburbs such as Davidson and Belrose a straight through road connecting to Sorlie Road is logical.</p>	<p>The infrastructure identified in the draft Contributions Plan is required to support the development of the Town Centre. During and following the public exhibition of the draft Contributions Plan, further analysis of the division of responsibility between local and state infrastructure was undertaken. The outcome of this review recommends that the infrastructure identified in the exhibited draft Contributions Plan to deliver the intersection upgrade at Forest Way/ Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to form part of the State Road traffic network, and thus is the responsibility of the State to deliver. Accordingly, elements associated with this intersection improvement, the Naree Road extension and works in Grace Avenue have been removed from the draft Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.</p> <p>The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is required to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct by the State Government. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct. The proposed alignment of the Naree Road extension is designed to address road geometry issues and acquisition impacts. This infrastructure is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan.</p>
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<p>I have been unable to solicit an answer as to why traffic from Naree Road need to be brought to the centre of Grace Avenue between Sorlie Road and Russel Avenue. There are no plans which show the dispersal of that traffic past Sorlie Road or Russel Avenue intersection.</p>	<p>The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as the Town Centre development occurs. The proposed alignment of the Naree Road extension is designed to address road geometry issues and acquisition impacts. The impact of not undertaking the upgrade of the Naree Road and Forest Way intersection will result in a PM traffic queue of almost 2.5km extending back towards Roseville Bridge. If the closure of Russell Avenue was to proceed on the proposed safety grounds, without the extension of Naree Road through to Grace Avenue, the access to the Forestway Shopping Centre and adjoining residential precinct west of Forest Way would require the traffic to turn right over 900 metres north and impact many residential streets not designed to carry the volume of traffic required. This modelling is identified in the Strategic Transport Design Report, prepared by ARUP, and was included in the package of technical studies accompanying the exhibition of the Contributions Plan.</p>
<p>I understand that trees reduce pollution heat and noise but I am also advised that the existing trees will be removed and none will be replaced in Grace Avenue this in my opinion is totally unacceptable.</p>	<p>It is noted that some trees will need to be removed to facilitate the future infrastructure upgrade works, however there is a commitment that replacement trees will be replanted within the precinct. The location of new landscaping within the road reserve is subject to future detailed design.</p>
<p>Parking is an issue in this area. Houses in Grace Avenue were built from 1947 onwards, when off-street parking was not thought of. This proposal removes all street parking and present yet another problem for residents to contend with.</p>	<p>The area between Sorlie Road and Russell Avenue has limited on-street parking with the proposal removing only 6 on-street parking spaces as part of the intersection construction.</p>

The speed limit in Grace Avenue is currently 40 km. The speed limit sign is obscured by a tree and there are no speed limit signs on the road way. For some obscure reason there are bicycle symbols. My point is that I have observed few if any vehicles driven at 40 km in the portion of Grace Avenue between Russell Avenue and Sorlie Road. The proposed introduction of 4 lanes of more traffic into this portion of Grace Avenue is totally unnecessary and unacceptable. I have asked for a speed monitor to be installed but am advised the subject portion of the street is too short to make an accurate determination. I observe vehicles regularly exceeding 60 km and frequently over 80km. I can't imagine how dangerous four lanes of traffic in Grace Avenue will be.

Furthermore currently there is no safe way to cross from the western side of Grace Avenue to access the shopping centre or the bus stops. There is a pram ramp at the roundabout at the intersection of Grace Avenue and Russell Avenue but as few vehicles activate their indicator it is not safe to cross the road until vehicles have dispersed.

I will be directly impacted as both my property 40 and 42 Grace Avenue each have two of the bedrooms facing the road way. My understanding is that with the proposed purchase /acquisition of land approximately 2 meters will be taken from the front of my property placing subject bedrooms nearer to the road noise and fumes.

The value of both my properties will be adversely affected by the widening of the road by the increased volume and closeness of traffic.

The most recent survey of traffic speed indicated that the traffic between Russell Avenue and Sorlie Road is travelling at approximately 45km/h. Following this submission, Council's Transport Network Team will undertake additional speed and volume counts.

The proposed traffic signals at the new intersection of Grace Avenue and Naree Road provides a full signalised pedestrian crossing on all legs of the intersection.

The acquisition is to provide the adequate area required for a footpath alongside of the road carriageway. The traffic lane will not move any closer to the existing dwellings.

	It will also restrict my ability to turn a vehicle on my own property and I face a marked increase in traffic .Reversing in or out of either property will be a nightmare.	The access and egress to the property may be achieve using the phasing of the traffic signals.
31	I would like to note that although this proposal does not directly impact my property via acquisition, it does detrimentally affect the quality and future value of my property. Being located on the proposed new corner of Naree Road and Grace Avenue will increase the volume of traffic, noise, air pollution, and light from traffic signals at night to my property and will increase the difficulty of ingress and egress to and from my driveway. Additionally, there will be no street parking for tradesmen, deliveries or visitors due to the proximity of traffic lights. The value of my property will decrease.	The volume of traffic entering Grace Avenue is generally the same as what is currently using Russell Avenue today with an increase in line with normal background growth.

To avoid maximum impact to my property I will require higher and more substantial fencing on two sides and double glazing for four impacted bedrooms, four living areas, two bathrooms, a kitchen and a home office. Substantial expenses will be incurred which, as a retired person I am unlikely to be able to afford. Will these necessities be provided for or contributed to by the Northern Beaches Council?

The infrastructure identified in the draft Contributions Plan is required to support the development of the Town Centre. During and following the public exhibition of the draft Contributions Plan, further analysis of the division of responsibility between local and state infrastructure was undertaken. The outcome of this review recommends that the infrastructure identified in the exhibited draft Contributions Plan to deliver the intersection upgrade at Forest Way/ Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to form part of the State Road traffic network, and thus is the responsibility of the State to deliver. Accordingly, elements associated with this intersection improvement, the Naree Road extension and works in Grace Avenue have been removed from the draft Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.

The volume of traffic entering Grace Avenue through the extension of Naree Road is generally the same as what is currently using Russell Avenue today with an increase in line with normal background growth. The traffic volume is not considered a level significant that triggers requirements under the NSW Road Noise Policy (NSW Government, March 2011) for noise amelioration. Council does not provide or contribute to noise attenuation measure being installed in a dwelling or on a private property.

Will the council be replacing or planting new trees? Will the sidewalks and pathways be wide and shady, or just expanses of concrete with telegraph poles and wires?

Some trees will need to be removed to facilitate the future infrastructure upgrade works, however there is a commitment that replacement trees will be replanted within the precinct. The location of new landscaping within the road reserve is subject to future detailed design by the State Government.

<p>I have only recently become aware that the suggestion and rumour of a possible extension of Naree Road through to Grace Avenue has actually become a reality and that the vague timeline given of "maybe 10 years away" has become "maybe 2 years".</p>	<p>The timing of infrastructure delivery is dependant on development take-up and resulting traffic volumes. The extension of Naree Road and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This infrastructure is required to be delivered when 70% of the floor space in the Town Centre has been completed.</p>
<p>I have not received any correspondence from Northern Beaches Council regarding this and have had to rely on neighbours to make me aware of this proposal with only days left to register my concerns. I consider this to be negligent and typical of the current council's disregard of residents and rate payers in this area.</p>	<p>The Contributions Plan was placed on public exhibition for a period of six weeks. Council staff undertook a range of consultation activities to support this exhibition compliant with Council's adopted Community Participation Plan, including a dedicated Your Say webpage with FAQs and links to related information; inclusion in two editions of Council's fortnightly electronic newsletters to 23,000 subscribers; inclusion in two editions of Council's weekly e-news to 180,000 subscribers; email to the dedicated Hospital Precinct Structure Plan subscriber list - 1,736 subscribers; letters to all 33 landowners identified for potential land acquisition. The submitter's property is not identified for land acquisition and therefore was not a landowner specifically notified by Council.</p>
<p>The walls at 40 & 42 Grace Avenue and that surrounding the Blue House Dental at 45 Grace Avenue, all of which will be demolished, are historically significant having been built by George Sorlie. I know this point will not be considered by the Council or the State Government (referencing the much worse, wanton destruction of historical sites at Windsor and Parramatta), but it is worth mentioning here.</p>	<p>The relocation or reconstruction of front fences may be subject to future negotiation with landowners at the time of acquisition by the State Government.</p>

I can see no reason why the current intersections of Russell Avenue, and the road itself cannot be upgraded on a slightly smaller scale to provide the same outcomes expected of this proposed new road without costing people their homes. The properties lining Russell Avenue are all commercial in use and would not be impacted so severely by partial acquisition.

The configuration and coordination of traffic signals on Naree Rd and Forest Way/Russell Avenue and Forest Way should not be a problem – there is a similar intersection at Glen Street and Forest Way/Wearden Road and Forest Way at Belrose that, with co-ordinated traffic signals works perfectly well and traffic density on Glen Street is similar to that of Russell Avenue. There is ample turning space for both sections with only three lanes on Glen Street. Granted, Naree Rd is obviously already much wider and more populated than Wearden Road, but the principle is the same.

With the removal of the pedestrian lights at Forest Way (to be replaced by a pedestrian bridge - a fantastic idea residents and school parents have been requesting for the last 20 years for the safety of their children) there would be no extra traffic signals and co-ordination of two sets would really only make them appear as one set.

The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is requires to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct. The removal of the access to Russell Avenue from Forest Way is required for the turning lanes from Forest Way into the existing Naree Road leg at the intersection.

The sentiments in these paragraphs are noted and do not raise issues of concern.

There has been no consideration given to the fact that Grace Avenue north of Sorlie Road and south of Fitzpatrick Avenue West will remain as is and any extra traffic engendered by the new road will funnel into streets where there is parking on both sides and where local traffic obstacles (speed bumps) exist. Extra traffic on these sections will make for further difficulties.

Also, the speed limit on Grace Avenue of 40k per hour which is appropriate given its current usage will no longer be appropriate to a major road and will constitute a danger to shoppers and school children crossing regularly. There are currently no zebra crossings – will these be installed?

It would seem that entry to the new Frenchs Forest town centre will be from Frenchs Forest Road West alone. Surely the parties involved in the construction of the Hospital and associated road works were aware that the Town Centre would be situated here and could have allowed for entry from Warringah Road as well? The tunnel from Warringah Road idea appears to have been abandoned due to cost, but surely the hospital entrance road from Warringah Road could be utilised since its current reason for being appears to be only as the entry to a drive through Covid Test site. Why restrict all Town Centre traffic to one road necessitating the upheaval of the entire surrounding neighbourhood when both Warringah Road and Frenchs Forest Road West are both adjacent?

The section of Grace Avenue between Prince Charles Road and Sorlie Road is designed for local traffic only and already includes traffic calming - further investigation of potential restrictions can be undertaken as part of the detailed design of the road network, however any solution could have adverse impacts on the residents along this section of road, for example if an AM peak turn ban was put in place to stop traffic from Adams Street using Grace Avenue.

The speed limit will be reviewed as part of the detailed design phase of the project and 30 km/h high pedestrian activity speed limits may be imposed. Suitable pedestrian crossing facilities will be installed to create a walkable precinct.

All access options have been explored and the resulting option represent the best available outcome.

32	<p>I fail to see how the cost involved of obtaining properties and the construction involved is worthwhile just to close Russell Ave. Surely there is a better solution working with the existing roads at a far reduced cost.</p>	<p>The new intersection and extension of Naree Road west from Forest Way through to Grace Avenue is required to provide safe access to the area west of Forest Way. The Russell Avenue intersection with Forest Way has a significant crash history that needs to be addressed and will be closed to traffic as part of the stage 1 delivery of the road infrastructure to the precinct. The intersection upgrade caters for traffic that currently uses both the rat run from Adams Street and areas to the north to safely access the existing shopping centre and also access the new town centre precinct. The removal of the access to Russell Avenue from Forest Way is required for the turning lanes from Forest Way into the existing Naree Road leg at the intersection.</p> <p>The delivery of the intersection upgrade at Forest Way/ Naree Rd, including the Naree Road extension to Grace Avenue and associated changes in Grace Avenue was identified to form part of the State Road traffic network, and thus is the responsibility of the State to deliver. Accordingly, elements associated with this intersection improvement, the Naree Road extension and works in Grace Avenue have been removed from the draft Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.</p>
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33	<p>Can you confirm that Draft Plan does include the purchase/acquisition of the total 2223.0 m3 of the property at 21A Forest Way Frenchs Forest? When does the Council plan to commence negotiations for the acquisition of the property? The Draft Plan identifies the acquisition of our property as 'Road Widening Land'. Can you advise why the acquisition of the whole of our property is necessary for the purpose of road widening, rather than partial property acquisition?</p>	<p>The exhibited Contributions Plan identified the acquisition of 21A Forest Way (Lot 7 DP 1209569) to facilitate the widening of Naree Road and Frenchs Forest Road West up to the intersection with Forest Way. The delivery of this infrastructure item is anticipated to occur in the medium term (approximately 6-10 years). The timing of infrastructure delivery is dependant on community need and is influenced by development take-up.</p> <p>Full acquisition of the property is considered necessary as the delivery of this road widening will significantly impact the property which will adversely affect the operation of the church on this land. The extension of Naree Road from 21A Forest Way (as this property has a frontage to Naree Road and Forest Way) and new intersection with Grace Avenue are required to mitigate traffic congestion as development of the Town Centre occurs. This is required as part of the upgrade to the Forest Way/Naree Road intersection being delivered by NSW Government. This item is not being delivered by Council and has been removed from the Contributions Plan. This infrastructure will still need to be delivered, but will need to be delivered by the State Government.</p>
	<p>Our property at 21A Forest Way includes the Heritage listed Former Methodist Church (item no. 158). What is the Council's future plan for this building? Is the Former Methodist Church to be demolished as part of the road widening of Forest Way?</p>	<p>The demolition of existing buildings and structures on the site will be avoided if possible.</p>

The Christian & Missionary Alliance Church has been located at 21A Forest Way, Frenchs Forest for 49 years. The proposed property acquisition by the Council will displace the church from its long-term Place of Worship. Will the Council allocate alternative property within the Town Centre Precinct that may be purchased by the Christian & Missionary Alliance Church to relocate its Place of Worship?

21A Forest Way is identified for land acquisition to facilitate the upgrade of the Forest Way/Naree Road intersection. This upgrade is in conjunction with the new Naree Road/Grace Avenue intersection and the Grace Avenue widening as they are required to mitigate traffic congestion as Town Centre development occurs. Forest Way additional right turn lane from the southern Forest Way leg into Naree Road (land and works), known as SIC R1, is funded by the Special Infrastructure Contributions delivered by the NSW Government. As such, the Naree Road/Forest Way intersection, new Naree Road/Grace Avenue intersection and the Grace Avenue widening are to be delivered by the NSW Government including the land acquisition to accommodate these works. These upgrades will not be delivered by Council and have been removed from the Contributions Plan.

If no alternative property is available for purchase within the Town Centre Precinct, will the Council identify an alternative property within the local area that may be purchased by the Christian & Missionary Alliance Church to relocate its Place of Worship?

Council will not identify an alternate property for the Church relocation however will provide general advice on what zones will permit a church (as a land use) to be located. Any future relocation on another property is likely to require lodgement of a future development application to Council for consideration.

If the Council proceeds with the acquisition of the property, the NSW Land Acquisition Act (Just Terms Compensation) 1991 provides that compensation is paid for the market value of the land which includes the reasonable cost to the owner of equivalent reinstatement in some other location. Can you confirm that the Council is prepared to pay compensation to the Christian & Missionary Alliance Church for the reasonable cost for the church to purchase land and buildings equivalent to the current church worship facilities and pastor's manse to relocate within the local area?

As discussed above (response to issue 3 of this submission), the upgrade of the Forest Way/Naree Road intersection is considered to be a state infrastructure that needs to be delivered by NSW Government not Council. It has been removed from Council's Contributions Plan. Any future discussion on acquiring 21A Forest Way will need to be NSW Government and the registered owners of this land.

<p>The Hospital Precinct Structure Plan does not currently include provision for Places of Worship within its strategic land use. The proposed acquisition of the Christian and Missionary Alliance Church at 21A Forest Way, Frenchs Forest will eliminate the only place of worship within the precinct area. Why has the Council made no provision for Places of Worship within the Hospital Precinct Structure Plan?</p>	<p>The adopted Hospital Precinct Structure Plan is a strategic framework for development of future land-use and zoning provisions being prepared on the land. Phase 1 of the adopted Structure Plan resulted in the planning controls for the Frenchs Forest Town Centre which come into effect on 1 June 2022. The planning controls are what should be considered as it will state what land-uses are permitted in a zone (in the Town Centre).</p>
<p>Is the intension of the Hospital Precinct Structure Plan to include religious groups within 'community Hub' use?</p>	<p>As stated above, the adopted Hospital Precinct Structure Plan is a strategic framework for development of future land-use and zoning provisions being prepared on the land. The 'community hub' specified in the Frenchs Forest Place Strategy is intended to be a multi-purpose community facility and this future floorspace may be available for rental to community groups. The 'community hub' is not envisaged to be a place of public worship.</p>
<p>Although the Hospital Precinct Structure Plan references outdoor community/public space, there is only cursory reference to indoor community facilities. To be a truly integrated a Town Centre there must be facilities that are available for community groups and organisations, to use at accessible costs.</p>	<p>The Contributions Plan will have residential contribution rates exceeding \$20,000 per dwelling/allotment at which the type of infrastructure that can be funded by the Plan must be a listed 'essential infrastructure' under the Local infrastructure Contributions Practice Note (NSW Government, January 2019). Community facilities (indoor or outdoor) is not an 'essential infrastructure' item and therefore, due to Stage government restrictions, cannot be funded by the Contributions Plan. Regardless, Council is investigating opportunities to provide indoor recreation facilitates and a multi-purpose community facility within the Town Centre through alternate funding sources.</p>

34	<p>In looking at the details in the exhibition documents we can only see two proposed bio-filtration ponds associated with two sporting fields.</p> <p>There are no bio-filtration ponds located at the boundary between the urban development area of the Precinct and the bushland. These filtrations ponds are essential to ensure that the waterways are protected.</p> <p>Please ensure that these bio-filtration ponds are added as essential infrastructure for this area.</p>	<p>The Contributions Plan seeks to embellish and augment Brickpit Reserve and Akora Reserve as well as deliver a new 1.5 hectare park in in the Town Centre. These parks include bio-filtration facilities. Additionally, Council's Development Control Plan requires all properties to demonstrate appropriate treatment of stormwater within the development site before flows are discharged to Council's stormwater drainage system or local waterways.</p>
35	<p>We feel there may be some inconsistencies in the square metre costs between the various properties identified for acquisition.</p> <p>The m2 for LA2 (26 Holland Crescent) is \$6,084 (house and land) compared to m2 for LA4 (Grace Ave) is \$8,969 (land only).</p> <p>Land in LA5 - Naree Road/Grace Avenue – intersection upgrade and is a m2 cost of \$8,969.</p> <p>For LA4 - Naree Road/Frenchs Forest Road West – road widening. The square metre quoted is 3,314. This includes the acquisition of the Church property/ies and the acquisition of land from the frontage of 13 properties along Naree Rd/Frenchs Forest Road West. As the Church property/ies combined square metre is 2,925, this only allows 389sq metres for the land acquisition from the other 13 properties. The letter we received from Northern Beaches Council indicates that 3.8m of our frontage will be resumed. The area of this square metres does not add up to 3,314. Can this please be checked and clarified? Are both of the Church properties included in this total of 3,314 sq metres?</p>	<p>The cost of land acquisitions in the Contributions Plan were prepared by a registered valuer. This valuation was undertaken in accordance with the terms of the Land Acquisition (Just Terms Compensation) Act. Acquisition costs vary between properties based on the highest and best use of the land and whether full or partial acquisition is required.</p> <p>The land valuation will also be reviewed by the Independent Pricing and Review Tribunal to confirm that adequate and accurate compensation is identified in the Contributions Plan.</p> <p>Item LA4 in the draft Contributions Plan includes the full acquisition of 21A Forest Way and partial acquisition of 14 other properties. 21 Forest Road is not identified for acquisition by Council as this allotment is on a separate title and is not required to deliver the necessary local infrastructure improvements.</p>

	<p>LA4 - Naree Road/Frenchs Forest Road West – road widening. The cost of land works (land acquisition) is \$9,958,908. The area of land being acquired is 3,314 m2. The cost per square metre is \$3005. How does this occur when LA2 is \$6084 per square metre house and land; and LA5 is \$8969 land only?</p> <p>This information would have provided more clarity if it had been presented as cost per square metre for each individual property. This figure would have had to be ascertained by the Valuer involved to reach the combined figures being suggested.</p> <p>These funds for land and property acquisitions will eventually be paid to individual property owners are Northern Beaches Council monies received from Development Contributions, it is public money and every member of the public has the right to receive clear information as to how Northern Beaches Council spends money.</p>	<p>As stated above, the value of land acquisition for an Item is provided as an estimated total at the time the Contributions Plan is prepared.</p> <p>Noted. The Contributions Plan, prepared in accordance with all legislative requirements, must identify all required infrastructure (including potential land acquisition), regardless of the anticipated timeline for delivery of these works. They must also attribute a value for all infrastructure works, including land acquisitions.</p> <p>Land acquisition is subject to a commercial agreement between the purchaser and seller, with the purchase price of the land is based on the land value at the time of negotiations as determined by the professional valuers engaged by the parties and in accordance with all legislative requirements.</p>
36	<p>You must remember to be clear about air traffic around the hospital too. Helicopters are a vital and essential part of hospitals. The Forest High School's open field has been a beautifully kept treasure for so long. I do hope the new plan recognises this and respects the importance of keeping it for ever. Providing a fantastic playing field complex and gathering place for the community. Events such as annual local tree celebrating festivals through art to honour the trees and animals that once were here in abundance. It was inevitable that this area would become heavily used, so thank you historians for naming it Frenchs FOREST. Thank you for this development happening now in this modern era of recognising the importance of maintaining natural bushland sections within our urbanisation and service providing.</p>	<p>This issue relates to the planning of the Frenchs Forest Town Centre and the future development that will occur as the land in the Frenchs Forest Place Strategy is now rezoned and comes into effect on 1 June 2022.</p> <p>The issues are not expressly regarding the exhibition of the draft Contributions Plan (as the funding mechanism to deliver the infrastructure or the infrastructure list in this draft Contributions Plan).</p>

37	No text provided	This notification was received from the "Your Say" form however it did not contain any information other than the author's name.
38	Duplicate submission received from submitter #8	Issues addressed against original submission 8 (see above).
39	Duplicate submission received from submitter #10	Issues addressed against original submission 10 (see above).
40	Duplicate submission received from submitter #17	Issues addressed against original submission 17 (see above).
41	Duplicate submission received from submitter #28	Issues addressed against original submission 28 (see above).
42	Duplicate submission received from submitter #31	Issues addressed against original submission 31 (see above).

Appendix 2 – Attachments to be provided separately by request*

Note: these documents are scans of original letters submitted to Council as attachments to submissions. We are unable to redact personal / private information of the submitters. Copies can be provided on request.

Attached to submission number 11	Scanned petition from residents as submitted to Council in 2017 in response to Council's exhibition of the Draft Northern Beaches Hospital Precinct Structure Plan
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**Personal details and/or inappropriate language are unable to be redacted.*

Document administration	
Version	2.0
Date	3 May 2022
Approval	Content provided and approved by: Strategic Place and Planning Team. Responsible manager: Liza Cordoba
Status	Final
Related Projects	Frenchs Forest Town Centre Northern Beaches Section 7.12 Contributions Plan 2022 amendment
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.



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