ATTACHMENT BOOKLET

ORDINARY COUNCIL MEETING

TUESDAY 26 MARCH 2019

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northern beaches council

Places for People
Strategic Reference Group

MINUTES

PLACES FOR PEOPLE
STRATEGIC REFERENCE GROUP

held in the Coastal Environment Centre, Narrabeen on

THURSDAY 29 NOVEMBER 2018

Minutes of the Places for People Strategic Reference Group held on Thursday 29 November 2018 in the Coastal Environment Centre, Narrabeen Commencing at 6:00pm

ATTENDANCE:

Committee Members

Cr Ian White (Chair)	
Cr Candy Bingham	
Cr Stuart Sprott	*(Joined at 6:27pm)*
Stephen Pearse	
Jim Koopman	
Merinda Rose	
Les Irwig	
Miranda Korzy	
Maryann Novakovic	
Kelvin Millsom	Northern Beaches Junior AFL Association, Manly Warringah Pittwater Sporting Union

Council Officer Contacts

Andrew Pigott	Executive Manager Strategic & Place Planning
Anne-Maree Newbery	Manager, Strategic and Place Planning
Sherryn McPherson	Governance Coordinator

1.0 APOLOGIES

Apologies were received from Councillor Regan, David Kerr, Steven Lawler, Caroline Ghatt, Suzanne Cairns, Sita Mason, Richard Michell and Mark Lowe.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of pecuniary or non-pecuniary conflicts of interest.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF PLACES FOR PEOPLE STRATEGIC REFERENCE GROUP MEETING HELD 13 SEPTEMBER 2018

Kevin Millsom / Les Irwig

That the Minutes of the Places for People Strategic Reference Group meeting held 13 September 2018, copies of which were previously circulated to all Members , are hereby confirmed as a true and correct record of the proceedings of that meeting.

4.0 UPDATE ON ACTIONS FROM LAST MEETING

1. A Pigott advised that the Employment Study will commence in early 2019. Updates will be provided to the group regarding this project.
2. A Newbery provided a brief update on the Thematic History Study:
    - The group has had two meetings to date.
    - The second workshop has been held and the historian provided a brief overview of the history that has been sourced.
    - Council would like to hear your stories about what life was like growing up on the Northern Beaches and to discover those less well known, hidden stories about the area.
    - To share your story, visit Council's Your Say page on the website, click on the link and write:
        - What do you think is significant about the history of the Northern Beaches?
        - What people have played a role in this history?
        - What are the most important local places (natural, historical and architectural)?

      The information will also be forwarded to our Local Studies Unit, to add to their valuable collection of resources on the history of the Northern Beaches.

      Comments close Sunday 16 December 2018.

5.0 AGENDA ITEMS

5.1 UPDATE ON INGLESIDE PRECINCT

NOTE 1: The group was reminded of their obligations in accordance with section 11 of the Terms of Reference, Model Code of Conduct for Strategic Reference Groups as the information being provided on this item is classified as confidential information:

g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

NOTE 2: Councillor Sprott joined the meeting at 6:27pm.

A Pigott provided an update to the group on this item and reminded members that the information provided during the presentation is confidential.

The group was advised of the Department of Planning and Environment (DPE) announcement that the proposed development plans for Ingleside will not proceed in its current form after an independent bushfire risk assessment found the 2016 draft plan would put future residents in danger. A copy of the press release can be viewed at:
https://www.planning.nsw.gov.au/News/2018/Safety-first-for-Ingleside

A discussion was held in regards to the information provided during the presentation and the following points were considered:

- State Environmental Planning Policy developments (SEPPs) in Terrey Hills, the current planning laws have changed since the establishment of the area and future housings will need to meet specific fire safety specifications during the construction stage.
- Council will aim to meet the 5 year housing target of 3400 dwellings (2016-2021) by the current developments being constructed in Warriewood, Frenches Forest and existing capacity in existing areas.
- Council will need to liaise with the Greater Sydney Commission and get a dispensation due to the changes in Ingleside. The housing targets are not set by Council in regard to district housing targets. Council will need to state that with Ingleside Precinct not proceeding, they will need to take this into consideration in regard to meeting current housing targets.
- Granny Flats are not currently counted by the Department of Planning as contributing towards our housing target. The Department only acknowledges dwellings by data received from Sydney Water which in most cases are counted as part of the main dwelling. It was suggested that the Department review this rule and use electricity instead of water. The majority of these dwellings have their own electricity boxes. This could assist with flats being acknowledged and meeting housing targets.
- Development contributions planned as part of the Ingleside Precinct was to include funding to acquire land for sports fields. As Ingleside will no longer be proceeding, there will be no funding for those sports fields and Council will be reviewing alternate options moving forward.

5.2 PITTWATER WATERWAY STRATEGY 2038 (DRAFT)

A Newberry provided an update to the group on this item.

A copy of the presentation *"Pittwater Waterway Strategy 2038 (Draft)"* was circulated to members in the Agenda.

A robust discussion was held in regards to the information provided during the presentation and the following points were discussed:

- The exhibition for the strategy will formally commence on 8 December 2018.
- The strategy will be available for comment on the Council's website, Customer Service Centres and Libraries.
- A range of activities will be undertaken in the Pittwater Ward commencing in January 2019 with key stakeholder to discuss the strategy.
- It was acknowledged that the Strategy does not discuss the controls, regulations and the effect of sea level change. It is mentioned that this is an issue and is important to the community.
- Information and details contained in the Strategy will also be defined by the Coastal Management Plan which will be placed on public exhibition in early 2019. This will provide additional statutory requirements. Once the exhibition closes there will be a report submitted to Council.
- Part of the directions and strategic aim is to focus on improving accessibility to the waterways in and around the foreshore.
- Sea walls; how they are constructed, maintained and managed.
- The increase in footpaths is very much supported by the community however can it be considered to be constructed with natural materials to blend into the environment.
- It would be beneficial to residents of the Local Government Area to review how moorings are managed and if this can be improved so they can be more effectively for the whole community.
- The group was encouraged to provide submissions during the public exhibition period which will close on the 3 February 2019.

5.3 MY PLACE: AVALON

NOTE: M Novakovic left the meeting at 7:07pm and did not return.

A Newberry provided an update to the group on this item.

A copy of the presentation *"My Place: Avalon"* was circulated to members in the Agenda. The members briefly discussed the following topics:

- What is My Place: Avalon.
- What have we done so far?
- Avalon Community Reference Group (CRG).
- Avalon CRG workshop Activity 2 – Values.
- Next Avalon CRG meeting and schedule for 2019.

5.4 NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN

A Pigott provided an update to the group on this item.

A copy of the presentation *"Northern Beaches Local Environment Plan"* was circulated to members in the Agenda.

A vigorous discussion was held in regards to the information provided during the presentation provided on the following topics:

- Planning framework for greater Sydney.
- District plan actions for Strategic and Place Planning.
- Local Environment Plan (LEP) Road Map.
- LEP Health Check (methodology and ranking).
- Local Strategic Planning Statement approach.
- Housing Strategy.

ACTION

That:

A. An extraordinary meeting be scheduled in addition to the proposed meeting date 06/02/2019 to provide input into the vision, priorities and actions for the draft Local Strategic Planning Statement.

B. This item be presented back to the group in 2019.

5.5 PLACES FOR PEOPLE STRATEGIC REFERENCE GROUP MEETING SCHEDULE FOR 2019

S McPherson provided a brief update to the group in regard to the 2019 Strategic Reference Group meeting schedule.

ACTION

The following meeting dates where noted by the group and invites are to be distributed to members:

Meeting	Meeting Date	Location
Places for People	13 February	Coastal Environment Centre, Narrabeen
Places for People	16 May	Coastal Environment Centre, Narrabeen
Places for People	15 August	Coastal Environment Centre, Narrabeen
Places for People	24 October	Coastal Environment Centre, Narrabeen

6.0 GENERAL BUSINESS

Nil.

SUMMARY OF ACTIONS

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
5.4	1. An extraordinary meeting be scheduled in addition to the proposed meeting date 06/02/2019 to provide input into the vision, priorities and actions for the draft Local Strategic Planning Statement. 2. This item be presented back to the group in 2019.	A Pigott / S McPherson	30/01/2019
5.5	2019 Meeting invites be distributed to members.	S McPherson	31/12/2018

The meeting concluded at 8:16pm.

This is the final page of the Minutes comprising 7 pages numbered 1 to 7 of the Places for People Strategic Reference Group meeting held on Thursday 29 November 2018 and confirmed on

northern beaches council

Community & Belonging
Strategic Reference Group

MINUTES

COMMUNITY & BELONGING
STRATEGIC REFERENCE GROUP

held in the Councillors Room, Manly on

WEDNESDAY 5 DECEMBER 2018

Minutes of the Community & Belonging Strategic Reference Group held on Wednesday 5 December 2018 in the Councillors Room, Manly Commencing at 6:06pm

ATTENDANCE:

Committee Members

Cr Candy Bingham (Chair)	
Cr Penny Philpott	
Cr Kylie Ferguson	
Cr Sarah Grattan	
Tamzin Lee	Community representative, arts, culture & youth
Roslyn Marsh	Avalon Preservation Association, arts & culture
Simon Moriaty	Community representative, Curl Curl Ward
Michelle Povah	Northern Beaches Child & Family Interagency
Diane Robbins	Lifeline
Samuel Wilkins	Community representative - Forest Ward, youth, arts & culture
Maria-Elena Chidzey	Community Northern Beaches Inc. (CNB), multi-cultural
Cathy Hockey	Community representative, disability
Lorrie Morgan	Community representative - Pittwater Ward, arts & culture
Margaret Shonk	Community representative - Manly Ward, mental health

Council Officer Contacts

Kylie Walshe	Executive Manager Community, Arts & Culture
Caroline Psaltis	Manager Community Centres
Robert van den Blink	Manager Social Planning & Community Development
Jessica Donkin	Systems & Program Support Officer
Renee Coull	Principal Planner
Annie Laing	Governance Officer

NOTE: Cr Bingham acknowledged the traditional custodians of the land on which the meeting gathered, and paid respect to Elders past and present.

1.0 APOLOGIES

Apologies were received from Susan Watson and Jennifer Wharton.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of pecuniary or non-pecuniary conflicts of interest.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF COMMUNITY & BELONGING STRATEGIC REFERENCE GROUP MEETING HELD 22 AUGUST 2018

That the Minutes of the Community & Belonging Strategic Reference Group meeting held 22 August 2018 are hereby confirmed as a true and correct record of the proceedings of that meeting.

R Marsh / M Chidzey

4.0 UPDATE ON ACTIONS FROM LAST MEETING

ACTION: K Walshe to investigate if there is a higher quality map of the Coast Walk.

5.0 AGENDA ITEMS

5.1 NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN

DISCUSSION

Renee Coull addressed the member on this item, the presentation was distributed in the Agenda. The following points were discussed:

- Over the next three years Council will be developing a new planning framework which will include a Local Strategic Planning Statement (LSPS) and a single Local Environmental Plan (LEP) for the Northern Beaches.
- The Local Strategic Planning Statement (LSPS) will establish a 20 year vision and priorities for the Northern Beaches which will 'give effect' (deliver) the Greater Sydney Commission's North District Plan and will also link to the Shape 2028 Northern Beaches Community Strategic Plan 2018 - 2028.
- The LSPS will then feed into the Local Environment Plan (LEP) which will include planning controls to guide development.
- The North District Plan includes a number of themes including infrastructure, liveability, productivity and sustainability. The LSPS must be consistent with the North District Plan.

- Council is working closely with State Government agencies.
- Technical studies are being undertaken to establish baseline data to inform strategic planning.
- Both the Northern District Plan and the LSPS are not static documents, they will be updated over time and feed into one another.

The group were advised that an extraordinary SRG meeting will be held during February 2019 (date to be confirmed) with consultants to enable members to be involved in the creation of the Northern Beaches LSPS.

5.2 SOCIAL PLANNING FRAMEWORK

DISCUSSION

Rob van den Blink addressed the meeting on this item. The presentation can be found in the Presentation Booklet. Key themes, which affect most demographic groups, may include, but are not limited to; social cohesion and inclusion, mental health, suicide prevention, livable, connected and supported communities. This element of the Social Planning Framework would be informed by rigorous and in-depth research to further identify issues and interrelationships that may affect particular demographic groups.

The Social Planning Framework is also envisaged to deliver a future series of discrete plans that will address any issues identified under the Social Plan which are impacting any specific demographic groups (e.g. youth, seniors, people with disability, multicultural).

The exact format for the Social Planning Framework is yet to be decided and will be determined on the basis of initial research as well as advice from the SRG.

There are three key drivers for this project:

1. The need to respond to the community's vision of creating a more connected community as per the Community Strategic Plan (CSP)
2. The need to create a strong evidence base that can support prioritisation and decision-making at a strategic level
3. The need for a consistent approach and shared reference that can facilitate collaboration, conversations, and partnerships with the community, service providers, and key stakeholders

The members discussed the three key questions around the project:

1. What research should Council consider?
    - Other areas that have done a framework before and done it successfully
    - people with disability, including autism
    - social isolation.
2. What are some examples of successful case studies?
    - City of Sydney
    - Manly and Warringah Councils had Youth Strategies and Pittwater Council had a Discussion Paper, these should still be considered

- UNICEF Children's Report for the United Nations which contains insight into disadvantage youth.

3. What should be included / excluded (scope)?

- The Community Grants Program is very beneficial. Timelines could be improved to give a full financial year for expenditure, along with further community education
- Co-ordinate networks if you have similar organisations or community groups.

5.3 COMMUNITY CENTRE STRATEGY

DISCUSSION

Caroline Psaltis addressed the meeting on this item. The presentation can be found in the Presentation Booklet.

Members discussed the following:

- The current Community Centres Policy is not completely outdated and could possibly be worked.
- Priority access criteria is very important although difficult to determine.
- Branding and marketing campaign is extremely important, there needs to be a one stop shop for users of community centres to communicate and connect.
- Signage makes community centres more accessible, recognisable and desirable.
- A more user friendly Community Centre Directory on Councils website would make it more accessible to hirers.
- Uniformed accessibility to equipment.
- Looked into other areas that can be used, potential to negotiate and integrate with other spaces.
- More clarity when referencing the word 'accessible', needs to encompass being both physically and equitably accessible.
- Clarity on bookings process, recognising historical bookings while understanding the need for equity of access.

5.4 2018 ACHIEVEMENTS OF THE SRG / KEY PRIORITIES FOR 2019

DISCUSSION

Councillor Bingham acknowledged the groups many contributions throughout 2018 on various Council projects.

5.5 COMMUNITY AND BELONGING STRATEGIC REFERENCE GROUP MEETING SCHEDULE FOR 2019

DISCUSSION

The 2019 Community and Belonging SRG meeting schedule is as follows:

Meeting	Meeting Date	Location
Community and Belonging	20 February	Councillors Room, Manly
Community and Belonging	22 May	Councillors Room, Manly
Community and Belonging	21 August	Councillors Room, Manly
Community and Belonging	30 October	Councillors Room, Manly

6.0 GENERAL BUSINESS

ACTION: Grants Funding Process to be an agenda item at the 20 February SRG meeting.

ACTION: Live Music to be an agenda item at the 20 February SRG meeting.

SUMMARY OF ACTIONS

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
4.0	K Walshe to investigate if there is a higher quality map of the Coast Walk.	K Walshe	20/02/2019
6.0	Grants Funding Process to be an agenda item at the 20 February SRG meeting.	Governance	20/02/2019
6.0	Live Music to be an agenda item at the 20 February SRG meeting.	Governance	20/02/2019

The meeting concluded at 8:04pm.

This is the final page of the Minutes comprising 6 pages
numbered 1 to 6 of the Community & Belonging Strategic Reference Group meeting
held on Wednesday 5 December 2018.

northern beaches council

Transport & Travel
Strategic Reference Group

MINUTES

TRANSPORT & TRAVEL
STRATEGIC REFERENCE GROUP

held in the Council Chambers, Manly Town Hall on

THURSDAY 06 DECEMBER 2018

Minutes of the Transport & Travel Strategic Reference Group held on Thursday 6 December 2018 in the Council Chambers, Manly Town Hall Commencing at 6:03pm

ATTENDANCE:

Committee Members

Cr Rory Amon	
Graeme Laughton	
Emma Tonkin	
Andrew Chivers *(arrived at 6:20pm)*	
Keith Povah	
Richard Saunders	Manly Warringah Cycling Club
Victor Konijn	

Observers

Glenn Moore	Newport Residents Association

Council Officer Contacts

Ben Taylor	General Manager Environment & Infrastructure
Craig Sawyer	Executive Manager Transport & Civil Infrastructure
Phillip Devon	Manager, Transport Network
Renee Coull	Principal Planner
Phillip Gray	Active Travel Officer
Michelle Carter	Active Travel Officer
Jasmine Evans	Governance Officer

1.0 APOLOGIES

Apologies were received from Cr Sarah Grattan, Mayor Michael Regan, Cr Kylie Ferguson, Wendy Dunnet, Mary Whalan, Peter Carruthers, Richard Saunders, Craig Smith and John Hawkings.

As the only Councillor present Rory Amon assumed the Chair.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of pecuniary or non-pecuniary conflicts of interest.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF TRANSPORT & TRAVEL STRATEGIC REFERENCE GROUP MEETING HELD 20 SEPTEMBER 2018

R Amon / V Konijn

That the Minutes of the Transport & Travel Strategic Reference Group meeting held 20 September 2018 be confirmed as a true and correct record of the proceedings of that meeting.

4.0 AGENDA ITEMS

4.1 TRANSPORT AND TRAVEL STRATEGIC REFERENCE GROUP MEETING SCHEDULE FOR 2019

DISCUSSION

The group suggested that the 31 October 2019 meeting be scheduled on another day to avoid any conflicts with Halloween.

ACTION

R Amon / E Tonkin

That:

A. The Transport and Travel Strategic Reference Group note the meeting schedule for 2019.

B. Governance review the meeting schedule and advise alternative dates for the October 2019 Transport & Travel Strategic Reference Group Meeting.

4.2 NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN

DISCUSSION

Renee Coull gave a presentation about the Northern Beaches Local Environment Plan and Local Strategic Planning Statement. The Northern Beaches Local Government Area currently has four Local Environment Plans and Council will be working over the next few years to combine them into a single Local Environment Plan. Council is also developing a Local Strategic Planning Statement which will guide strategic planning. She provided the group with an overview of the project roadmap and framework.

Council is currently organising an extraordinary Strategic Reference Group meetings for February 2019 and this group will be invited. Further Information will be provided in the new year.

Note: Andrew Chivers joined the meeting at 6:20pm.

ACTION

G Laughton / R Amon

That the Transport and Travel Strategic Reference Group:

A. Notes Council's Report from the 27 November 2018 and attached Local Environment Plan Review and Health Check.

B. Commits to provide input into the vision, priorities and actions for the draft Local Strategic Planning Statement via extraordinary SRG meetings to be scheduled early 2019.

4.3 SHARED MOBILITY POLICY

DISCUSSION

Phillip Devon provided an update on the draft Shared Mobility Policy. The policy will be going to Council in December to be placed on public exhibition. A copy of the policy will be provided to members for their information once the Council meeting papers have been published.

A member asked if drones are addressed in this policy and Phillip advised that they are not. The group suggested that drones and drone delivery be discussed at a future meeting.

ACTION

R Amon / K Povah

That:

A. The Transport and Travel Strategic Reference Group supports the development of shared mobility guidelines.

B. The Transport and Travel Strategic Reference Group continue to promote innovation in transport development on the Northern Beaches.

C. Council provide a copy of the draft Shared Mobility Policy to the Transport and Travel Strategic Reference Group members.

4.4 PARKING PLAN UPDATE

DISCUSSION

Phillip Devon provided a brief update on the Parking Plan. He advised that a discussion paper will be brought to the group for discussion at the next meeting in February 2019.

ACTION

A Chivers / E Tonkin

That the Chair of the Transport and Travel Strategic Reference Group dedicates the next meeting of the Transport and Travel Strategic Reference Group on 21 February 2019 to be a workshop to assist the Transport Network Team to finalise the draft parking plan.

4.5 TRANSPORT STRATEGY UPDATE

DISCUSSION

Phillip Devon advised that the Northern Beaches Transport Strategy was adopted at the November Council meeting. He thanked the group for all the work they put into the strategy and for their clear and useful advise.

The group asked if the Strategy now has to be adopted or endorsed by State Government and Phillip advised that only Council is required to adopt the strategy.

He also advised that the group will be provided with a printed bound copy of the Strategy shortly.

ACTION

R Amon / V Konijn

That the members of the Transport and Travel Strategic Reference Group:

A. Note the outcome of the Strategy development process that they have been an integral part of in setting the Vision and Future Direction for Transport on the Northern Beaches.

B. Receive a copy of the Final Strategy from Council.

C. Thank staff for their work on the strategy.

4.6 UPDATE ON THE DEVELOPMENT ON THE NORTHERN BEACHES BIKE PLAN

DISCUSSION

Phillip Gray gave a presentation on the development of the Northern Beaches Bike Plan. The presentation provided examples of new bicycle infrastructure in Sydney including new bike paths, improvements to signage, bike crossings, bike parking and repair stands.

Ben Taylor asked the group if they supported more bicycle infrastructure in the Northern Beaches and they indicated that they did. They also suggested that Council review bicycle parking, particularly around B-Line stops. They also provided feedback about a roundabout in Seaforth that isn't safe for bike riders because of poor night-time visibility and low branches.

A further update will be provided to the group in February 2019.

ACTION

G Laughton / V Povah

That the Transport and Travel Strategic Reference Group note the development of the Bike plan has commenced and a draft will be presented to the February 2019 meeting of the group.

4.7 WALKING PLAN UPDATE

DISCUSSION

Michelle Carter gave a presentation on the draft Northern Beaches Walking Plan. The plan provides the methodology for how Council prioritises the delivery of the future footpath network. The group were provided with a copy of the plan and maps outlining the prioritised footpath schedule for each ward.

The plan will be going to the December Council meeting to be placed on public exhibition. The group asked if the priority of a footpath can be changed after public exhibition and Michelle advised yes it could. The group also suggested that the plan could focus more on connectivity to public transport.

ACTION

R Amon / K Povah

That the Transport and Travel Strategic Reference Group:

A. Note the draft Walking Plan will be presented to Council to be endorsed to go on public exhibition at the December Meeting.

B. Note the draft footpath priority map.

C. Provide comment on the draft as part of the engagement process prior to the adoption by Council in early 2019.

5.0 GENERAL BUSINESS

The group asked if Council is considering a B-Line bus route for Warringah Rd and Phillip Devon advised they discussing this with RMS.

SUMMARY OF ACTIONS

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
4.1	Governance review the meeting schedule and advise alternative dates for the October 2019 Transport & Travel Strategic Reference Group Meeting.	Governance	21 Feb 2019
4.3	Council provide a copy of the draft Shared Mobility Policy to the Transport and Travel Strategic Reference Group members.	Governance / Phillip Devon	17 Dec 2019
4.4	That the Chair dedicates the next meeting on 21 February 2019 to be a workshop to assist the Transport Network Team to finalise the draft parking plan.	Cr Grattan / Phillip Devon	21 Feb 2019
4.5	SRG members receive a copy of the Final Transport Strategy from Council.	Phillip Devon	21 Dec 2019
4.7	Provide comment on the draft Walking Plan as part of the engagement process prior to the adoption by Council in early 2019.	SRG members	14 Jan 2019

The meeting concluded at 7:40pm

This is the final page of the Minutes comprising 7 pages
numbered 1 to 7 of the Transport & Travel Strategic Reference Group meeting
held on Thursday 6 December 2018

northern beaches council

Economic & Smart Communities
Strategic Reference Group

MINUTES

ECONOMIC & SMART COMMUNITIES STRATEGIC REFERENCE GROUP

held in the Council Chambers, Manly on

WEDNESDAY 12 DECEMBER 2018

Minutes of the Economic & Smart Communities Strategic Reference Group held on Wednesday 12 December 2018 in the Council Chambers, Manly Commencing at 6:00pm

ATTENDANCE:

Committee Members

Mayor Michael Regan (Chair)	Left the meeting at 6:10pm
Cr David Walton	
Cr Sue Heins	
Saul Carroll	Small local business
Andy West	
Stuart White	Microsoft Australia
Drew Johnson	Manly Business Chamber
Peter Middleton	Newport Residents Association
Ngaire Young	Northern Beaches Campus, TAFE NSW
Geri Moorman	
Gordon Lang	
Alan McNamara	
Alexander Coxon	

Council Officer Contacts

Kath McKenzie	Executive Manager, Community Engagement & Communications
Nathan Rogers	Chief Information Officer
Tamara Lukic	Governance Officer (Minutes)
Suzy Lawrence	Principal Planner
Campbell Pfeifer	Executive Manager Property
Claire Chaikin-Bryan	Project Manager, Business Performance Team
Deb Kempe	Team Leader, Economic Development & Tourism
Felicity Shonk	Economic Development Officer

Presenters

Brandon Williams	Discovery Technology

1.0 APOLOGIES

Cr Roslyn Harrison was an apology for the meeting.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Gordon Lang declared a less than significant non-pecuniary interest as he owns and operates a printing company and does a very minor amount of work for the Council.

Alan McNamara declared a less than significant non-pecuniary interest as the University of Technology Sydney is one of his clients.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF ECONOMIC & SMART COMMUNITIES STRATEGIC REFERENCE GROUP MEETING HELD 26 SEPTEMBER 2018

ACTION

D Johnson/P Middleton

That the Minutes of the Economic & Smart Communities Strategic Reference Group meeting held 26 September 2018,are hereby confirmed as a true and correct record of the proceedings of that meeting, subject to the following amendment of the Item 4.4 '*Outdoor Dining Policy and Implementation*' requested by Peter Middleton.

Emanating from the new Procurement policy, there was significant discussion on an area of even wider potential for Northern Beaches Council (NBC) input to local business success being the impact of dramatically increased access fees to outdoor areas for Food & Beverage retailers. This revealed concern throughout the NBC area with regard to both the level of the fees and the methods of arriving at those fees. Commitment was given to further investigate and research, with emphases on encouraging commercial viability and community facility. This is reflected in the inclusion of "4.4 Outdoor Dining Policy and Implementation" in the next meeting's Agenda.

4.0 AGENDA ITEMS

4.1 ECONOMIC AND SMART COMMUNITIES STRATEGIC REFERENCE GROUP MEETING SCHEDULE FOR 2019

DISCUSSION

Tamara Lukic provided the group with the 2019 Economic and Smart Communities Strategic Reference Group meeting schedule.

ACTION

S White/G Long

That:

A. The Economic & Smart Strategic Reference group note the meeting schedule for 2019.

B. The Economic & Smart Strategic Reference group revisit the dates in early 2019 for additional meetings if needed.

4.2 NORTHERN BEACHES LOCAL ENVIRONMENT PLAN

DISCUSSION

Suzy Lawrence presented on the Northern Beaches Local Environment Plan and Local Strategic Planning Statement. A copy of the presentation *"Northern Beaches Local Environment Plan"* was circulated to members in the Agenda.

The Northern Beaches Local Government Area currently has four Local Environment Plans and Council will be working over the next few years to combine them into a single Local Environment Plan. Council is also developing a Local Strategic Planning Statement which will guide strategic planning.

Following the presentation, the group discussed the importance of environmental safety as part of the project and agreed that all future targets and projects should take into consideration the availability of appropriate infrastructure whilst minimising impacts on the environment and local character.

ACTION

That the Economic & Smart Strategic Reference Group:

A. Note Cr Heins' request to Council to investigates and conducts 'Air Quality' measurement to get the hard data on pollution, in particular in Dee Why following all the construction work in the CBD, Pittwater Road.

B. Schedule an extraordinary meeting in addition to the proposed meeting date 06 Feb 2019 to provide input into the vision, priorities and actions for the draft Local Environment Plans.

4.3 DEMONSTRATION - SMART WIFI CAPEX PROJECT

DISCUSSION

Brandon Williams from Discovery Technology presented on the 'SMART WIFI CAPEX PROJECT'; Wi-Fi system for marketing opportunities. A copy of the presentation is at Attachment 1.

He presented on the following:

- The simplicity of the system and its easy usage.
- A feature that tracks and automatically picks up your/a location without having to log into the system.
- The ability to collect data without asking/requesting personal questions.
- That the Northern Beaches Council will be the first Council in Australian that will Certify the Wi-Fi system as safe for children.

B Williams also highlighted the benefits of:

- Using the collected data for marketing opportunities and improving local economic growth.
- Building patronage data to be able to promote events.
- The availability of valuable Council data and services that can be shared "do you know that you can park for 2 hours".

After the presentation, the group discussed the system's potential for local businesses. They addressed the benefits of getting it out to retailers, branding it, and marketing it while also promoting the Northern Beaches Wi-Fi. The group supported the proposal/idea that the program be trialled by advertising Council events in local areas.

4.4 OUTDOOR DINING POLICY AND IMPLEMENTATION

DISCUSSION

Campbell Pfeiffer provided an update on the draft Northern Beaches '*Outdoor Dining and Footpath Merchandise Policy*'.

This topic provided for a robust conversation and the following points were discussed:

- The group raised concern that the policy and increase in Outdoor Dining prices challenges the aim of the Economic & Smart Communities Strategic Reference Group.
- The risk of potential impact on tourism and community resulting in losing businesses and employment opportunities.
- The importance of balancing; keeping in mind the global tourist location and also supporting small local businesses and community.
- A member provided an example of a local surf club kiosk with a footwalk licence. The kiosk owner is waiting for the Council fees proposal to decide if they can stay open or close. The group agree that the community should have the ability to say no to high fees, to change it for the benefit of the community.
- Potential methods to protect small businesses who are at the harsh receiving end of the policy and high prices. The group suggested idea of 'Subsidy' to small businesses aimed at encouraging them and giving them the necessary tools.

ACTION

D Johnson/G Long

That:

A. A copy of the policy be distributed to the Economic & Smart Communities Strategic Reference Group when approved at the Council meeting.

B. The policy be considered as a possible mechanism for achieving the Economic & Smart Communities objectives.

4.5 SMART CITIES AND SUBURBS GRANT

DISCUSSION

Claire Chaikin-Bryan provided an update on the Smart Beach Infrastructure. A copy of the presentation is at Attachment 2.

The Smart Beaches project combines smart infrastructure technologies with advanced data analytics and machine learning to generate new real-time and forecasted insights into beach visitation and conditions. Professional lifeguards and coastal experts will validate data through a co-design process. Targeted Council, community and business engagement will deliver smart tools and data discovery to improve beach safety, activate coastal precincts and catalyse local innovation.

She provided further information on the project:

- The project will look at using technology on the beach to count people including being able to differentiate between people on the beach, laying down, swimming etc.
- The project will also look at using technology on the beach to read surf conditions and provide accurate local weather information.
- The project will use newly collected data, data from third parties (e.g. Bureau of Meteorology) and historical data to generate new real-time and forecasted insights into beach visitation and conditions.
- Research as part of the project will examine emerging beach technologies.
- A plan for scaling smart beaches technologies to other beaches will be delivered as part of the project.
- Anonymised data collected as part of the project will be made available to the public.
- A web application will be developed as part of the project to provide information on beach safety, conditions and visitation to the public.

C Chaikin-Bryan concluded in noting that the public participation through education, online consultation and creative elements in the beachscape will bring the project to life and the importance of discussion on technology and human element coming together and working together.

ACTION

That the Economic & Smart Communities Strategic Reference Group note the Smart Beaches project to be undertaken as part of Round 2 of the Smart Cities and Suburbs Program.

5.0 GENERAL BUSINESS

UPDATE ON MANLY INNOVATION HUB FEE WAIVER

F Shonk provided an overview on **SEVENmile** – Manly Venture LAB. It is a is a not-for-profit social enterprise supporting local community in launching new enterprises. The LAB is offering great opportunity for starting up with an intensive program in Feb 2019.

For more information:

The website is: https://www.sevenmile.org.au

There is a contact form on the website, otherwise contact Greg Twemlow directly at: greg@sevenmile.org.au

SUMMARY OF ACTIONS

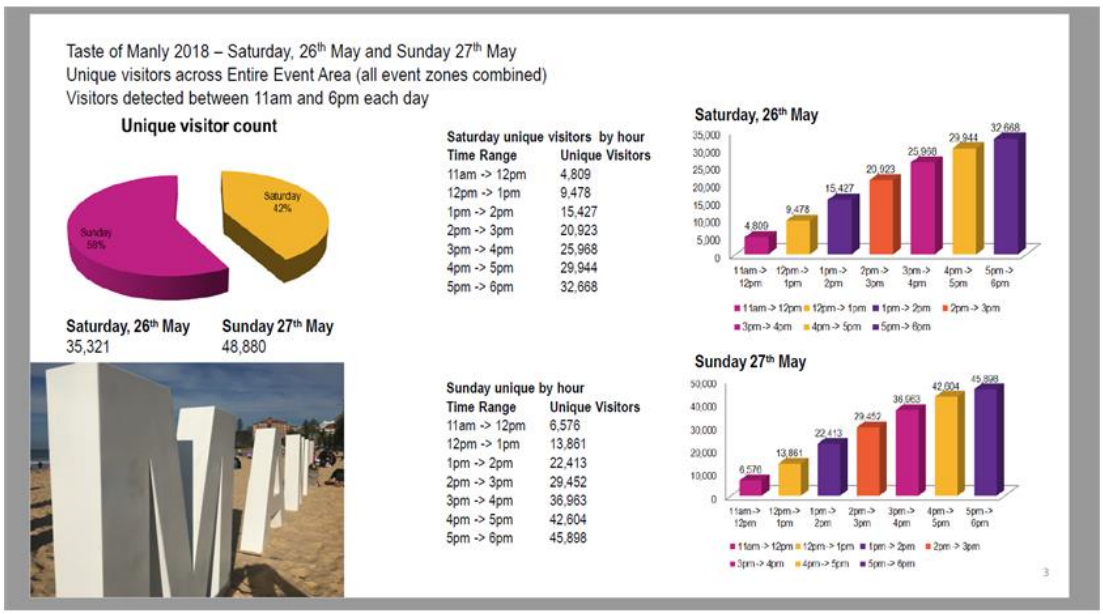
ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
4.1	Revisit meeting dates for additional if needed	Governance	Ongoing
4.2	Conduct an 'Air Quality' measurement to get the hard data on pollution, in particular in Dee Why following the construction work in CBD, Pittwater Road.	Unknown	Unknown
4.2	An extraordinary meeting be scheduled in addition to the proposed meeting date 06 Feb 2019 to provide input into the vision, priorities and actions for the draft Local Strategic Planning Statement.	S Lawrence / T Lukic	27/2/19
4.3	That the 'SMART WIFI CAPEX PROJECT'; Wi-Fi system be trialled by advertising Council events in local areas.	N Rogers	Ongoing
4.4	A copy of the Outdoor Dining and Footpath Merchandise Policy be distributed to the group once approved at the Council Meeting.	C Pfeiffer / T Lukic	Ongoing
4.4	The pricing policy be considered as a as possible mechanism achieving some of the goals of the Economic and committee objectives.	The group	Ongoing

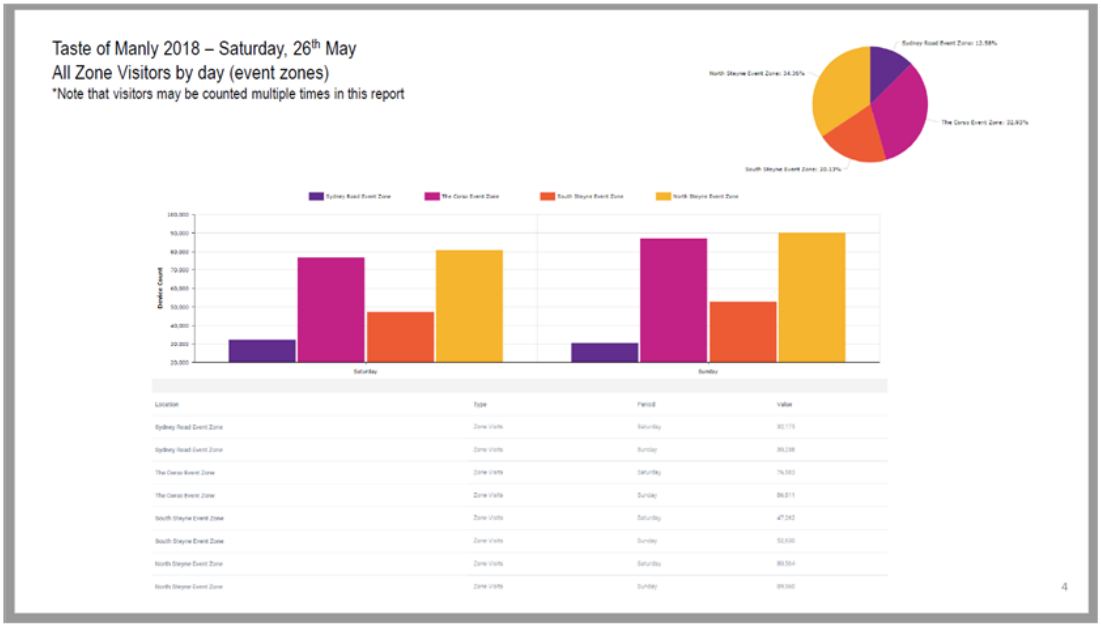
The meeting concluded at 8:15pm

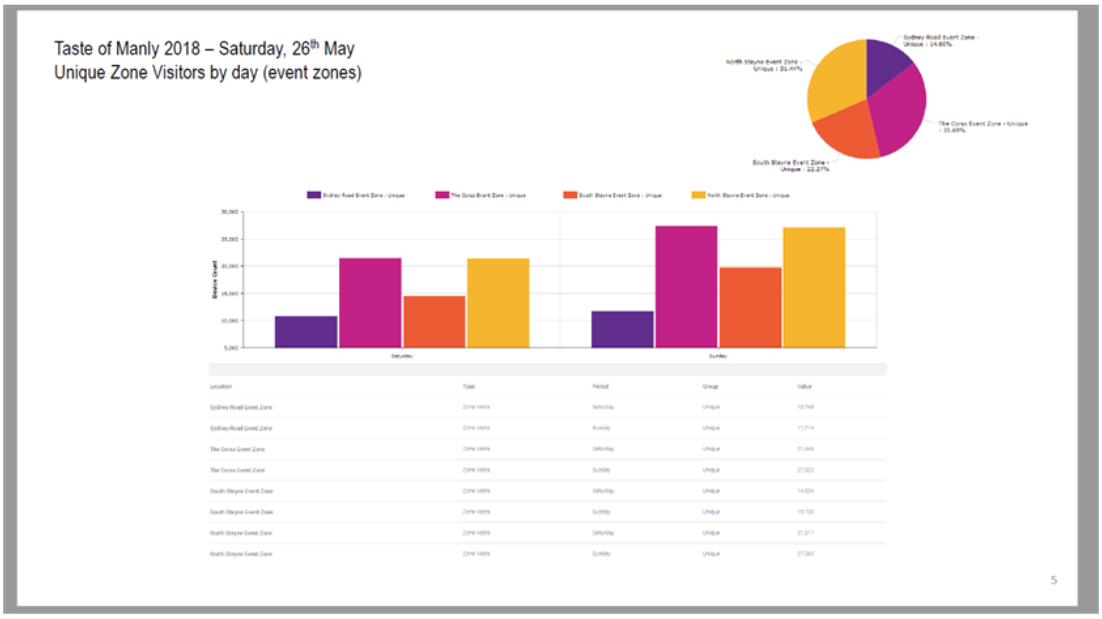
This is the final page of the Minutes comprising 8 pages
numbered 1 to 8 of the Economic & Smart Communities Strategic Reference Group meeting
held on Wednesday 12 December 2018 and confirmed on 27 February 2019.

Attachment 1

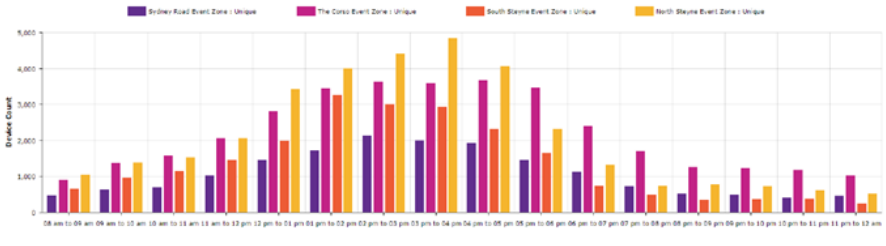
Taste of Manly 2018 Event Zones
North Steyne
Sydney Rd to the Corso
Manly Corso
South Steyne
SEA LIFE


Taste of Manly 2018 – Saturday, 26th May and Sunday 27th May
Unique visitors across Entire Event Area (all event zones combined)
Visitors detected between 11am and 6pm each day
Unique visitor count
Saturday 42%
Sunday 58%
Saturday, 26th May 35,321
Sunday 27th May 48,880
Saturday unique visitors by hour
Time Range | Unique Visitors
11am -> 12pm 4,809
12pm -> 1pm 9,478
1pm -> 2pm 15,427
2pm -> 3pm 20,923
3pm -> 4pm 25,968
4pm -> 5pm 29,944
5pm -> 6pm 32,668
Saturday, 26th May
Sunday unique by hour
Time Range | Unique Visitors
11am -> 12pm 6,576
12pm -> 1pm 13,861
1pm -> 2pm 22,413
2pm -> 3pm 29,452
3pm -> 4pm 36,963
4pm -> 5pm 42,604
5pm -> 6pm 45,898
Sunday 27th May


Taste of Manly 2018 – Saturday, 26th May
All Zone Visitors by day (event zones)
*Note that visitors may be counted multiple times in this report
4


Taste of Manly 2018 – Saturday, 26th May
Unique Zone Visitors by day (event zones)
5

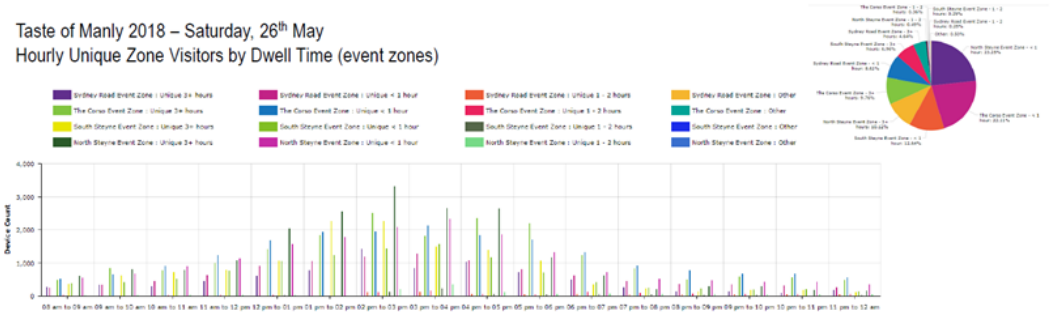
Taste of Manly 2018 – Saturday, 26th May
Unique Zone Visitors by hour (event zones)



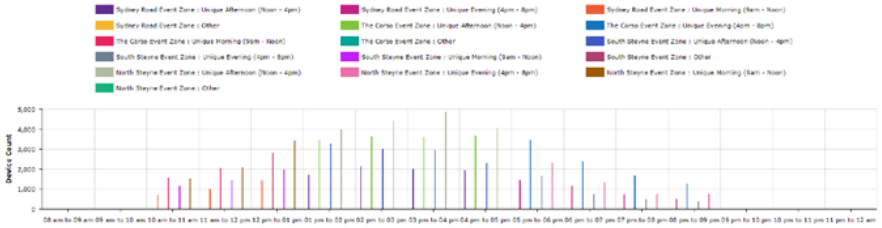
Location	Period	Value	Location	Period	Value	Location	Period	Value	Location	Period	Value
Sydney Road Event Zone	08 am to 09 am	470	The Corso Event Zone	08 am to 09 am	893	South Steyne Event Zone	08 am to 09 am	657	North Steyne Event Zone	08 am to 09 am	1044
Sydney Road Event Zone	09 am to 10 am	633	The Corso Event Zone	09 am to 10 am	1371	South Steyne Event Zone	09 am to 10 am	962	North Steyne Event Zone	09 am to 10 am	1378
Sydney Road Event Zone	10 am to 11 am	690	The Corso Event Zone	10 am to 11 am	1571	South Steyne Event Zone	10 am to 11 am	1146	North Steyne Event Zone	10 am to 11 am	1530
Sydney Road Event Zone	11 am to 12 pm	1022	The Corso Event Zone	11 am to 12 pm	2055	South Steyne Event Zone	11 am to 12 pm	1440	North Steyne Event Zone	11 am to 12 pm	2065
Sydney Road Event Zone	12 pm to 01 pm	1444	The Corso Event Zone	12 pm to 01 pm	2817	South Steyne Event Zone	12 pm to 01 pm	1975	North Steyne Event Zone	12 pm to 01 pm	3422
Sydney Road Event Zone	01 pm to 02 pm	1718	The Corso Event Zone	01 pm to 02 pm	3448	South Steyne Event Zone	01 pm to 02 pm	3248	North Steyne Event Zone	01 pm to 02 pm	3998
Sydney Road Event Zone	02 pm to 03 pm	2145	The Corso Event Zone	02 pm to 03 pm	3631	South Steyne Event Zone	02 pm to 03 pm	3006	North Steyne Event Zone	02 pm to 03 pm	4423
Sydney Road Event Zone	03 pm to 04 pm	2003	The Corso Event Zone	03 pm to 04 pm	3592	South Steyne Event Zone	03 pm to 04 pm	2940	North Steyne Event Zone	03 pm to 04 pm	4846
Sydney Road Event Zone	04 pm to 05 pm	1701	The Corso Event Zone	04 pm to 05 pm	3443	South Steyne Event Zone	04 pm to 05 pm	2043	North Steyne Event Zone	04 pm to 05 pm	3596
Sydney Road Event Zone	05 pm to 06 pm	1199	The Corso Event Zone	05 pm to 06 pm	3133	South Steyne Event Zone	05 pm to 06 pm	1416	North Steyne Event Zone	05 pm to 06 pm	1934
Sydney Road Event Zone	06 pm to 07 pm	1084	The Corso Event Zone	06 pm to 07 pm	2289	South Steyne Event Zone	06 pm to 07 pm	679	North Steyne Event Zone	06 pm to 07 pm	1233
Sydney Road Event Zone	07 pm to 08 pm	510	The Corso Event Zone	07 pm to 08 pm	1189	South Steyne Event Zone	07 pm to 08 pm	302	North Steyne Event Zone	07 pm to 08 pm	522

6

Taste of Manly 2018 – Saturday, 26th May
Hourly Unique Zone Visitors by Dwell Time (event zones)

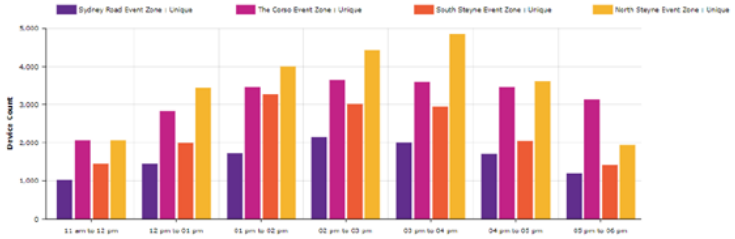


Hourly Unique Zone Visitors by Entry Time (event zones)



7

Taste of Manly 2018 – Saturday, 26th May
Unique Zone Visitors by hour between 11:00am and 6:00pm (event zones)



Location	Period	Value
Sydney Road Event Zone	11 am to 12 pm	1,022
Sydney Road Event Zone	12 pm to 01 pm	1,444
Sydney Road Event Zone	01 pm to 02 pm	1,718
Sydney Road Event Zone	02 pm to 03 pm	2,145
Sydney Road Event Zone	03 pm to 04 pm	2,003
Sydney Road Event Zone	04 pm to 05 pm	1,701
Sydney Road Event Zone	05 pm to 06 pm	1,199
		11,232

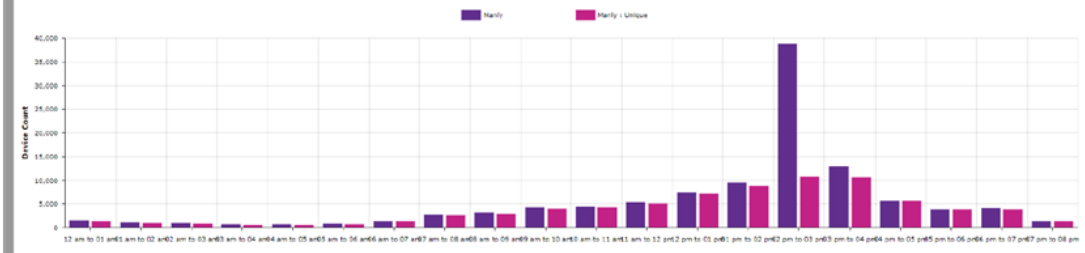
Location	Period	Value
The Corso Event Zone	11 am to 12 pm	2,055
The Corso Event Zone	12 pm to 01 pm	2,817
The Corso Event Zone	01 pm to 02 pm	3,448
The Corso Event Zone	02 pm to 03 pm	3,631
The Corso Event Zone	03 pm to 04 pm	3,592
The Corso Event Zone	04 pm to 05 pm	3,443
The Corso Event Zone	05 pm to 06 pm	3,133
		22,119

Location	Period	Value
South Steyne Event Zone	11 am to 12 pm	1,440
South Steyne Event Zone	12 pm to 01 pm	1,975
South Steyne Event Zone	01 pm to 02 pm	3,248
South Steyne Event Zone	02 pm to 03 pm	3,006
South Steyne Event Zone	03 pm to 04 pm	2,940
South Steyne Event Zone	04 pm to 05 pm	2,043
South Steyne Event Zone	05 pm to 06 pm	1,416
		16,068

Location	Period	Value
North Steyne Event Zone	11 am to 12 pm	2,065
North Steyne Event Zone	12 pm to 01 pm	3,422
North Steyne Event Zone	01 pm to 02 pm	3,998
North Steyne Event Zone	02 pm to 03 pm	4,423
North Steyne Event Zone	03 pm to 04 pm	4,846
North Steyne Event Zone	04 pm to 05 pm	3,596
North Steyne Event Zone	05 pm to 06 pm	1,934
		24,284

8

Taste of Manly 2018 – Saturday, 26th May
All Site Visits vs. Unique Visits (entire Manly area)



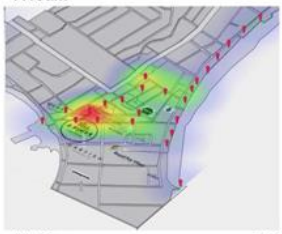
Location	Period	All	Unique
Manly	12 am to 01 am	1451	1292
Manly	01 am to 02 am	968	855
Manly	02 am to 03 am	835	734
Manly	03 am to 04 am	659	538
Manly	04 am to 05 am	615	529
Manly	05 am to 06 am	737	638
Manly	06 am to 07 am	1308	1197
Manly	07 am to 08 am	2637	2469
Manly	08 am to 09 am	3083	2885
Manly	09 am to 10 am	4192	3917

Location	Period	All	Unique
Manly	10 am to 11 am	4435	4157
Manly	11 am to 12 pm	5303	4995
Manly	12 pm to 01 pm	7468	7070
Manly	01 pm to 02 pm	9414	8797
Manly	02 pm to 03 pm	38796	10699
Manly	03 pm to 04 pm	12788	10532
Manly	04 pm to 05 pm	5585	5585
Manly	05 pm to 06 pm	3787	3784
Manly	06 pm to 07 pm	4039	3712
Manly	07 pm to 08 pm	1253	1253

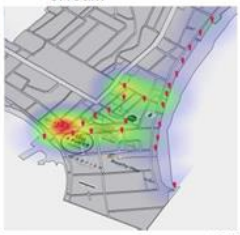
9

Taste of Manly 2018 – Saturday, 26th May
Location Heatmaps

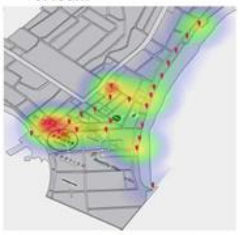
7:15am



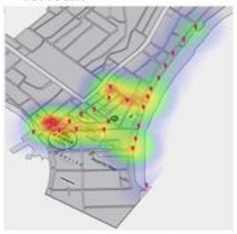
8:15am



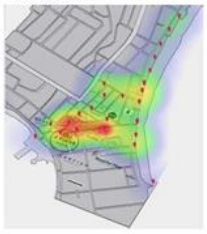
9:15am



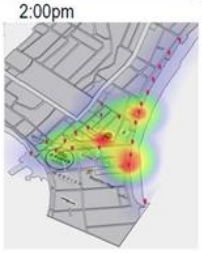
10:15am



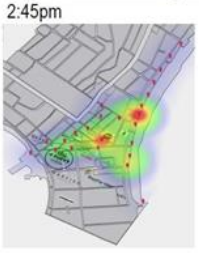
11:15am



2:00pm

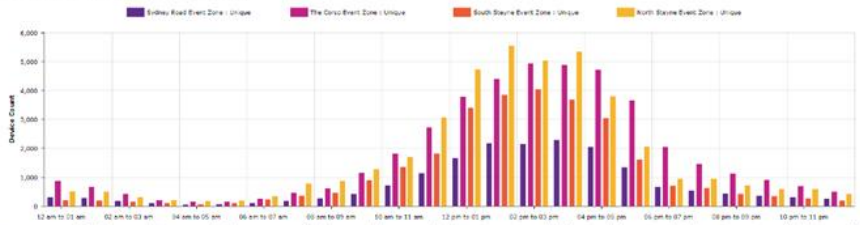


2:45pm



10

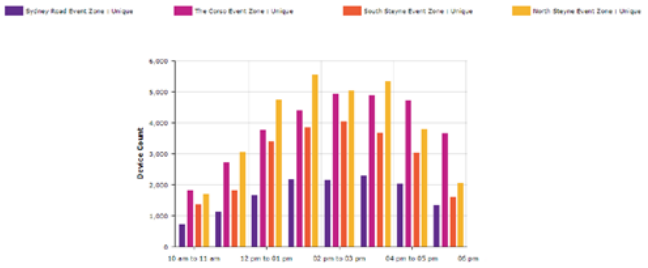
Taste of Manly 2018 – Sunday, 27th May
Unique Zone Visitors by hour (event zones)



Location	Period	Value	Location	Period	Value	Location	Period	Value	Location	Period	Value
Sydney Road Event Zone	12 am to 01 am	309	The Corso Event Zone	12 am to 01 am	866	South Steyne Event Zone	12 am to 01 am	207	North Steyne Event Zone	12 am to 01 am	516
Sydney Road Event Zone	01 am to 02 am	292	The Corso Event Zone	01 am to 02 am	665	South Steyne Event Zone	01 am to 02 am	193	North Steyne Event Zone	01 am to 02 am	499
Sydney Road Event Zone	02 am to 03 am	169	The Corso Event Zone	02 am to 03 am	416	South Steyne Event Zone	02 am to 03 am	159	North Steyne Event Zone	02 am to 03 am	297
Sydney Road Event Zone	03 am to 04 am	100	The Corso Event Zone	03 am to 04 am	214	South Steyne Event Zone	03 am to 04 am	98	North Steyne Event Zone	03 am to 04 am	210
Sydney Road Event Zone	04 am to 05 am	46	The Corso Event Zone	04 am to 05 am	143	South Steyne Event Zone	04 am to 05 am	66	North Steyne Event Zone	04 am to 05 am	178
Sydney Road Event Zone	05 am to 06 am	55	The Corso Event Zone	05 am to 06 am	151	South Steyne Event Zone	05 am to 06 am	87	North Steyne Event Zone	05 am to 06 am	180
Sydney Road Event Zone	06 am to 07 am	93	The Corso Event Zone	06 am to 07 am	254	South Steyne Event Zone	06 am to 07 am	221	North Steyne Event Zone	06 am to 07 am	346
Sydney Road Event Zone	07 am to 08 am	174	The Corso Event Zone	07 am to 08 am	449	South Steyne Event Zone	07 am to 08 am	351	North Steyne Event Zone	07 am to 08 am	775
Sydney Road Event Zone	08 am to 09 am	266	The Corso Event Zone	08 am to 09 am	611	South Steyne Event Zone	08 am to 09 am	447	North Steyne Event Zone	08 am to 09 am	865
Sydney Road Event Zone	09 am to 10 am	418	The Corso Event Zone	09 am to 10 am	1144	South Steyne Event Zone	09 am to 10 am	883	North Steyne Event Zone	09 am to 10 am	1282
Sydney Road Event Zone	10 am to 11 am	726	The Corso Event Zone	10 am to 11 am	1803	South Steyne Event Zone	10 am to 11 am	1355	North Steyne Event Zone	10 am to 11 am	1692
Sydney Road Event Zone	11 am to 12 pm	1126	The Corso Event Zone	11 am to 12 pm	2717	South Steyne Event Zone	11 am to 12 pm	1815	North Steyne Event Zone	11 am to 12 pm	3050
Sydney Road Event Zone	12 pm to 01 pm	1656	The Corso Event Zone	12 pm to 01 pm	3765	South Steyne Event Zone	12 pm to 01 pm	3391	North Steyne Event Zone	12 pm to 01 pm	4728
Sydney Road Event Zone	01 pm to 02 pm	2168	The Corso Event Zone	01 pm to 02 pm	4404	South Steyne Event Zone	01 pm to 02 pm	3857	North Steyne Event Zone	01 pm to 02 pm	5553
Sydney Road Event Zone	02 pm to 03 pm	2142	The Corso Event Zone	02 pm to 03 pm	4932	South Steyne Event Zone	02 pm to 03 pm	4043	North Steyne Event Zone	02 pm to 03 pm	5036
Sydney Road Event Zone	03 pm to 04 pm	2280	The Corso Event Zone	03 pm to 04 pm	4894	South Steyne Event Zone	03 pm to 04 pm	3686	North Steyne Event Zone	03 pm to 04 pm	5348
Sydney Road Event Zone	04 pm to 05 pm	2046	The Corso Event Zone	04 pm to 05 pm	4718	South Steyne Event Zone	04 pm to 05 pm	3030	North Steyne Event Zone	04 pm to 05 pm	3801
Sydney Road Event Zone	05 pm to 06 pm	1342	The Corso Event Zone	05 pm to 06 pm	3664	South Steyne Event Zone	05 pm to 06 pm	1604	North Steyne Event Zone	05 pm to 06 pm	2064
Sydney Road Event Zone	06 pm to 07 pm	652	The Corso Event Zone	06 pm to 07 pm	2032	South Steyne Event Zone	06 pm to 07 pm	691	North Steyne Event Zone	06 pm to 07 pm	951
Sydney Road Event Zone	07 pm to 08 pm	528	The Corso Event Zone	07 pm to 08 pm	1460	South Steyne Event Zone	07 pm to 08 pm	617	North Steyne Event Zone	07 pm to 08 pm	938
Sydney Road Event Zone	08 pm to 09 pm	441	The Corso Event Zone	08 pm to 09 pm	1106	South Steyne Event Zone	08 pm to 09 pm	414	North Steyne Event Zone	08 pm to 09 pm	711
Sydney Road Event Zone	09 pm to 10 pm	352	The Corso Event Zone	09 pm to 10 pm	905	South Steyne Event Zone	09 pm to 10 pm	346	North Steyne Event Zone	09 pm to 10 pm	580
Sydney Road Event Zone	10 pm to 11 pm	305	The Corso Event Zone	10 pm to 11 pm	684	South Steyne Event Zone	10 pm to 11 pm	263	North Steyne Event Zone	10 pm to 11 pm	577
Sydney Road Event Zone	11 pm to 12 am	243	The Corso Event Zone	11 pm to 12 am	498	South Steyne Event Zone	11 pm to 12 am	197	North Steyne Event Zone	11 pm to 12 am	412

11

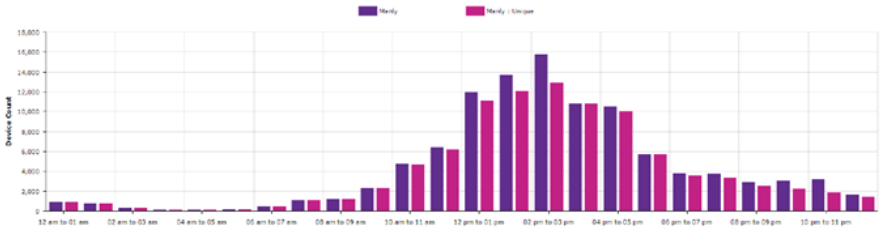
Taste of Manly 2018 – Sunday, 27th May
Unique Zone Visitors by hour between 11:00am and 6:00pm (event zones)



Location	Period	Value	Location	Period	Value	Location	Period	Value	Location	Period	Value
Sydney Road Event Zone	11 am to 12 pm	1126	The Corso Event Zone	11 am to 12 pm	2717	South Steyne Event Zone	11 am to 12 pm	1815	North Steyne Event Zone	11 am to 12 pm	3050
Sydney Road Event Zone	12 pm to 01 pm	1656	The Corso Event Zone	12 pm to 01 pm	3765	South Steyne Event Zone	12 pm to 01 pm	3391	North Steyne Event Zone	12 pm to 01 pm	4728
Sydney Road Event Zone	01 pm to 02 pm	2168	The Corso Event Zone	01 pm to 02 pm	4404	South Steyne Event Zone	01 pm to 02 pm	3857	North Steyne Event Zone	01 pm to 02 pm	5553
Sydney Road Event Zone	02 pm to 03 pm	2142	The Corso Event Zone	02 pm to 03 pm	4932	South Steyne Event Zone	02 pm to 03 pm	4043	North Steyne Event Zone	02 pm to 03 pm	5036
Sydney Road Event Zone	03 pm to 04 pm	2280	The Corso Event Zone	03 pm to 04 pm	4894	South Steyne Event Zone	03 pm to 04 pm	3686	North Steyne Event Zone	03 pm to 04 pm	5348
Sydney Road Event Zone	04 pm to 05 pm	2046	The Corso Event Zone	04 pm to 05 pm	4718	South Steyne Event Zone	04 pm to 05 pm	3030	North Steyne Event Zone	04 pm to 05 pm	3801
Sydney Road Event Zone	05 pm to 06 pm	1342	The Corso Event Zone	05 pm to 06 pm	3664	South Steyne Event Zone	05 pm to 06 pm	1604	North Steyne Event Zone	05 pm to 06 pm	2064

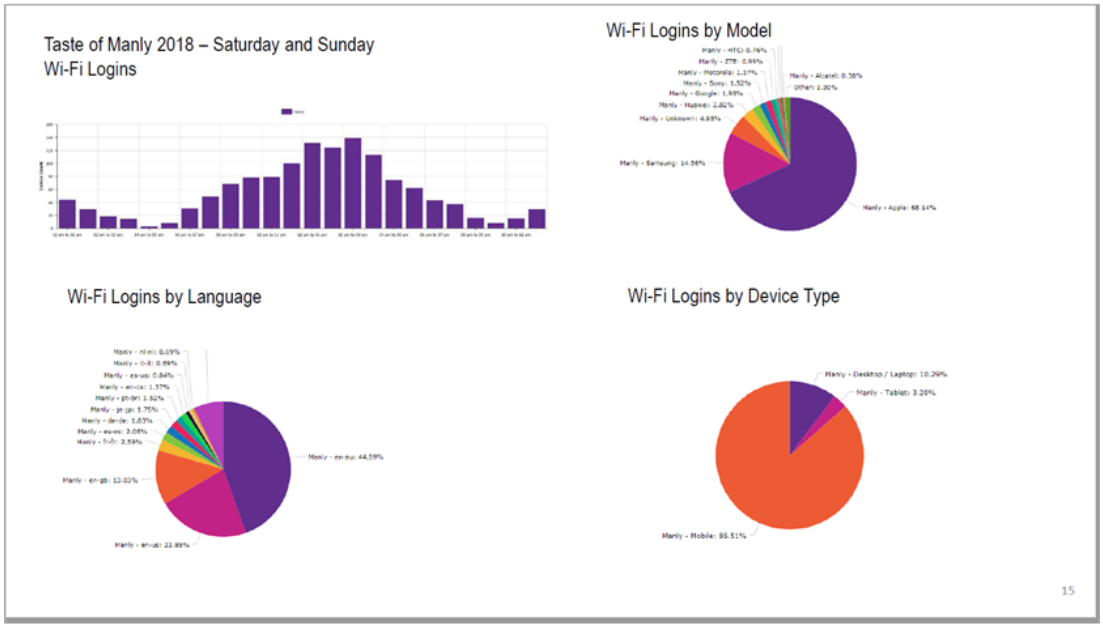
12

Taste of Manly 2018 – Sunday, 27th May
All Site Visits vs. Unique Visits (entire Manly area)



Location	Period	All	Unique	Location	Period	All	Unique
Manly	12 am to 01 am	895	895	Manly	12 pm to 01 pm	11934	11068
Manly	01 am to 02 am	720	720	Manly	01 pm to 02 pm	13706	12045
Manly	02 am to 03 am	285	285	Manly	02 pm to 03 pm	15724	12887
Manly	03 am to 04 am	138	138	Manly	03 pm to 04 pm	10831	10812
Manly	04 am to 05 am	114	114	Manly	04 pm to 05 pm	10534	10001
Manly	05 am to 06 am	167	167	Manly	05 pm to 06 pm	5739	5726
Manly	06 am to 07 am	460	460	Manly	06 pm to 07 pm	3813	3556
Manly	07 am to 08 am	1051	1051	Manly	07 pm to 08 pm	3719	3344
Manly	08 am to 09 am	1217	1217	Manly	08 pm to 09 pm	2872	2471
Manly	09 am to 10 am	2334	2334	Manly	09 pm to 10 pm	3078	2182
Manly	10 am to 11 am	4781	4616	Manly	10 pm to 11 pm	3158	1868
Manly	11 am to 12 pm	6416	6180	Manly	11 pm to 12 am	1651	1399

14


Taste of Manly 2018 – Saturday and Sunday
Wi-Fi Logins
Wi-Fi Logins by Model
Wi-Fi Logins by Language
Wi-Fi Logins by Device Type
15

Attachment 2

Smart Beaches Project

Project Outcomes

- Safer and cleaner beaches
- Better beach facilities
- Improved provision of beach safety services
- Community digital literacy and participation
- Integrated smart beach analysis and sharing platform

Challenges Being Addressed By The Project

- Lack of accurate timely information for local beach conditions and rapid dissemination
- Lack of real-time and forecasted usage of beach assets and public spaces for efficient and responsive provision of beach services
- Public engagement in improving and understanding beach safety
- Building Council operational staff capacity to use smart technologies

Partner Meet and Greet Manly 4th Dec

northern beaches council

Environment
Strategic Reference Group

MINUTES

ENVIRONMENT
STRATEGIC REFERENCE GROUP

held in the Coastal Environment Centre, Narrabeen on

THURSDAY 13 DECEMBER 2018

Minutes of the Environment Strategic Reference Group held on Thursday 13 December 2018 in the Coastal Environment Centre, Narrabeen Commencing at 6:10pm

ATTENDANCE:

Committee Members

Cr Alex McTaggart (Chair)	
Cr Natalie Warren	
Cr Pat Daley	
Cr Stuart Sprott	
Sophie Scott	
Roberta Conroy	Bayview Church Point Residents Association
Alan Jones	
Tom Hazell	
David Tribe	
Anthony Petrolo	
Nigel Howard	
Marita Macrae	Pittwater Natural Heritage Association
Jacqueline Marlow	Friends of Narrabeen Lagoon Catchment
Billy Bragg	
Scott Markich	

Council Officer Contacts

Todd Dickinson	Executive Manager Natural Environment & Climate Change
Adrian Turnbull	Manager Coast and Catchments
Jacqueline Grove	Manager Environment, Resilience and Climate Change
Kara Taylor	Senior Sustainability Officer
Ximena Von Oven	Governance Officer

1.0 APOLOGIES

Apologies were received from Viktorija McDonell

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of pecuniary or non-pecuniary conflicts of interest.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF ENVIRONMENT STRATEGIC REFERENCE GROUP MEETING HELD 27 SEPTEMBER 2018

RECOMMENDATION

That the Minutes of the Environment Strategic Reference Group meeting held 27 September 2018, copies of which were previously circulated to all Members , are hereby confirmed as a true and correct record of the proceedings of that meeting.

A Jones/ M Macrae

4.0 UPDATE ON ACTIONS FROM LAST MEETING

4.1 ACTIONS FROM PREVIOUS MEETING

DISCUSSION

The group reviewed the actions from the previous meeting and confirmed the following have been completed:

- Manly Environment Centre topic to be placed on the 13 December 2018 SRG Agenda
- Executive Manager, Natural Environment and Climate Change to forward the final submission on the proposed Marine Park for the Hawkesbury Shelf marine bioregion to the SRG.
- Distribute an electronic version of Nigel Howard's presentation to the group

NOTE

- Cr Warren highlighted information regarding Notice of Motion No 72/2018 - Formal Opposition to the Adani Carmichael Coal Mine which will be presented on 18 December Council Meeting. SRG members were invited to attend the Council Meeting.
- Cr Daley highlighted information about Notice of Motion No 68/2018 - Return of East Esplanade to 24 Hours Alcohol Free Zone. It was highlighted that there is a great deal of concern regarding the impact that glass bottles left on the grass have on the environment.

5.0 AGENDA ITEMS

5.1 NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN

Suzy Lawrence, Principal Planner provided a presentation regarding the Northern Beaches Local Environment Plan.

The following points were discussed:

- Background
- Aim of the Plan
- Plan is land focussed (20 year vision)
- Redevelopment of the Planning Framework
- It is not a static document, it will be updated regularly
- Sits alongside Council's Community Strategic Plan
- Planning framework for greater Sydney
- Local Environmental Plan Road Map
- Housing Strategies
- Increased population and climate change
- Priorities regarding protecting waterways, bushland and natural hazards
- Environment Study
- Next Steps – drafting of a new Local Strategic Planning Statement

The following questions were raised:

- Will population around the Northern Beaches continue to grow?
- Interactions between climate change and population?
- How is Council going to respond to sea level rise and severe impacts of climate change envisaged in the future?
- How will Council deal with competing aspirations within the Transport Strategy?
- Will Council be considering areas for smaller lot housing when developing the Housing Strategy?
- How will Council address the increase in building footprints and the impact on stormwater and waterways?
- Is there a possibility to reducing the permissible site coverage with regards to house driveways?

NOTES:

- Workshops will be held early February 2019 - SRG members will be invited to participate.
- Focus Group – to be held in March 2019.

- A community brochure including information about the Housing Strategy will be circulated to the community in due course.

Cr Daley left the meeting at 6:51pm

ACTIONS

- Council to inform the community about the process and steps undertaken to prepare the Northern Beaches Local Environmental Plan.
- That the Environment Strategic Reference Group commits to providing input into the vision, priorities and actions for the draft Local Environment Plans via extraordinary meetings to be scheduled early 2019.

NOTE:

Item 5.3 was discussed after Item 5.1.

5.3 NORTHERN BEACHES COUNCIL ENVIRONMENT CENTRES

DISCUSSION

T Dickinson, Executive Manager Natural Environment & Climate Change provided a presentation in relation to this topic. Mr Dickinson discussed the importance of maintaining a strategic view of the Centres and their future, and also being sensitive to the staff involved at the Centres who have a proud history of achievement over many years. The following points were presented to the Group:

- Overview of the Coastal Environment Centre (CEC) and the Manly Environment Centre (MEC)
- School and community programs in operating in each Centre
- Functions/services in each Centre
- Budgets/expenditure for in each Centre
- Community interactions with each Centre
- How does Council align the centres to what the community needs are in the future?

As both Environment Centres are operating in a different way, feedback was sought from the Group around a number of key questions:

- What services do you and your networks value?
- Are the services/ functions aligned to what we know about our community?
- Are the Centres set up to deliver on our Environment Strategy and CSP goals?
- Should the services be different in each location?

SRG members raised the following points with regards to this topic:

- Should environment centres continue to operate geographically? Or should centres operate together?
- It was suggested that Council should consider locating Centres within or next to a Northern Beaches Council Library in order to reach a diverse range of community members

(i.e. particularly mums)

- Council should provide information about which schools participate in the programs run by the Coastal Environment Centres and whether there are other funding opportunities from the schools
- There should be a stronger direction with regards to the programs offered at each Centre i.e. they are operating consistent with strategic goals
- The centres could be used to educate community members about climate change mitigation and adaptation
- Programs and information provided at each Centre should be appealing not only to school demographic but to the broadest range of community members we can
- Both Centres should be focusing in having information available in digital format. However, should also recognise that not everyone has access to or is comfortable with digital communication/format
- Each Centre could cater their services to be more focused on a particular subject or could offer same/similar services at each
- Centres should continue to have Council staff available, as face to face customer service and interaction amongst community members is important

The aim of this presentation was to gather feedback in order to start exploring what opportunities there are to make the Centres as accessible as possible to the community.

NOTES:

- SRG members thanked current and past staff of the Coastal Environment Centre (CEC) and the Manly Environment Centre (MEC) for their services and great work provided.

J Marlow / M Mcrae

Cr Sprott left the meeting at 7:25pm.

5.2 DUNES CONDITION TECHNICAL REPORT

DISCUSSION

Adrian Turnbull, Manager Coast & Catchments, provided a presentation about this topic. The following points were discussed:

- Project overview
- Aim of the project is to gain current and consistent information on dunes conditions in order to develop a dune and vegetation condition assessment suitable for the Local Government area.
- Key focus of dune management relates to weed control, improving wildlife corridors and an overall protection and improvement of dunes.
- Methodology used to define the study area, dunes and dune bays
- Results of the assessment were presented to the SRG members
- Next Steps

A Dune Strategy is currently being prepared. SRG members were consulted about their interest in participating providing information and feedback on this topic with regards to what areas Council should be prioritising for the preparation of the Strategy. SRG members agreed to participate.

ACTION

A Turnbull to report back to the Environment SRG with regards to this topic at a future meeting.

5.4 DRAFT NORTHERN BEACHES ENVIRONMENT STRATEGY

DISCUSSION

Jaqueline Grove, Manager Environment Resilience & Climate Change and Kara Taylor, Senior Sustainability Officer provided a presentation on this Item. The following points were discussed:

- Internal, external workshops and focus groups have been held in order to gather feedback to develop the Draft Northern Beaches Environment Strategy
- Internal workshops covered a variety of topics being the main ones: climate change, bushland, coast, waterways and catchments, biodiversity, natural hazards and carbon and water use
- As a result of the workshops it was noticed that education, engagement and collaboration are key drivers to changing behaviours and help to deliver aspirations
- First draft of the objectives, aspirations and future directions and revised framework has been developed
- The working draft will be sent to SRG members before Christmas for a four week review period
- Once comments have been considered, and further amendments made, the draft document will be finalised and professionally design ready for public exhibition
- Draft Objectives
    - Protect – bushland, biodiversity and coast
    - Create – sustainable built environment and green neighbourhoods
    - Live - Sustainable living, adaptation and resilience

Next Steps

- Draft Northern Beaches Environment Strategy is forecast to be presented at 26 March 2019 Council Meeting.

NOTE:

Sophie Scott left the meeting at 8:07pm.

ACTION

Environment SRG members to provide comments about the Draft Northern Beaches Environment Strategy – (19 December – 18 January 2019)

5.5 ENVIRONMENT STRATEGIC REFERENCE GROUP MEETING SCHEDULE FOR 2019

The Environment Strategic Reference Group note the meeting schedule for 2019.

6.0 GENERAL BUSINESS

Nil

SUMMARY OF ACTIONS

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
5.1	Council to inform the community about the process and steps undertaken to prepare the Northern Beaches Local Environmental Plan.	Todd Dickinson	
5.1	That the Environment Strategic Reference Group commits to providing input into the vision, priorities and actions for the draft Local Environment Plans via extraordinary meetings to be scheduled early 2019.	SRG Members	February 2019
5.2	A Turnbull to report back to the Environment SRG with regards to the Dunes Condition Technical Report	Adrian Turnbull	Future meeting
5.4	Environment SRG members to provide comments on the draft Northern Beaches Environment Strategy by 18 January 2019.	Environment SRG members	18 January 2019

The meeting concluded at 8:16pm

This is the final page of the Minutes comprising 8 pages
numbered 1 to 8 of the Environment Strategic Reference Group meeting
held on Thursday 13 December 2018 and confirmed on Thursday 28 February 2019.

PITTWATER COUNCIL

Policy – No 103	**Adopted:**	**OM:02.03.1998**
	Reviewed:	**OM: 24.06.2013**
	Amended:	**OM:17.10.2011**
	Revoked:	

TITLE: **CAR PARKING AREAS - FREE**

STRATEGY: **TOWN AND VILLAGE**

BUSINESS UNIT: **ENVIRONMENTAL COMPLIANCE**

RELEVANT LEGISLATION: **LOCAL GOVERNMENT ACT**

RELATED POLICIES: **NONE**

Objectives

To identify areas of Council land set aside for free public parking. To ensure that Council periodically reviews the conditions under which vehicles may be parked, consults with stakeholders and determines and publicises appropriate conditions and enforces those conditions effectively.

Policy Statement

That pursuant to Section 650 Local Government Act, 1993 Council resolves to provide the areas below as free car parks, subject to the terms specified on notices erected by Council on each of the subject areas.

Avalon

Bowling Green Lane Car Park – Land being Lot 49, DP 9151 and Lots 1 and 2, DP 519886
Scout Hall Car Park – 7 Bowling Green Lane, Avalon, Lot 6, DP 1102075
Barefoot Boulevarde Car Park – 76 Old Barrenjoey Road, Avalon, Lot 201, DP 1107408

Newport

Bramley Lane Car Park (rear of bottleshop) – 394 Barrenjoey Road, Newport, Lot 7340, DP1161043

Mona Vale

Bungan Lane Car Park – 4 Bungan Lane, Mona Vale, Lot 2, DP 1136849
Mona Vale Library Car Park (adjoining Community Centre) – 1 Park Street, Mona Vale, Part of Lot 100, DP 1047405

Leased Areas

Woolworths (Mona Vale) Car Park – 25-29 Park Street, Mona Vale, Lot 1, DP 605804

Policy – No 138	**Adopted:**	**OM:13.08.2001**
	Reviewed:	**OM: 03.06.2013**
	Amended:	**OM:17.10.2011**
	Revoked:	

TITLE: **MEDIATION**

STRATEGY: **Business Management**

BUSINESS UNIT: **Administration and Governance**

RELEVANT LEGISLATION: **None**

RELATED POLICIES: **None**

Objective

To establish processes that will assist to:

- Reduce the level of community conflict related to development, environmental and land management
- Empower the parties in dispute to take control of their own dispute and attempt to reach a resolution which satisfies the needs and interests of all those involved
- Permit the parties the opportunities of informing the council of any agreements they have reached and or clarification of issues still in dispute, in order for Council to take these into account in determining the development application or resolving other matters that are in dispute
- To pursue consistency and fairness in the manner in which the Council deals with and resolves disputes

Policy Statement

This policy applies to the following:

- Disputes arising from differences of opinion between neighbours or other persons external to Council who are in conflict but seeking to resolve their differences, e.g. development applications and related planning, development and land management matters; and

- Any other environmental dispute concerning animals, trees, noise, effluent, odours or other pollution that Council considers appropriate to be dealt with by mediation.

WHAT IS MEDIATION?

Mediation is a voluntary process of assisted negotiation between disputing parties conducted by an impartial person or persons.

Mediation aims to provide a fair, consensus-building dispute resolution process in which the disputing parties are empowered to:

- Clarify their needs and interests,
- Acknowledge the needs and interests of other parties,
- Become aware of the range of potential solutions, and

Negotiation in good faith to achieve an agreement which; satisfies their mutual interests, is fair and is capable of implementation within the existing statutory processes and is consistent with Council policies.

TO WHICH MATTERS DOES THIS POLICY APPLY?

This policy applies to the following:

- Disputes arising from differences of opinion between neighbours or other persons external to Council who are in conflict but seeking to resolve their differences, e.g. development applications and related planning, development and land management matters; and

- Any other environmental dispute concerning animals, trees, noise, effluent, odours or other pollution that Council considers appropriate to be dealt with by mediation.

WHAT MATTERS ARE CONSIDERED IN DETERMINING WHETHER MEDIATION WILL BE APPLIED?

In general terms, the Council will recommend mediation when:

- It appears that mediation is the best method for dealing with the issues involved;
- The parties are willing to participate in mediation;
- There are a large number of participants, they are willing and able to appoint representatives to attend mediation (this ideally is a maximum of two people).

WHEN WILL MEDIATION NOT TO BE USED?

Mediation will not be recommended when, in the opinion of the Council:

- There is intractable animosity between parties (including, but not limited to threats of violence, or acts of violence, between parties).
- There are too many parties for mediation to work and each group is unable or unwilling to nominate a representative.
- One or more of the parties is not willing to participate and negotiate in a genuine effort to reach a negotiated solution.
- (In relation to a development application) the application is grossly inconsistent with Council's policies or other legal requirements, and is likely to be refused by Council.
- Another dispute resolution procedure may be more appropriate.
- The dispute does not involve Council's business or responsibilities.
- The nature of objections is not a reasonable basis for which to conduct mediation.

PRINCIPLES OF MEDIATION

The following are to be the principles upon which the mediation programme in Pittwater is to be based:

- Mediation is conducted by a recognised and independent mediator that is impartial to the dispute at hand;
- Mediation is a voluntary process;
- Mediation is most effective when applied as soon as possible after a dispute and stakeholders are identified;
- Where the mediation is attended by a representative of a group of people, a process must exist whereby any in principle agreement can be referred back to the group for endorsement in a timely fashion;
- Any agreement reached is a decision made by the parties themselves, and is one which satisfies their needs and interests. If the subject of the mediation relates to a statutory process such as an application for development, Council will take into consideration such agreement but will still need to assess that application under any legislative requirements and Council's policies such as the Local Environmental Plan;
- Mediation is confidential and only the agreement reached can be publicly discussed. This applies even if no agreement is reached. Parties may pursue a private agreement not involving Council related issues. Parties may choose to maintain confidentiality over such an agreement;
- Mediation does not prejudice any future action a party may wish to take;
- Council officers shall not be present at mediation sessions except to provide technical advice and only with the disputing parties' agreement;
- Mediation will not always be the most appropriate method of dispute resolution available;
- Participants in mediation are of greatest value to those parties most affected by the proposal. This is usually those closest to the site or area of which a proposal or action is pending.

THE PROCESS (DEVELOPMENT APPLICATIONS)

The Council has adopted a five stage structured process for processing development applications which provide opportunities for issues to be discussed and resolved.

They are as follows:-

1. Pre-Lodgement Period
2. Notification / Assessment Period
3. Point of Determination – Development Unit
4. Point of Determination – Council/Committee Meeting
5. Post Determination Period – Prior to Legal Proceedings

In the course of assessing development applications at any of these stages in the process where issues become conflicts, then the parties in conflict may apply to Council for mediation as an additional means or tool for resolving the conflict.

The mediation programme will operate according to the following process for applications for development.

1. Pre-lodgement

Parties proposing development are encouraged to consult with the local community about their intentions prior to lodgement of an application to Council. Council may provide a venue for such discussions upon request.

2. Lodgement of development application

Upon receipt of a development application, Council will notify nearby residents in accordance with its Notification Procedures. In this notification, advice will be included describing Council's mediation programme. The advice will encourage potential objectors to discuss the DA with the relevant Development Officer prior to applying to participate in the mediation programme.

3. Assessment of Applications

Upon receipt of an application to mediate, the mediation co-ordinator, in consultation with the case officer, will determine whether mediation is likely to be the preferred method of approaching the dispute having regard to this policy. The matter will only proceed to mediation if the applicant is willing to participate in the process.

4 Preparation Meeting

A preparation meeting may be held prior to mediation involving the mediation co-ordinator, the application case officer and objectors and the applicant. The purpose of the preparation meeting is to provide each party with sufficient information to enable them to effectively participate in mediation. Issues may be resolved here by the submission of additional information or amendments without the need to take the matter further. The preparation meeting will provide each party the opportunity to ask questions about technical details and clarify issues.

A Development Officer will be present at the pre mediation meeting. His or her role will be limited to explanation of the proposal at hand and controls that may apply and description of the development control process generally. He or she will not speculate about the likelihood of approval or refusal nor comment on development controls that require discretionary judgements to be made.

Where matters in dispute appear to be straightforward or there are timing constraints, the mediation co-ordinator may determine that a preparation meeting is not necessary.

5. Scheduling of Mediation

Following the preparation meeting, mediation will be organised by the mediation co-ordinator. In order to reduce delays in addressing the dispute or in the determination of applications, these sessions will be organised at short notice by phone, fax or e-mail.

6. Mediation

Mediation will be conducted with all parties as identified in the preparation meeting and with all necessary information for the mediation to be an informed session. The application case officer should be available either by phone or in person to advise the mediation session upon request to provide clarification of Council's policies and guidelines, but not to offer opinion or speculate.

7. Reporting and Determination

The Officer's report to Council and/or the Officer's report to the Development Unit dealing with the application will be accompanied by a report of the mediation conducted. The report on the mediation will only include factual details such as date of mediation,

attendance etc, and mediation agreement, if agreed to by participants. The discussions that occur in the mediation are confidential and will not be reported.
The path of determination (i.e. under delegated authority or Council) will not be altered if mediation is undertaken.

8. Amended plans

If an agreement results from mediation which requires amended plans to be submitted, the applicant may wish to lodge these prior to determination of the application by Council. Those participating in the mediation should have the opportunity of viewing such amended plans prior to the application being determined by Council.

9. Payment of Costs – External Mediator(s)

The applicant for development approval is responsible for the payment of all costs associated with the engagement of an external mediator(s) where applicable.

THE PROCESS (OTHER MATTERS)

The mediation programme will operate according to the following process for matters other than development applications to which this policy applies.

1. Identification of a Dispute

Upon identification of a dispute, a Council officer may recommend mediation as a form of resolving that dispute to any or all of the parties in dispute. Application to mediate in accordance with Council's mediation programme should be made to the mediation co-ordinator as soon as possible after the identification of the dispute. Alternatively, a party in dispute may initiate mediation by way of application directly to Council.

2. Assessment of Applications

Upon receipt of an application to mediate, the mediation co-ordinator, in consultation with the case officer or manager of the business unit (if relevant), will determine whether mediation is likely to be the preferred method of approaching the dispute having regard to "what matters are considered in determining whether mediation will be applied" of this policy.

3. Preparation Meeting

A preparation meeting may be held prior to mediation involving the mediation co-ordinator, the application case officer (if relevant) and parties involved. The role of the preparation meeting for "other matters" is similar to that involving development applications. The mediation co-ordinator may wish to proceed straight to mediation if the dispute appears to be straightforward and both parties appear to have a good understanding of the relevant issues.

4. Scheduling of Mediation

Following the preparation meeting, mediation will be organised by the mediation co-ordinator. In order to reduce delays in addressing the dispute or in the determination of applications, these sessions will be organised at short notice by phone, fax or e-mail.

5. Mediation

Mediation will be conducted with all parties as identified in the preparation meeting and with all necessary information for the mediation to be an informed session. The application case officer should be available either by phone or in person to advise the mediation session upon request to provide clarification of Council's policies and guidelines, but not to offer opinion or speculate.

6. Payment of Costs – External Mediator(s)

The parties in dispute are responsible for the payment of all costs associated with the engagement of external mediator(s) where applicable.

Mediators

Council will recommend a recognised mediation provider to provide the independent and impartial mediation service described in this policy. Mediators are to be accredited and trained professionals in the field.

Monitoring and Review

The effectiveness and cost of the application of this policy, shall be monitored by the Manager Administration and Governance and amendments to this policy recommended accordingly as necessary.

Attachment 1

MEDIATION PRACTICE GUIDELINES

INITIATION OF MEDIATION 3
SELECTION OF MEDIATOR 3
PREPARATION MEETING 3
PRELIMINARY ASSESSMENT 3
ARRANGEMENT OF MEDIATION 4
STATEMENT OF FACTS 4
ROLE OF MEDIATOR 4
REPRESENTATION AND ATTENDANCE 4
TECHNICAL ADVICE 4
CONFIDENTIALITY 5
MEDIATION AGREEMENTS 5
TERMINATION OF MEDIATION 6

Mediation in Pittwater should be conducted in accordance with the following guidelines:

INITIATION OF MEDIATION

Any party to a dispute described in this policy, may apply to participate in the mediation programme. If mediation is the selected dispute resolution process, the Councils mediation co-ordinator will contact each of the parties to the dispute to seek an agreement to mediate. An agreement to mediate must be signed by each party in which each party acknowledges and agrees to abide by these "Mediation Practice Guidelines"

SELECTION OF MEDIATOR

Upon agreement of parties to mediate, Council will request the recommended external mediation provider to organise mediation. The selected mediator must disclose to Council whether he or she has any interest in the matter to be mediated or if there are any circumstances that may lead to the presumption of bias. All parties are to agree to the selection of the mediator.

PREPARATION MEETING

The preparation meeting is to be conducted as soon as possible after all relevant parties have agreed to mediate the dispute.

The Councils mediation co-ordinator is to chair this meeting. The meeting is to be kept as informal as possible but it should be made clear that the purpose of the meeting is not to determine the application but to gather information and ensure there is common understanding about the dispute. The chairperson is to ensure that attendees do not engage in unconstructive argument nor should the Council officer:

- Be asked to speculate about the prospects of approval or refusal
- Be asked to make discretionary judgements about any aspect of this issue at hand.

PRELIMINARY ASSESSMENT

Where the mediation involves a development application, the relevant Council officer will prepare a brief preliminary assessment of the application. This assessment will only provide for a comparison of the application against the various Council policies. It is important that people entering the process understand that this represents a preliminary appraisal and no discretionary judgements or opinions will be expressed. Depending upon the stage of the development application process at which time this assessment will be made, such assessment should be treated as indicative and advisory only and not to be substituted for the assessment process required under the Environmental Planning and Assessment Act. A standard disclaimer which recognises this should be incorporated into every such advisory assessment. Parties should be made aware of this at the commencement of the preparation meeting.

The full assessment of the application will continue in parallel with the mediation process.

ARRANGEMENT OF MEDIATION

The Council's mediation co-ordinator is to arrange the mediation at a time and venue agreeable to all parties. The mediation is to occur as soon as possible after receipt of the application to mediate. Prior to mediation, all parties are to sign an "agreement to mediate" setting out the terms under which the mediation will be conducted.

STATEMENT OF FACTS

Applicants under the mediation programme must provide on the application form, a brief statement of facts outlining the important issues and objections. This statement will be provided to the proponent for a response.

The statement of facts, response from the proponent and a briefing statement prepared by the relevant assessment officer setting out the details of the application and relevant issues will be provided to the mediator prior to mediation. The documents may be made available to all parties at the discretion of the mediation co-ordinator.

ROLE OF MEDIATOR

The mediator does not have the authority to impose any settlement on the disputing parties. The mediator's role is to help the parties reach a satisfactory understanding and resolution of their dispute.

The mediator is authorised to end the mediation whenever, in his or her opinion, further efforts at mediation will not contribute to a resolution of the dispute.

REPRESENTATION AND ATTENDANCE

If a party to a dispute is an individual, that individual must attend the mediation. If the party is a company, government authority or unincorporated association, an authorised representative must attend the mediation. If there are a large number of individuals constituting a number of parties, each party must send at least one representative. Representatives must have the authority to settle the matter.

Each party attending mediation may bring a legal representative or other advisors with knowledge or experience relevant to the dispute. Where the dispute involves a group of individuals with common interests, Council may request the group to elect one or two persons to represent the group. Others may attend strictly as observers (only with the consent of the participating parties), but may not participate in the formal proceedings except with the consent of the mediator and other parties.

At least three days prior to the mediation, the parties must inform Council of the names of each person who will be attending. Council will in turn inform other parties and the mediator prior to the mediation taking place.

TECHNICAL ADVICE

Council officers should not be present in mediation except to provide technical or procedural advice and only with the consent of participating parties. Council staff shall respond only to questions from the mediator. Upon completion of providing such advice, staff should vacate the mediation room. Responses will not be provided in relation to Council's likely determination of the application.

CONFIDENTIALITY

Mediations must be conducted in a confidential manner. It is not necessary that information disclosed during a mediation be confidential amongst those attending the mediation.

A mediator must not divulge records, reports or other documents received in the course of mediation, or testify as to the proceedings of the mediation, unless otherwise compelled to do so by law. A mediator must also maintain as confidential; any discussion with parties in "separate sessions" unless expressly authorised by that party to divulge details of such session.

Where parties are accompanied by an advisor, support person or other persons, these persons are to sign a third party confidentiality agreement.

Parties involved in mediation shall not rely upon, or introduce as evidence, in any arbitration (including a Development Unit or Council meeting) or litigation:

- Views expressed or suggestions made by another party with respect to a possible settlement of the dispute.
- Admissions made by another party in the course of mediation
- Proposals made or views expressed by the mediator.
- The fact that another party had or had not indicated a willingness to accept a proposal for settlement made by the mediator.
- Statements or notes made by the mediator
- Documents presented at the mediation conference, unless these documents are otherwise discoverable
- Briefing notes and other documents distributed to the parties immediately prior to a mediation conference.

In addition, no transcript of proceedings shall be kept of a mediation conference. The mediator will destroy any notes made by him or herself at the termination of the mediation.

MEDIATION AGREEMENTS

Written agreements reached at mediation must be signed by all the disputing parties present at the mediation. Spokespersons are to confirm their authority to reach agreement from their constituents. Where there is no consensus among the parties in relation to an agreement, a partial agreement may be considered at the discretion of the parties concerned.

A copy of the agreement is to be retained by each of the parties and the Council's mediation provider. Where authorised by the terms of the agreement, the mediation provider is to convey the agreement or relevant clauses, to the mediation co-ordinator. The agreement may then be referred to the appropriate Council Officer for the appropriate action.

Participants in a mediation are to be made aware that in the circumstances of a development application being the subject of the mediation, the normal assessment process will still be followed regardless of any agreement or partial agreement reached. In other words, the mediation is an avenue that people involved in a dispute may pursue to maximise involvement and communication, however, any agreement reached does not bind Council to a certain course of action. It does however provide an additional consideration for Council in making a final decision.

TERMINATION OF MEDIATION

Mediation should be terminated if:

- The parties execute a settlement or agreement; or
- The mediator makes a written declaration to the effect that further efforts at mediation are unlikely to lead to a resolution of the dispute; or
- One or all of the parties makes a written or oral declaration to the proceedings that they should terminated.

Warringah Council

GOV-PL 135

Mediation Policy

1. The purpose of this policy is

The purpose of this Policy is to provide principles, guidelines and operating procedures for the mediation service offered by Warringah Council.

2. Policy statement

The objectives of this policy are to establish processes that will assist to:

- reduce the level of community conflict related to development, environmental and land management disputes;
- empower the parties in dispute to take control of their own dispute and attempt to reach a resolution which satisfies the needs and interests of all those involved;
- permit the parties the opportunity of informing the Council of any agreements they have reached and or clarification of issues still in dispute, in order for Council to take these into account in determining the development application or resolving other matters that are in dispute;
- to pursue consistency and fairness in the manner in which the Council deals with and resolves disputes.

3. Principles

3.1 What is Mediation?

Mediation is a voluntary process of assisted negotiation between disputing parties conducted by an impartial person or persons.

Mediation aims to provide a fair, consensus-building dispute resolution process in which the disputing parties are empowered to:

- clarify their needs and interests,
- acknowledge the needs and interests of other parties,
- become aware of the range of potential solutions, and

negotiate in good faith to achieve an agreement which; satisfies their mutual interests, is fair and is capable of implementation within the existing statutory processes and is consistent with Council policies.

3.2 To which matters does this policy apply?

This policy applies to the following:

- disputes arising from development applications and related planning, development and land management matters; and
- any other environmental dispute concerning animals, trees, noise, effluent, odours or other pollution that the mediation coordinator or Council considers appropriate to be dealt with by mediation.

3.3 What matters are considered in determining whether mediation will be applied?

In general terms, the mediation coordinator will pursue mediation when:

- it appears that mediation is the best method for dealing with the issues involved;
- the parties are willing to participate in mediation;
- there are a large number of participants; they are willing and able to appoint representatives to attend mediation (this ideally is a maximum of four people).

3.4 When will mediation not be used?

Mediation will not be pursued when, in the opinion of the Mediation Coordinator:

- there is intractable animosity between parties (including, but not limited to, threats of violence, or acts of violence, between parties);
- there are too many parties for mediation to work and each group is unable or unwilling to nominate a representative;
- one or more of the parties is not willing to participate and negotiate in a genuine effort to reach a negotiated solution;
- (in relation to a development application) the application is grossly inconsistent with Council's policies or other legal requirements, and is likely to be refused by Council;
- another dispute resolution procedure may be more appropriate;
- the dispute does not involve Council's business or responsibilities;

- the nature of objections is not a reasonable basis for which to conduct a mediation. For example, "I don't want more flats in my area" (that is zoned for flats)

3.5 Principles of Mediation

The following are to be the principles upon which the mediation programme in Warringah is to be based:

- mediation is conducted by a recognised and independent mediator that is impartial to the dispute at hand;
- mediation is a voluntary process;
- mediation is most effective when applied as soon as possible after a dispute and stakeholders are identified;
- where the mediation is attended by a representative of a group of people, a process must exist whereby any in principle agreement can be referred back to the group for endorsement in a timely fashion;
- any agreement reached is a decision made by the parties themselves, and is one which satisfies their own needs and interests. If the subject of the mediation relates to a statutory process such an application for development, Council will take into consideration such agreement but will still need to assess that application under any legislative requirements and Council's policies such as the Local Environmental Plan;
- mediation is confidential and only the agreement reached can be publicly discussed. This applies even if no agreement is reached. Parties may pursue a private agreement not involving Council related issues. Parties may choose to maintain confidentiality over such an agreement.
- mediation does not prejudice any future action a party may wish to take;
- Councillors or Council officers shall not be present at mediation sessions except to provide technical advice and only with the disputing parties' agreement;
- mediation will not always be the most appropriate method of dispute resolution available;
- participants in mediation is of greatest value to those parties most affected by the proposal This is usually those closest to the site or area of which a proposal or action is pending.

- Only matters of individual neighbor amenity dispute are set to mediation

Warringah Council

GOV-PL 135

4. Amendments

This policy was amended 7 August 2006.

5. Authorisation

22 August 2000.

6. Who is responsible for implementing this policy?

Manager Governance.

7. Document owner

Director Public Office.

8. File number

360.000.025

9. Legislation and references

9.1 Definitions

"Agreement to mediate" – is a signed statement in which each party:

- agrees to enter into mediation
- acknowledges and agrees to abide by the "Practice Guidelines" outlined in this policy

"Mediation coordinator" – is an employee of Warringah Council who manages and coordinates the mediation programme on behalf of Council.

"Mediation provider" – is the body or organisation which provides the mediation service to Council including the provision of accredited and recognised mediators and associated administrative support.

"Separate sessions" – are a component of the mediation process where the mediator(s) separates the parties and speaks confidentially with each party away from the other party(ies).

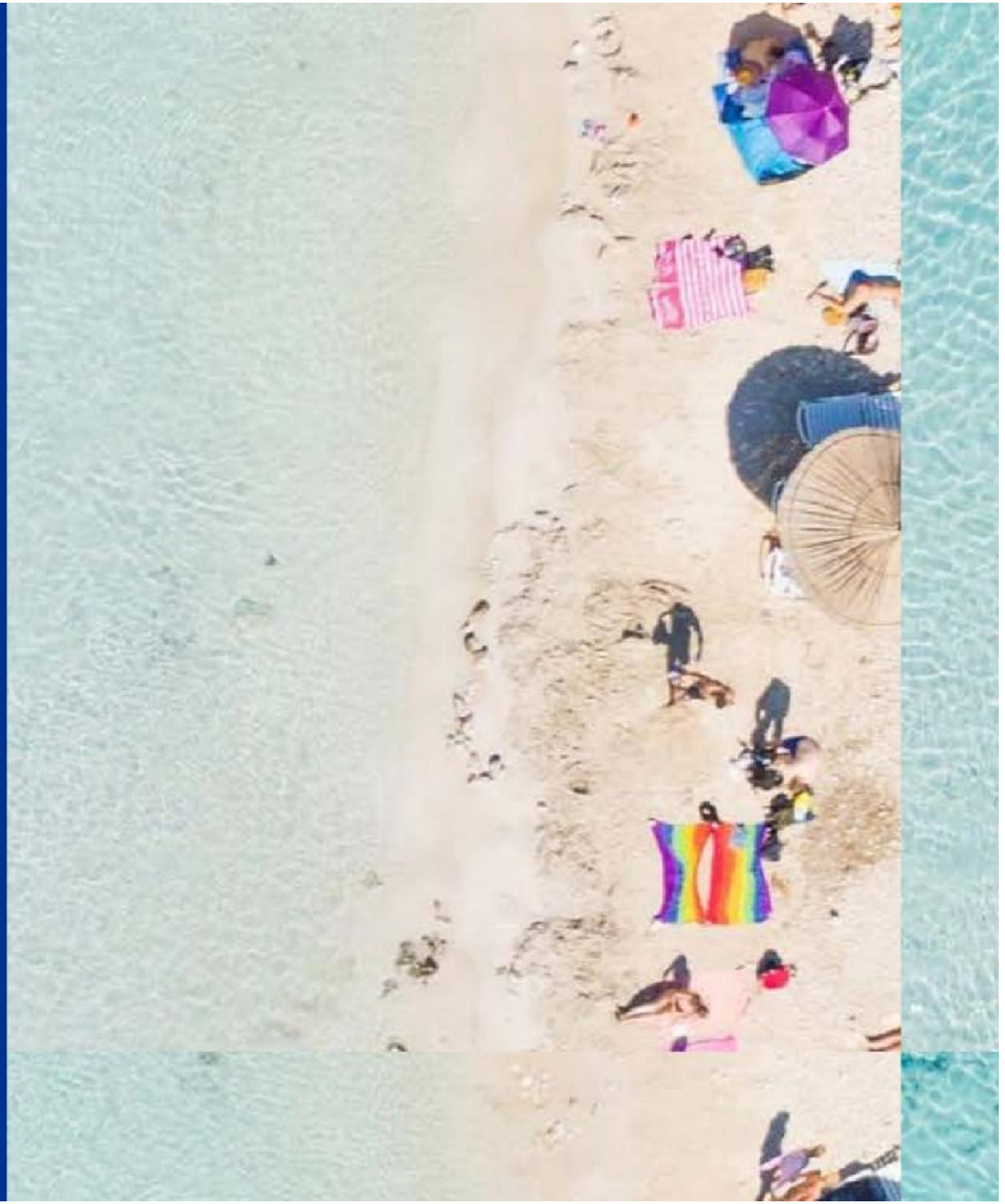
KPMG

northern beaches council

Strategic Internal Audit Plan: FY'19 to FY'21

Northern Beaches Council

February 2019



Executive Summary

The Role of Internal Audit and the Internal Audit function

Northern Beaches Council ('Council'), have appointed KPMG as a co-sourced internal audit provider of internal audit services for a period of three years.

Mission

To provide an innovative, responsive and effective value-adding Internal Audit function by assisting the Council, the Audit, Risk & Improvement Committee (ARIC) and Management in checking and recommending improvements in the effectiveness and efficiency of the internal control systems, and compliance with policies and procedures.

Responsibilities

The KPMG Internal Audit team is responsible to the ARIC for contributing to the achievement of organisational goals and objectives by:

- assisting NBC Management in evaluating their processes for identifying, assessing and managing the key operational, financial and compliance risks;
- assisting NBC Management in evaluating the effectiveness of internal control systems, including compliance with internal policies;
- recommending improvements in efficiency to the internal control systems established by NBC Management;
- keeping abreast of new developments affecting the organisation's activities and in matters affecting internal audit work; and
- being responsive to the organisation's changing needs, striving for continuous improvement and monitoring integrity in the performance of its activities.

Strategic Internal Audit Plan

This Strategic Internal Audit Plan sets out the indicative scope and timing of the planned work proposed to be undertaken by Internal Audit (IA) for the Council for the three year period FY'19 to FY'21. This plan also provides a more detailed overview of the planned activity for FY'19, being the first year in this strategic planning cycle. This plan has been framed having regard to the following:

- discussions with key Council Management, including the Head of Internal Audit and CEO
- Council's core business processes together with the latest strategic risk register
- key findings arising from previous internal audits
- IA's experience in the conduct of similar internal audit projects for other relevant organisations.

This plan should not be seen as a constraint on the flexibility of the IA function to address emerging issues. In this regard, we will monitor the need to amend this plan as the year progresses based on feedback from management and requests from the Council's Audit, Risk & Improvement Committee (ARIC).

Development of the Internal Audit Plan

A key objective of any organisation's Strategic Internal Audit Plan should be to provide appropriate details of the overall longer term strategy for the conduct of internal audit having regard to the available resources.

It is therefore important that the development of a strategic internal audit plan considers many aspects of the business and the environment it operates within, both today and into the future in order to ensure that resources are directed to higher priority areas.

It is not feasible to expect that all possible areas for Internal Audit coverage can be addressed in the period covered by this plan and therefore it is important that there is a transparent framework to determine what is done and what is not done. The framework for development of this Strategic Internal Audit Plan has involved a number of steps including:

- Step 1 – Identify key inputs to the Internal Audit Strategy
- Step 2 – Define and prioritise the potential pool of internal audit focus areas
- Step 3 – Determine a planned program of Internal Audit projects.

The balance of this draft plan outlines in further detail the results from these steps noted above so as to provide a transparent record of how the planned focus areas for internal audit (as represented in the section below titled 'Planned Internal Audit activity – FY'19 to FY'21') have been determined.

This has been outlined to provide the ARIC with the opportunity to provide commentary on the necessary judgements made in arriving at the planned IA activity.

The composition of IA activity is detailed below and comprises activity, undertaken by IA in the following broad areas:

•Planning, communication and administration
•Baseline Audits
•Compliance Audits

Planning, communication and administration

The planning, communication and administration component includes:

• Development of IA Plans including consideration of emerging industry risks and best practice IA approaches, internal meetings, meetings between KPMG and Head of IA and preparation of associated scope documentation.
• Communication between KPMG, ARIC Chair and Head of IA in respect to progress against IA Plan, emerging issues/current developments for IA consideration, content of reports in preparation for the ARIC meetings as well as internal policy and procedural changes impacting the internal audit.
• Preparation for and attendance at the ARIC meetings to present IA findings. This also includes meetings with management and ARIC members from time to time as required.

Baseline Audits

These projects apply a deeper level of consideration of the processes subject to internal audit from a first principles control framework perspective. This approach assesses the key risks associated with the process objectives and examines the controls in place to manage these identified risks. The projects generally identify and report those opportunities to enhance existing process level controls. Walkthroughs are generally conducted to confirm our understanding of the design of the controls rather than detailed compliance testing.

Compliance Audits

These projects are primarily focussed on compliance with established key controls in any given process rather than revisiting the design of the controls. To the extent that there have been changes in process controls since the previous baseline review, the design will be considered for appropriateness and our baseline documentation updated.

Planned Internal Audit activity - FY'19 to FY'21

Planned internal audit activity 2019-20

This section outlines the proposed internal audit activity for the three year period FY'19 to FY'21.

The proposed internal audit activity is presented in the table below, however, prior to presenting this information we highlight the following:

- *Potential internal audit focus areas not included in planned activity* - The planned activity noted below enables Council to gain significant coverage over those areas identified as potential internal audit focus areas to cover key strategic and operational risks identified by Management.
- *Internal audit follow-up activity* - To ensure that agreed management actions arising from previous internal audit projects are being completed on a timely basis and that the learnings are being locked into business as usual practices, it is critical to ensure there is a robust process in place to facilitate this that meets both the broader business and ARIC needs. When an audit report is presented to the ARIC, it contains a number of agreed management items and due dates.

  Council's Head of Internal Audit will retain a master list of outstanding action items to ensure items are being actioned as per the management agreed timeframe. As required those outstanding matters that were originally rated as 'High'/"Medium' will be reported to the ARIC. As required, Internal Audit will validate the completion of management actions as agreed with Council Management.
- *Other separately funded activities provided by Internal Audit* - The pool of potential internal audit activities identified the following further areas that would/could be undertaken as needs dictate, however, that would be funded from outside the core Internal Audit budget:
  - Key project quality assurance roles
  - Key project post implementation reviews
  - Other special investigations as needs dictate.

Planned Internal Audit activity - FY'19 to FY'21

Ref	Internal audit project	Risk Register	Inclusion in IA Plan	FY18/19 Audit days	FY19/20 Audit days	FY20/21 Audit days
Ongoing	**Planning, communications and administration** Provision of oversight of the IA function including preparation of the Annual and Strategic Internal Audit Plans; ARIC attendance; Meetings with management; Continuous improvement of scope/plans, project delivery and execution.		*Conducted each year to ensure plan is current and relevant*	10-15	10-15	10-15
1	**Cybersecurity maturity assessment** An assessment of your preparedness for a cyber-attack and the maturity of your existing policies and procedures. Undertaking both internal and external penetration testing.	5	*Topical strategic risk area*	40-60 (Baseline)		
2	**Governance Framework** Review of the governance framework in place along with an assessment against contemporary best practice and with governance frameworks in other similar organisations.	8	*To assist in achieving desired governance post amalgamation*	15-20 (Baseline)		
3	**Work Health & Safety Management** Assess the adequacy and effectiveness of management procedures and key controls surrounding the work, health and safety practices within the Council. This project would also assess the Council's current WH&S model against contemporary best practice.	2	*Aligns to strategic risks and mgmt. work in this area*	20-25 (Baseline)		
4	**Fraud Risk Assessment** Fraud and Corruption risk assessment to identify the inherent fraud risks in processes and the design of controls to mitigate the identified risks.	4	*Key focus area of ARIC and vital for fraud prevention and management*	15-20 (Baseline)		
5	**Procurement** Assessment of the operating effectiveness of key controls across the strategic procurement lifecycle including: Strategy/Framework; strategic sourcing; panel contracts; contracting; systems & reporting; contract management; contract delivery; variations; purchasing, receipt & payment; capability development; Delegation of Authority. This includes consideration of the Technology One controls.	4 & 10	*Critical process to ensure transparent procurement and maintain trust*	25-30 (Baseline & Compliance)		

Planned Internal Audit activity - FY'19 to FY'21

Ref	Internal audit project	Risk Register	Inclusion in IA Plan	FY18/19 Audit days	FY19/20 Audit days	FY20/21 Audit days
6	**Data Analytics: Core Transactions** Applying contemporary data & analytic tools across core business transactions including: journals; revenue; expenditure (credit card, purchase orders, panel contracts); payroll; staff leave; and user access.	4	*Innovative approach and results with highlight focus areas*	10-15 (Compliance)	10-15 (Compliance)	10-15 (Compliance)
7	**Fleet Management** Assessment of the design of the controls process for managing fleet against contemporary better practices and testing the operating effectiveness of key controls within this framework.	4	*Important process within Council*	15-20 (Baseline & Compliance)		
8	**Finance And Controls (ROTATIONAL)** Assessment of the operating effectiveness of key controls, rotating across numerous finance specific areas including: reconciliations; business unit reporting; suspense accounts; general ledger maintenance; journals; credit cards; treasury/banking management; Delegation of Authority (DoA); taxation; GST.	4	*These critical controls should be rotationally tested*	15-20 (Compliance)	15-20 (Compliance)	15-20 (Compliance)
9	**Contract Management** Assessment of the contract management process currently in place within Council. This will including assessing it against contemporary, yet fit-for-purpose, better practices and testing operating effectiveness of key controls across contract management including: appointment of contractors, management of contractors, management of risks including third party risks and high risk contacts, compliance checks to signed contracts and approval of variations, compliance of contractors with Council's policies and procedures.	1 & 7	*Given high use of contractors key process to ensure appropriate management*		15-20 (Baseline & Compliance)	
10	**Parking** Assessment of the operating effectiveness of key controls over this revenue source to ensure all relevant revenue is being collected and any revenue adjustments are appropriate. Testing the operating effectiveness of these controls and performing compliance testing.	4	*Revenue controls must be operating effectively*		15-20 (Baseline & Compliance)	3-5 (Rotational Compliance)

Planned Internal Audit activity - FY'19 to FY'21

Ref	Internal audit project	Risk Register	Inclusion in IA Plan	FY18/19 Audit days	FY19/20 Audit days	FY20/21 Audit days
11	**Asset Management** Assessment of the design of the Council's Asset Management Framework against contemporary, yet fit-for-purpose, better practices and testing operating effectiveness of key controls across the asset management lifecycle including: CAPEX budgeting/monitoring; asset data/records; asset strategies & plans; Repairs & maintenance; asset condition monitoring/testing; stocktakes.	4	*Post amalgamation and restructuring review*		20-25 (Baseline & Compliance)	
12	**Accounts Receivable And Debtor Management** Assessment of the design of the Council's process for managing debtors against better practices and testing the operating effectiveness of the key controls within this process.	4	*Key finance process to working capital mgmt.*		10-15 (Baseline & Compliance)	
13	**Development Application assessments** To consider the effectiveness of key controls in relation to Development Applications and Assessment Processes, and to identify any improvement opportunities. Focused on awareness of and compliance with development assessment policies and governance requirements, accuracy of reporting to Council, DoA, frameworks and system controls and testing operating effectiveness of key controls.	7 & 8	*Key to ensuring conflicts of interest are managed*		15-20 (Baseline & Compliance)	
14	**Property Management** Assessment of the operating effectiveness of key controls across the project management lifecycle including: Strategy; utilisation of properties; current practices, policies and processes in relation to management of Council-owned property and strata property throughout the property lifecycle, including contract management; review of how Council manages land registers and other asset registers in accordance with appropriate legislative requirements; and review to inform current status and identify any gaps / exposures, and to help the relevant business units with harmonising existing practices as part of their service review. This will use a LEAN approach.	4 & 7	*Key process within Council to ensure properties are managed and available for community*		20-25 (Baseline)	
15	**Revenue** Assessment of the operating effectiveness of key controls across the various revenue streams: Rates; User charges; Grants; Interest & Investment income and other income. This will include compliance testing of key controls.	4	*Revenue controls must be operating effectively*		25-30 (Baseline & Compliance)	7

Planned Internal Audit activity - FY'19 to FY'21

Ref	Internal audit project	Risk Register	Inclusion in IA Plan	FY18/19 Audit days	FY19/20 Audit days	FY20/21 Audit days
16	**Disaster Recovery/Business Continuity Plan (DR/BCP)** Assessment of the design of the Council's DR/BCP Framework against contemporary, yet fit-for-purpose, better practices.	4 & 5	*Current area of focus – essential for robust framework*		15-20 (Baseline)	
17	**Budgeting** Assessment of the design of the Council's process for developing and monitoring performance of its budgets and testing the operating effectiveness of the key controls within this framework. This will include assessment of approval of expenses to relevant cost codes in Technology 1.	4	*Key to financial stability and monitoring*		15-20 (Baseline)	
18	**Councillor's expenses** Assessment of the design of the process for Councillor's expenses and compliance testing to ensure adherence with policy and regulations.	4	*Required to be reviewed on a regular basis*		5-7 (Baseline & Compliance)	3-5 (Compliance)
19	**Penalty And Infringement Compliance** Assessment of the compliance, through sample testing, of Council issued penalties and infringement notices under the various relevant Acts with a particular focus on cancelled or amended infringement notices. DoA, segregation of duties and conflicts of interests will also be considered as part of this project.	4 & 7	*Compliance with legislation is key to community trust*			10-15 (Compliance)
20	**Compliance Framework** Review of the compliance framework in place along with an assessment against contemporary best practice and with compliance frameworks in other similar organisations. This will include consideration the compliance risk management process, including governance and culture, compliance obligations, compliance risk assessments, compliance controls, accountability and support, continual improvement, reporting, issues management, monitoring and testing and training and communication. Compliance Compass survey tool to be utilised.	4 & 8	*Ensuring legislative requirements are adhered to*			15-20 (Baseline)

Planned Internal Audit activity - FY'19 to FY'21

Ref	Internal audit project	Risk Register	Inclusion in IA Plan	FY18/19 Audit days	FY19/20 Audit days	FY20/21 Audit days
21	**Talent Management Retention And Succession Planning** Evaluation of the challenge of meeting ever-changing workforce expectations and ensuring the right talent is hired, retained, motivated, and developed to help Council achieve its business objectives and strategies. Evaluate risk mitigation plans for top talent departures and succession planning. This will include consideration of the Hire to Retire process and the post amalgamation process.	2 & 10	*Post amalgamation and restructuring review*			20-25 (Baseline & Compliance)
22	**Infrastructure and Capital Works Project Based Management** Assessment of the effectiveness of the Infrastructure and Works Project Management Process against contemporary and best practice. This will consider the management of infrastructure and capital works projects including the decision to determine if projects should be managed in house versus outsourced, project control framework, timeframes for obtaining client and public input, political direction and consulting with key project stakeholders to manage project pipelines, project reporting systems (IT and resources) to analyse performance of the delivery of the capital program.	6	*Important capital developments ongoing via Strategic objectives*			15-20 (Baseline)
23	**Payroll & HR:** Assessment of the operating effectiveness of key controls for payroll and HR, rotating across numerous specific areas including: reconciliations; new starters, leavers, policies and procedures updates, processing masterfile changes, review and approval of information, authorization of payment, DoA, segregation of duties.	4	*Key financial process and fraud risk area*			15-20 (Baseline & Compliance)
24	**Voluntary Planning Agreements** Assessment of the design of the Council's process for managing voluntary planning agreements to ensure compliance with relevant legislation. This will include considering the framework in place and testing the operating effectiveness of key controls.	7 & 8	*Key area of focus and compliance*			15-20 (Baseline)
25	**Emergency Response Planning** Assessment of the design of the Council's process for emergency responses including the framework in place and testing the operating effectiveness of key controls such as crisis response, training and updates. This will include an assessment to contemporary best practice.	1 & 3	*To ensure community safety*			10-15 (Baseline)

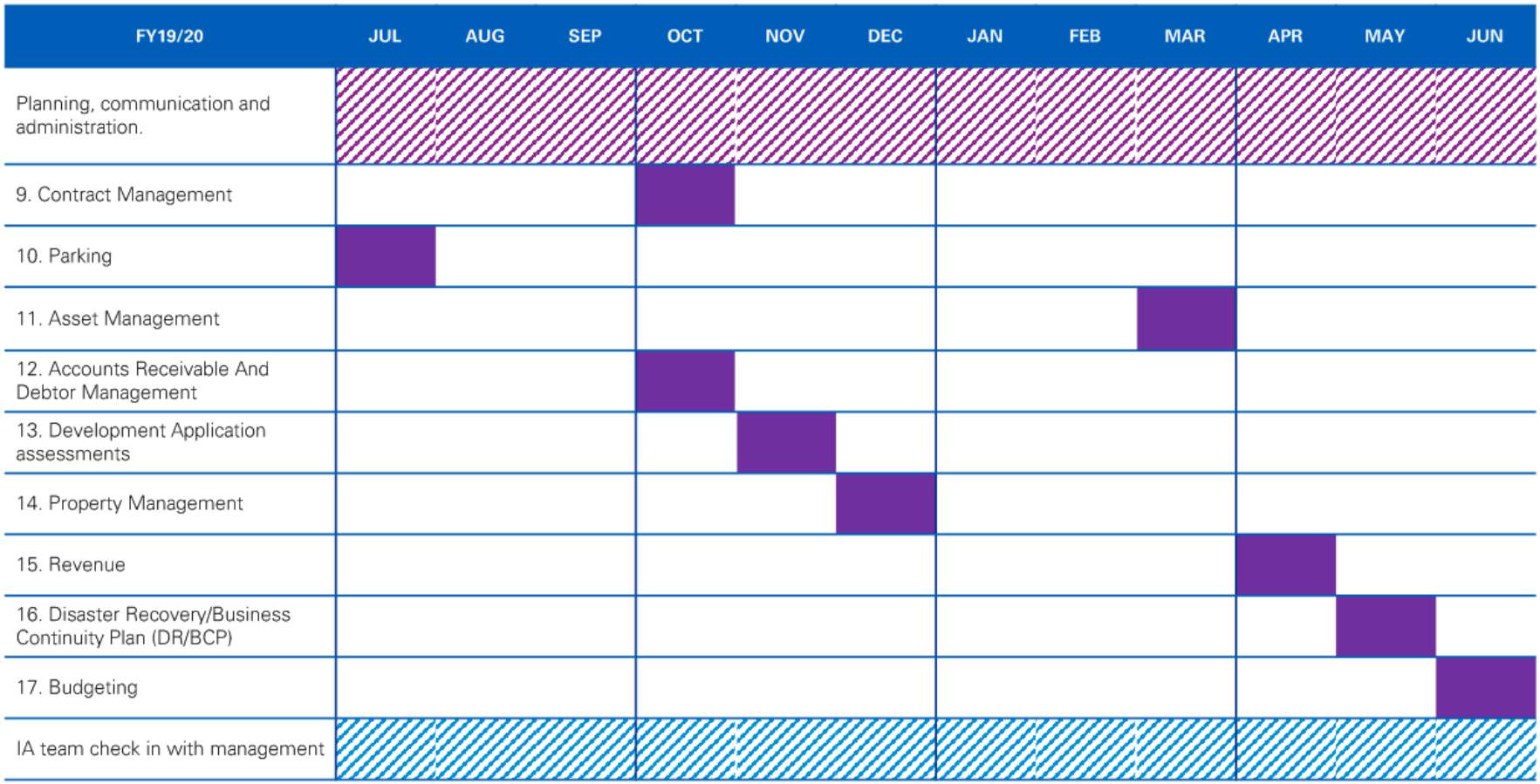
Planned Internal Audit activity - FY'19 to FY'21

Ref	Internal audit project	Risk Register	Inclusion in IA Plan	FY18/19 Audit days	FY19/20 Audit days	FY20/21 Audit days
26	**Customer Satisfaction** Assessment of the customer satisfaction (including complaints) process within the Council. This will include considering how customer satisfaction is monitored, the use of surveys, any issues are addressed and will include the use of data analytics.	3, 7 & 9	*Community satisfaction is critical to Council*			10-15 (Baseline)
27	**IT Project [TBC]** *To be discussed with CIO on nature of appropriate project.*	5	*Significant ongoing IT projects post amalgamation*			25-30 (Baseline)
28	**Privacy** Assessment of the design of the Council's process for compliance with relevant privacy legislation and testing the operating effectiveness of key controls such as data management, data storage, privacy breach response and management. This will include an assessment to contemporary best practice.	4	*Significant legislative change and burden*			10-15 (Baseline)
			Total days range	**155-225**	**190-252**	**186-275**

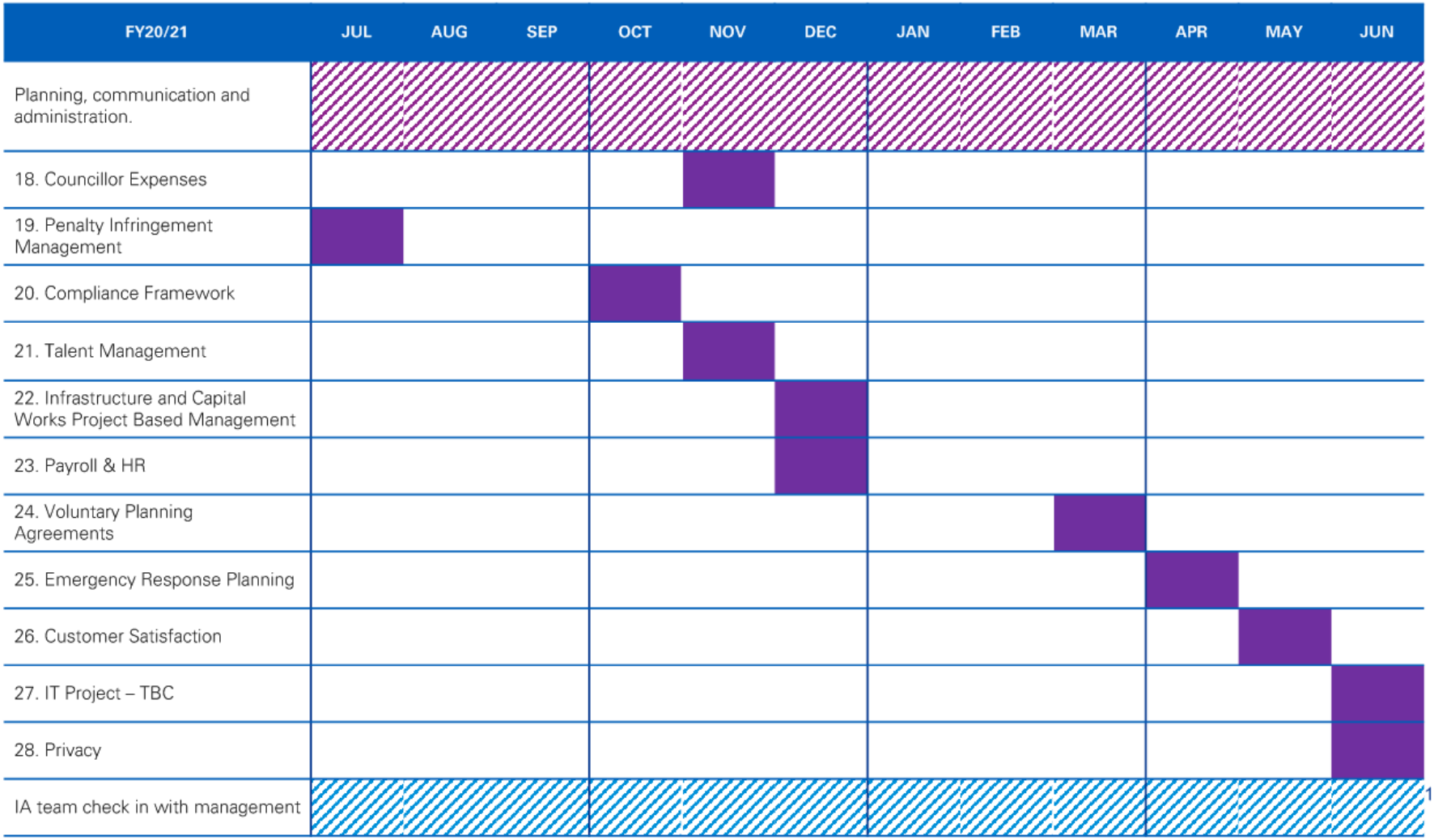
Proposed Timetable

FY18/19	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Planning, communication and administration. **Risk workshop**												
1. Cybersecurity maturity assessment												
2. Governance Framework												
3. Work Health & Safety Management												
4. Fraud Risk Assessment												
5. Procurement												
6. Data Analytics: Core transactions												
7. Fleet Management												
8. Finance and Controls (Rotational)												
IA team check in with management												

Proposed Timetable



Proposed Timetable



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This Internal Audit Plan (IA Plan) has been prepared at the request of the Northern Beaches Council (NBC) and is subject to the agreed written terms of KPMG's engagement with NBC. This IA Plan provides an overview of the scope, extent and timing of our internal audit work for the three year period from FY'19 to FY'21.

Inherent limitations

The services provided in connection with this engagement comprise an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standards Board and, consequently no opinions or conclusions intended to convey assurance have or will be expressed. The key strategic risks of NBC, noted within this Internal Audit Plan reflect the perceptions, at a point in time, of the Audit Risk Committee and management of NBC involved in the process. No warranty of completeness, accuracy or reliability is given in relation to the statements and representations made by, and the information and documentation provided by NBC management and personnel / stakeholders consulted as part of the process. KPMG have indicated within this IA Plan the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the IA Plan. KPMG is under no obligation in any circumstance to update this IA Plan, in either oral or written form, for events occurring after the IA Plan has been issued in final form, unless specifically agreed with NBC.

The IA Plan has been formed on the above basis.

Third Party Reliance

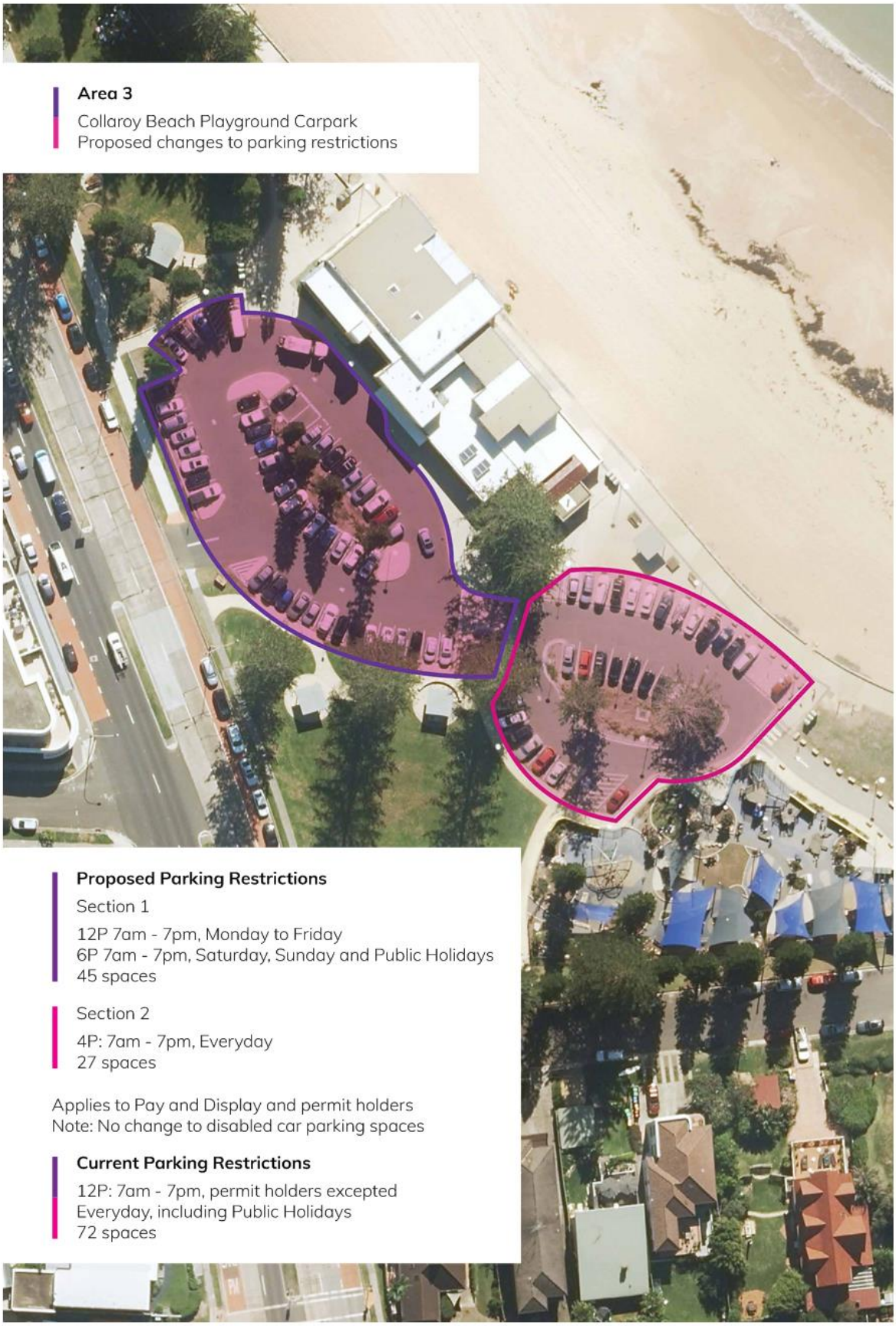
This IA Plan is provided solely for NBC's information, and is not to be used for any other purpose or distributed to any other party without KPMG's prior written consent. Other than our responsibility to NBC, neither KPMG nor its associated entities or employee of KPMG undertakes responsibility arising in any way from reliance placed by a third party on this IA Plan, including but not limited to NBC's external auditor. Any reliance placed is that party's sole responsibility.

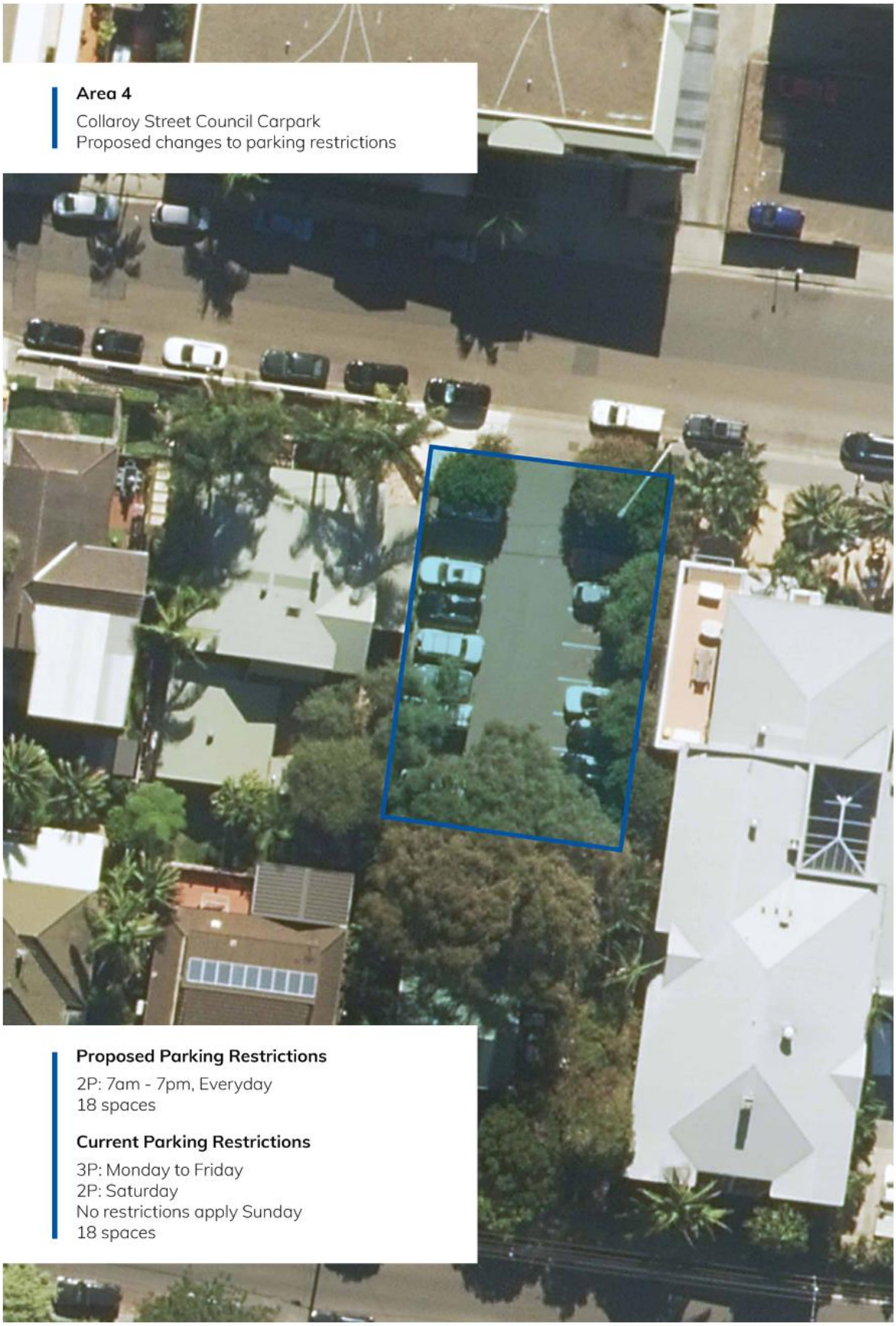
Collaroy Parking Changes

Collaroy Beach Car Parking Project
Area overview
Area 1 - Section 1 & 2
Collaroy Beach Carpark
Area 2
Collaroy Beach Middle Carpark
Area 4
Collaroy Street Council Carpark
Area 3 - Section 1 & 2
Collaroy Beach Playground Carpark

Area 1
Collaroy Beach Carpark
Proposed changes to parking restrictions
Proposed Parking Restrictions
Section 1
12P: 7am - 7pm, Monday to Sunday
82 spaces
Section 2
12P: 7am - 7pm, Monday to Friday
4P: 7am - 7pm, Saturday, Sunday and Public Holidays
38 spaces
Applies to Pay and Display and permit holders
Note: No change to disabled car parking spaces
Current Parking Restrictions
12P: 7am - 7pm, permit holders excepted
Everyday, including Public Holidays
120 spaces
No Stopping
Proposed Motorcycle parking

Area 2
Collaroy Beach Middle Carpark
Proposed changes to parking restrictions
Proposed Parking Restrictions
1P: 7am - 7pm, Everyday
10 spaces
Note: No change to disabled car parking spaces
Current Parking Restrictions
No parking restrictions currently apply in this carpark
10 spaces
No Stopping


Area 3
Collaroy Beach Playground Carpark
Proposed changes to parking restrictions
Proposed Parking Restrictions
Section 1
12P 7am - 7pm, Monday to Friday
6P 7am - 7pm, Saturday, Sunday and Public Holidays
45 spaces
Section 2
4P: 7am - 7pm, Everyday
27 spaces
Applies to Pay and Display and permit holders
Note: No change to disabled car parking spaces
Current Parking Restrictions
12P: 7am - 7pm, permit holders excepted
Everyday, including Public Holidays
72 spaces


Area 4
Collaroy Street Council Carpark
Proposed changes to parking restrictions
Proposed Parking Restrictions
2P: 7am - 7pm, Everyday
18 spaces
Current Parking Restrictions
3P: Monday to Friday
2P: Saturday
No restrictions apply Sunday
18 spaces

northern
beaches
council

REF: 569-20180315-01

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SITE INSPECTION REPORT

To: Wade Gregory

Email : *Wade.gregory@northernbeaches.nsw.gov.au*

From : David Murrant Date : 23 March 2018 Pages : 11

Project : Northern Beaches Council – Bilarong Scout Hall
Inspection No. 2

Date of Inspection	Thursday 15 March 2018
Inspection Carried Out By	David Murrant and Michael Tan
Purpose of Inspection	▪ Undertake a visual inspection of exposed termite damage and provide structural advice on works to be completed. This report is the second inspection following removal of panelling to expose structure.
Areas of Project Inspected	▪ All internal areas were inspected where panelling had been removed, together with external areas with cladding removed. The sub-floor was also inspected
Reference Documentation	▪ JRC Site Inspection Report dated 14 February 2018.
Result/s of Inspection	▪ Extensive termite damage was observed throughout the building including the top and bottom plate of wall frames, wall frame columns and LVL roof beam. The identified areas of damage are show on the attached Drawing No. 569-C-01. ▪ The eastern end of the building was the worst affected area with significant damage to the wall columns and the main LVL roof beam running across the width of the building. It is noted that this area included the male and female toilets which had tiled walls that had not been removed and could not be fully inspected. Localised inspection holes had been cut. Refer to Photos P15-P20. Based on the extent of wall damage to the rear of the southern kitchen wall (observed from the garage, Photos P26 and P27), similar damage is anticipated to all walls at this end of the building. ▪ Photo 21 shows the wall frame to Room 2 viewed from outside of the room with the wall cladding removed. Photo 22 shows the same wall frame to Room 2 view from inside the room with the internal lining removed. The external view shows no damage but some indication of termite activity. However, the internal view shows extensive termite damage to the top plate.

- The sub-floor was inspected with all timber piers visually inspected together with hammer testing. The floor joists were also inspected.
- No termite damage to the timber piers or floor joists was observed. Some splitting of the piers was observed. No entry point for the termite was observed.
- The timber piers had no ant-capping installed but some termite treatment was observed with plastic plugs.

Recommendations

- It is recommended that Council consider the viability of undertaking localised patch repairs versus constructing a new facility due to the extent of damage observed. Two options for the repair works should be costed for consideration.
  - **Option 1** – Localised removal and replacement of all identified members with termite damage as shown on Drawing No. 569-C-01. This work will require the partial demolition of the male and female toilets, together with the kitchen. It is anticipated that further damage will be identified to the internal stud walls when tiling is removed.

    Installation of an appropriate termite barrier to timber piers to be installed to meet current Australian Standards AS 3660.1 and the Building Code of Australia.
  - **Option 2** - Demolish the timber framed structure and replace with a new facility. The new facility would need to be assessed against Council's development control plans.

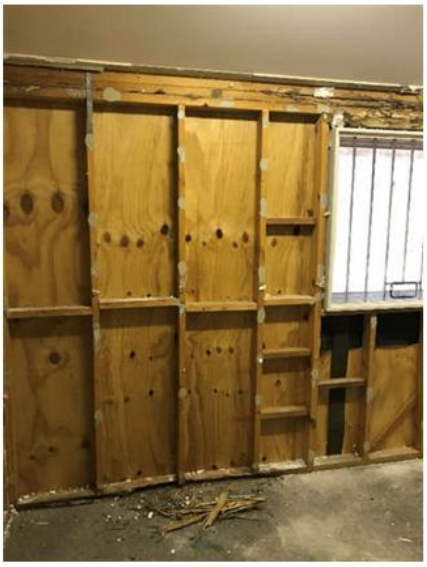
Attachments

- Site Photographs
- Damage Diagram, Drawing No. 569-C-01A

Yours faithfully,
James Rose Consulting

David Murrant
Director
BE (Civil) CPEng MIE Aust NER (Civil & Structural) RPEQ

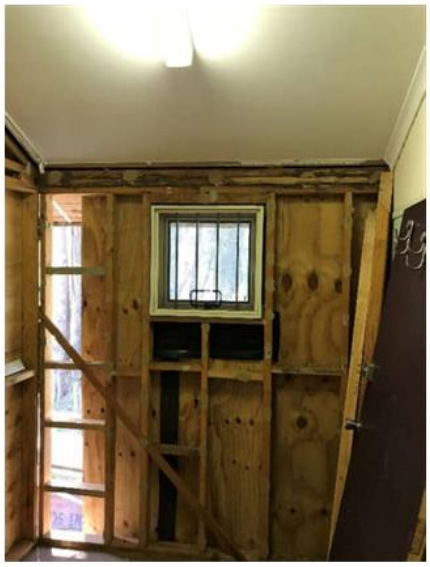
Site Photographs:



P1 – Room 3 Top and Bottom Plate

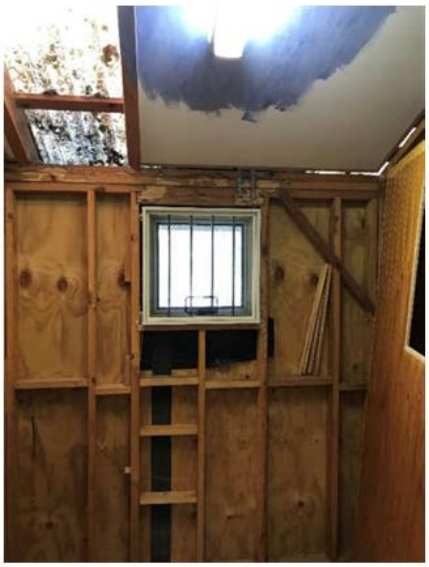
P2 – Room 1 Top and Bottom Plate

P3 – Room 1 Column

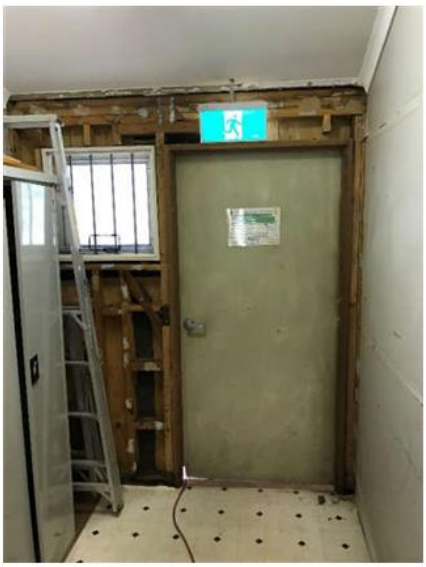


P4 – Room 2 Top Plate

P5 – Room 4 Top Plate



P6 – Room 5 Top Plate



P7 – Exit top and Bottom Plate

P8 – Room 6 Top Plate

P9 – Room 6 Top Plate

P10 – Room 6 Top Plate

P11 - Leaders Room

P12 – Store Room Column, LVL & Top Plate

P13 – Store Room Column, LVL & Top Plate

P14 – Store Room Column

P15 – Kitchen Column and Top Plate

P16 – Kitchen Column and LVL

P17 – Kitchen Column and LVL

P18 – Hall Top Plate

P19 – Male Toilet Column and LVL

P20 – Female Toilet Column and LVL

P21 – Room 2 External

P22 – Room 2 Internal

P23 – Room 2 External

P24 – Leaders Room External

P25 – Leaders Room External

P26 – Garage Column & Top Plate

P27 – Garage Columns & Top Plate

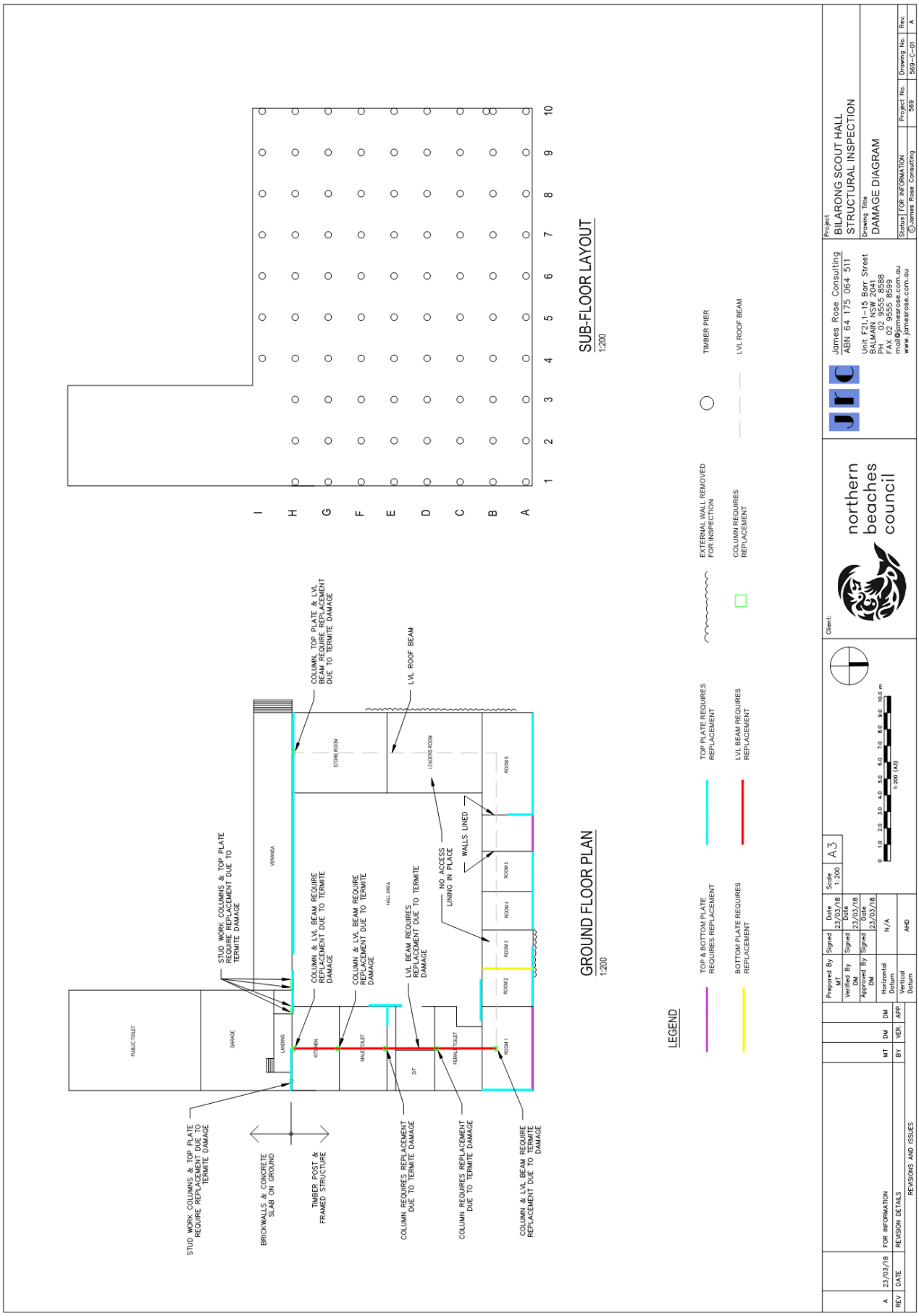
P28 – Termite Bait Station

P29 – Pier E3

P30 – Pier F4

P31 – Pier D10

P32 – Pier D5


SUB-FLOOR LAYOUT
1:200
GROUND FLOOR PLAN
1:200
LEGEND
TOP & BOTTOM PLATE REQUIRES REPLACEMENT
TOP PLATE REQUIRES REPLACEMENT
LVL BEAM REQUIRES REPLACEMENT
BOTTOM PLATE REQUIRES REPLACEMENT
EXTERNAL WALL REMOVED FOR INSPECTION
COLUMN REQUIRES REPLACEMENT
TIMBER PIER
LVL ROOF BEAM
STUD WORK COLUMNS & TOP PLATE REQUIRE REPLACEMENT DUE TO TERMITE DAMAGE
BRICKWALLS & CONCRETE SLAB ON GROUND
TIMBER POST & FRAMED STRUCTURE
COLUMN REQUIRES REPLACEMENT DUE TO TERMITE DAMAGE
COLUMN & LVL BEAM REQUIRE REPLACEMENT DUE TO TERMITE DAMAGE
LVL BEAM REQUIRES REPLACEMENT DUE TO TERMITE DAMAGE
NO ACCESS LINING IN PLACE
WALLS LINED
COLUMN, TOP PLATE & LVL BEAM REQUIRE REPLACEMENT DUE TO TERMITE DAMAGE
LVL ROOF BEAM
PUBLIC TOILET
GARAGE
LANDING
VERANDA
KITCHEN
MALE TOILET
HALL AREA
DT
FEMALE TOILET
ROOM 1
ROOM 2
ROOM 3
ROOM 4
ROOM 5
ROOM 6
STORE ROOM
LEADERS ROOM
REV
DATE
REVISION DETAILS
A
23/03/18
FOR INFORMATION
MT
DM
DM
BY
VER.
APP.
REVISIONS AND ISSUES
Prepared By MT
Verified By DM
Approved By DM
Signed
Date 23/03/18
Horizontal Datum N/A
Vertical Datum AHD
Scale 1:200
A3
1:200 (A3)
Client:
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Project
BILARONG SCOUT HALL
STRUCTURAL INSPECTION
Drawing Title
DAMAGE DIAGRAM
Status FOR INFORMATION
Project No. 569
Drawing No. 569-C-01
Rev. A
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Local Infrastructure Contributions Strategy for Infill Development

Purpose

Development Contributions form an important part of Council's funding for the provision of local infrastructure on the Northern Beaches.

The two options for development contribution plans that the *Environmental Planning and Assessment Act 1979* (EPA Act 1979) provides for are;

- Section 7.11 (previously Section 94) provides for traditional style plans that are based off either additional dwellings, increase in gross floor area, increased car parking demand or increase in dwelling occupancy. The Minister for Planning has implemented a $20,000 per dwelling cap on contributions under this form of plan for non-growth areas. This form of plan requires Council to demonstrate a nexus between the increased population and the commensurate increase in demand for local infrastructure.

- Section 7.12 (previously Section 94A) provides for an approach that applies a percentage of the costs of works for development types above a minimum cost. This form of Plan is referred to as a fixed development consent levy. The *Environmental Planning and Assessment Regulations 2000* (EPA Regulation 2000) stipulate the maximum level of contribution and development types that are exempt from contributions.

It is well established that local infrastructure contributions plans prepared under Section 7.11 provide the best method of funding improvement to local infrastructure in growth areas. Conversely for existing infill (non-growth) areas, it remains largely a case by case basis as to which approach provides the greatest level of funding for community infrastructure depending on the capacity of the infill areas to provide additional dwellings and the cost of work of the infill development.

Given the reasonable expectation within the community that service levels and processes should be consistent across the former Council areas, it is appropriate that Council consider how development contributions can be integrated.

The purpose of this strategy is to consider the options for a new development contributions plan for the infill areas of the Northern Beaches.

This strategy has been developed through consideration of:

- Analysis of historic development trends;
- Projection of long term financial impacts;
- Economic impacts of the options;
- Impact of the options on housing affordability;
- The financial and resource cost of both options in terms of administration and implementation of the plans, and Land and Environment Court (LEC) appeals;
- Consideration of the transitional arrangements.

Current development contribution plans on the Northern Beaches

Council currently has a number of developer contribution plans including:

- Northern Beaches Council Section 94A Plan 2017 (effected 16 July 2017);
- Manly Section 94 Contributions Plan 2004 as amended (effected 9 Sept 2017);
- Pittwater Section 94 Contributions Plan for Residential Development (effected 7 Nov 2015); and
- Warriewood Valley Section 94 Contributions Plan Amendment 16 - Revision 2 (31 January 2017).

Council is in the early stages of developing plans under Section 7.11 for growth areas at:

- Ingleside Precinct;
- Northern Beaches Hospital Precinct at Frenchs Forest; and
- Dee Why Town Centre.

The collection methodology that these contributions plans use for the infill or non-growth areas varies. The discrepancies in collection are best illustrated by the below table.

Plan (applying to 'infill' or non-growth)	Type of Development the Plan Levies Contributions On							
	Residential development		Commercial development		Industrial development		Tourist development	Car parking offset
	New	Alts/ Adds	New	Alts/ Adds	New	Alts/ Adds		
Northern Beaches Council Section 94A Plan (applies to the former Warringah LGA)	✓	✓	✓	✓	✓	✓	✓	✗
Manly Section 94 Contributions Plan (applies to the former Manly LGA)	✓	✗	✓	✓	✓	✓	✓	✓
Pittwater Section 94 Contribution Plan for Residential Development (applies to the former Pittwater LGA excluding Warriewood Valley Release Area)	✓	✗	✗	✗	✗	✗	✗	✗
Plan applying to growth area	Residential development		Commercial development		Industrial development		Tourist development	Car parking offset
	New	Alts/ Adds	New	Alts/ Adds	New	Alts/ Adds		
Warriewood Valley Section 94 Contribution Plan (applies to the Warriewood Valley Release Area)	✓	✗	✓	✗	✓	✗	✗	✗

Analysis of Key Features of Existing Plans

Plan (applying to 'infill' or existing areas)	Catchment Area	Contribution Rate for 2017/18	Positives	Negatives
Northern Beaches Council Section 94A Plan 2017	Land under Warringah LEP	Rate based on the percentage of estimated development cost. If the work is: • Less than $100,000 = $0 • $100,001-$200,000 = 0.5% of cost of works • Greater than $200,000 = 1% of cost of works	• Simple to administer. • Easy for the public to use and understand. • Can't be contested in LEC. • Least economic impact on development outcomes. • Broad base with low contribution level spread over most development. • Consistent cash flow facilitating the timely planning and delivery of infrastructure.	• Contribution rate cannot exceed 1% of the developments cost, unless agreed to by the Minister for Planning. • Application dependent on the quality assurance of the cost estimate of the development.
Manly Section 94 Contributions Plan 2004	Land under Manly LEP	Residential $20,000 per dwelling Commercial $28,036.34/100m^2 GFA (Manly precinct) or $15,233.49/100m^2 GFA (other precinct) Industrial $15,233.49/100m^2 GFA Tourist devt $4,099.08/bed Carparking Offset $37,392.78/ carspace (Manly precinct) or $18,902.17/ carspace (other precinct)	• Allows for car parking not provided on site to be offset with contributions which assists redevelopment of sites with difficult parking arrangements and assist funding new car parks. • Requires contributions for tourist related development that requires additional community infrastructure.	• Complex to administer and plan amendments/reviews have been ad hoc and infrequent. • Very complex, hard for Applicants to understand and open to some interpretation. • Disincentive for commercial development due to higher charges.

Pittwater Section 94 Contributions Plan 2015	Land under Pittwater LEP except Warriewood Valley Release Area	Residential $20,000 per new dwelling (does not apply to secondary dwellings)	• Simple to administer with annual rates schedule. • Easy to use / implement • Easy for Applicants to understand	• Does not charge any contribution for commercial or industrial development and as a result favors these forms of development. • Narrow base with high contributions for some types of development and nothing for others.

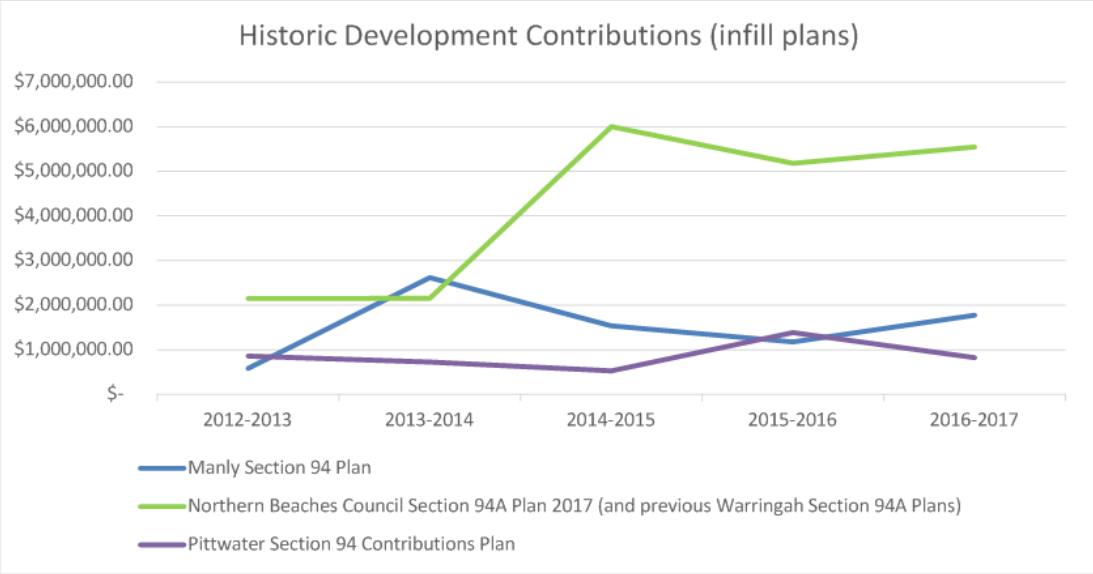
Plan applying to growth area	Catchment Area	Contribution Rate for 2017/18	Positives	Negatives
Warriewood Valley Section 94 Contributions Plan Amendment 16 – Revision 2	Warriewood Valley Release Area	Residential $64,545 per dwelling/lot (does not apply to secondary dwelling)	• Infrastructure delivery commensurate with demand of incoming population. • Includes commercial and industrial development.	• Complex to administer • Complex for development assessment to use and requires referral to Development Infrastructure Officer. • Often contested in LEC.
		Commercial/Industrial $145.24 per m^2 (rate applies outside of Ponderosa Parade precinct)		
		Commercial/Industrial $197.51 per m^2 (rate applies within Ponderosa Parade precinct)		

Financial Analysis

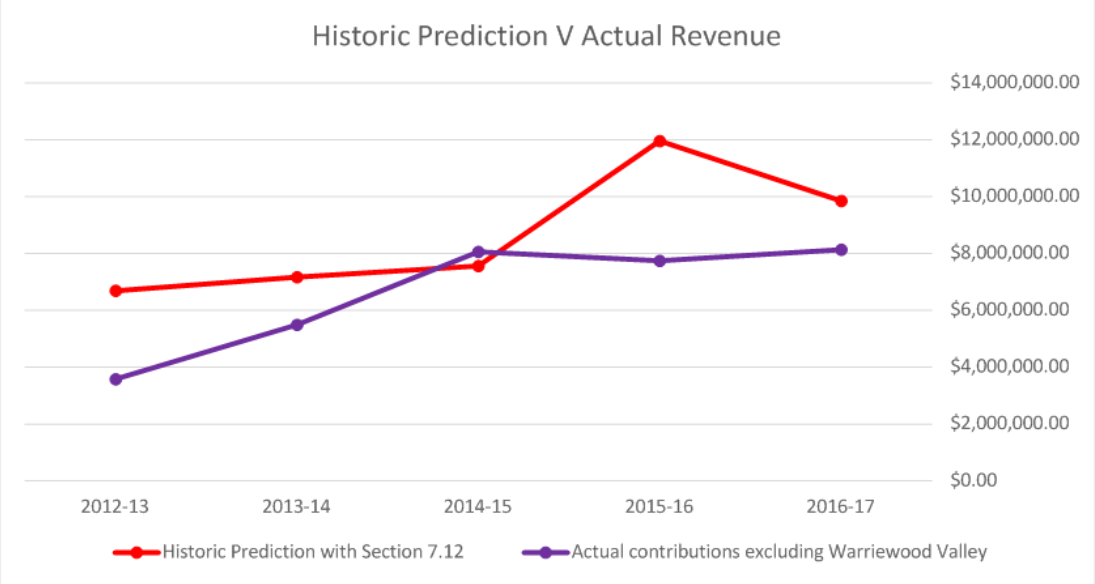
The amalgamation to form Northern Beaches Council has created a far greater catchment for development contributions for Council's infill areas. Economies of scale are achieved through integrating to a single plan for infill areas as the administrative costs for the plan are funded through contributions. Integrating to a single plan will allow a greater percentage of the costs associated with administrating the plans to be allocated to community infrastructure.

The purpose of this section is to examine which option for a new plan will provide for the best financial outcome for funding community infrastructure into the long-term. To establish the long term financial impacts of a future infill plan under Section 7.11 or Section 7.12, it is necessary to examine the historic trends. From that point it is possible to analyse the estimated level of contributions that Council could expect to receive under both options.

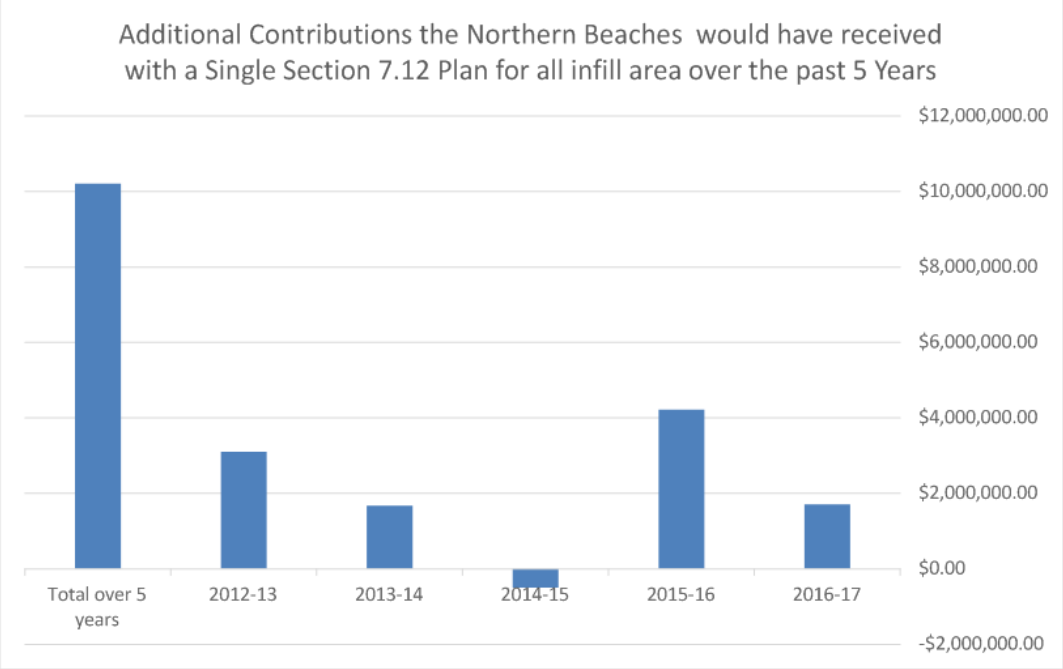
Development contributions vary from year to year and are highly impacted by economic factors beyond the control of Council. The below table indicates the contributions received over the last 5 financial years from Council's infill plans.



By analysing historic Construction Certificate and Complying Development Certificate data, it is possible to determine the amount of contributions that a single development contribution plan for infill areas under Section 7.12 would have provided for Council. This data is able to be compared with the actual collection data to determine if a single Section 7.12 plan would have provided a higher level of contribution than the existing infill plans.



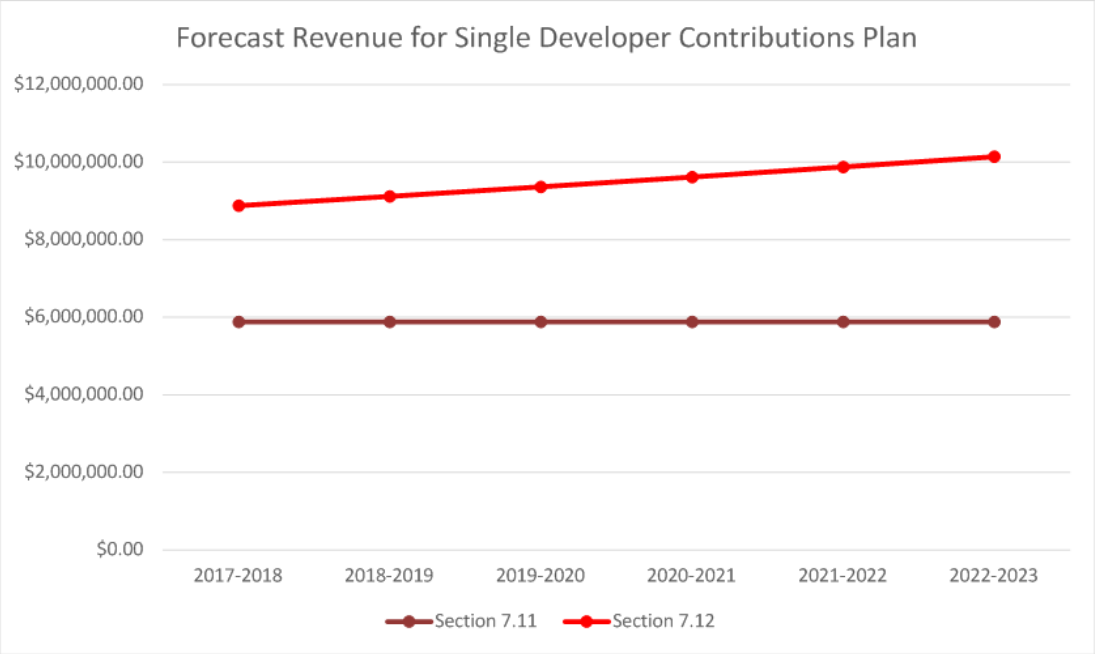
This data demonstrates that Council would have received significantly more development contributions in all but one year through adoption of a single infill plan under Section 7.12. Analysis of this data demonstrates that Council would have had over an additional 10 million dollars in development contributions over the last five years to invest in community infrastructure if a single plan under Section 7.12 was adopted for infill areas.



While the amount of development contributions that the organisation receives swings dependent on economic and factors, it is possible to extrapolate predictions based off the long term averages. This can then be adjusted for inflation in the construction sector using the long term average Building

Price Index (BPI). This allows for the most accurate estimate of the future level of contributions under a Section 7.12 Plan.

This data can then be compared to an average of historical data on new Sydney Water connections within the LGA (excluding the growth areas) to produce a figure that represents the average increase in dwellings outside the growth areas. This figure is the best to use as it excludes both development in the growth areas and new dwellings that would likely be excluded from the contributions under Section 7.11 such as knock down rebuilds and secondary dwellings.



The impact of the $20,000 cap on development contributions under Section 7.11 plans together with the rising cost of construction means that over time Council will have significantly more funds for community infrastructure by shifting to a with a collection model based on Section 7.12. Into the long term, as the existing capacity for infill development under Council's current planning controls is utilised, the amount of development that provides additional dwellings will reduce while the cost of building construction will rise. As a result, Council's capacity to deliver community infrastructure into the long term will be greatly enhanced by a shift to a single development contributions plan under Section 7.12.

Broad based collection vs targeted collection

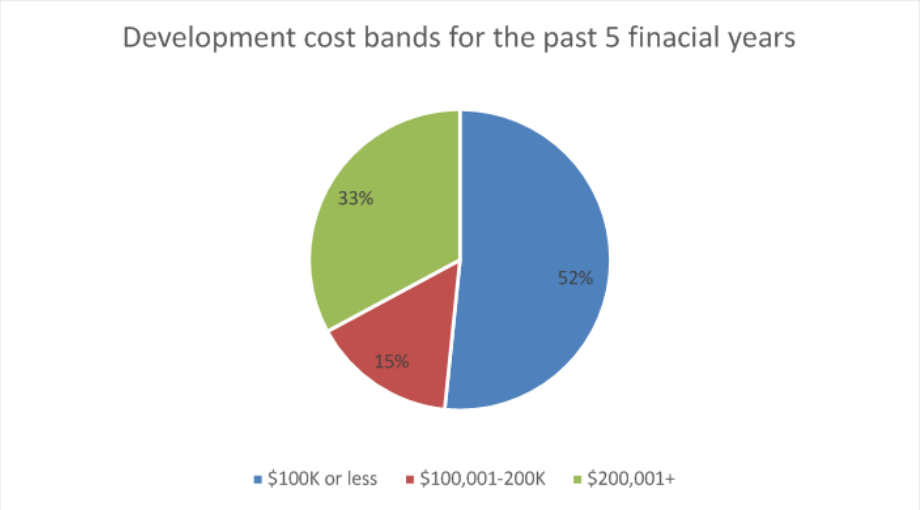
A significant difference between Section 7.11 and Section 7.12 plans is that development contributions are more evenly spread across developments.

Development contributions under Section 7.11 charge developments that provide additional dwellings, commercial floor space or to offset the lack of car parking provided. Outside of growth areas, the targeted approach used within these plans means that these forms of development are disincentivised as the money for community infrastructure comes from a small base.

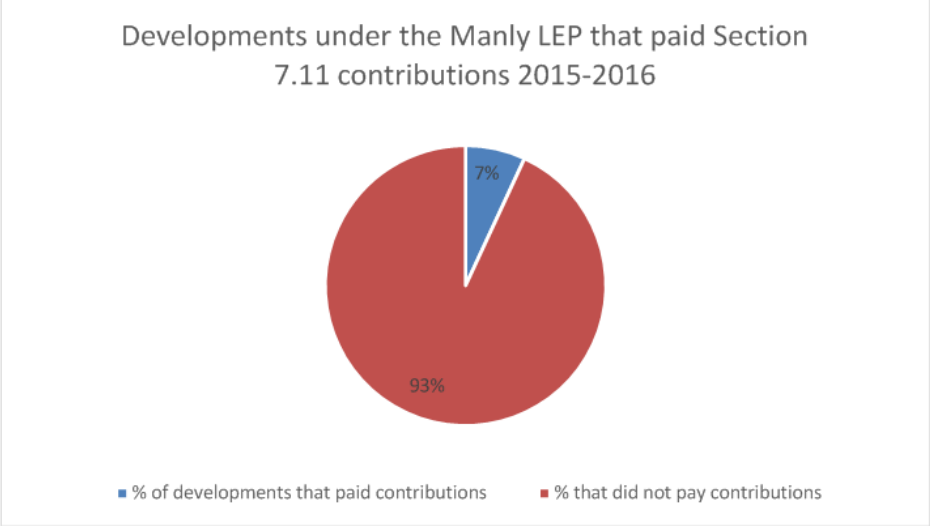
It is important to note that for plans based on Section 7.12 developments with a cost of works of less than $100,001 are not levied contributions. Typically these forms of developments relate to shop fit outs and minor alterations and additions to dwellings.

The charge for development that is in the next cost band, being $100,001-$200,000, means a contribution charge of $500.01-$1,000. Development within this range generally consists of significant alterations and additions to dwellings, secondary dwellings and larger fit outs.

Over the past 5 years, Construction Certificates and Complying Development Certificates indicate that most development in the LGA would not attract any contribution with 52% of development being below the level on which a Section 7.12 contribution plan is able to charge under the *EPA Regulations 2000*.



This means that most development will not pay any contributions as the cost of works is less than $100,000. However, the percentage off applications making a contribution is significantly increased when compared to plans like the Manly Section 94 Plan 2005 that charges a small percentage of applications a very high level of contributions.



By broadening the number of applications that pay a contribution towards community infrastructure, greater fairness is achieved in the system. The lower costs basis of this approach means that the costs of development contributions are unlikely to act as a disincentive to developments occurring as the rate of contributions is relatively low in the context of the overall costs of the development.

A single fixed development consent levy under Section 7.12 will also remove any uncertainty regarding contributions for Applicants. This approach ensures that there is no discretion or interpretation in the application of a contribution by Council. This minimises the risk of inappropriate conduct by Council Staff in relation to development contributions.

Impact on housing affordability

Shifting to a development contributions plan based on Section 7.12 will improve housing affordability for new dwellings that are located within the infill areas due to a reduction in the level of contributions for additional dwellings and through facilitating increased supply in additional dwellings through lowering the costs of development.

A typical additional dwelling for infill development (being a 95m^2 unit in a 3 story walk up with high end finish) has a cost of works of around $260,000 per unit. This means that the development contributions would be on average $2,600 per unit using a development contributions plan under Section 7.12. This means that the average infill development is likely to have development contribution that is $17,400 less than what would be applicable under a development contributions plan under Section 7.11, assuming a contribution at the $20,000 cap.

Development Contributions can play a significant part in the costs of development and shifting to a lower cost will make some developments financially viable within the former Manly and Pittwater area that previously were not viable with the previous contribution of based on Section 7.11. It would be expected that this would result in a short term increase in infill development.

Under Clause 25J(3)(l) of the *EPA Regulations 2000* the costs of providing affordable housing are excluded from development contributions under Section 7.12 of the *EPA Act 1979*.

The *EPA Act 1979* defines 'affordable housing' as:

> *"housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument."*

As a result, this exclusion relates only to Infill Affordable Housing under Division 1 of the *SEPP (ARH) 2009* which is restricted to households referred to within the *EPA Act 1979* definition of affordable housing and other types of housing under *SEPP (ARH) 2009* are included.

Generally growth areas require significant additional community infrastructure to meet the demand of the increased population. This is usually funded through development contributions. As a result it is often necessary for Council to utilise Section 7.11 for growth areas which generally have lower costs due to the scale of development and as a result are able to absorb the greater costs. It is important to note that the costs associated with contributions for growth areas are largely born by the landowner who receives significant uplift in property values from the rezoning of the land. In the context of a growth area, higher development contributions reduce the uplift value of the rezoning. Given that this uplift in land values from rezoning is economic rent, it is appropriate that Council structure its contributions plans to maximise the value capture of this economic rent to deliver infrastructure for the community.

Implications for Economic Development

From an economic development perspective, the application of a new developer contribution framework across the Northern Beaches should ideally be one that does not favour residential over non-residential development (i.e. commercial uses). This could be detrimental to supporting a vibrant local economy and achieving job growth.

Currently, under the Manly Section 94 Plan, the rate for commercial developments is substantially higher than the residential rate irrespective of size of a dwelling. In addition to this there is higher offset car parking provisions for commercial, compared to residential uses. In centres with a mix-use zoning, this could provide a disincentive to commercial development.

The current strong housing demand tends to favour residential development with push from developers to reduce the commercial component to allow more residential, where possible. A current example is the Meriton development in Dee Why which previously submitted a Planning Proposal to reduce the level of non-residential development from 3 to 2 stories, which was approved. They have subsequently submitted another Planning Proposal to allow residential uses on the first floor which would effectively restrict non-residential uses to only the ground floor. While the proposal cites limited demand for commercial space in Dee Why, relatively higher contributions costs for commercial uses could also undermine the feasibility of commercial development.

The application of a contribution based on the cost of the development results in no differentiation between residential, commercial and industrial uses and provides a more 'level playing field' approach with a set percentage rate based on overall costs of that development. This would give more certainty to the market, especially where a mix of uses is being encouraged in a centre.

Administrative and legal costs

The administrative costs associated with development contributions plans under Section 7.12 are significantly lower than plans prepared under Section 7.11. This is due to the requirement to establish a nexus for projects funded under Section 7.11 to the development which must be demonstrated as the capital works schedule are added each year. As the administrative costs associated with these plans are funded from contributions, by reducing the administrative cost more funding is available for capital works.

A single development contributions plan prepared under Section 7.12 will provide for a more robust plan with a high level of accountability and transparency. The demand risks associated with a plan under section 7.12 are reduced due to the more consistent cash flow of development contributions into the plan allowing Council to plan and deliver the works schedule in a more efficient manner.

Council has had several Land and Environment Court appeals in relation to the level of development contributions charged under its development contribution plans under Section 7.11. This is because these plans are subject to appeal in relation to the reasonableness of the contribution and the nexus between the increased population and the demand for infrastructure. Development contributions plans under Section 7.12 are exempt from such action within the Land and Environment Court as there is no legal recourse for developers to challenge the level of contributions imposed under these plans. This will reduce Council's legal costs.

Transitional arrangements

This section will explore the way that the Council could transition to a single fixed development consent levy contributions plan to meet all legislative requirements and best practice guidelines. The following topics will be explored in more detail below:

- An assessment of the legislative requirements,
- A review of the NSW Department of Planning & Environment (DP&E) Practice Note on development contributions,
- A strategy for managing the expenditure of funds collected under the three current contribution plans to be repealed.

A key issue in managing the transition is that the contribution imposed on a development consent is not required to be payed until that development has progressed to the Construction Certificate or Subdivision Certificate stage. A person who has a development consent has up to 5 years to obtain a Construction Certificate or Subdivision Certificate and achieve substantial commencement for the development. In relation to deferred commencement consents the applicant could have up to 5 years to satisfy the deferred commencement consent and then 5 years to progress to the Construction Certificate or Subdivision Certificate stage.

Legislation

A contributions plan provides the legislative framework for Council to fund the provision of public infrastructure to support the needs of the current and future population. Council may only levy a contribution if it is in accordance with a contributions plan therefore it is vital that a contributions plan is contemporary, prepared in accordance with all relevant legislation and indicative of community needs.

The *EP&A Act 1979* identifies that a contributions plan is repealed by the adoption and notification of a new contribution plan. Section 7.20(4) stipulates that the repeal of a contributions plan does not affect the previous operation of that plan or anything duly done under the plan. In this regard, a new plan is to be prepared to replace the existing three plans however contributions imposed under these existing plans are still valid and income will still be collected under them for a number of years. All contributions collected under these existing plans will remain a restricted asset and be used to fund the provision of public infrastructure and services in the areas which they were collected.

The *EP&A Act 1979* requires a Council to prepare a contributions plan in accordance with the requirements of the *EP&A Regulation 2000*. The Regulation identifies what information a contributions plan must contain and how it is exhibited. These requirements will be incorporated into the preparation of the new contribution plan. Section 26(1) of *EP&A Regulation 2000* also requires the preparation of a contributions plan to have regard to relevant adopted DP&E practice notes. Council is also required to maintain accounting records of contributions and distinguish them from other accounts.

Practice Notes on Development Contributions

The Development Contributions Practice Note July 2005 prepared by the DP&E, provides direction on the key principles and concepts underpinning the framework for preparing, reviewing and reporting on contributions plans. The chapters on financial management and accounting are particularly relevant to the transition to a single new contributions plan across the non-growth areas.

The practice note allow Councils to pool development contributions between accounts. This allows sufficient funds to construct facilities, providing greater flexibility in the way facilities can be provided.

Pooling of contribution funds is permitted if Council is satisfied that this will not unreasonably delay the implementation of the works program.

Strategy for managing current reserves and legacy contributions with the repealed contributions plans

Central to the process of transitioning to a new contributions plan is the management of the remaining funds collected under the plans to be repealed. All funds collected under contributions plans by Northern Beaches Council (and the three former councils), are held as restricted assets until they are spent. All development contribution income (including interest earned from fund held in reserves) is reported in Note 17 of the Annual Financial Report. This annual report is reviewed by an external auditor to ensure that Council is meeting all legislative and best practice requirements for financial management.

Development contribution accounts are isolated from other Council income to ensure they are only spent for the purpose that they were collected. Funds in these accounts are only used for the provision, augmentation or extension of public infrastructure in the catchment area which they were collected. Council is expected to receive income under repealed contributions plans for development consents that are already approved for up to 5 years (or up to 10 years in the case of deferred commencement conditions).

It is recommended to maintain the existing development contribution accounts for the corresponding contributions plans that are to be repealed until these funds are exhausted and all existing development consents expire. The money in these accounts will be restricted to fund the provision of public infrastructure within the areas which they were originally collected. For example, contributions received for a DA levied under the Manly S94 Contributions Plan will only be spent on public infrastructure identified in the new contributions plan in the former Manly LGA. The expenditure of these existing reserves could be supplemented with income received under the new fixed development consent levy plan to ensure the efficient delivery of infrastructure. This method is considered a fair and equitable approach that complies with all legislative and best practice guidelines.

Strategy for managing existing development consents that have not been carried out

As a result of the change to a Section 7.12 plan some existing development consents that would have paid a significant development contribution will attempt to have their contributions reduced to the lower rate within the new plan. It is recommended that the new single fixed development consent plan include transitional arrangements to manage live consents that were issued under the plans to be repealed.

It is recommended that the new plan stipulate that development consents issued before the date the plan the new plan is in force are subject to the rates of the previous plans. This is an approach taken by several Councils around the state.

Applicants will however be able to reduce their contribution by lodging a new development application or Complying Development Certificate. The new application would be subject to the latest planning rules however the costs and time associated with this may discourage many from doing so.

Conclusion

The case for shifting to a Development Contributions Plan for Council's infill areas based on Section 7.12 of the *EPA Act 1979* is strong. By adopting this type of plan Council will significantly increase the level of funding that is available for community infrastructure over the long term. This type of plan will reduce the administrative and legal costs creating further savings for the community.

Shifting to a development contributions plan prepared under Section 7.12 for infill areas will reduce the economic impacts that development contributions have on various development types by charging a fixed rate. Housing affordability will be positively impacted by changing to a development contributions plan based on Section 7.12 through reduced contributions for infill developments that provide new dwelling. Fixed contribution plans under Section 7.12 are also the simplest way to ensure the correct and efficient application of contributions to Complying Development Certificates issued by private certifiers.

Recommendation

A. That Council develop a single development contributions plan for the infill areas under the provisions of Section 7.12 of the *Environmental Planning and Assessment Act 1979* based on the maximum fixed levies within Clause 25K of the *Environmental Planning and Assessment Regulation 2000*.

B. That Council maintain the financial accounts of the plans to be repealed and spend all funds in these accounts in the areas in which they were collected until all funds are exhausted.

C. That any future report to Council adopting the new plan clearly articulate that any previous resolutions making exceptions for development types such as secondary dwelling within the former Pittwater Council are overridden and subject to the fixed development consent levy within the plan to avoid any inconsistency.

Draft Northern Beaches Section 7.12 Contributions Plan 2019

northern beaches council

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1. Introduction

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

As at 2019, the LGA had a population of more than 271,000 people, representing average growth of 1% or almost 2,500 people per annum from 2011. Annual economic activity amounts to some $16.3 billion, or 2.9% of the state's gross state product (GSP), with health care and social assistance the largest employer followed by retail, education and training, accommodation and construction industries.

The Northern Beaches will continue to accommodate further urban development into the future. Latest forecasts suggest that the population will grow by almost 38,000 or around 14% to reach more than 309,000 by 2036. New development is also expected to yield at least 13,000 additional workers in the LGA during the same period.

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

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

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

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

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

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

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

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

[4] id forecasts.

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

[6] id forecasts.

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

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

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

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

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

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

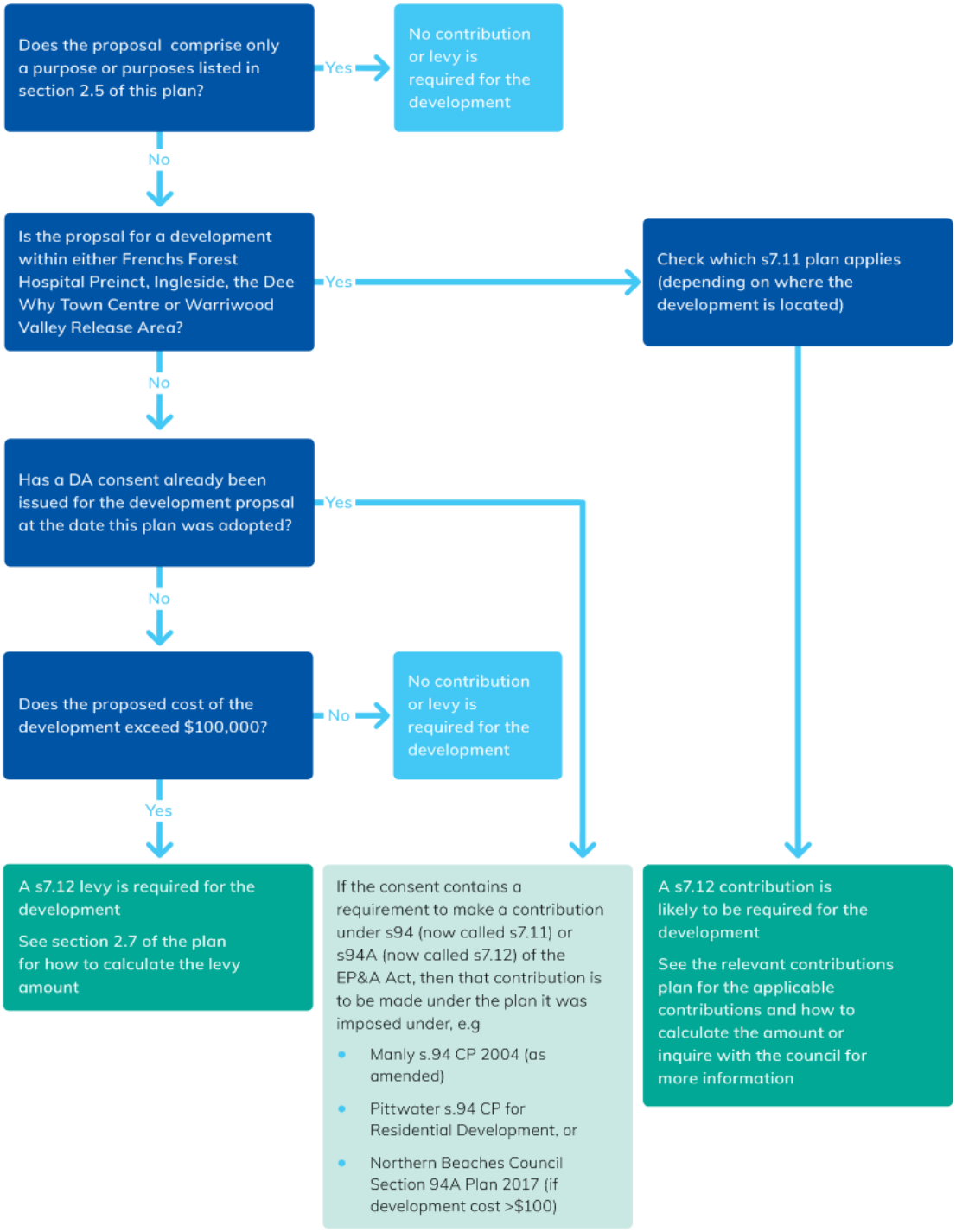
This plan includes the following:

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

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

[8] More detail on these plans is in Section 6.1.

Figure 1 When is a levy required under this plan?



2. Plan Summary

2.1 How to use this plan

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

Section 2 - Plan Summary

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

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

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

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

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

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

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

Section 6 - Other administration matters

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

Appendices

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

2.2 Name and commencement of plan

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

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

2.3 What are the purposes of this plan?

The main purpose of this plan is to authorise:

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

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

Other purposes of this plan are as follows:

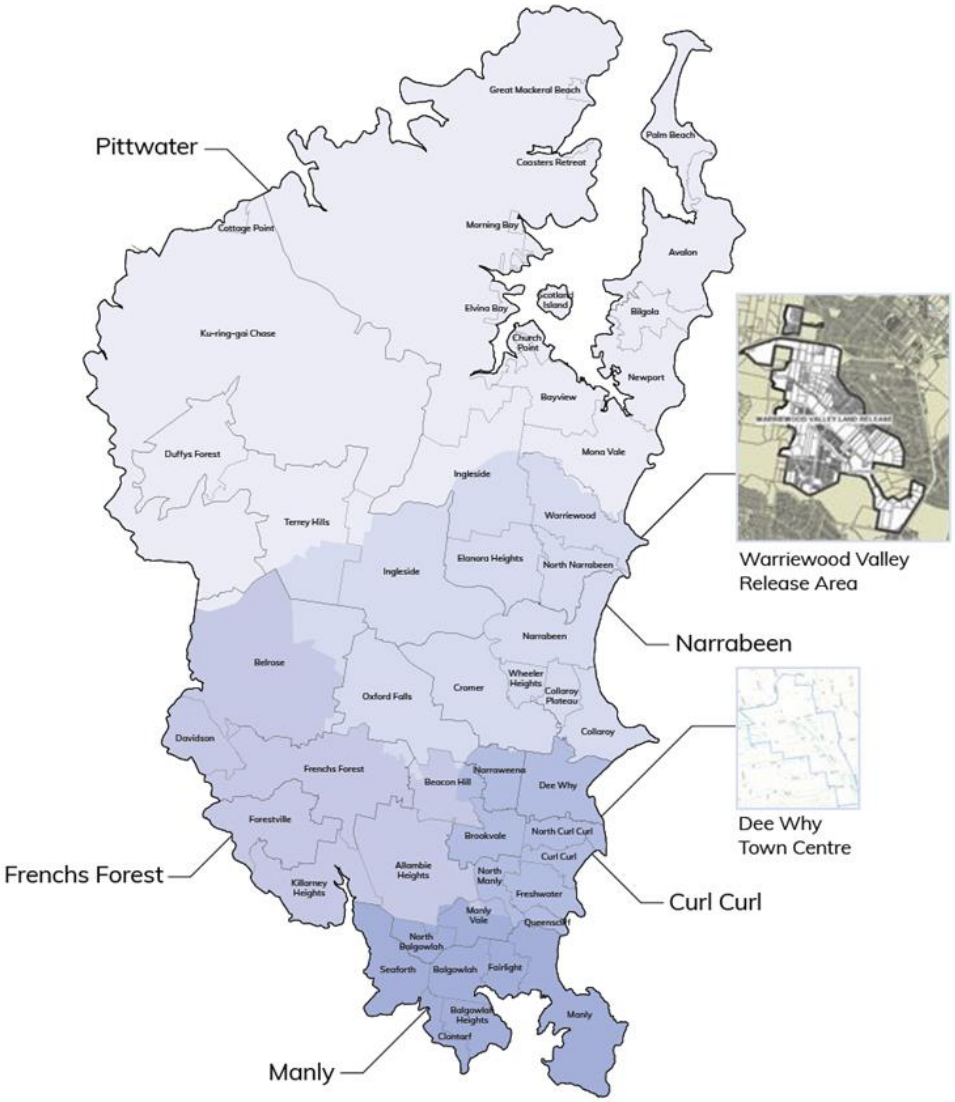
- To provide the framework for the efficient and equitable determination, collection and management of contributions collected from infill development in the Northern Beaches LGA.
- To establish a schedule of local infrastructure to be funded from contributions under this plan.
- To allow the opportunity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

2.4 What land and development does this plan apply to?

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

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

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



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

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

2.5 What development is exempted?

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

- Development applications and Complying Development Certificates where the proposed cost of carrying out development is up to and including $100,000.
- Development for the purpose of the adaptive re-use of an item of environmental heritage.
- Public infrastructure to be carried out by or on behalf of any public authority including the Council (e.g if a community facility includes commercial/retail floorspace then this component of the development is subject to the levy dependant on cost of works).
- Social housing and community housing provided by an organisation registered with the NSW Government. Applicants must demonstrate they meet these criterion within the application.
- Development for the purposes of any form of seniors housing defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that is provided by a social housing provider registered with the NSW Government.
- Development for public purposes that is provided by a charity registered with the ATO.
- Development exempted from contributions under section 7.17 of the EP&A Act by way of a direction made by the Minister for Planning. Directions that are in force may be viewed on the Department of Planning and Environment's website.

2.6 What Local Infrastructure will be provided under this plan?

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

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

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

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

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

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

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

Table 1 Summary of infrastructure cost

Type of Local Infrastructure	2020/21	2021/22	2022/23	2023/24	2024/25
Social infrastructure facilities[1]	$3,740,000	$2,000,000	$2,900,000	$200,000	$8,840,000
Active transport works	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$8,000,000
Public domain works	$2,500,000	$4,000,000	$2,000,000	-	$8,500,000
Total	**$8,240,000**	**$8,000,000**	**$6,900,000**	**$2,200,000**	**$25,340,000**

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

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

2.7 What are the levy rates?

Table 2 Section 7.12 levy rates

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

2.8 How to calculate a levy amount

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate in Table 2 by the proposed cost of the development as submitted by the Applicant. The cost of development is to be calculated in accordance with Section 35J of the EP&A Regulation 2000.

Worked examples:

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

$175,000 X 0.5%	= $875
Total levy	**= $875**

Note that if the cost of construction was more than $200,000, the levy would increase to 1% of the cost of construction; if it was less than or including $100,000, no levy would be payable.

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

$6 million X 1%	= $60,000
Total levy	**= $60,000**

If the cost of construction was between $100,001 and $200,000, the levy would reduce to 0.5% of the cost of construction; if it was less than or equal to $100,000, no levy would be payable.

3. Anticipated development and the infrastructure strategies

3.1 Expected demand for local infrastructure

3.1.1 Area context

The Northern Beaches LGA is in the northern coastal suburbs of Sydney, extending from Manly to Palm Beach. It comprises a land area of 254 km2 and combines a diverse range of land uses and economic activities. Pittwater, Narrabeen, Frenchs Forest, Curl Curl and Manly represent the five wards of Council.

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

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

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

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

[10] https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council.

[11] CSP, p 11.

[12] http://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council/wards-and-suburbs.

[13] id forecasts.

[14] Community id profile.

[15] id forecasts.

[16] https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council.

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

[18] id forecasts.

3.1.2 Recent development and population characteristics

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

Table 3 shows the increase in the number of dwellings between 2011 and 2016. While more than half of all existing dwellings are separate houses, high density dwellings have dominated growth. There were 3,148 additional high-density dwellings constructed in the five years to 2016, representing 82% of the increase in dwelling stock in the Northern Beaches LGA during that period.

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

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

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

Youth disengagement is a key concern for the community with 4.7% of young people aged 15 to 19 not engaged in work or study and a further 10.2% only partially engaged.[22] This has informed the need for local infrastructure in the plan designed to specifically meet youth needs.

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

Table 3 Dwelling Structure Comparison, 2011-2016

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

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

[21] CSP, p 11

[22] CSP, p 13

Table 4 Age Structure Comparison, 2011-2016

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

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

Table 5 Household Type Comparison, 2016

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

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

3.1.3 Expected residential development and population growth

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

Excluding the urban release and urban renewal areas not covered by this plan, growth is expected to be around 12% or an average of approximately 505 new dwellings per year. A range of smaller redevelopment sites have been identified for further medium and higher density housing in various locations of the LGA including (but not limited to) Manly, Dee Why (outside the Town Centre), Narrabeen and Brookvale.[24]

Table 6 Forecast dwellings and development 2017 - 2032

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

[23] id forecasts.

[24] id forecasts.

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

Source: id forecasts.

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

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

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

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

Table 7 Population forecast 2016 - 2036

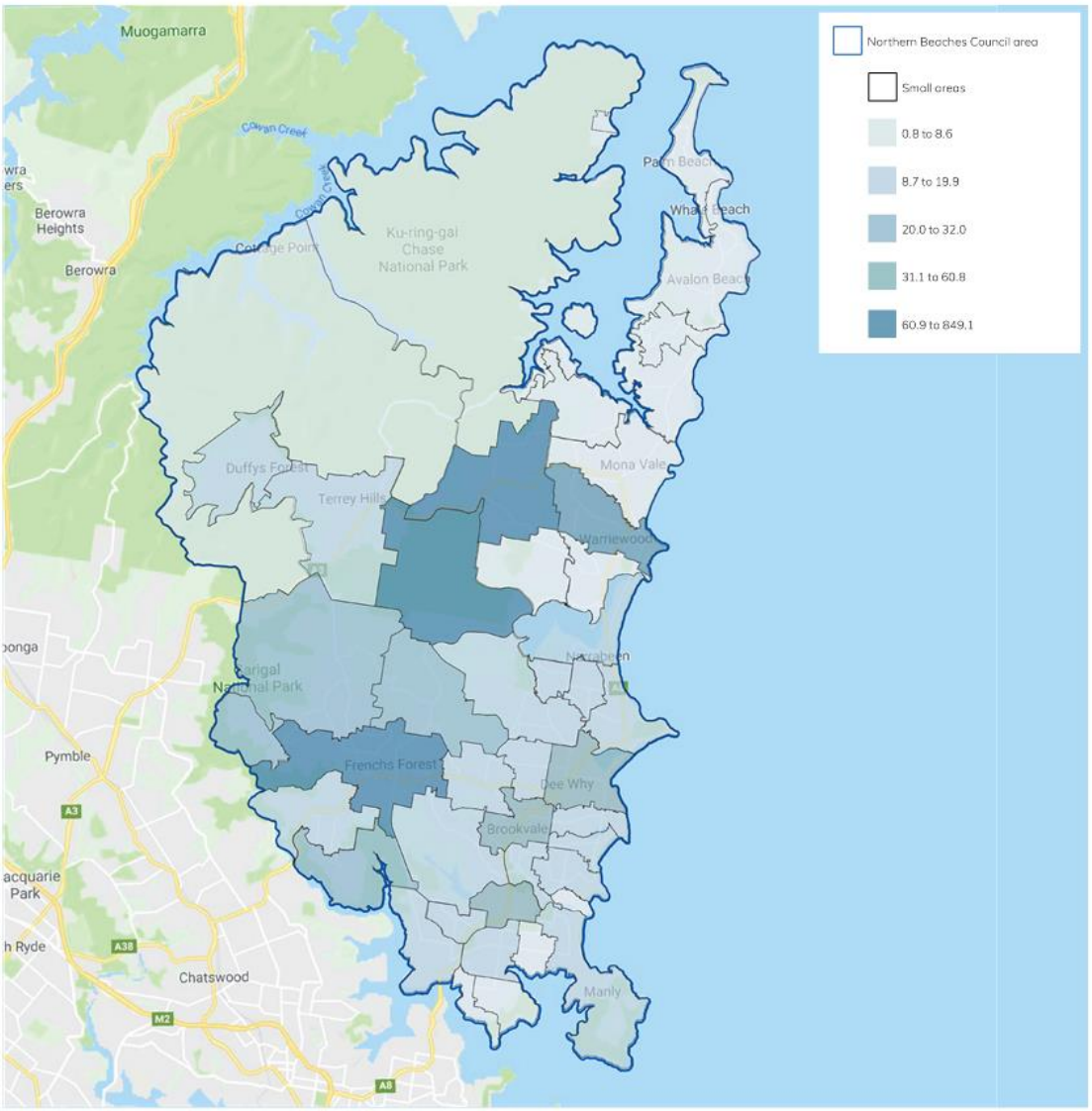
Suburb	2016	2036	Change	
	Number	Number	Number	%
Allambie Heights	7,274	7,860	+586	+8.1
Avalon Beach - Clareville	11,284	11,120	-164	-1.5
Balgowlah	8,338	10,088	+1,750	+21.0
Balgowlah Heights - Clontarf	5,385	5,611	+226	+4.2
Bayview	3,964	4,048	+84	+2.1
Beacon Hill	7,831	8,304	+473	+6.0
Belrose - Oxford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

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

Source: id forecasts.

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

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



Source: id forecasts.

3.1.4 Expected non-residential development and employment growth

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

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

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

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

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

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

The workforce is highly professional and the Northern Beaches also has a healthy job containment rate with 52.1% of residents working in the area.[28] Figure 4 over page shows the distribution of workers by location across the LGA.

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

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

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

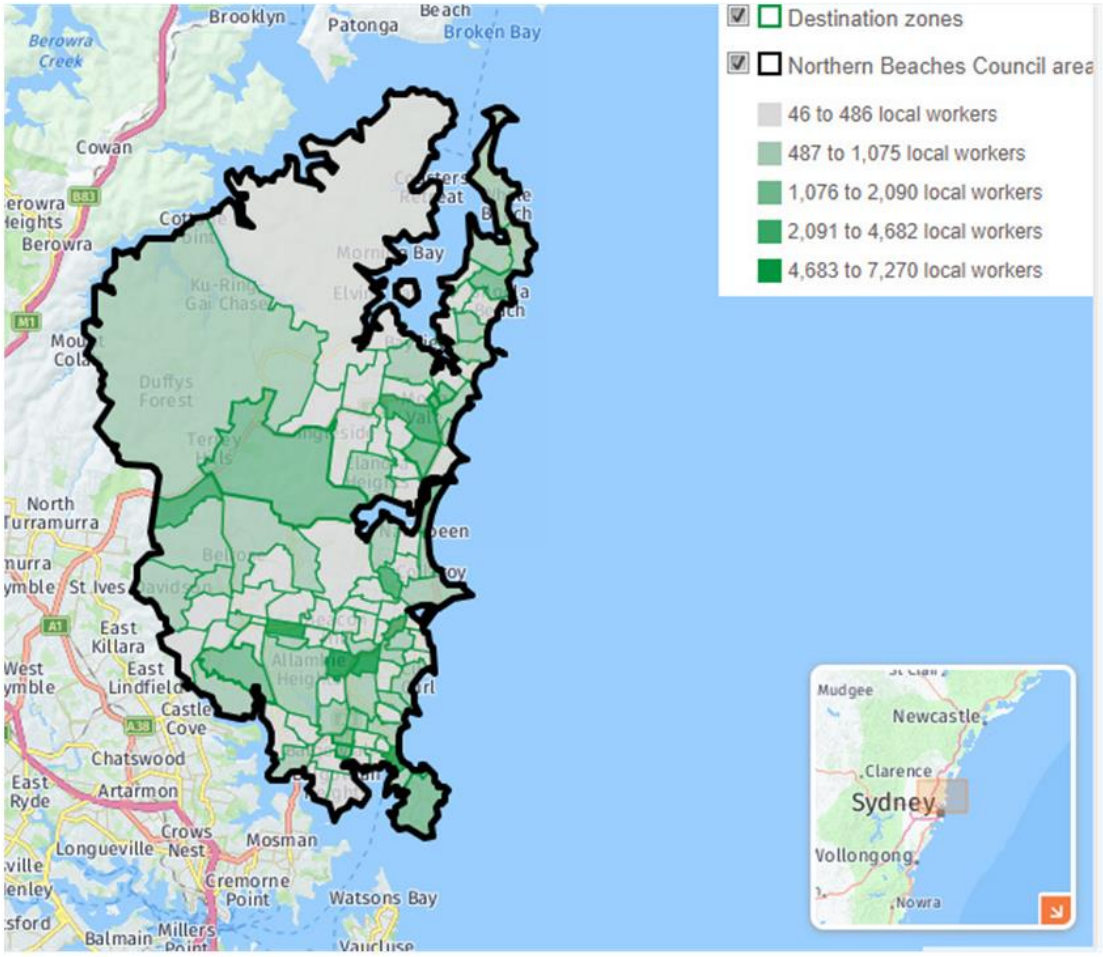
[27] ABS, Building Approvals, Cat No. 8731.0, Australia, June 2017-December 2018.

[28] Economy profile id.

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

[30] North District plan, pp 66-77.

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



Source: id forecasts.

NSW Government employment forecasts also show that over the next 20 years, health and social assistance will be the fastest growing job sector across the Northern Beaches (62% or 6,800 new jobs), followed by retail (38% or 4,750 new jobs) and education and training (45% or 3,500 jobs).

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

[31] Northern Beaches Affordable Housing Needs Analysis, 2016, p 8.

3.2 Infrastructure strategies

3.2.1 Strategic planning to meet the needs of a growing community

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

The CSP has informed the Delivery Program and Operational Program (2018-2023) for Council, and the capital works expenditure priorities over the next four years to deliver on the goals and objectives established in the CSP. Key objectives in the plan are to foster the active lifestyle of residents, maintain and protect the natural environment, and ensure thriving and vibrant local communities. The local infrastructure identified in **Appendix A** aligns with many of the infrastructure works identified in the 4-year capital works program.

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

For open space and recreation facilities, Council's Sportsground Strategy (July 2017) has been critical in informing the need for new and upgraded sportsground facilities and sportsground conversions to synthetic surfaces.

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

Council's continued strategic planning will include an Economic Development Strategy to better inform the needs of commercial centre upgrades, and a range of other active transport studies already planned or underway to guide specific infrastructure needs and outcomes related to walkways, cycleways, parking, public transport, freight and road safety.

3.2.2 Social infrastructure

Objectives

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

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

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

Needs assessment and infrastructure strategy

Active open space

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

The Strategy identified that the Northern Beaches currently has:

- 122 sports fields supplying a total playing area of 116.5 hectares to over 50,000 playing members across 17 sports, plus thousands of spectators, families and volunteers.
- 13 golf courses covering 453 hectares catering to over 10,000 members, 7 of which are on public

[32] CSP, p 27.

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

land covering 180 hectares catering to over 4,000 members, as well as thousands of rounds of public golf by non-members.[34]

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

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

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

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

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

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

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

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

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

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

[36] Sportsground Strategy, p 4.

[37] Sportsground Strategy, p 4.

[38] Sportsground Strategy, p 6.

[39] Sportsground Strategy, p 6.

Passive Open Space

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

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

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

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

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

3.2.3 Active transport and public domain

Objectives

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

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

Needs assessment and infrastructure strategy

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

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

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

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

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

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

The Strategy contains a balance of:

- Relatively low-cost, short-term actions such as a major bus route upgrade, improvements to footpath and cycleway networks, allowing new transport platforms and shared mobility providers entry into the network, and providing for the full integration of traffic management that effectively utilises existing infrastructure.

[40] Sportsground Strategy, p 24.

[41] Delivery Program, p 51.

[42] Delivery Program, p 25.

[43] Delivery Program, p 53.

[44] CSP, p 13.

- Major infrastructure projects (such as new light rail and metro rail systems and major road upgrades) that require substantial investment from the State and Commonwealth Governments in the medium-to-long term.

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

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

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

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

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

3.2.4 Plan administration

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

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

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

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

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

[46] Delivery Program, p 34.

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

[47] Independent Pricing and Regulatory Tribunal of New South Wales (2014), Local Infrastructure Benchmark Costs, p 63.

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

4.1 Levies are authorised by this plan

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

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

A section 7.12 levy cannot be imposed on the same development consent as a section 7.11 levy.

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

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

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

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

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

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

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

4.3 Who may provide a Cost Summary Report?

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

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

4.4 Obligations of accredited certifiers

4.4.1 Complying development certificates

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

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

4.4.2 Procedure for determining the section 7.12 levy amount

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

Terms of a section 7.12 condition

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

Contribution

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

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

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

Where

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

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

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

Time for payment

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

4.4.3 Construction certificates

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

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

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

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

5.1 Timing of payments

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

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

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

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

5.2 Deferred or periodic payments

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

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

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

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

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

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

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

5.3.1 Offers and agreements generally

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

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

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

In assessing the request, Council will consider the following:

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

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

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

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

6. Other administration matters

6.1 Relationship of this plan to other contributions plans

The following contributions plans are repealed by this plan:

- Manly Section 94 Contributions Plan 2004 (as amended)
- Pittwater Section 94 Contributions Plan for Residential Development (In Force 7 November 2015)
- Northern Beaches Council Section 94A Plan 2017.

This plan however does not affect development consents containing conditions requiring contributions or levies under the above plans. Contributions imposed on developments under the above plans and paid to or held by Council will be applied to local infrastructure in the same former LGAs as they were collected.

6.2 Savings and transitional arrangements

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

Development applications and CDCs that have been determined prior to this plan coming into force have been determined in accordance with the contributions plan in force at the time. These applications are subject to the rates in the now repealed plans. A modification application to apply the contribution rate in this new contribution plan will not be accepted by Council.

6.3 Adjustment of levy amounts to address the effects of inflation

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation, this plan authorises that levy amounts included in consents will be adjusted over time.

The monetary contribution will be indexed by the Consumer Price Index (All Groups) for Sydney as published quarterly by the Australian Bureau of Statistics at the time of payment in accordance with the followina formula:

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

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

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

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

6.4 Pooling of levies

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

The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in **Appendix A** of this plan.

Contributions collected by this plan may be supplemented with the reserves of the plans repealed by this plan to deliver local infrastructure identified in **Appendix A**.

6.5 Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

Accounting records for development contribution income and expenditure under this plan will be published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided.

6.6 Dictionary

Words and phrases used in this plan generally have the same meaning as the terms defined in the former council LEPs (Warringah LEP 2011, Pittwater LEP 2014 and Manly LEP 2013), or the EP&A Act.

For further clarity, words and phrases in this plan

have the following meanings:

CDC means complying development certificate.

Consent authority has the same meaning as in section 4.5 of the EP&A Act but also includes an accredited certifier responsible for issuing a complying development certificate.

Cost summary report means a report prepared by a suitably qualified person that sets out the proposed cost of carrying out of development as defined in clause 25J of the EP&A Regulation.

Council means the Northern Beaches Council.

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

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

GSP means Gross State Product.

LGA means local government area.

Local infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

Planning agreement means a voluntary agreement referred to in section 7.4 of the EP&A Act.

Proposed cost of development means the cost of development proposed in a development application or a complying development application under the provisions of clause 25J of the EP&A Regulation.

Works in kind means the construction or provision of the whole or part of a public facility that is identified in a works schedule in a contributions plan, by a private developer, in accordance with an agreement with Council.

Appendix A

Infrastructure schedule and location map

Table A1 Local Infrastructure Program to be funded by Section 7.12 levies under this plan ($Mar2019)

Local Infrastructure1	2020/21	2021/22	2022/23	2023/24	Total (2020-24)
Playground - new and upgrade program	$140,000	-	-	-	$140,000
Sportsground - new and upgrade program	$250,000	-	$800,000	-	$1,050,000
Synthetic Sportsground Conversion	$1,500,000	-	-	-	$1,500,000
Reserves - new and upgrade program	$350,000	-	-	-	$350,000
Recreational Trails - new and upgrade program	-	-	$1,900,000	-	$1,900,000
Youth Friendly Spaces	$200,000	$200,000	$200,000	$200,000	$800,000
North Curl Curl Youth Facility	$100,000	$1,800,000	-	-	$1,900,000
Glen Street Masterplan Implementation	$1,200,000	-	-	-	$1,200,000
Freshwater Beach Masterplan Implementation	$1,500,000	$2,000,000	-	-	$3,500,000
Total Social Infrastructure Facilities	**$5,240,000**	**$4,000,000**	**$2,900,000**	**$200,000**	**$12,340,000**
New Footpath	$1,500,000	$1,500,000	$1,500,000	$1,500,000	$6,000,000
New Kerb and Gutter	$500,000	$500,000	$500,000	$500,000	$2,000,000
Total Active Transport	**$2,000,000**	**$2,000,000**	**$2,000,000**	**$2,000,000**	**$8,000,000**
Commercial Centres Upgrades [Streetscape Projects]	$1,000,000	$2,000,000	$2,000,000	-	$5,000,000
Total Public Domain Works	**$1,000,000**	**$2,000,000**	**$2,000,000**	**-**	**$5,000,000**
Total Local Infrastructure	**$8,240,000**	**$8,000,000**	**$6,900,000**	**$2,200,000**	**$25,340,000**

Figure A1 Locations of Local Infrastructure to be funded by Section 7.12 levies

Dee Why Town Centre Section 7.11 Plan

Draft

northern beaches council

Dee Why Town Centre Development Contributions Plan

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1. Introduction

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

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

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

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

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

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

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

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

This plan includes the following:

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

2. Plan summary

2.1 How to use this plan

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

Section 2 – Plan summary

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

Section 3 – How are the contributions rates calculated?

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

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

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

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

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

Section 6 – Other administration matters

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

Appendices

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

2.2 Dictionary

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

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

CDC means complying development certificate.

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

Council means Northern Beaches Council.

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

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

LGA means local government area.

Local Infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

Town Centre means Dee Why Town Centre.

VPA means Voluntary Planning Agreement.

2.3 Name and commencement of plan

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

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

2.4 What are the purposes of this plan?

The primary purpose of this plan is to authorise:

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

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

Other purposes of this plan are as follows:

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

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

2.5 What land and development does this plan apply to?

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

This plan applies to:

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

2.6 What development is exempted?

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

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

2.7 What Local Infrastructure will be provided under this plan?

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

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

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

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

Figure 1 Land affected by this plan

2.8 What are the contribution rates for Local Infrastructure?

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

Table 1 Summary of contribution rates

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

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

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

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

3. How are the contribution rates calculated?

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

3.1 Expected demand for Local Infrastructure

3.1.1 Area context

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

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

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

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

3.1.2 Metropolitan and district plans

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

Strategic centres are expected to have the following attributes:

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

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

[1] Warringah Employment Study 2013 Final Report, April 2013, prepared for Warringah Council by SGS Economics and Planning Pty Ltd, page 134
[2] *A Metropolis of Three Cities – The Greater Sydney Region Plan*, p119
[3] *North District Plan*, p. 67.

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

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

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

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

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

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

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

[4] ibid. p68
[5] ibid. p73
[6] ibid. p. 84.

3.1.3 Town Centre Masterplan

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

The *Dee Why Town Centre Masterplan* ('the **Masterplan**)[7] responds to the following key infrastructure issues facing the centre:

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

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

The infrastructure principles of the plan are to:

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

The Masterplan identified a set of strategies and actions applying to private and public land to achieve the planning vision for the Town Centre.[10]

The key Local Infrastructure strategies include:

(a) A central Community Hub on the Civic Centre site with multipurpose meeting rooms, new library facilities, community health services and a landmark Civic Plaza.

(b) A new Police Citizens Youth Club Centre on the Civic Centre site.

(c) 560 Council public carpark spaces in and around the Town Centre, with good quality pedestrian connections.

(d) A Water Sensitive Urban Design approach to development to better manage storm water and make water an attractive, calming and green feature of the Town Centre.

(e) A place that is attractive and easy to get around with new bike paths, laneways / road links, wider footpaths, new open spaces and improvements to existing parks.

(f) Enhanced visual appeal at street level through wider footpaths, new spaces and lower building podiums, sculptural landscaping in key areas incorporating green landscaping on median islands and nature strips, creating a sense of arrival and departure.

[7] Place Design Group (2013), *Dee Why Town Centre Master Plan*, July
[8] ibid., pp38-39
[9] ibid., pp40-41
[10] ibid., pp80-81

3.1.4 Expected development and population

Residential development

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

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

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

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

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

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

Table 2 Estimated dwellings and population

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

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

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

Table 3 Assumed dwelling occupancy rates

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

Non-residential development

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

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

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

The Study forecasted an extra demand for 35,426 square metres of GFA by 2036.[13]

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

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

3.1.5 Demographic characteristics

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

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

- The current population is currently dominated by young working age residents. Persons aged between 25 and 34 make up about a quarter of all residents. Although their dominance is expected to remain, the number of these residents is forecast to decline slightly by the suburb up to 2036.

[11] *Warringah Employment Study 2013 Final Report*, April 2013, prepared for Warringah Council by SGS Economics and Planning Pty Ltd
[12] Ibid., p48
[13] Ibid., p62
[14] These controls require redevelopments to set aside the first 2 levels of multi-storey mixed use developments for non residential purposes

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

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

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

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

3.2 Infrastructure schedule and nexus

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

[15] http://profile.id.com.au/northern-beaches, accessed 12/10/17

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

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

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

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

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

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

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

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

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

- General revenue
- Developer works conditions of consent
- VPA contributions from development sites in the Town Centre
- Existing section 7.11 and section 7.12 plan funds

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

3.3 Town Centre works program apportionment

All of the infrastructure listed in Appendices A and B is needed to support the entire development of the Town Centre. That is, both existing and approved development (which has already been

levied development contributions) as well as future development (which will be levied contributions under this plan).

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

Table 4 Town Centre development assumptions

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

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

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

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

3.4 Contribution rates calculation

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

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

Table 5 Values informing the contribution rates calculation

	Estimated additional residents (P)*	Estimated residential GFA	% share of cost (AF_{Res})*	Estimated non-residential GFA (GFA_{NonRes})*	% share of cost (AF_{NonRes})*
Expected development in Town Centre to 2036	3,022	115,120	77.2	33,997	22.8

* these notations relate to the formulas below

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

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

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

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

3.4.1 Residential development contribution

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

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

Where:

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

AF_{Res} = the relevant share of the cost of the item apportioned to residential development in the Town Centre (refer **Table 5**).

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

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

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

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

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

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

3.4.2 Non-residential development contribution

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

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

Where:

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

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

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

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

3.4.3 Plan administration and management contributions

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

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

- Monitoring the receipt of contributions.

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

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

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

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

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

4.1 Monetary contributions

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

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

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

4.2 Cap on monetary section 7.11 contributions for residential development

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

The Direction requires:

> *A council (or planning panel) must not grant development consent … subject to a condition under section 94 (1) or (3) of the* Environmental Planning and Assessment Act 1979 *requiring the payment of a monetary contribution that:*
>
> *(a) in the case of a development consent that authorises one or more dwellings, exceeds $20,000 for each dwelling authorised by the consent, or*
>
> *(b) in the case of a development consent that authorises subdivision into residential lots, exceeds $20,000 for each residential lot authorised to be created by the development consent.*

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

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

4.3 Contributions to only reflect net increase in infrastructure demands

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

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

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

Proposed development (A)	= 20 x $17,398.66
	= $347,973.14
Existing development (B)	= 2 x $20,000.00
	= $40,000.00
Contribution amount (A – B)	= $347,973.14 - $40,000.00
	= $307,973.14

The following also applies in calculating reasonable contributions:

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

4.4 Latest rates to be used

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

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

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

4.5 Obligations of accredited certifiers

4.5.1 Complying development certificates

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

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan

- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

Procedure for determining the contribution amount

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

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit for an existing or approved development under section 7.11(6) of the EP&A Act such as that envisaged in **Section 4.3** of this plan, or an exemption or part or the whole of the development under **Section 2.5** of this plan, the accredited certifier must:

    (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and

    (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.

2. Determine the unadjusted contributions in accordance with the rates included in **Table 2** of this plan taking into account any exempted development specified in **Section 2.6** and any advice issued by the Council under paragraph 1(b) above.

3. Adjust the calculated contribution in accordance with **Section 6.3.1** to reflect the indexed cost of the provision of infrastructure.

4. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed Local Infrastructure demand relating to existing development.

Terms of a section 7.11 condition

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

Contribution

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

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

[insert no.] *x 0 or 1 bedroom dwellings*	@ *$* [insert amount] *per dwelling*
[insert no.] *x 2 bedroom dwellings*	@ *$* [insert amount] *per dwelling*
[insert no.] *x 3 or more bedroom dwellings*	@ *$* [insert amount] *per dwelling*

[insert no. of m^2] *of non-residential floor area* @ *$* [insert amount] *per 100m^2 of GFA*

Indexation

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

$$\frac{\$C_C \quad X \quad CPI_P}{CPI_C}$$

Where:

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

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

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

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

Time for payment

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

Deferred payments of contributions will not be accepted.

Works in kind agreement

This condition does not need to be complied with to the extent specified in any planning agreement of works in kind agreement entered into between the developer and the Council.

4.5.2 Construction certificates

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

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

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

4.6 Variation to contributions authorised by this plan

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

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

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

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

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

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

5.1 Timing of payments

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

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

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

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

5.2 Deferred payments

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

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

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

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

(a) The developer may offer to enter into a VPA to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.

(b) If the developer has already received a development consent containing a condition requiring a section 7.11 contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

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

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

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

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

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

In assessing the request, Council will consider the following:

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

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

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

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

6. Other administration matters

6.1 Relationship of this plan to other contributions plans

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

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

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

6.2 Savings and transitional arrangements

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

6.3 Adjustment of contributions to address the effects of inflation

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

6.3.1 Contribution rates in this plan

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

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

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

6.3.2 Contribution amounts in consents

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

6.4 Pooling of contributions funds

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

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

6.5 In what circumstances are contributions to be refunded?

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

6.6 Accountability and access to information

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

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

Separate 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 offices and may be inspected upon request.

6.7 Review of plan

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

APPENDIX A

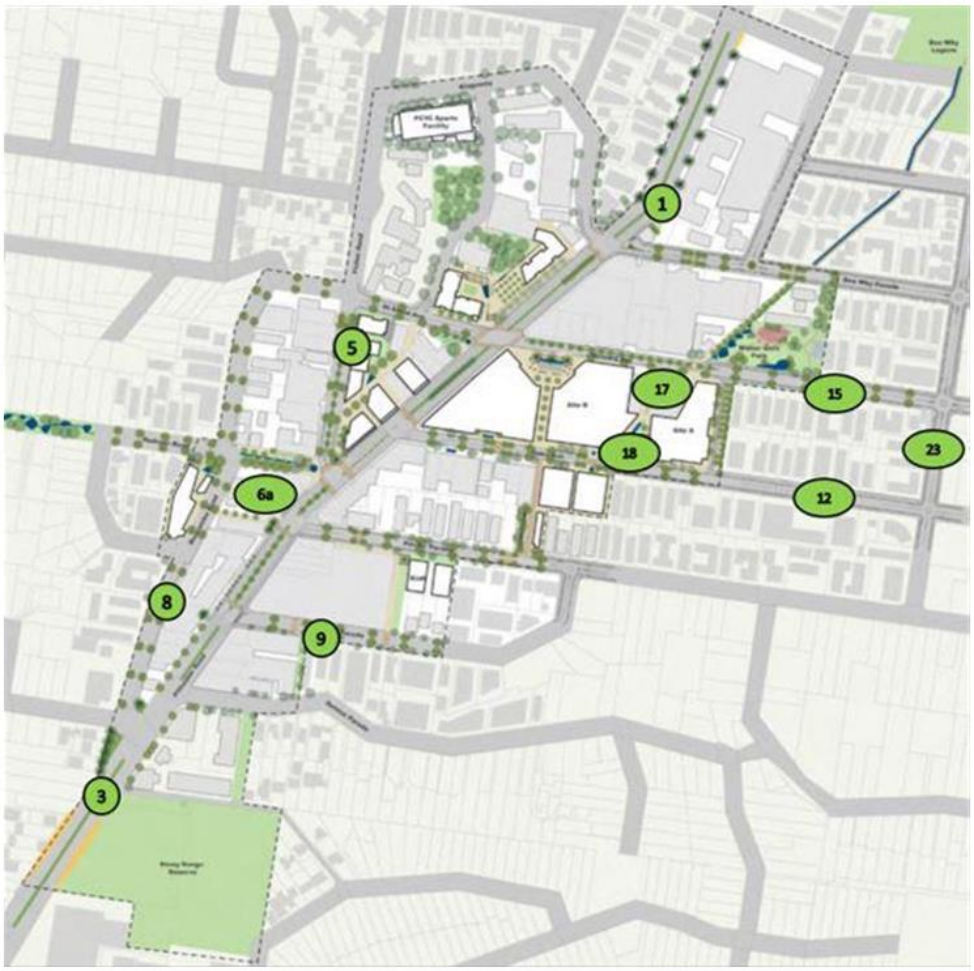
Projects to be funded by this contributions plan

Dee Why Town Centre Section 7.11 Contributions Plan
Northern Beaches Council

Dee Why Town Centre Section 7.11 Contributions Plan
Projects to be funded by this contributions plan

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

Dee Why Town Centre Section 7.11 Contributions Plan
Northern Beaches Council



APPENDIX B
Projects to be delivered using other funding sources

Dee Why Town Centre Section 7.11 Contributions Plan
Northern Beaches Council

Dee Why Town Centre Section 7.11 Contributions Plan
Projects to be delivered using other funding sources

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

APPENDIX C
Details of expected development

Dee Why Town Centre Section 7.11 Contributions Plan
Northern Beaches Council

Site	Street address		Estimated additional non-residential GFA (m2)	Expected additional dwellings	Expected residential GFA assuming average of 80m2 per dwelling
A	31-35 Howard & 36-44 Oaks		8,430	129	10,304
3	9 Oaks		392	9	704
4	19-21 Oaks		867	42	3,392
5	L8 & 12 Pacific		1,572	23	1,856
6	16 Pacific		691	8	640
7	900 Pittwater & 10 Howard		1,481	70	5,632
8	854-860 Pittwater		894	72	5,760
9	836-844 Pittwater & 1 Pacific		1,369	47	3,776
13	643 Pittwater		91	9	704
14	651-661 Pittwater		1,244	60	4,800
E1	673-683A Pittwater		716	66	5,312
E2	687-693A Pittwater		390	43	3,456
15	23 Fisher	Note			
18	10 Fisher		-	9	704
19	16-20 Fisher		505	32	2,560
20	28-30 Fisher		588	10	832
21	36 Fisher		1,071	21	1,664
E3	1-3 St. David; L1 & L2 Fisher		2,201	66	5,312
23	21 Mooramba & 665 Pittwater		1,162	46	3,712
26	26 Howard Avenue – Coles Site		4,337	181	14,464
27	874 & 876 Pittwater – Oaks Cnr Adjoining Meriton	Note			
28	2 Delmar Pde & 818 Pittwater Rd – Repco Site	Note			
29	811-816 Pittwater Road – Avis Site		1,095	32	2,560
30	625 Pittwater Road		943	26	2,112
31	20-22 Howard Ave		456	50	3,968
C	33 Oaks Avenue DEE WHY		3,095	373	29,824
D	848 - 850 Pittwater Road DEE WHY		407	14	1,088
Total			**33,997**	**1,439**	**115,120**

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