

NORTH SYDNEY LOCAL  
INFRASTRUCTURE  
CONTRIBUTIONS PLAN  
2020

# North Sydney Local Infrastructure Contributions Plan 2020

**This plan was prepared with the assistance of GLN Planning**



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## **Glossary of terms and abbreviations**

Words and phrases used in this plan have the same meaning as the terms defined in the North Sydney Local Environment Plan 2013 and the Environmental Planning & Assessment Act 1979, except as provided for below.

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

Affordable housing has the same meaning as in the EP&A Act.

Bedroom means any room or space within a dwelling capable of being used as or converted to a bedroom.

CDC means complying development certificate.

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

Council means North Sydney Council.

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

EP&A Regulation means the NSW 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.

Social housing provider has the same meaning as in the State Environmental Planning Policy (Affordable Rental Housing) 2009

## Plan Summary

### Summary of contribution rates

The contribution rates that apply to developments are as shown in **Tables 1, 2** and **3** below.

Table 1 s 7.11 contribution rates for residential development

Infrastructure item	Per resident*	Per 0 or 1 bed dwelling, secondary dwelling or boarding house rooms	Per self-contained seniors housing dwelling	Per 2 bed secondary dwelling	Per 2 bed dwelling	Per 3 or more bed dwelling
Open Space and Recreation facilities	\$5,382	\$7,535	\$7,535	\$7,535	\$10,765	\$11,013
Public Domain	\$2,996	\$4,194	\$4,194	\$4,194	\$5,992	\$6,130
Active Transport	\$171	\$239	\$239	\$239	\$342	\$350
Community facilities	\$1,081	\$1,514	\$1,514	\$1,514	\$2,162	\$2,212
Plan administration and management	\$144	\$202	\$202	\$202	\$289	\$296
<b>Total</b>	<b>\$9,775</b>	<b>\$13,685</b>	<b>\$13,685</b>	<b>\$13,685</b>	<b>\$19,550</b>	<b>\$20,000**</b>

\* the per resident rate is relevant to calculating the contributions for group homes and hostels

\*\*capped at \$20,000 as per Minister's Direction

Important Note: At the time this plan was prepared, consent authorities could not impose a monetary contribution on a residential development that exceeded \$20,000 per lot or dwelling. This restriction is due to a direction made by the Minister for Planning on 17 July 2017.

Table 2 s 7.11 contribution rates for non-residential development

Infrastructure item	Per worker
Open space and recreation facilities	\$926
Public Domain	\$2,576
Active Transport	\$147
Community facilities	\$186
Plan administration and management	\$58
<b>Total</b>	<b>\$3,893</b>

Table 3 s 7.12 levy rates

Development type*	Levy rate <sup>a</sup>
Development that has a proposed cost of carrying out the development:	
<ul style="list-style-type: none"> <li>up to and including \$100,000</li> </ul>	Nil
<ul style="list-style-type: none"> <li>more than \$100,000 and up to and including \$200,000</li> </ul>	0.5% of that cost
<ul style="list-style-type: none"> <li>more than \$200,000</li> </ul>	1% of that cost

Notes:

a The levy rate applies to the whole of the proposed cost of development

\* Note exempted developments in section 1.2.2 and how to calculate the proposed cost of carrying out the development in section 2.3.1

## Plan overview

The North Sydney Local Government Area (LGA) is expected to accommodate 11,902 additional residents and 16,746 additional workers by 2036. This population growth will create demand for new and upgraded local infrastructure, including open space and recreation facilities, community facilities, public domain and active transport.

The contributions of land, works and money from the developers of land in the North Sydney LGA will be a key source funding for this infrastructure.

Sections 7.11 and 7.12 of the Environmental Planning & Assessment Act 1979 (EP&A Act) authorises councils and other consent authorities to require contributions of land or money from developments toward the provision, extension or augmentation of local infrastructure.

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

- Open space and recreation land and works including playing fields, amenities buildings, playgrounds, landscaping, seating, lighting and equipment, walking trails, indoor sports and aquatic recreation centres.
- Community facilities including library book stock and childcare places.
- Public domain facilities including footpath paving, street tree planting, bus shelters and street lighting.
- Active transport including shared pedestrian paths and cycleways.

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

A summary of the costs of the local infrastructure included in this plan is shown in Table 4. Contributions anticipated to be made under this plan will fund only a portion of these costs.

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

Table 4 Summary of future infrastructure costs

Type of local infrastructure	Total cost of works
Open space and recreation facilities	\$192,284,950
Public domain facilities	\$163,355,351
Active transport	\$17,724,266
Community facilities	\$25,511,550
Plan administration and management	\$2,135,384
<b>Total</b>	<b>\$401,011,501</b>

This plan's primary purpose is to authorise North Sydney Council (Council), a planning panel or an accredited certifier to impose conditions on development consents or complying development certificates (CDCs) requiring section 7.11 (s 7.11) contributions or section 7.12 (s 7.12) fixed rate levies from development to which the plan applies.

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

This plan has been prepared in accordance with the Environmental Planning & Assessment Act 1979 (EP&A Act) and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation); and having regard to practice notes issued by the NSW Department of Planning and Environment.

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 1 – Is a contribution required and how is it calculated?**

This section describes the types of developments required to make contributions, developments that are exempt from making contributions and provides a flow chart to determine if a development will be required to make contributions and what type of contribution that will be. To aid understanding, the section also provides worked examples on the calculation of contribution amounts for a selection of developments.

### **Section 2 – How is a contribution imposed on a development?**

This section explains how conditions of consent will be used to require contributions and levies, and the way in which contribution rates will be adjusted over time to reflect changes in infrastructure costs. It also describes accredited certifiers' obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

### **Section 3 – How and when a contribution requirement can be settled?**

This section explains how contribution amounts are adjusted over time, 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 using works-in-kind agreements.



## **Section 4 – Other administration matters**

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

### **Appendices**

Appendix A includes a discussion on the demand for local infrastructure and how the s 7.11 contribution rates have been derived.

Appendix B contains the schedule and location maps of the local infrastructure that is to be delivered under the plan.

Appendix C includes cost summary reports to be used for s 7.12 development cost assessments.

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# **1 Is a contribution required and how is it calculated?**

## **1.1 Name and purposes of the plan**

This plan is called North Sydney Local Infrastructure Contributions Plan 2020.

The main purpose of this plan is to authorise:

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

to require either a contribution (under s 7.11 of the EP&A Act) or a fixed development levy (under s 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 North Sydney LGA, or infrastructure that has been provided in anticipation of, or to facilitate, such development.

Other purposes of this plan are as follows:

- To provide a framework for the efficient and equitable determination, collection and management of development contributions in the North Sydney LGA.
- To establish the relationship between the expected development and proposed local infrastructure to demonstrate that the s 7.11 contributions required under this plan are reasonable.
- To ensure, within the constraints imposed by the NSW government, that the broader North Sydney community is not unreasonably burdened by the provision of local infrastructure that is required as a result of development.

## **1.2 What land and development does this plan apply to?**

### **1.2.1 Land**

This plan applies to all land located in the North Sydney LGA, including marine structures extending from the shoreline. Refer to Figure 1.



Source: North Sydney Council LEP

Figure 1 North Sydney Local Government Area

### 1.2.2 What development is exempted from contributions or levies?

This plan does not apply to the following types of developments:

- Development exempted from s 7.11 contributions or s 7.12 levies<sup>1</sup> by way of a direction made by the Minister for Planning. Copies of the current directions are available to download from the Department of Planning, Industry and Environment website.
- Development with the cost of \$100,000 or less (except *secondary dwellings* which have a net increase in residents on the land as per s1.2.3(a) of this plan).
- Development associated with providing infrastructure funded by s 7.11 contributions or s 7.12 levies.
- Development where a contribution has previously been paid for the same development at the subdivision stage under a predecessor plan.

<sup>1</sup> or the corresponding sections 94 and 94A of the EP&A Act that existed immediately before the commencement of the Environmental Planning and Assessment Amendment Act 2017

- Places of public worship and childcare centres by or on behalf of a charity or not-for-profit organisation.<sup>2</sup>
- Affordable housing or social housing by a social housing provider<sup>3</sup>.
- Government schools.<sup>4</sup>
- Development proposed by or on behalf of the Council for the provision of public infrastructure.

### 1.2.3 Development affected by the plan-

This plan applies to the following development types:

- Residential accommodation development that would result in a net increase in residents on the land (Type (a) development);
- Non-residential development that would result in a net increase in workers on the land (Type (b) development);
- Development types apart from (a) or (b) where the proposed cost of development is more than \$100,000. (Type (c) development).

## 1.3 Which type of contribution applies?

Development that is subject to this plan will be levied either a s 7.11 contribution or a s 7.12 levy.

The type of contribution that applies to the development will be determined as follows:

- Type (a) developments will be subject to condition requiring a s 7.11 contribution.
- Type (b) developments will be subject to a condition requiring a contribution imposed under either s 7.11 or s 7.12 of the EP&A Act. The type of contribution method to apply to the development is discussed below.
- Type (c) developments will be subject to a condition requiring the payment of a levy under s 7.12 of the EP&A Act.

### Type (b) developments and mixed-use developments

In the case of:

- Type (b) developments; or
- developments that comprise a combination of some or all of type (a), (b) and (c) developments (i.e. mixed-use developments),

<sup>2</sup> As registered with the Australian Charities and Not-for-profits Commission, documentation or proof will need to be provided

<sup>3</sup> Affordable housing has the same meaning as in the *Environmental Planning and Assessment Act 1979*. Social housing provider has the same meaning as in *State Environmental Planning Policy (Affordable Rental Housing) 2009*. Examples are the Department of Human Services, the Land and Housing Corporation, a registered community housing provider, the Aboriginal Housing Office, and not-for-profit organisations that directly provide rental housing. If the development is mixed use, only the affordable housing/social housing component will be excluded.

<sup>4</sup> Established under the Education Act 1990 by the Minister for Education

the following procedure shall be followed to determine the type of contribution and the amount of the contribution:

- if application of a s 7.12 levy to the whole development yields a higher contribution amount than application of a s 7.11 contribution to the whole development, then a s 7.12 levy calculated on the whole development shall be imposed; or
- if application of a s 7.12 levy to the whole development yields a lower contribution amount than application of a s 7.11 contribution on the whole development, then a s 7.11 contribution shall be imposed.

### Process for determining the type and amount of contribution

Figure 2 shows the process for determining if a contribution and what type of contribution applies to development under this plan.

Refer to Tables 1, 2 and 3 of this plan for the rates that apply to different development types.

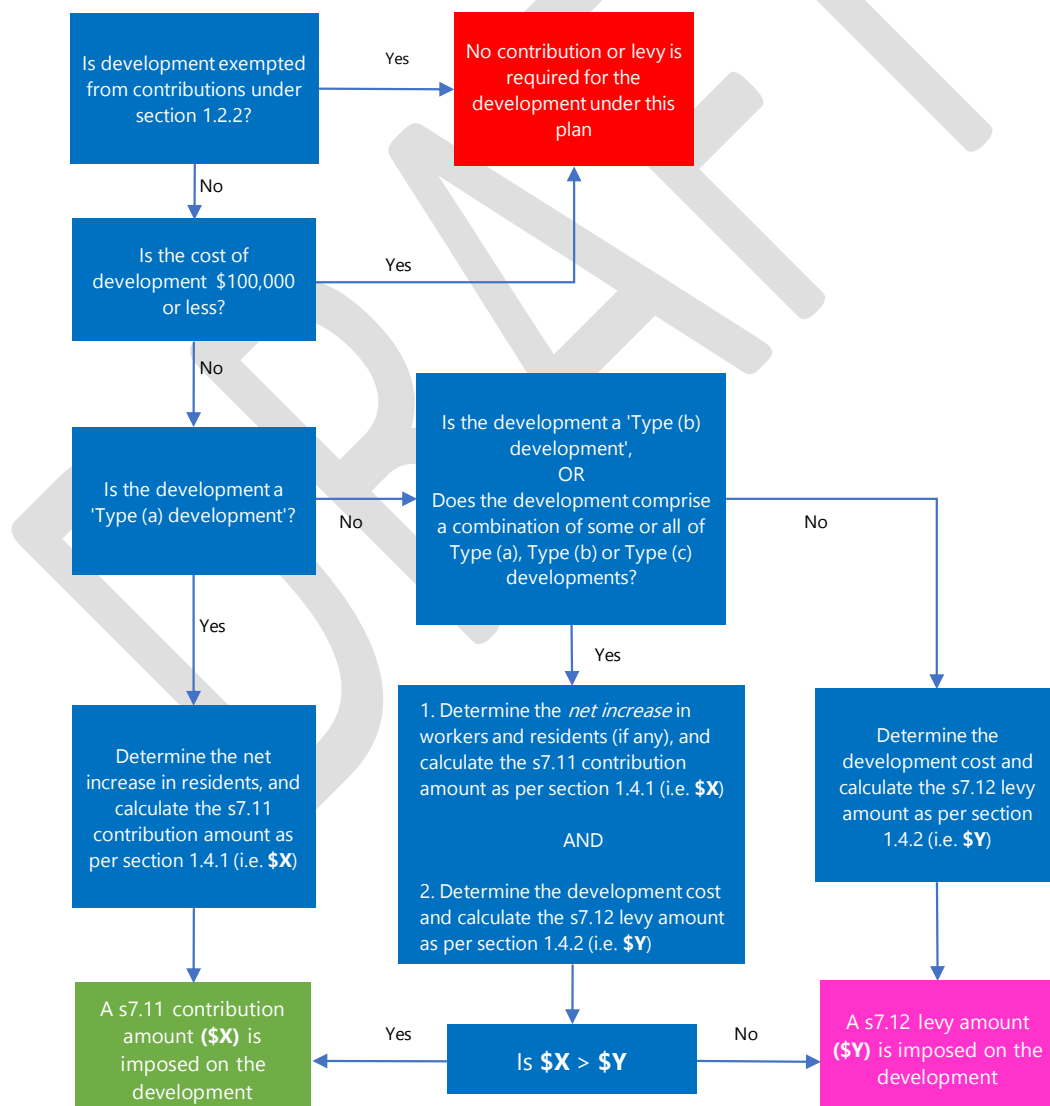


Figure 2 Process to determine what type of contribution is to be imposed

## 1.4 How to calculate a contribution amount

Any single development can only be the subject of either a s 7.11 contribution or a s 7.12 levy, not both.

### 1.4.1 Calculating a s 7.11 contribution

s 7.11 contributions will be calculated according to the estimated net increase in infrastructure demand that a development is deemed to generate.

The s 7.11 contributions that apply to the development is calculated using the rates shown in Table 1 and Table 2, less any allowances or credits for assumed infrastructure demand arising from existing developments, if applicable.

#### Contribution demand credits for existing residential developments

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population) relating to the development or site will be applied for the purpose of determining the net increase in population. The credit applied will be based on the rates cited in Table 5.

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

Development type	Assumed occupancy rate
Residential accommodation	
Dwellings with 3 or more bedrooms, or vacant allotments that have a dwelling entitlement	2.6 persons per dwelling
Dwellings with 2 bedrooms	2.0 persons per dwelling
Secondary dwellings (1 bedroom), bed-sitters, and one-bedroom dwellings	1.4 persons per dwelling
Secondary dwellings (2 bedroom) and self-contained seniors housing dwellings	1.4 persons per dwelling
Boarding houses	1.4 persons per room
Group homes and hostels	1 person per bed

#### Demand credits for existing non-residential development

For development sites that contain existing non-residential development, a credit for the existing infrastructure demand (based on the assumed existing workers) relating to the development site will be applied for the purpose of determining the net increase of workers. The credits applied for non-residential developments will be based on the non-residential workspace ratios cited in Table 6.

Table 6 Assumed workspace ratios for calculating contributions and demand credits

Non-residential development type	Assumed workspace ratio
Business premises	1 worker per 35m <sup>2</sup> GFA
Bulky goods premises	1 worker per 126m <sup>2</sup> GFA
Childcare centre	1 worker per 38m <sup>2</sup> GFA
Educational establishment – schools	1 worker per 94m <sup>2</sup> GFA
Entertainment facility – including cinemas and theatres	1 worker per 130m <sup>2</sup> GFA
Food and drink premises – pubs, nightclubs and bars	1 worker per 45m <sup>2</sup> GFA
Food and drink premises – restaurants, cafes and take away premises	1 worker per 21m <sup>2</sup> GFA
Food and drink premises – small bars	1 worker per 30m <sup>2</sup> GFA
Function centres	1 worker per 119m <sup>2</sup> GFA
General industry	1 worker per 61m <sup>2</sup> GFA
Health services facility – hospitals	1 worker per 39m <sup>2</sup> GFA
Health services facility – medical centres, health consulting rooms	1 worker per 43m <sup>2</sup> GFA
Heavy industry – including hazardous and offensive	1 worker per 106m <sup>2</sup> GFA
Kiosks	1 worker per 26m <sup>2</sup> GFA
Light industry – including home industry and high technology	1 worker per 38m <sup>2</sup> GFA
Office premises – building up to and including 3 storeys	1 worker per 33m <sup>2</sup> GFA
Office premises – building with 4 or more storeys	1 worker per 21m <sup>2</sup> GFA
Registered club	1 worker per 132m <sup>2</sup> GFA
Sex services premises – including brothels	1 worker per 28m <sup>2</sup> GFA
Shops – neighbourhood shops, excluding supermarkets	1 worker per 57m <sup>2</sup> GFA
Shops – supermarkets/grocery stores	1 worker per 46m <sup>2</sup> GFA
Tertiary institutions – TAFE and private colleges	1 worker per 58m <sup>2</sup> GFA
Tertiary institutions – universities	1 worker per 40m <sup>2</sup> GFA
Tourist accommodation – hotels	0.4 workers per room
Tourist accommodation – other	0.1 workers per room
Vehicle sales or hire premises	1 worker per 88m <sup>2</sup> GFA

Source: Worker occupancy assumptions in the City of Sydney Development Contributions Plan 2015.

## Determination of the net increase in demand for infrastructure

To calculate the net increase in demand it will be necessary to determine the difference between the demand created by the new development and the demand from the existing development.

Net increase in demand is calculated as follows:

$$\text{Assumed new residents} - \text{Assumed existing residents} = \text{Net increase in residents}$$

$$\text{Assumed new workers} - \text{Assumed existing workers} = \text{Net increase in workers}$$

The occupancy rates in Tables 5 and 6 will be the basis for determining the existing, new and net increase in residents and workers.

The DA or CDC will include details on the existing development to allow for the net increase in demand to be calculated.

In the case of residential development, the assumed existing resident population will be based on the number of bedrooms.

In the case of non-residential developments, the existing worker population will be based upon the amount of floorspace by use e.g. business premises, shops, retail etc. If the floorspace use is not identified, then all floorspace will be assumed as business premises (1 worker per 35m<sup>2</sup> GFA).

### Determining the s 7.11 contribution amount

The following formula will be used to determine the s 7.11 contribution amount for a development.

$$\begin{aligned} \$ \text{Contribution amount} = & (\text{Net increase in residents} \times \text{per resident } \$ \text{ contribution rate}) + \\ & (\text{Net increase in workers} \times \text{per worker } \$ \text{ contribution rate}) \end{aligned}$$

### 1.4.2 Calculating a s 7.12 fixed development consent levy

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate in Table 3 by the proposed cost of the development.

There is no allowance for assumed existing infrastructure demand in the calculation of any s 7.12 levy.



### 1.4.3 Worked examples

#### Worked example 1:

A proposed shop top housing development in North Sydney involves the demolition of 500m<sup>2</sup> of existing GFA office space in a two-storey building and construction of a mixed-use development containing 30 x 3-bedroom apartments and 300m<sup>2</sup> of ground floor retail GFA.

Net increase in residents		
30 x 3 bedroom dwellings	=	30 x 2.6 persons per dwelling
	=	78 persons
	=	\$9,775 per person x 78 persons
	=	\$762,450 for 30 dwellings (or \$25,415 per dwelling)
	=	This is above the cap of \$20,000 per dwelling
	=	\$20,000 x 30 = \$600,000
Net increase in workers		
300m <sup>2</sup> retail shops GFA	=	5.36 workers (based on 1 worker per 57m <sup>2</sup> in Table 6)
<u>less</u> 500m <sup>2</sup> office space GFA	=	-15.15 workers (based on 1 worker per 33m <sup>2</sup> in Table 6)
demand credit		-9.79 workers (rounded to – 10 workers)
Non-residential contribution	=	-10 workers x \$3,893 = -\$38,930
Total contribution	=	\$600,000 - \$38,930 = \$561,070

#### Worked example 2:

A proposed residential flat building development in Neutral Bay involves the demolition of a 10 x 2 bedroom apartment building and 200m<sup>2</sup> of retail (shops) space on a single allotment of land and construction of a new building containing 5 x 3 bedroom apartments, 20 x 2 bedroom apartments and 10 x 1 bedroom apartments.

Net increase in residents		
5 x 3 bedroom dwellings	=	5 x 2.6 persons per dwelling = 13 persons
20 x 2 bedroom dwellings	=	20 x 2.0 persons per dwelling = 40 persons
10 x 1 bedroom dwellings	=	10 x 1.4 persons per dwelling = 14 persons
<u>less</u> 10 x 2 bedroom dwellings	=	10 x 2.0 persons per dwelling = 20 persons
	=	47 persons
		\$9,775 x 47 persons
	=	\$459,425 for 35 dwellings (or \$13,126 per dwelling)

Net increase in workers		
<u>less</u> 200m <sup>2</sup> of retail shops GFA	=	-3.50 workers (based on 1 worker per 57m <sup>2</sup> in Table 6 and rounded to 4 workers)
Non-residential contribution	=	-4 x \$3,893 = -\$15,572
Total contribution	=	\$459,425 - \$15,572 = \$443,853

### Worked example 3:

A proposed commercial office development in North Sydney involves the demolition of the existing 12 storey commercial tower with ground floor retail and basement parking. The development will increase the floorspace by 24,200m<sup>2</sup> and has an estimated development cost of \$220 million.

Because the proposed development involves a Type (b) development, a calculation of both the s 7.11 contribution and the s 7.12 levy must first be undertaken.

Estimate 1: s 7.11 calculation

Additional floorspace 24,200m <sup>2</sup>	=	24,400/21 (refer to Table 6) = 1,162 workers
	=	1,162 x \$3,893 (refer to Table 2)
Total contribution	=	\$4,523,666

Estimate 2: s 7.12 calculation

\$220 million x 1%	=	\$2,200,000 (refer to Table 3)
Total contribution	=	\$2,200,000

In this case, a s 7.11 contribution would be applied as the condition of consent because the amount is greater than the s 7.12 levy.

#### Worked example 4:

A proposed mixed-use development in North Sydney involves the demolition of the existing 10 storey commercial tower (8,000m<sup>2</sup> office space), ground floor retail (350m<sup>2</sup>) and basement parking. The new development will provide, 45 x 3 bedroom apartments, 5,000m<sup>2</sup> of office floorspace and a 250m<sup>2</sup> ground floor restaurant. It has an estimated development cost of \$220 million.

Because the proposed development involves a mix of Type (a) and Type (b) developments, a calculation of both the s 7.11 contribution and the s 7.12 levy must first be undertaken.

Estimate 1: s 7.11 calculation

Net increase in residents		
45 x 3 bedroom dwellings	=	45 x 2.6 persons per dwelling = 117 persons
	=	\$9,775 per person x 117 persons
		\$1,143,675 for 45 dwellings (or \$25,415 per dwelling)
		This is above the cap of \$20,000 per dwelling
	=	\$20,000 x 45 = \$900,000
Net increase in workers		
5,000m <sup>2</sup> office GFA	=	238.09 workers (based on 1 worker per 21m <sup>2</sup> in Table 6)
250m <sup>2</sup> restaurant GFA	=	11.90 workers (based on 1 worker per 21m <sup>2</sup> in Table 6)
less 8,000m <sup>2</sup> office GFA demand credit	=	-380.95 workers (based on 1 worker per 21m <sup>2</sup> in Table 6)
less 350m <sup>2</sup> retail GFA demand credit	=	-6.14 workers (based on 1 worker per 57m <sup>2</sup> in Table 6)
	=	-137.10 workers (rounded to -137 workers)
Non-residential contribution	=	-137 x \$3,893 = -\$533,341
Total contribution	=	\$900,000 - \$533,341 = \$366,659

Estimate 2: s 7.12 calculation

\$220 million x 1%	=	\$2,200,000 (refer to Table 3)
Total contribution	=	\$2,200,000

In this case, a s 7.12 contribution would be applied as the condition of consent.

**Worked example 5:**

A development application proposes to reconfigure the existing commercial office floorspace, replace the elevators and upgrade the dated external facade of a building at St Leonards. No additional floorspace is proposed and the applicant has advised the floorspace will continue to be used for offices. The proposed cost of the works is \$25,000,000.

\$25 million x 1%	=	\$250,000 (refer to Table 3)
Total contribution	=	\$250,000

**Worked example 6:**

A proposed dwelling renovation in Cremorne involves the demolition of part of the dwelling and the construction of an extension, a pool and landscaping with a construction cost of \$2 million.

\$2 million x 1%	=	\$20,000 (refer to Table 3)
Total contribution	=	\$20,000

## **2 How is a contribution imposed on a development?**

### **2.1 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 either a contribution under s 7.11 or a levy under 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 s 7.12 levy cannot be required in relation to development if a s 7.11 contribution is required in relation to that development.

The types of development subject to either a contribution or levy, and the contribution or levy rates applying to different development types, are identified in section 1.3, Table 1, Table 2 and Table 3 of this plan.

Accredited certifiers should also refer to section 2.4 of this plan as to their obligations in assessing and determining applications.

### **2.2 s 7.11 contributions**

This section of the plan applies only in respect to the calculation of s 7.11 contributions for individual developments.

#### **2.2.1 Land contributions**

This plan authorises the consent authority, other than an accredited certifier<sup>5</sup>, when granting consent to an application to carry out development to which this plan applies, to impose a condition under s 7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of local infrastructure to be provided by Council.

Wherever land required under this plan is situated within a development site, the consent authority will generally require the developer of that land to dedicate the land required under this plan free of cost.

#### **2.2.2 Cap on monetary s 7.11 contributions for residential development**

The Minister for Planning has issued a Direction to Council that caps s 7.11 contributions (or s94 as it was formerly known) for residential development in North Sydney LGA.

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<sup>5</sup> Note: the EP&A Act does not allow an accredited certifier other than a Council to impose a condition requiring the dedication of land free of cost.

The Direction requires that:

*A council (or planning panel) must not grant development consent ... subject to a condition under section 94 (1) or (3) of the Environmental Planning & 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.*

Consistent with the Direction, consent authorities (including accredited certifiers) shall not issue a DA consent or a CDC that requires the applicant to pay a total monetary contribution amount that exceeds \$20,000 for each dwelling or lot.

### **2.2.3 Adjustment to contribution rates**

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 s 7.11 contribution rates will be adjusted over time without the necessity of preparing a new or amending contributions plan.

Council will make changes to the s 7.11 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.

### **2.2.4 Latest rates to be used**

The s 7.11 contribution imposed on a development will reflect the latest, indexed contribution rates authorised by this plan. The latest contribution rates will be published on the Council's website.

The monetary s 7.11 contribution rates shown in Table 1 and Table 2 reflect the contribution rates at the date that this plan commenced.

Regardless of the above, the maximum contribution for residential development shall not exceed \$20,000 per lot or dwelling, as per the Minister's direction.

## **2.3 s 7.12 fixed development consent levies**

This section of the plan applies only in respect to the calculation of s 7.12 levies for individual developments.

### **2.3.1 Determining the proposed cost of carrying out a development**

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

Clause 25J of the EP&A Regulation sets out how the proposed cost of carrying out development is determined.

### **2.3.2 Cost Summary Report must accompany development application**

Where a s 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.

The Cost Summary Report is to be in accordance with Appendix C.

Council will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. 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 2.3.3 to review a Cost Summary Report submitted by an applicant.

### **2.3.3 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.

## **2.4 Obligations of accredited certifiers**

### **2.4.1 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; and
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section; and
- the terms of the condition be in accordance with this section.

## Procedure for determining a s 7.11 contribution amount

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

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under s 7.11(6) of the EP&A Act such as that envisaged in section 1.4.1 of this plan, or an exemption or part or the whole of the development under section 1.2.2 of this plan, the accredited certifier must:
  - (a) make a request in writing to the Council for the Council's advice on whether the request is granted, or the extent to which it is granted; and
  - (b) in calculating the monetary contribution, comply with the Council's written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant's request.
2. Determine the unadjusted contributions in accordance with the rates included in Table 1 and Table 2 of this plan taking into account any exempted development specified in section 1.2.2 and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with section 2.2.3 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 s 7.11 condition

The terms of the condition requiring a s 7.11 contribution are as follows:

### Contribution

*The developer must make a monetary contribution to North Sydney Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the North Sydney Local Infrastructure Contributions Plan 2020.*

<i>Open space and recreation</i>	<i>\$ [insert amount]</i>
<i>Community facilities</i>	<i>\$ [insert amount]</i>
<i>Public domain</i>	<i>\$ [insert amount]</i>
<i>Active transport</i>	<i>\$ [insert amount]</i>
<i>Plan administration</i>	<i>\$ [insert amount]</i>
<i>Total</i>	<i>\$ [insert amount]</i>



### Indexation

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

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

*Where:*

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

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

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

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

### Time for payment

*The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by clause 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 or works in kind agreement entered into between the developer and the Council.*

## **Procedure for determining the s 7.12 levy amount**

1. Ensure that the development is not subject to a s 7.11 contribution under this plan or any other contributions plan adopted by the Council and that remains in force.
2. Determine the s 7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under section 2.3.2 of this plan using the rates included in Table 3 of this plan and taking into account any exempt development specified in section 1.3.

## Terms of a s 7.12 condition

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

### Contribution

*The developer must make a monetary contribution to North Sydney Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the North Sydney Local Infrastructure Contributions Plan 2020.*

### Indexation

*The monetary contribution is based on a proposed cost of carrying out the development of \$ [insert amount]. This cost (and consequently the monetary contribution) must be indexed between the date of this certificate 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 development cost estimate assessed 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.*

### Works in kind agreement

*This condition does not need to be complied with to the extent specified, if a works in kind agreement is entered into between the developer and the Council.*

## 2.4.2 Construction certificates

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

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

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

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### **3 How and when can a contribution requirement be settled?**

#### **3.1 Timing of payments**

A monetary contribution required to be paid by a condition imposed on the development consent in accordance with this plan is to be paid at the time specified in the condition.

Depending on when the contribution is paid, the amount shall be adjusted in accordance with section 3.2.

Generally, the condition will provide for payment as follows:

- For development where no further approvals are required – before the development consent is issued.
- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate for any works authorising construction above the floor level of the ground floor.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by clause 136L of the EP&A Regulation.

#### **3.2 Indexing of contribution and levy amounts in consents**

A s 7.11 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.

Similarly, the proposed cost of carrying out development the subject of a s 7.12 levy is to 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.

#### **3.3 Deferred payments**

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

#### **3.4 Can the contribution be settled by dedicating land or undertaking 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 monetary contribution required by a condition of consent imposed under this plan.

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

- (a) 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.
- (b) 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, or offer to dedicate land through a land dedication agreement.

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

Any offer for works in kind or other material public benefit 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 or the dedication of land may be accepted by the Council under the following circumstances:

- Council will generally only accept offers of works or land that are items included in the schedule of local infrastructure in this plan, and
- Council determines that the works in kind are, or the land to be dedicated is, 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. Land proposed to be transferred is to include a site contamination report if required, remediation works and transfer of land fees.

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

- an acceptable standard for workmanship and materials;
- frequency of progress works inspections;
- the program for completion of the works or the dedication of the land;
- landscaping management plan; and
- an appropriate defects liability period.

## **4 Other administration matters**

### **4.1 Relationship of this plan to other contributions plans**

This plan repeals the North Sydney Section 94 Contributions Plan (2013).

This plan does not affect development consents applying to land in the North Sydney LGA containing conditions requiring contributions or levies under the above plan. Contributions imposed on developments under the above plan and paid to or held by Council will be applied to completing the works schedules in this plan.

### **4.2 Transitional arrangements**

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

### **4.3 Pooling of contributions funds**

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan that is in effect in the North Sydney LGA to be paid and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in the works schedule of this plan<sup>6</sup>.

### **4.4 Accountability and access to information**

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council. The register will include the following:

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

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

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<sup>6</sup> Clause 27(3) of the EP&A Regulation 2000 allows pooling where the consent authority is satisfied the infrastructure will be delivered in a reasonable time.

#### **4.5 Review of contributions plan**

This contributions plan will be reviewed after five (5) years following the date of adoption. Council may review the plan prior to that time if required by changes to planning instruments, legislation or development conditions.

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# **APPENDIX A: INFRASTRUCTURE DEMAND AND THE CALCULATION OF THE CONTRIBUTION RATES**

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## 5 s 7.11 contributions must be shown to be reasonable

There are particular requirements for s 7.11 contributions as distinct from s 7.12 levies, including the following:

- Contributions can only be imposed if the consent authority considers that the development 'will or is likely to require the provision of or increase the demand for public amenities and public services within the area' (s 7.11(1)).
- Contributions toward recoupment of facilities can only be imposed if the facilities were provided in preparation for or to facilitate the carrying out of development in the area and the development will benefit from the provision of those public amenities or public services (s 7.11(3)).
- Contributions that are imposed must be reasonable (s 7.11(2) and (4)), and a developer may appeal to the Land and Environment Court on the grounds that contributions imposed on a development are unreasonable in the particular circumstances of the case (s 7.13(3)).

These requirements mean that a contributions plan that authorises s 7.11 contributions needs to show that the contribution rates are reasonable by explaining the relationship between the anticipated developments and the demand they generate for the infrastructure included in the plan.

So that the contributions that are imposed are reasonable, the s 7.11 contribution rates in this plan have been calculated having regard to the principles of nexus and fair cost apportionment. This has included consideration of:

- whether the infrastructure serves existing or new populations or both;
- whether the infrastructure serves residents or workers or both;
- the relative demand for infrastructure between residents and workers; and
- whether the infrastructure serves the North Sydney area development, or populations beyond the North Sydney LGA boundary.

This section explains the expected development in North Sydney LGA, the infrastructure necessary to support this development, and the way in which the s 7.11 contribution rates have been calculated.

## 6 Development and population context

### 6.1 Area context

North Sydney LGA is in Sydney's inner northern suburbs and part of the North District Plan. It is approximately 3km from the Sydney CBD. It is bound by the local government areas of Willoughby to the north, Mosman to the east, Lane Cove to the west. Sydney Harbour adjoins the southern parts of the LGA.

North Sydney LGA is approximately 10km<sup>2</sup> in area. Its residential areas consist of a mix of housing types. Unlike many parts of Sydney, the area's housing mix is dominated by higher density housing forms such as:

- town houses, terraces and residential flat buildings; and
- lift – accessible apartment buildings in many areas including North Sydney CBD, St Leonards, Cremorne and Neutral Bay.

The area also has both minor and major employment areas, the most significant being:

- North Sydney CBD and surrounds, which contains a range of retail, commercial and other services typical of a major centre;
- St Leonards, Crows Nest and Neutral Bay with a mix of employment uses; and
- The Mater Hospital.

### 6.2 Recent development and population characteristics

North Sydney has been experiencing high rates of residential development from medium to large sized apartment blocks to dual occupancies, villas and town houses throughout the suburban areas. The construction of these types of housing is likely to continue due to the area's proximity to the Sydney CBD and other inner-city locations with ample employment opportunities.

#### 6.2.1 Housing

Table 7 below shows the increase in number of dwellings between 2011 and 2016. Over this time there was a net increase of 1,888 dwellings, representing an average of 378 net additional dwellings per annum. The highest increase in dwelling types during this period was medium and high-density dwellings.

Table 7 Dwelling structure comparison 2011-2016

Dwelling type	2011		2016		Change
	Number	%	Number	%	2011 to 2016
Separate house	4,518	12.9	3,764	10.2	-754
Medium density	8,985	25.7	9,196	25.0	+211
High density	21,203	60.8	23,629	64.2	+2,426

Caravans, cabin, houseboat	22	0.1	11	0	-11
Other	112	0.3	78	0.2	-34
Not stated	57	0.2	107	0.3	+50
Total Private Dwellings	34,897	100	36,785	100	+1,888

Source: Australian Bureau of Statistics, Census of Population and Housing 2011 and 2016.

In the six-year period to 2018, an additional 2,826 dwellings were completed across the LGA – an average annual growth of 1.2%, or an average of 471 extra dwellings per annum. The vast majority of these new dwellings were apartments.<sup>7</sup>

In the five-year period between 2014 and 2019 the resident population of North Sydney LGA grew from 69,937 to 75,021, corresponding to an average annual growth rate of 1.4%, and an average of 1017 persons per annum being added to the local population. (ABS Catalogue No. 3218.0 *Regional Population Growth, Australia*).

Reflecting its close proximity to the Sydney CBD, parts of North Sydney LGA have some of the highest population densities in the North District.

### 6.2.2 Household type

North Sydney's household type and family structure are outlined in Table 8 below.

Table 8 Household type 2016 census

Household type	North Sydney 2016 (No.)	North Sydney 2016 (%)
Couples with children	5,910	18.0
Couples without children	9,348	28.5
One parent families	1,752	5.3
Other families	400	1.2
Group household	2,018	6.1
Lone person	10,629	32.4
Other not classifiable household	2,215	6.7
Visitor only households	573	1.7
Total households	32,845	100.0

Source: ABS Census of Population and Housing, 2016

The dominant household type in North Sydney was lone person, accounting for 32.4% of households. During the intercensal period, this type of household reduced from 34.1% to 32.4% of households in the LGA. The household types that increased during the same period were:

<sup>7</sup> North Sydney Local Strategic Planning Statement p15

- Couples with children, from 15.4% to 18.0%,
- Couples without children, from 28.1% to 28.5%, and
- One parent families, from 4.8% to 5.3%.
- The number of lone person and couple only households is expected to increase by 32% by 2036.<sup>8</sup>

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<sup>8</sup> Ibid [17].

### 6.2.3 Occupancy rates

The following occupancy rates were recorded across North Sydney at the 2016 Census.

Table 9 Occupancy rates

Residential development type	Occupancy rate
0 and 1 bedroom dwellings	1.4 persons per dwelling
2 bedroom dwellings	2.0 persons per dwelling
3 bedroom dwellings	2.5 persons per dwelling
4+ bedroom dwellings	3.2 persons per dwelling

Source: Compiled from ABS census 2016 data

Recent research compiled by PwC and the Property Council of Australia indicates that self-contained seniors living dwellings have a similar occupancy rate to that of 0 and one bedroom dwellings – i.e. 1.4 persons per dwelling.<sup>9</sup> Secondary dwellings also make up the housing mix in the LGA. The ABS census does not separate data for occupancy of these dwelling types. This plan assumes an average dwelling occupancy rate for secondary dwellings of 1.4 persons per dwelling.

### 6.2.4 Cultural diversity and language

The population of North Sydney is culturally diverse, and similar to the Sydney average.

In 2016, 37.8% of people were born overseas compared with 36.7% in Greater Sydney. The most common countries of birth were United Kingdom (7.6%), New Zealand (3.0%), and China (2.9%). Other overseas origins include India, South Africa and Japan. Between 2011 and 2016 the number of people born overseas increased by 1.4%.

In North Sydney LGA, 22.2% of people speak a language other than English. The dominant language is Mandarin, with 3.4% (2,276 people) speaking this language at home. Other languages that are highly represented include Cantonese, Japanese and Spanish.

### 6.2.5 Labour force and education

At the time of the 2016 census, 96.3% of North Sydney's 15+ year old population were employed. This was more than the Greater Sydney average of 61.6%. The unemployment rate was 3.7%, which is also lower than that of Greater Sydney (6%).

Of those employed, 71.1% worked full-time and 23.9% part-time. Of those persons looking for work, 2.3% were looking to work full-time and 1.4% were looking to work part-time.

Compared to Greater Sydney, the population of the North Sydney LGA has a significantly higher proportion of people holding formal qualifications that may include a Bachelor or higher degree, Advanced Diploma or Diploma, or vocational qualifications. It also has a lower proportion of people

<sup>9</sup> 2018 PwC/Property Council Retirement Census November 2018. The occupancy rate is derived from the finding that 61% of self-contained seniors living dwellings are occupied by a single resident and 39% of the dwellings are occupied by couples.

with no formal qualifications. Overall, 70.7% of the population aged over 15 hold educational qualifications and 18.9% have no qualifications compared with 52.7% and 37.7% respectively for Greater Sydney.

The most common occupations were professionals (43.8%), managers (21.4%) and clerical and administrative workers (12.6%). Together, these occupations account for 77.8% of the employed resident population.

### **6.2.6 Income**

In 2016, North Sydney LGA had a higher proportion of individuals earning a high income (more than \$1,750 per week or more) and a lower proportion of individuals of low income (less than \$500 per week), compared to Greater Sydney. Overall, 34.1% of the population earned a high income, and 18.4% earned a low income compared with 14.4% and 36.1% respectively for Greater Sydney.

Overall, 42% of households in the North Sydney LGA earned a high income (earning \$2,500 per week or more) and 9.6% were low income households (less than \$650 per week) compared with 28.3% and 15.1% respectively for Greater Sydney. This is consistent with the relatively high number of people with qualifications and lower unemployment rate.

### **6.2.7 Journey to work**

North Sydney LGA residents are much more likely than residents in other parts of Sydney to use travel modes apart from the private vehicle to get to work. In 2016 almost two-thirds of workers used active transport methods or public transport to get to work or work from home.

Current and emerging trends including greater take-up of active transport options and working from home, together with the rise of public transport accessibility is expected to reinforce this relatively balanced use of travel modes.<sup>10</sup>

### **6.2.8 Non-residential development**

In 2018 there were approximately 92,000 full-time equivalent jobs located in workplaces situated in North Sydney LGA.<sup>11</sup>

Professional, scientific and technical services was the most represented industry group (31.9%). Financial and insurances services (with 11.2%) and information media / telecommunications (6.9%) were the next most represented industry groups. In comparison, Greater Sydney employed 9.1% in professional, scientific and technical services, 5.1% in financial and insurances and 2.3% in media/telecommunications. Most industry sectors of employment, except manufacturing and mining either remained stable or grew marginally between 2014-2018.

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<sup>10</sup> North Sydney Local Strategic Planning Statement p17

<sup>11</sup> National Institute of Economic and Industry Research (NIEIR) 2019, accessed at <http://economy.id.com.au/north-sydney/employment-by-industry-fte>

## 7 Expected development and population

### 7.1 Planning framework

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

North Sydney is one of nine LGA's covered by the North District Plan. Key North District Plan priorities relevant to this contributions plan include:

- enhancing local centres to provide jobs, services and amenity;
- creating walkable and well-connected centres by improving walking, cycling and public transport connections to achieve a 30-minute city;
- creating and renewing great places for people while protecting heritage and local character;
- aligning growth and development with infrastructure;
- enhancing the quality and improving access to Sydney Harbour and open space, and increasing urban tree canopy.<sup>12</sup>

Various trends, challenges and opportunities that will impact on North Sydney's future have been identified in the CSP, many of which relate to the provision of infrastructure:

- a growing and changing population;
- aging infrastructure;
- movement in and around the North Sydney LGA;
- healthy, safe and connected communities;
- growing demand for sport, recreation and open space;
- greater collaboration between all stakeholders; and
- growing community expectations and remaining financially sustainable.<sup>13</sup>

### 7.2 Anticipated residential growth

This plan adopts a resident population of 75,021 at the commencement of the of the plan period and 86,923 at the end of the plan (i.e. 2036). The most recent available published figure on the North Sydney LGA population is 75,021 for 30 June 2019.<sup>14</sup>

Council's Local Housing Strategy and LSPS anticipates that 11,870 dwellings could be delivered in the LGA between 2016 and 2036. Some 2,790 of these dwellings may be expected to be accommodated in the St Leonards – Crows Nest Planned Precinct.<sup>15</sup>

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<sup>12</sup> North Sydney Local Strategic Planning Statement p11

<sup>13</sup> Ibid [13].

<sup>14</sup> Estimated Resident Population, ABS Catalogue No. 3218.0 for June 2019, published March 2020

<sup>15</sup> North Sydney Local Strategic Planning Statement p54

Council's Local Housing Strategy also anticipated growth in residential population of approximately 19,000 in the period 2016 to 2036. This estimate was based on data issued by DPIE in 2016. DPIE published updated projections in December 2019 soon after the completion of the Local Housing Strategy. These projections revised growth downwards, including the anticipated population in 2036 being anticipated to be 86,923.

### 7.2.1 Age structure

North Sydney is an attractive location for young and middle-aged adults who want to live close to employment and entertainment opportunities that are available close to the centre of Sydney. Half of the residents North Sydney LGA in 2016 were aged between 25 and 49 years, which is significantly greater than the North District (34%) and 38% across Greater Sydney.<sup>16</sup>

However, these trends are anticipated to slowly change as North Sydney becomes home to greater numbers persons aged 45 or more.

A summary of the 2016 and expected 2036 age profile of the North Sydney LGA population, compared to the Greater Sydney area, is shown in Table 10.

Table 10 Age profile 2016 and 2036

Age group (years)	2016 North Sydney %	2016 Greater Sydney %	2036 North Sydney %	2036 Greater Sydney %
0 – 4	5.8%	6.7%	6.1%	6.3%
5 – 9	4.0%	6.4%	4.3%	6.2%
10-14	2.9%	5.7%	3.9%	6.0%
15-19	2.8%	6.0%	3.6%	5.9%
20-24	5.5%	7.5%	4.5%	6.2%
25-29	11.6%	8.5%	8.8%	6.9%
30-34	13.0%	8.5%	9.7%	7.1%
35-39	10.1%	7.4%	8.5%	7.3%
40-44	7.8%	7.0%	7.5%	7.4%
45-49	6.4%	6.5%	6.9%	7.1%
50-54	5.5%	6.2%	6.2%	6.4%
55-59	5.5%	5.7%	5.7%	5.4%
60-64	5.1%	4.8%	5.4%	4.9%
65-69	5.0%	4.2%	4.9%	4.3%
70-74	3.7%	3.1%	4.4%	3.8%
75-79	2.4%	2.3%	3.8%	3.3%

<sup>16</sup> Ibid [15].



80-84	1.4%	1.6%	2.9%	2.6%
85+	1.6%	1.8%	3.0%	3.0%

Source: NSW 2019 Population Projections, published by the NSW Department of Planning, Industry and Environment

### 7.3 Non-residential development and worker growth

North Sydney LGA will continue to shift towards an economy based on knowledge and innovation. The North Sydney CBD will continue to be the primary employment location the LGA, strengthening its role in accommodating jobs in professional and technical services, finance and insurance services, an information media and telecommunications. Its relationship with the Sydney CBD will be strengthened with the completion of the Metro in 2024.<sup>17</sup>

The plan will address the infrastructure demands of non-residential developments that are approved or occupied from 2021-2036. Jobs growth is also expected in St Leonards leveraging off existing education, medical, telecommunications and multimedia workplaces.<sup>18</sup> Between 2016 and 2036, the LSPS anticipates that the LGA will accommodate between 22,500 and 37,400 new workers.<sup>19</sup>

The plan adopts worker projections for the 15-year period 2021 to 2036 published by Transport for NSW for the Travel Zones within the North Sydney LGA. The plan forecasts an additional 16,746 workers from 2021-2036.<sup>20</sup> This has been calculated based on data which has been derived from the map in Figure 3. It is noted that an area, known as Travel Zone 1844 includes some areas of adjoining LGAs. Data for these LGAs has been subtracting to eliminate the areas of Lane Cove Council, Willoughby Council area which are not in North Sydney, to provide the following employment forecasts.

For the purposes of this plan Table 12 shows the assumptions have been made to establish 'existing' workers (2021) and forecast workers (2036).

Table 11 - Employment Forecasts North Sydney LGA 2021-2036 by Travel Zone

Local Government Area	Forecast Workers				Total:
	2021	2026	2031	2036	
North Sydney LGA	90,590	95,670	101,332	107,336	16,746

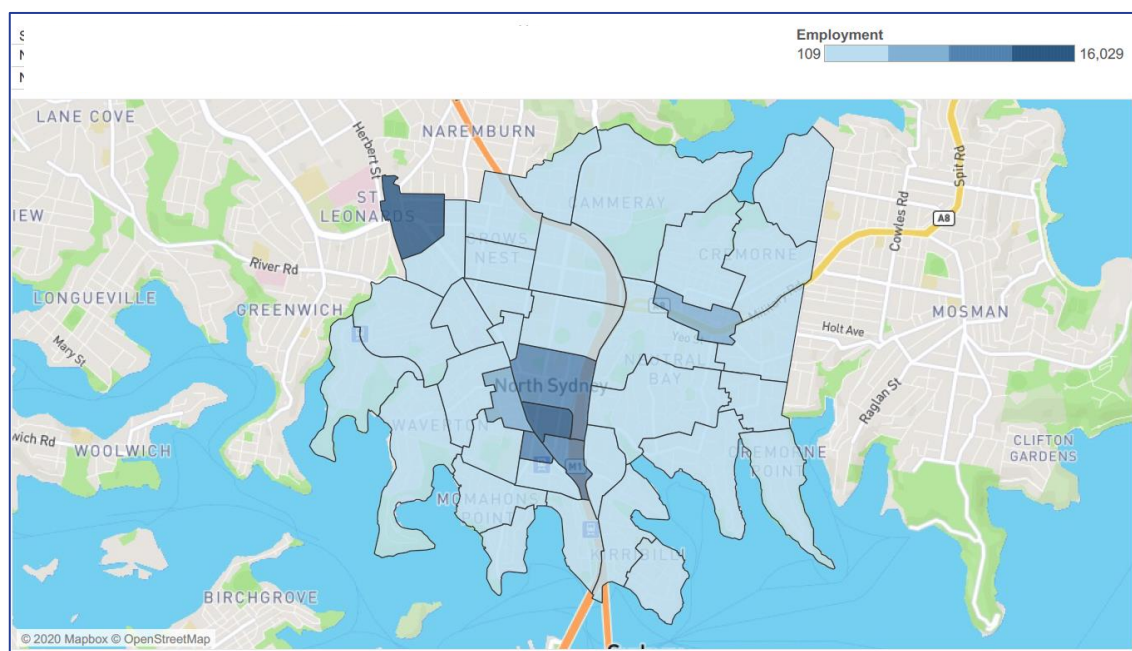
Source: Transport Planning and Analytics (TPA) Employment (by place of work) projections by Travel Zone for the Sydney Greater Metropolitan Area (GMA). <https://www.transport.nsw.gov.au/data-and-research/forecasts-and-projections/employment/land-use-planner-employment>

<sup>17</sup> Ibid [28].

<sup>18</sup> Ibid [27].

<sup>19</sup> Ibid [27].

<sup>20</sup> Transport Planning and Analytics (TPA) Employment (by place of work) projections by Travel Zone for the Sydney Greater Metropolitan Area (GMA). <https://www.transport.nsw.gov.au/data-and-research/forecasts-and-projections/employment/land-use-planner-employment>

**Figure 3 North Sydney employment by Travel Zone + 2021–2036 projections**

Source: <https://www.transport.nsw.gov.au/data-and-research/forecasts-and-projections/employment/land-use-planner-employment>

### 7.3.1 Accounting for both workers and residents in the rate calculation

The demand for infrastructure will be made up from the expected growth in residents and workers. Residents are likely to use local infrastructure more than workers. The simplest way to account for this differential use in the calculation of reasonable contributions is to establish an 'equivalent' resident population. A weighting is applied to each worker for all discrete infrastructure types to establish an equivalency. The proportions used to derive the 'per worker' rate shown in Table 2 of the plan.

For the purposes of this plan Table 12 shows the assumptions have been made to establish 'equivalent' residents.

Table 12 Equivalent resident weightings

Infrastructure type	Relative demand: residents v workers
Open space and recreation facilities	1 resident = 5 workers
Community facilities	1 resident = 5 workers
Active transport	1 resident = 1 worker
Public domain facilities	1 resident = 1 worker

The weighting of workers to residents for public domain and active transport facilities is considered equivalent. This is due to workers continuing to be significant users of the CBD public domain spaces during the working week and, with the move towards travel demand management there is likely to be just as much demand by workers for active transport options as residents for the journey to work.

Workers who are also residents of North Sydney LGA need to be excluded from the calculation. In 2016, 14% of North Sydney Council area's local workers were residents. Therefore, base and projected worker populations have been reduced by this amount for the purposes of calculating contribution rates.

The equivalent residents for the purposes of calculation of the contribution rates are shown in Table 13 below.

Table 13 Equivalent resident populations

Infrastructure type	No. of equivalent residents	
	Where the infrastructure demand is attributable to the growth in residents and workers to 2036	Where the infrastructure demand is attributable to the expected total number of residents and workers in 2036
Open space and recreation facilities	14,782	105,384
Community facilities	14,782	105,384
Public domain facilities	26,304	179,232
Active transport	26,304	179,232

The method used to calculate these figures is shown in Table 14.

Table 14 Equivalent resident population calculations

Equivalent resident result	Explanation
Growth only - relative demand 1:5	Resident growth to 2036 = 86,923 - 75,021 = <b>11,902</b>
	+
Open space and recreation facilities Community facilities	Non-resident worker growth assuming the demand for infrastructure by workers is 1/5 <sup>th</sup> that of a resident, i.e. Worker growth = 107,336 - 90,590 = 16,746 [adjusted to remove resident workers (-14%, or -2,344)] = 14,402
Growth in equivalent residents = 14,782	[adjusted to reflect 1:5 resident: worker demand weighting = 14,402 / 5 = <b>2,880</b> equivalent residents <b>11,902 + 2,880 = 14,782</b>
Growth only - relative demand 1:1	Resident growth to 2036 = 86,923 - 75,021 = <b>11,902</b>
	+
Public domain facilities Active transport	Non-resident worker growth assuming the demand for infrastructure by workers the same as that of a resident, i.e. Worker growth = 107,336 - 90,590 = 16,746 [adjusted to remove resident workers (-14%, or -2,344)] = 14,402
Growth in equivalent residents = 26,304	<b>11,902 + 14,402 = 26,304</b>

Equivalent resident result	Explanation
Existing + growth - relative demand 1:5	Total residents in 2036 = <b>86,923</b>
	+
Open space and recreation facilities	Total non-resident workers in 2036 assuming the demand for infrastructure by workers is 1/5 <sup>th</sup> that of a resident, i.e.
Community facilities	107,336 workers [adjusted to remove resident workers (-14%, or -15,027)] = 92,309
	[adjusted to reflect 1:5 resident: worker demand weighting = 92,309 / 5 = <b>18,461</b> equivalent residents
Total equivalent residents = 105,384	<b>86,923 + 18,461 = 105,384</b>
Existing + growth - relative demand 1:1	Total residents in 2036 = <b>86,923</b>
	+
Public domain facilities	Total non-resident workers in 2036, i.e.
Active transport	107,336 workers [adjusted to remove resident workers (-14%, or -15,027)] = <b>92,309</b>
Total equivalent residents = 179,232	<b>86,923 + 92,309 = 179,232</b>

## 8 Infrastructure strategies, schedules and nexus

### 8.1 Background

New and augmented infrastructure will be required to support further development and increased resident and worker populations in the area. North Sydney is a built-up locality with residential and employment areas and significant green space along the Sydney Harbour corridor. These land-use attributes mean that future development will take place by:

- conversion of already-developed land from one use to another (e.g. a residential use replacing a commercial use), and/or
- denser development of the same land use on the same parcel of land (e.g. residential flat buildings replacing detached dwelling houses).

The common feature will be more intensive use of land.

This has significant implications in terms of planning for the future infrastructure needs of the future developments in the area:

- Parts of North Sydney, particularly the southern part is well-endowed with open space, much of it along the Sydney Harbour foreshore, with limited opportunity for public use beyond passive recreation.
- Developable land is a scarce resource, meaning its price is likely to continue to increase in value.
- Opportunities to increase the amount of open space will continue to be limited. Existing open space, recreation and community facilities assets will need to 'work harder' to accommodate both current and future needs.
- Many people living in future developments will be almost exclusively apartment-dwellers with limited access to private open space. Increasingly, apartments are being occupied by couples with children and lone person households who, despite living side by side, have limited interaction with each other. Availability of high-quality, ground-level public open space areas within walking distance will be important, particularly in the major growth areas of St Leonards and Crows Nest.
- Development will increasingly be in vertical form, which will create the opportunity for floors within the new buildings to be used for community purposes such as libraries, community centres and, in the case of rooftops, outdoor sports courts<sup>21</sup> and other open space.

Council has identified a schedule of local infrastructure to meet the needs of the current and future (2036) population. The works schedule in this plan has been based on various studies, mostly focused on the need for various types of social infrastructure such as recreation and community facilities. These studies include:

- North Sydney Local Strategic Planning Statement (2019)
- North Sydney Community Strategic Plan (2018-2028)

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<sup>21</sup> Vertical approach to social infrastructure provision is reflected in the NSW Government's strategy to develop vertical primary and secondary schools in Sydney

- St Leonards Crows Nest Planning Study (2015)
- North Sydney Recreation Needs Study (2015)
- North Sydney Integrated Cycling Strategy (2014)
- NSROC Social and Cultural Infrastructure Strategy (2020)
- NSROC Regional Sportsground Management Strategy (2013)
- North Sydney Housing Strategy (2020)
- North Sydney Council Delivery Program (2018/19-2020/21)
- North Sydney Open Space Provision Strategy (2009)
- North Sydney Visitor Economy Strategy (2019)
- North Sydney Ward St Master Plan
- North Sydney Public Domain Strategy
- North Sydney Transport Strategy (2017)
- Crows Nest Placemaking & Principles Study (2016)
- Anderson Park Plan of Management (2019)
- Bradfield Park and Kirribilli Foreshore Masterplan (1999)
- Cremorne Reserve Masterplan (2013)
- Lavender Bay Parklands Masterplan (2007)
- St Leonards Park Landscape Masterplan (2018)
- Tunks Park Plan of Management (2019)
- Waverton Peninsula Strategic Masterplan (2000)
- Foreshore Access Strategy (2006)
- Foreshore Parks & Reserves Plan of Management (2017)
- North Sydney Oval Business Plan (2014)
- Playgrounds Plan of Management (2016)
- Smoothy Park Plan of Management (2016)
- Watercraft Storage Strategy (2018)
- Public Domain Style Manual (2019)
- Family and Children's Services Strategy (2018-2024)
- Library and Historical Services Strategic Plan (2016-21)

Further detail on specific items, their estimated costs and staging, and location maps are included in Appendix B.

## 8.2 Open space and recreation

### 8.2.1 Objectives

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

### 8.2.2 Needs assessment

Council currently manages 144 ha of open space. This comprises natural areas including bushland, harbour foreshore and structured recreation areas. Council's open space contains various recreation facilities including:

- District and local parks and playgrounds;
- sporting fields and courts;
- tracks, paths and cycleways; and
- leisure and aquatic centres.

Council needs to balance competing interests of active and passive recreation users.<sup>22</sup> Council maintains a network of over 200 parks, which are heavily used by the community due to relatively high population densities. The existing network of parks does not currently meet the recreation needs of existing resident, worker and student population in North Sydney LGA and do not have the capacity to absorb the recreation needs and demand of new populations. Both indoor and outdoor facilities are at capacity.<sup>23</sup>

The North Sydney Recreation Needs Study 2015 was completed to review the open space needs of the community. The study identified growing demand for walking and cycling, provision for sport (particularly hockey, soccer, netball, touch, indoor basketball, badminton and squash), social/family recreation parks and water-based recreation. There is also likely to be additional demand for short duration group fitness, indoor sports opportunities and for sports that are based on a 'pay and play' model.<sup>24</sup>

Bushland and foreshore areas provide natural conservation, ecological and/or scenic values and passive recreation. Open space areas accommodate multiple recreation experiences and support the populations' formal passive and active and sports recreation needs. Future development and additional population creates greater demands for open space and recreation facilities. Most new residents will be apartment-dwellers with access to very little private open space. Thus, the needs of the new residents is arguably greater than many of North Sydney's existing residents.

### 8.2.3 Infrastructure strategy

#### A more practical approach to provision of open space

Current rates of open space provision (1.8 ha per 1,000 persons) is low-moderate when compared to the traditional standard of 2.8 ha per 1,000 persons.

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<sup>22</sup> North Sydney Local Strategic Planning Statement p39

<sup>23</sup> Ibid [82].

<sup>24</sup> Ibid [62].

On this basis, Council is committed to providing the new residents of North Sydney with the same level of open space as enjoyed by the existing residents. Based on the current provision rates, and an anticipated resident population growth of 11,902 over the next 16 years, it is estimated that a further 22 hectares of open space would need to be provided.

Additional open space is provided through land acquisition by state or local government. Purchasing land in the North Sydney LGA is very expensive. On the most optimistic assessment, 22 ha of new open space land would cost \$660 million.<sup>25</sup> This would translate to a s 7.11 contribution of over \$100,000 for a typical 2-bedroom apartment. Imposition of such a high contribution amount is not permitted by Ministerial Direction, which caps the maximum contribution at \$20,000 per dwelling. Even if it were permitted, no development would occur because it would be unaffordable.

A more realistic approach is for Council to pursue a two-pronged approach that entails:

- (a) Acquiring, or negotiating with developers to provide, a limited number of local open space areas; and
- (b) Increasing the recreation carrying capacity of existing Council and other public land (i.e. making existing assets work more effectively).

### New open space in strategic locations

The North District Plan has set a priority to promote and encourage connectivity and upgrade and increase public open spaces. Council intends to increase the amount of developed open space in the areas of highest projected population growth.

Council will do this by doing one or more of the following:

- acquiring and embellishing new open space in strategic locations;
- facilitating or directly providing linkages between existing and new public open space areas;
- embellishing existing open space areas in a way that increases their carrying capacity.

### Making assets work more effectively

Council will apply the following efficiency principles in its infrastructure planning:

- Better planning and design of the existing network so that increases in capacity, quality, diversity, usability and accessibility of open space can be achieved;
- Providing flexible and multi-purpose use arrangements wherever possible;
- Improving access to existing open space assets both within and outside the LGA through better connections and crossing points, upgrading or providing new linear linkages and access paths (such as footpaths and cycleways), and implementing the metropolitan strategy's 'Green Grid' where funds allow;

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<sup>25</sup> Assumed acquisition cost of \$3,000 per m<sup>2</sup>, which in turn is derived from comparative sales from the Cushman & Wakefield land valuation report 2019, commissioned for this Plan. This amount was the average price for a non-strata dwelling block in North Sydney LGA.



- Providing greater opportunities for walking and passive recreation through new and upgraded paths through publicly owned lands;
- Increasing the weekly time available for active recreation pursuits by upgrading sports fields and sports courts surfaces;
- Endeavouring to secure joint use arrangements with schools and other institutions to make available open space and sporting facilities on their lands for public use; and
- Exploring the opportunities to convert existing public-owned land to parkland or to accommodate recreation facilities.

The infrastructure strategies outlined in the Recreation Needs Study 2015 are a combination of renewals and new and augmented facilities that will provide improved active and passive recreation.

The works include:

- renewal of existing facilities and construction of new playgrounds;
- upgrade sporting fields, lighting, irrigation systems and spectator seating;
- provision of additional walking paths, furniture and exercise equipment to numerous existing parks;
- conversion of existing sports fields to synthetic surfaces where appropriate;
- new and upgraded aquatic and indoor sports facilities; and
- upgrade and provision of new of water-based recreation facilities.

These and other works have formed the basis of this contributions plan's work schedule.

Council will also continue to investigate innovative and cooperative methods to extend the open space network, including land swap arrangements, development negotiations, leasing vacant government land, donations/bequests, grants, sponsorships, partnering neighbouring councils, and use of land not dedicated as open space.

Other initiatives include partnering with commercial entities and education establishments to provide shared recreation facilities and to re-use existing space (including rooftops and car parks), transport infrastructure, and green space for sport and recreation use.<sup>26</sup>

#### **8.2.4 Nexus and apportionment**

This plan levies s 7.11 contributions on residential accommodation and non-residential (per worker) development. As the new open space land and the works that increase carrying capacity of existing open space are to accommodate new demand from new residents and workers, it is reasonable that the contribution rate calculation for those works assumes that the costs be met entirely by the growth populations.

New playgrounds and playground upgrade embellishments have been apportioned to and will be met by the growth population. All other works excluding the North Sydney Olympic Pool and Hume Street Park have been apportioned to the existing and growth populations of North Sydney LGA.

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<sup>26</sup> North Sydney Local Strategic Planning Statement p39

This means the new population will only a portion of the cost of the works. The balance of the funds will be met by other funding sources.

### Aquatic facilities (North Sydney Olympic Pool)

Council proposes to demolish the existing facility and construct a new facility.

The new facility will include:

- A new 50m outdoor pool with dividing barrier function;
- 4 x lane 25m indoor pool, warm water pool, spa and sauna facilities;
- family leisure pool;
- children's interactive water play area;
- family change facilities;
- covered entry off Alfred Street adjacent to the original heritage entry;
- all facilities will be fully accessible with purpose-built ramps;
- grandstand with roof/shade structure, with capacity for 970 people;
- sundeck with gelato bar;
- café adjacent to Olympic Boulevard;
- café adjacent to the entry off Alfred Street;
- retail shop adjacent to the entry off Alfred Street;
- 1,100m<sup>2</sup> gym suitable for all ages in a new grandstand; and
- 120m<sup>2</sup> creche with 47m<sup>2</sup> outdoor play area on the ground level.

The facility is of a nature and scale that will continue to serve and benefit future residents of North Sydney LGA, existing and future workers beyond the North Sydney LGA, including tourists who visit the iconic Sydney Harbour Foreshore. The new venue is expected to have a service catchment of around 150,000 equivalent residents, as it will also be used by visitors and organisations outside the LGA for events. The cost of the redevelopment is to be funded using several sources including grants, general revenue, contributions and other sources. It is reasonable that the incoming population to North Sydney LGA should contribute only its share to the future facility.

### Hume Street Park multipurpose and sport facility

Council proposes to demolish the existing multipurpose facility and construct a new centre that includes indoor sports. This centre is being upgraded to accommodate the existing demand and proposed future estimated growth in Crows Nest and St Leonards.

The preferred project design is known as option 3 in the Council report dated 21 September 2015. The option is to demolish the existing facility and create new open space, and a childcare centre at ground level by relocating the carpark, indoor sports facility, and new commercial space underground. The proposed floor space for the option compared to the existing is shown in Table 15.

Table 15 Comparison of existing and proposed areas\* - Hume Street Park facility

Criteria (area)	Existing (m <sup>2</sup> )	Option 3 (m <sup>2</sup> )
Open space	2,925	8,242
Indoor sports	3,690	5,745
Cinema/other	-	3,035
Office/residential	-	810
Retail	393	210

Notes:

\* site area for open space, gross floor areas for other facilities

Source: Council report CiS01 dated 21/09/2015 p29

This option will have a total area of 13,987m<sup>2</sup>. The total existing area of open space and indoor sports is 6,615m<sup>2</sup>. This means the total area of open space and indoor sports will effectively double. As the expected population growth in the St Leonards and Crows Nest areas is likely to be substantial, it is reasonable for the existing population to be accountable for the cost of replacing the extent of existing amenities, and for the future populations to be accountable for the cost of the increased area of amenities.

Based on a doubling of size of both indoor and outdoor components, it is reasonable that half or 50% of the cost of the facility should be attributed to the existing population and half to the new population.

### Summary of demand population for contributions

Table 16 shows the different classes of facilities and the equivalent residents that will generate demand for, or in the case of the North Sydney Olympic pool, the anticipated service population for, those facilities.

Table 16 Demand populations used to calculate contribution rates

Infrastructure category / facility	Facility demand expressed as equivalent residents <sup>a</sup>
Strategic land acquisitions to meet additional needs for open space	14,782
Capital works to increase carrying capacity (new demand)	14,782
Works to augment the existing infrastructure (existing and new demand)	105,384
Redevelopment of North Sydney Olympic Pool	150,000 <sup>b</sup>

Notes:

a for explanation of equivalent residents, refer to section 3.3.1 and Table 16 above

b this is an estimate of the service catchment that takes into account existing and anticipated North Sydney LGA residents and workers, plus an allowance for use by visitors who do not live or work in North Sydney LGA

### 8.2.5 Contribution rates calculation

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

$$\text{Contribution per equivalent resident (\$ER)} = \sum \left( \frac{\$INF}{ER} \right)$$

$$\text{Contribution per worker} = \$ER \times WDW \times NRW\%$$

Where:

- $\$INF$  = the apportioned estimated cost of providing each of the open space and recreation facilities (refer works schedule in Appendix B).
- $ER$  = The expected equivalent residents that will generate the demand for the open space and recreation infrastructure (refer to Table 16 and Appendix B for values).
- $WDW$  = The worker demand weighting for this infrastructure type, being that one resident generates demand that is equivalent to 5 workers – the WDW is therefore 0.2.
- $NRW\%$  = The average percentage of workers in the North Sydney LGA that did not live in the North Sydney LGA at the 2016 census - i.e. 86%.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents or workers in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in Table 9.

Contribution calculations should also account for any demand credits pertaining to the existing development on the site.

## 8.3 Community facilities

### 8.3.1 Objectives

Provide a range of community facilities and services to meet the demands created by future residents.

### 8.3.2 Needs assessment and infrastructure strategy

Council currently directly provides the following community facilities and services:

- library services;
- child services and childcare;
- community centres, halls and meeting spaces; and
- youth facilities.

Other services include providing opportunities for emerging and established local artists, professional support for volunteer boards and community grants programs.

North Sydney has a number of community facilities that vary in function, capacity and usage. Council intends to provide an additional 1,612m<sup>2</sup> of community floorspace located near Crows Nest Station. In addition Council will continue to strongly advocate for the provision of community infrastructure developments in the use of VPAs.

Council has determined that an additional 2,958m<sup>2</sup> of library floorspace is required to accommodate the needs of the North Sydney population. Fifty percent (50%) of the floorspace is proposed to be provided in St Leonards/Crows Nest and the balance (50%) at Ward Street, North Sydney.

Council will continue to levy for new library stock items to increase the capacity of available stock.

Council currently provides 370 of the total 2,686 childcare places in the North Sydney LGA. This is approximately 14% of the spaces available. Council proposes to continue to provide non-private childcare places at the current rate of provision. The additional spaces are intended to be provided in Forsyth Park Community Centre or McMahons Point Community Centre.

### 8.3.3 Nexus and apportionment

This plan levies s 7.11 contributions on residential accommodation and non-residential development on the basis that both residents and workers will generate demand for community facilities.

Residents demand these facilities more than workers. There is little up-to-date research on the relative demands for community facilities.<sup>27</sup> For the purposes of calculating s 7.11 contributions, Council has assumed the demand generated by each resident is the equivalent of demand generated by 5 workers. This relative demand reflects the same assumption used for open space and recreation facilities.

The provision of new community floorspace is to accommodate existing and future needs. Based on a commonly used standard of provision, new development would be accountable for 1,183m<sup>2</sup> of the additional 1,612m<sup>2</sup> of community floorspace proposed. The cost to provide community floorspace is \$4,800 per m<sup>2</sup>.<sup>28</sup>

The provision of new library floorspace is to accommodate existing and future needs. Based on NSW State library standards of provision<sup>29</sup> and online calculator<sup>30</sup>, new development would be accountable for 1,455m<sup>2</sup> of the additional 2,958m<sup>2</sup> of library floorspace proposed.

<sup>27</sup> The relative demand varies between different types of community facilities. For example, the former Leichhardt area contributions plan in the 1990s identified a 1:10 resident/worker demand ratio for community facilities generally; the City of Sydney contributions plan (2015) identified a 1:1.6 resident/worker demand ratio for childcare centres; and the Bayside contributions plan (2018) covering the former Botany Bay area assumes 1:5 resident/worker demand ratio.

<sup>28</sup> There is no broadly-accepted planning benchmark for council-provided multi-purpose community centre floorspace. Many councils use a standard of between 80-100m<sup>2</sup> per 1,000 residents - for example, City of Sydney (100m<sup>2</sup>/1,000 people), Liverpool Council (85m<sup>2</sup>/1,000 people), Blacktown, Hills Shire and Hornsby Shire (all 80m<sup>2</sup>/1,000 people). In the interests of striking a reasonable contribution rate, Council has adopted a standard at the lower end of this range - 80m<sup>2</sup>/1,000 people - in determining the contribution rate in this plan.

<sup>29</sup> *People Places* - A Guide for Public Library Buildings in New South Wales, Third Edition, 2012.

<sup>30</sup> Population based calculator accessed at <https://www.sl.nsw.gov.au/public-library-services/population-based-library-calculator>

In the case of library stock items, new demand will be levied for its share of the new library items. Currently, library members comprise 63% residents and 37% non-residents. Current library stock is approximately 160,289 items shared between the total equivalent (resident and worker) population of 92,249. This equates to 1.7375 items per person. To continue this provision, the expected population growth of 14,782 will result in an additional demand of 25,685 items. The average cost per item is \$30 resulting in a total cost of \$770,550 over the life of the plan.

For childcare, there is currently 1 Council-run place for every 249 equivalent residents in the LGA.<sup>31</sup> To continue Council's rate of provision, the expected equivalent population growth of 14,782 will result in an additional demand of approximately 60 places. Council intends to provide 66 additional childcare places of which 60 places are to be funded by contributions. The average cost of providing a place is \$42,500.

### 8.3.4 Contribution rates calculation

The contribution formula for community facilities infrastructure can be expressed as follows:

$$\text{Contribution per equivalent resident (\$ER)} = \sum \left( \frac{\text{\$INF}}{\text{ER}} \right)$$

$$\text{Contribution per worker} = \$ER \times \text{WDW} \times \text{NRW\%}$$

Where:

- \$INF = the apportioned estimated cost of providing each of the community facilities (refer works schedule in Appendix B).
- ER = The expected equivalent residents that will generate the demand for the community facilities infrastructure (refer to 'Demand' column in Appendix B for values).
- WDW = The worker demand weighting for this infrastructure type, being that one resident generates demand that is equivalent to 5 workers – the WDW is therefore 0.2.
- NRW% = The average percentage of workers in the North Sydney LGA that did not live in the North Sydney LGA at the 2016 census - i.e. 86%.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents or workers in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in Table 9.

Contribution calculations should also account for any demand credits pertaining to the existing development on the site.

<sup>31</sup> Calculation: 75,021 residents (2018) + (86,138 non-resident workers (projected 2021) x 0.2 worker use weighting) = 92,249 equivalent residents / 370 existing Council child care places = 1 space for every 249 equivalent residents.

## 8.4 Active transport

### 8.4.1 Objectives

Provide improvements to active transport to meet the demands of the future resident and worker population.

### 8.4.2 Needs assessment and infrastructure strategy

North Sydney's local and regional road network needs to be managed effectively to improve pedestrian, cyclist and public transport user safety and amenity; facilitate access for local deliveries; and minimise the negative impacts of private vehicle traffic on priority mode groups.

There is currently a high reliance on private vehicles despite the existence of reliable train, bus and ferry services. A focus of this plan is to invest in active transport to help shift travel behaviour away from private vehicles. Council is committed to extend both on-road and off-road facilities within North Sydney, to provide a comprehensive and connected network that meets the needs of pedestrian and cyclists of all abilities and ages and links with the wider metropolitan network.

The North Sydney Transport Strategy (2017) is Council's principal transport planning and management policy. Council is working with stakeholders to improve public transport connections either directly and or through seeking grant funding through Federal and State government programs. Council's Traffic and Parking Management Strategy (2015) establishes a coordinated program of works and projects to manage traffic, parking, pedestrians and cyclists across the LGA.<sup>32</sup>

The North Sydney Integrated Cycling Strategy (2014) supports the delivery of new cycleways to help make cycling a safe, enjoyable and convenient everyday transport option for North Sydney residents, workers and visitors. This strategy identifies several new cycleway routes and shared pathways to augment the existing network. These projects focus on the installation of fully separated cycleways.<sup>33</sup> Council has also been delivering regional cycleway links in a co-funding partnership with the State Government. These cycleways identified as Routes 3, 4 and 5 will continue to be delivered.

Increasing road capacity to handle the extra trips generated by the additional populations has a very high cost relative to the benefits. Shifting travel behaviour away from dependence on private vehicles and towards public transport, cycling and walking is an appropriate and sustainable strategy for the future. Making it more attractive for residents and workers to use active transport modes for shorter trips encourages a healthier lifestyle.

### 8.4.3 Nexus and apportionment

This plan levies s 7.11 contributions on residential accommodation and non-residential (per worker) development.

Council's focus will be to make the best use of the street environment to accommodate the new growth by increasing the options for walking and cycling. As the network is well used by workers, the weighting of workers and residents is considered equal for active transport. Thus 1 worker

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<sup>32</sup> North Sydney Local Strategic Planning Statement p41

<sup>33</sup> Ibid [41].

demand = 1 resident demand. The equivalent resident populations that are used to calculate contributions for active transport are shown in the works schedule in Appendix B.

The existing population of North Sydney enjoys the existing cycleway and pedestrian network provision shown below:

- On-road cycleways current provision is 6.649 km, which equates to 41 m per 1,000 residents and non-resident workers.
- Off-road cycleways current provision is 2.33 km, which equates to 14.5 m per 1,000 residents and non-resident workers.
- Shared paths current provision is 1.57 km, which equate to 9.7 m per 1,000 residents and non-resident workers.

If the existing benchmarks are applied to the new equivalent resident demand of 26,304 people, then the resulting need to meet the demand is a total of approximately 1.71 km made up of:

- 1,078 m of on-road cycleway,
- 381 m of off-road cycleway, and
- 255 m of shared paths.

The cost of the 1.71 km is required for the new demand created by the future equivalent residents in the North Sydney area. It is reasonable that, for the purposes of determining the contribution rate, the costs of the infrastructure works are apportioned to the future equivalent demand population of 26,304 equivalent residents.

For cycleways being co-funded by State Government, it is reasonable that, for the purposes of determining the contribution rate, the costs of the infrastructure works are apportioned to the total existing and future population of 179,232 equivalent residents.

### Contribution rates calculation

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

$$\text{Contribution per equivalent resident (\$ER)} = \sum \left( \frac{\text{\$INF}}{\text{ER}} \right)$$

$$\text{Contribution per worker} = \$ER \times \text{WDW} \times \text{NRW\%}$$

Where:

- $\text{\$INF}$  = the apportioned estimated cost of providing each of the active transport facilities (refer works schedule in Appendix B).
- $\text{ER}$  = The expected equivalent residents that will generate the demand for the active transport facilities infrastructure (refer to 'Demand' column in Appendix B for values).



WDW = The worker demand weighting for this infrastructure type, being that one resident generates demand is equivalent to one worker – the WDW is therefore 1.

NRW% = The average percentage of workers in the North Sydney LGA that did not live in the North Sydney LGA at the 2016 census - i.e. 86%.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents or workers in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in Table 9.

Contribution calculations should also account for any demand credits pertaining to the existing development on the site.

## **8.5 Public domain**

### **8.5.1 Objectives**

Provide upgrades to public domain facilities to meet the demands created by future residents.

### **8.5.2 Needs assessment and infrastructure strategy**

The anticipated completion of the new Metro Stations at Crows Nest and Victoria Cross will have a transformative impact on North Sydney as it will dramatically improve the accessibility of the area to the rest of Sydney. This key infrastructure project is likely to drive jobs growth, particularly in North Sydney CBD and Crows Nest/St Leonards.

Station locations themselves will be destinations with a 'strong place focus' and high pedestrian activity which will require improvements to the surrounding walking network. Currently many footpaths are too narrow and waiting times at intersections are too long. Council will work collaboratively with the State Government to invest in projects that improve walking and cycling infrastructure in and around centres that provide access to high quality public transport.<sup>34</sup>

The quality of the public domain in North Sydney LGA is reasonably high. The anticipated increase in resident and worker populations will create demand for public domain improvements in and around centres due to the increased levels of pedestrian activity. Additional works will be required to provide a higher standard to improve the level of comfort, convenience, usability and amenity of public spaces.

Council intends to increase the level of pedestrian amenity in the public domain areas of all centres, but particularly in the places where additional populations are expected to be concentrated (i.e. in North Sydney CBD, and in Crows Nest/St Leonards).

The proposed works include improvement of pedestrian pavements, the widening of pedestrian areas (where possible), provision of street furniture, lighting, public art, signage and landscaping.

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<sup>34</sup> North Sydney Local Strategic Planning Statement p26

### 8.5.3 Nexus and apportionment

North Sydney CBD is the main centre and a significant employment destination in the North Sydney LGA. Council has identified a range of improvements to North Sydney CBD, Crows Nest and St Leonards to accommodate the increased population that is expected to reside and work in future. As the public domain is highly used by workers during the week it is considered that the relative demand for these facilities between residents and workers is the same. The equivalent resident populations that are used to calculate contributions for public domain improvements are shown in Appendix B.

As the improvement works in the North Sydney CBD, Crows Nest and St Leonards are primarily needed to meet the demand arising from new residents and workers, it is reasonable that the contribution rate assumes that the costs are met entirely by the future resident and worker growth populations.

Public domain works have also been identified for those other centres in the North Sydney LGA where much more modest population growth is expected. The centres include the Education Precinct, Milson's Point, Cremorne, Blue Point Rd Activity strip, Neutral Bay, Cammeray, Eden Neighbourhood, Kirribilli, Waverton, Bradfield Park precinct and Wollstonecraft. In addition, allocation has been made to the undergrounding of powerlines. Access to better public domain spaces will be important to the growth population to offset the lack of private open space available in the higher density residential complexes. However, it is considered that the improvements in these locations are not primarily driven by growth (which is anticipated to be limited) but by the entire population.

### 8.5.4 Contributions rate calculation

The contribution formula for public domain infrastructure can be expressed as follows:

$$\text{Contribution per equivalent resident (\$ER)} = \sum \left( \frac{\text{\$INF}}{\text{ER}} \right)$$

$$\text{Contribution per worker} = \$ER \times \text{WDW} \times \text{NRW\%}$$

Where:

- $\text{\$INF}$  = the apportioned estimated cost of providing each of the public domain works (refer works schedule in Appendix B).
- $\text{ER}$  = The expected equivalent residents that will generate the demand for the public domain infrastructure (refer to 'Demand' column in Appendix B for values).
- $\text{WDW}$  = The worker demand weighting for this infrastructure type, being that one resident generates demand is equivalent to one worker – the WDW is therefore 1.
- $\text{NRW\%}$  = The average percentage of workers in the North Sydney LGA that did not live in the North Sydney LGA at the 2016 census - i.e. 86%.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the proposed net additional residents or workers in the proposed development.

To determine the contribution rate per dwelling, multiply the contribution rate by the relevant assumed occupancy rate shown in Table 9.

Contribution calculations should also account for any demand credits pertaining to the existing development on the site.

## **8.6 Plan administration**

### **8.6.1 Objectives**

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

### **8.6.2 Strategy**

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

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

These activities will be undertaken by both in-house staff and external consultants.

### 8.6.3 Nexus, apportionment and calculation of contribution rates

Plan administration costs arise directly as a result of future development. Therefore, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the area.

Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a financial contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark<sup>35</sup> of an allowance equivalent to 1.5% of the cost of construction works that are to be met by development approved under this plan.

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<sup>35</sup> Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs*, p63

## **APPENDIX B: INFRASTRUCTURE SCHEDULE AND LOCATION MAPS**

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## APPENDIX C: COST SUMMARY REPORTS

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**COST SUMMARY REPORT**

Development Cost from \$0 to \$1,000,000

DEVELOPMENT APPLICATION No: \_\_\_\_\_ Reference: \_\_\_\_\_

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: \_\_\_\_\_

CONSTRUCTION CERTIFICATE No: \_\_\_\_\_ Date: \_\_\_\_\_

APPLICANTS NAME: \_\_\_\_\_

APPLICANTS ADDRESS: \_\_\_\_\_

DEVELOPMENT NAME: \_\_\_\_\_

DEVELOPMENT ADDRESS: \_\_\_\_\_

**ANALYSIS OF DEVELOPMENT COSTS:**

Item	Amount (\$)
Demolition and alterations	
Hydraulic services	
Structure	
Mechanical services	
External walls, windows and doors	
Fire services	
Internal walls, screens and doors	
Demolition and alterations	
Lift services	
Wall finishes	
External works	
Floor finishes	
External services	
Ceiling finishes	

Item	Amount (\$)
Other related work	
Fittings and equipment	
Preliminaries and margin	
<b>Subtotal:</b>	
Consultant fees	
Other related development costs	
Goods and services tax (GST)	
<b>TOTAL DEVELOPMENT COST:</b>	

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction certificate.
- Calculated the development costs at current prices and in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000*.
- Included GST in the calculation of development costs.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position and Qualifications: \_\_\_\_\_



**DETAILED COST SUMMARY REPORT****REGISTERED\* QUANTITY SURVEYOR'S DETAILED COST REPORT**

Development Cost in excess of \$1,000,001

\*A member of the Australian Institute of Quantity Surveyors (AIQS)

DEVELOPMENT APPLICATION No: \_\_\_\_\_ Reference: \_\_\_\_\_

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: \_\_\_\_\_

CONSTRUCTION CERTIFICATE No: \_\_\_\_\_ Date: \_\_\_\_\_

APPLICANTS NAME: \_\_\_\_\_

APPLICANTS ADDRESS: \_\_\_\_\_

DEVELOPMENT NAME: \_\_\_\_\_

DEVELOPMENT ADDRESS: \_\_\_\_\_

**DEVELOPMENT DETAILS:**

<b>Gross Floor Area – commercial</b>	<b>m<sup>2</sup></b>	<b>Gross Floor Area – other</b>	<b>m<sup>2</sup></b>
Gross Floor Area – residential	m <sup>2</sup>	Total Gross Floor Area	m <sup>2</sup>
Gross Floor Area – retail	m <sup>2</sup>	Total site area	m <sup>2</sup>
Gross Floor Area – car parking	m <sup>2</sup>	Total car parking spaces	
<b>Total development cost</b>	\$		
<b>Total construction cost</b>	\$		
<b>Total GST</b>	\$		

**ESTIMATE DETAILS:**

<b>Professional Fees</b>	<b>\$</b>	<b>Excavation</b>	<b>\$</b>
% of development cost		Cost per m <sup>2</sup> of site area	
% of construction cost		<b>Car Park</b>	
<b>Demolition and Site Preparation</b>		Cost per m <sup>2</sup> of site area	
Cost per m <sup>2</sup> of site area		Cost per space	
<b>Construction Commercial</b>		<b>Fit out – Commercial</b>	

<b>Professional Fees</b>	<b>\$</b>	<b>Excavation</b>	<b>\$</b>
Cost per m <sup>2</sup> commercial area		Cost per m <sup>2</sup> of commercial area	
<b>Construction Residential</b>		<b>Fit-out – Residential</b>	
Cost per m <sup>2</sup> of residential area		Cost per m <sup>2</sup> of residential area	
<b>Construction Retail</b>		Fit out – Retail	
Cost per m <sup>2</sup> of retail area		Cost per m <sup>2</sup> of retail area	

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction certificate.
- Prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manual from the Australian Institute of Quantity Surveyors (AIQS).
- Calculated the development costs in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000*.
- Included GST in the calculation of development costs.
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the Australian Institute of Quantity Surveyors Cost Management Manual Volume 1, Appendix A2.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position and Qualifications: \_\_\_\_\_