



Local Infrastructure Contributions Policy

JUNE 2019

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Version:	1
Responsible Positions:	Planning Manager, Planning & Infrastructure Strategic Planning Team Leader Development Contributions Officer
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1. Purpose

To ensure the community is not burdened by development and the developers provide appropriate contributions in accord with the growth of developments.

To provide a framework for Council to require development contributions from developers for funding the provision of local infrastructure such as open space, recreation facilities, community services, active transport and public domain required as a result of development. This may be the provision of new facilities for an area or the expansion or upgrade of existing facilities where an area is growing.

2. City Strategy Outcome:

- 3.5 – Maintain quality of life by balancing population growth with the provision of assets and services
- 5.1 – Be honest, transparent and accountable in all that we do
- 5.3 – Balance the creation of new public assets with the upgrade of existing public assets

3. Application

This Policy and the supporting Contributions Plan apply to the Willoughby LGA for:

- (a) All residential accommodation development that would result in a net increase in residents on the land
- (b) other development that has a proposed cost of works more than \$100,000.

Note:

Type (a) developments will be subject to contributions under section 7.11 of EP&A Act.

Type (b) developments will be subject to a levy under section 7.12 of EP&A Act.

A mix of type (a) and (b) developments will either be subject to a section 7.11 contribution or a section 7.12 levy whichever yields greater amount.

4. Policy Principles

- To ensure that the broader Willoughby community is not unreasonably burdened by the provision of Local Infrastructure that is required as a result of development in the Willoughby LGA
- To provide the framework for the efficient and equitable determination, collection and management of development contributions in Willoughby LGA
- To establish the relationship between the expected development and proposed Local Infrastructure to demonstrate that the section 7.11 contributions required under this plan are reasonable
- To allow the opportunity for Local Infrastructure to be provided by land developers as works in kind in lieu of paying a monetary contribution when it accords with Council objectives or outcomes
- To allow the opportunity for the dedication of land by land owners at no cost to Council in lieu of a monetary contribution when it accords with Council objectives or outcomes

5. Policy Statement

Council is committed to supporting the growing population of the Willoughby LGA and meeting the demands of infrastructure and servicing requirements resulting from development growth by providing high quality public amenities and services.

Authorised by the EP&A Act, Council's commitment relies on collecting development contributions from developers to ensure there is adequate funding to deliver the infrastructure works covered under this Policy and the supporting Contributions Plan.

6. Responsible Officer

The Policy is the responsibility of the Planning Manager, his / her function in relation to this Policy is:

- point of contact about the application of this Policy
- education, communication and training of staff
- periodical review of this Policy and consultation with the Executive Leadership Team

7. Monitoring and Review

Council's Development Contributions Officer, or an officer nominated by the Director – Planning and Infrastructure, shall be responsible for administering this Policy and will be responsible for the following:

- Administration, implementation and management of development contributions in accordance with *EP&A Act* and *Regulations*
- Maintaining and monitoring records of contributions payments
- Reporting
- Point of contact about the meaning and application of this Policy.
- Review process – as required

8. Supporting information

Willoughby Local Infrastructure Contributions Plan 2019 is the supporting document to this Policy. This Policy should be read in conjunction with the Contributions Plan.

Governing laws and standards

- *Local Government Act 1993 (NSW)*
- *Local Government (General) Regulation 2005 (NSW)*
- *Environmental Planning and Assessment Act 1979 (NSW)*
- *Environmental Planning and Assessment Regulations 2000 (NSW)*

Related policies and other documents

- Department of Planning & Environment's *Development Contributions Practice notes – July 2005*
- Department of Planning & Environment's *Development Contributions Practice notes – January 2018*
- *Willoughby City Strategy 2013-2029*
- *Willoughby City Council – Delivery Program and Operational Plan*
- *WLEP 2012 - Willoughby Local Environmental Plan 2012*
- *Willoughby Local Infrastructure Contributions Plan 2019*

Appendix

Definitions

Words and phrases used in this Policy and the supporting Contributions Plan have the same meaning as the terms defined in the *Willoughby Local Environmental Plan 2012*, or the *EP&A Act*, except as provided for below.

CDC means complying development certificate.

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

Council means Willoughby City Council.

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

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

IPART means Independent Pricing and Regulatory Tribunal

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