

Strategic Planning Referral Response

Application Number:	DA2022/1510
Proposed Development:	Demolition works and Construction of a mixed use development to accommodate a café, church, conference centre, boarding house and two level of basement car park.
Date:	01/05/2023
To:	Adam Susko
Land to be developed (Address):	Part Lot 28 DP 7413 , 9 Francis Street DEE WHY NSW 2099 Part Lot 28 DP 7413 , 28 Fisher Road DEE WHY NSW 2099 Part Lot 28 DP 7413 , 28 Fisher Road DEE WHY NSW 2099

Officer comments

INTRODUCTION

DA2022/1510 has been submitted pursuant to SEPP (Housing) 2021. The Statement of Environmental Effects states that the development seeks consent for a mixed-use development comprising:

- Demolition of all existing structures onsite
- Construction of a mixed-use development consisting of a three (3) storey building and a five (5) storey mixed-use building with a maximum building height of 16m containing a café, church and conference centre, 51 boarding house rooms plus a manager's residence
- Multi purposes and onsite overnight assistance areas on the top floor
- Provision of rooftop communal open space
- Provision of a two-level basement car parking comprising 34 car spaces (including 12 accessible spaces), 11 motorcycle spaces and 11 bicycle spaces to be accessed via Francis Street.

SUBJECT SITE

The subject site is 28 Fisher Road and 9 Francis Street, Dee Why and contains an existing church, proposed to be demolished as part of this development.

ASSESSMENT OF DA

The Dee Why Town Centre Contributions Plan 2019 (the Plan) applies to the subject site and the proposed development. The Plan levies contributions for residential and non-residential development that will increase the demand for local infrastructure levied by the Plan.

If approved, DA2022/1510 will result in:

- 52 boarding house rooms (51 rooms plus a manager's residence) to be managed by a registered affordable housing provider.
- 228.5m² of non-residential GFA comprising café (14.3m²), conference centre (131.8m²) and church (82.4m²).

In relation to boarding houses, clause 26 of SEPP (Housing) 2021 stipulates:

26 Must be used for affordable housing in perpetuity

(1) Development consent must not be granted under this Division unless the consent authority is satisfied that from the date of the issue of the occupation certificate and continuing in perpetuity—
(a) the boarding house will be used for affordable housing, and

(b) the boarding house will be managed by a registered community housing provider.

The Assessing Officer should apply a condition requiring the boarding house rooms be managed by an affordable housing provider in perpetuity.

The application states that the boarding house rooms are to be managed as affordable housing by Uncle Earl Property Pty Ltd, in perpetuity. The application is supported by a certificate dated 3 March 2020, demonstrating that Uncle Early Property Pty Ltd is a registered community housing provider under the National Regulatory Systems Community Housing. A search of the National Regulatory Systems Community Housing online database confirms that this registration is still valid.

Part 2.6 of the Plan stipulates the exemptions for contributions. This includes development for social and community housing provided by a registered housing provider. The proposed boarding house rooms meet this exemption and will not be levied a contribution for local infrastructure under the Plan.

However, the non-residential component of the development will increase the demand for infrastructure and will require a contribution. This comprises the café, conference centre and church. In accordance with Table 1 in the Plan and the indexed contribution rates published on Council's website, the applicable contribution for non-residential development is \$18,912.42 per 100m². A contribution of \$43,214.90 is required for 228.5m² of non-residential floorspace. A condition of consent has been provided.

The Plan identifies that contributions are attributable to the net increase in infrastructure demand and that there may be an allowance for existing development. Part 4.3 of the Plan identifies that the contribution attributable to the net increase in infrastructure demand is determined by calculating the contribution under that Plan that would apply to the existing development. The site currently contains a church however the submitted plans are insufficient to calculate the existing GFA of this building. No allowance for existing development can be provided until the existing GFA can be accurately calculated. A modification application could be sought to update this information if the required information is provided, and the monetary contribution has not been paid.

RECOMMENDATION

The Assessing Officer should apply a condition requiring the boarding house rooms be managed by an affordable housing provider in perpetuity.

The application is supported subject to the following condition:

The applicant must pay a monetary contribution to Council of \$43,214.90. This contribution is calculated at the date of this consent, in accordance with Dee Why Town Centre Contributions Plan (as amended) and comprises:

- a non-residential contribution of \$43,214.90 based on 228.5m² of additional non-residential gross floor area.

The total amount payable will be adjusted at the time of payment in accordance with the Dee Why Town Centre Contributions Plan (as amended). Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate.

The Applicant may negotiate with Council for the direct provision of other facilities and services, and/or the dedication of land in lieu of the monetary contribution above (or any portion of that monetary contribution) through a Planning Agreement between Council and the Applicant in accordance the Dee

Why Town Centre Contributions Plan (as amended) and Council's Planning Agreement Policy. The Planning Agreement between the Applicant and Council must be finalised, formally signed, and in place prior to the payment of the monetary contribution.

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan that enables the provision of local infrastructure and services commensurate with the increased demand resulting from development in the Dee Why Town Centre.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Strategic Planning Conditions:

FEES / CHARGES / CONTRIBUTIONS

Dee Why Town Centre - Contribution Condition

The applicant must pay a monetary contribution to Council of \$43,214.90. This contribution is calculated at the date of this consent, in accordance with Dee Why Town Centre Contributions Plan (as amended) and comprises:

- a non-residential contribution of \$43,214.90 based on 228.5m² of additional non-residential gross floor area

The total amount payable will be adjusted at the time of payment in accordance with the Dee Why Town Centre Contributions Plan (as amended). Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate.

The Applicant may negotiate with Council for the direct provision of other facilities and services, and/or the dedication of land in lieu of the monetary contribution above (or any portion of that monetary contribution) through a Planning Agreement between Council and the Applicant in accordance the Dee Why Town Centre Contributions Plan (as amended) and Council's Planning Agreement Policy. The Planning Agreement between the Applicant and Council must be finalised, formally signed, and in place prior to the payment of the monetary contribution.

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