

Strategic Planning Referral Response

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| Application Number: | DA2024/0499 |
| Proposed Development: | Demolition works and construction of three residential flat buildings |
| Date: | 16/05/2024 |
| To: | Adam Croft |
| Land to be developed (Address): | <p>Lot 1 DP 213608 , 120 Frenchs Forest Road West FRENCHS FOREST NSW 2086</p> <p>Lot 2 DP 213608 , 118 Frenchs Forest Road West FRENCHS FOREST NSW 2086</p> <p>Lot 14 DP 25713 , 11 Gladys Avenue FRENCHS FOREST NSW 2086</p> <p>Lot 24 DP 25713 , 116 Frenchs Forest Road West FRENCHS FOREST NSW 2086</p> |

Officer comments

INTRODUCTION

A referral request was made to Strategic and Place Planning 2 for comments in relation to affordable housing contributions for DA 2024/0499

SUBJECT SITE

The subject site is 116-120 Frenchs Forest West and 11 Gladys Ave, Frenchs Forest (lot 14 & 24 DP 25713; Lot 1 & 2 DP 213608).

The land is zoned R3 Medium Density residential under the Warringah LEP 2011 and is identified as a site contained within the WLEP 2011 affordable housing contributions scheme map. The site currently contains 4 residential houses.

ASSESSMENT OF DA

The submitted Statement of Environmental Effects (SEE) has been prepared by Boston Blyth Fleming Town Planners.

The SEE advises that the application seeks consent for demolition works, and construction of three residential flat buildings over basement and mezzanine parking comprising a total of 127 units (9 x 1 bedroom units, 85 x 2 bedroom unit and 33 x 3 bedroom units).

Affordable Housing Contributions Scheme

The application is on land identified as being within the Northern Beaches Council Affordable Housing Contributions Scheme (The Scheme), French's Forest Planned Precinct "Area A". The following affordable housing contribution rates apply to development applications for residential floorspace within this area:

Where the contribution is provided as a dedication of dwellings:

- Within area "A" the dedication in favour of the consent authority, free of cost, one or more complete dwellings with a gross floor area equivalent to 10% of the accountable total floor space.

Where the contribution is provided as an equivalent monetary contribution:

- \$11,000 per square metre*

* (as described in the Scheme dated September 2021 with the contribution indexed on an annual basis on 1 March every year in accordance with clause 3.2.1 of the Scheme).

The Scheme identifies that generally the contribution is to be provided via dedication of dwellings, or if the percentage of accountable total floor space (the gross floor area of the residential component of the development) results in an area which equates to less than 50 square metres, or where Council otherwise considers it appropriate to achieve a better affordable housing outcome, a monetary contribution equivalent to the market value of the dwellings that would otherwise be required will be sought as condition of development consent. In some cases, a contribution may also comprise a dedication and monetary contribution.

The Scheme also identifies a principle that Affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with the same type of dwellings within the development to which the development application relates, especially in terms of internal fittings and finishes, solar access and privacy.

Warringah Local Environmental Plan 2011

The application is on land identified within the WLEP 2011 affordable housing contributions scheme map in the Frenchs Forest Town Centre requiring not less than 10% of the gross floor area of the building to be used for affordable housing subject to the requirements of clause 6.11 of Warringah LEP 2011.

Clause 6.11 of Warringah LEP 2011 applies to development in an affordable housing contribution area that involves—

- (a) the erection of a new building with a gross floor area of more than 200 square metres, or*
- (b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area intended to be used for residential purposes, or*
- (c) alterations to an existing building and the consequent creation, whether for the same or a different purpose, of more than 100 square metres of gross floor area.*

The application contains the erection of a new building with a gross floor area of more than 200 square metres and so clause 6.11 applies.

Clause 6.11 also stipulates a consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution equivalent to the applicable affordable housing levy contribution for the development.

A condition imposed under this clause must provide for the affordable housing levy contribution to be satisfied:

- (a) by dedication in favour of the Council of land comprising—*
 - (i) 1 or more dwellings, each having a gross floor area of not less than 50 square metres, with any remainder paid as a monetary contribution to the Council, or*
 - (ii) other land approved by the Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or*
- (b) if the Council agrees, by monetary contribution paid to the Council.*

The application is therefore required to identify the dwellings to be dedicated to Council for the purpose of affordable housing, and provide a monetary contribution for the remainder of any required GFA in accordance with the Scheme and WLEP 2011.

Proposed affordable housing contribution to Council**

The application is for the total residential gross floor area (GFA) of 12,879.2m², which includes

9,907.1m² of GFA via WLEP 2011, and a further 2972.1m² of GFA under the bonus mechanism as per Chapter 2, Part 2, Division 1 of the Housing SEPP.

10% of which (1,287.92m²) is to be dedicated to Council as affordable housing, in perpetuity.

A further 15% (1,937.77m²) of total GFA is proposed as affordable housing, to be managed by a community housing provider for a period of 15 years as required by the Housing SEPP, and does not form part of these referral comments.

The application seeks to dedicate 10% of the residential GFA permissible under WLEP 2011 to Council (10% of 9907.1m²), being a minimum of 990.71m² via 9 units (see Table 1), and prior to the application of any bonus GFA pursuant to the Housing SEPP.

| Apartment | | Unit Mix totals (A602) |
|--------------|-------|----------------------------|
| | | Area m ² |
| ALG01 | 3 BED | |
| ALGO2 | 3 BED | 315.5 |
| AG07 | 1 bed | 54 |
| BLG01 | 2 bed | |
| BLG02 | 2 bed | 202.2 |
| CG01 | 3 bed | |
| CG02 | 2 bed | |
| CG03 | 2 bed | 327.29 |
| C104 | 2 bed | 92 |
| Total | | 990.99m² |

development inclusive of any GFA delivered via the Housing SEPP (12,879.2m²), being a total of 1,287.92m², not just the permissible GFA as sought via WLEP 2011.

The application is therefore approx. 296.93m² (1,287.92m² – 990.99m²) short in the quantum of affordable housing GFA to be dedicated to Council.

**Calculations of GFA are based on the information provided in the application and is subject to change once the final quantum of GFA has been determined.

RECOMMENDATION

A. The application is to be re-submitted identifying 10% of total residential GFA of the development (after the application of any floor space ratio bonus pursuant of the Housing SEPP) to be dedicated as affordable housing to Council, inclusive of the remainder of any required GFA (after dedication of units for affordable housing) to be paid via a monetary contribution to Council in accordance with the Scheme and WLEP 2011.

B. DA2024/0499 must be referred to Strategic and Place Planning 2 once the final quantum of dwellings to be dedicated as affordable housing has been agreed by the Assessing Officer. This will allow a calculation of the required monetary contribution for the remainder of the required GFA (after dedication of units for affordable housing).

C. Following this Strategic and Place Planning 2 will provide the relevant conditions with respect to the provision of affordable housing.

The proposal is therefore unsupported.

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

Strategic Planning Conditions:

Nil.