

Strategic Planning Referral Response

Application Number:	DA2019/0263
To:	Rebecca Englund
Land to be developed (Address):	Lot 3 DP 1115877 , 53 B Warriewood Road WARRIEWOOD NSW 2102 Lot 3 DP 942319 , 53 Warriewood Road WARRIEWOOD NSW 2102

Officer comments

The application proposes the consolidation of 53 and 53B Warriewood Rd and a Community Title subdivision to create 17 allotments comprising;

- 15 residential allotments (Lots 2-15 and Lot 17),
- one allotment containing the inner creek line corridor (Lot 16) to be dedicated to Council, and
- one allotment split into several parts containing common infrastructure including the water management basin and the new private road (Lot 1).

The application also creates a section of Lorikeet Grove, assumed to be dedicated to Council.

The Warriewood Valley Contributions Plan Amendment 16 Revision 3 (the Contributions Plan) levies contributions for the provision of public infrastructure identified in the Plan. This includes dedication and rehabilitation/reconstruction of the inner 25m creek corridor. The application proposes the dedication of the inner 25m creek corridor, being 942sqm, identified as Lot 16 on the amended Plan of Subdivision titled 03 BEP, Reference 076-18, prepared by Craig & Rhodes. An offset to the total monetary contribution of \$57,351.89 has been calculated for Buffer 1c in accordance with the Contributions Plan.

The submitted Statement of Environmental Effects advises that the development will also include the rehabilitation of the inner creek corridor which comprises landscaping and new top soil. Council's Acting Manager of Stormwater & Floodplain Engineering has advised that the proposed rehabilitation work will not accommodate the 1%AEP as is required by the Contributions Plan. No offset in contributions will be provided for works proposed in the inner creek corridor.

The Applicant also proposes to construct a section of cycleway on part Lot 1 and Lot 16. This section of cycleway comprises part of the sharepath identified in the Contributions Plan as Item 2 in the Cycle Network Strategy. Subject to advice from Council's Natural Environment Team confirming no adverse environmental impacts and comments from Council's landscape architect confirming connectivity, the section of share path is to be relocated to be generally within the Lot 16, to be dedicated to Council. It is acknowledged that the transitions of the sharepath to the adjacent sites may remain partially within part Lot 1. The relocation of the section of the cycleway can be addressed with a condition of consent.

The Contributions Plan identifies that this section of path on this site is 33m in length. The Contributions Plan has costed the delivery of this section of infrastructure at \$14,062. It is recommended that the Applicant propose to enter into a Works in Kind Agreement with Council to deliver this section of the cycleway for a reduction in the cash contribution payable of up to \$14,064. Any works in kind agreement needs to be agreed and signed by Council prior to the payment of the monetary contribution.

The contributions plan levies development that will create an additional demand for local infrastructure. There is an existing dwelling on the property which will be credited in the contribution calculation. A contribution will be levied for 14 additional dwellings and will be adjusted by the credit for the dedication of the inner 25m creek corridor land.

The application is supported subject to the following conditions of consent:

Prior to the issue of the Construction Certificate

1. The Civil Plans, Landscape Plans and the Plan of Subdivision are to be amended to identify the shared cycleway predominantly within Lot 16. The cycleway transitions to the adjacent properties may remain within Lot 1.
2. The amended Plan of Subdivision is to demonstrate all necessary easements, including without limitation an easement to ensure ongoing public access and maintenance benefiting Council for that part of the cycleway transitions within Lot 1.

Prior to the issue of the Subdivision Certificate

1. Copies of the Subdivision Plans (original plus 6 copies) reflecting the amendments required by Condition C1 and C2 are to be submitted to Council to ensure the efficient release of the Subdivision Certificate.

Strategic Planning Conditions:

FEES / CHARGES / CONTRIBUTIONS

Section 94 Contribution - Creekline corridor on the property

The following is to be made for the provision of local infrastructure and services pursuant to section 7.11 of the Environmental Planning and Assessment Act 1979 and the Warriewood Valley Development Contributions Plan (as amended):

- A monetary contribution of \$894,189.89 (subject to (a) below) is payable to Northern Beaches Council, and
- Dedication of 942sqm of creekline corridor land in accordance with (c) below.

a) Written evidence (receipt/s) from Council for the payment of the monetary contribution is to be provided to the Certifying Authority prior to issue of the construction certificate or subdivision certificate (whichever occurs first), or prior to the issue of the subdivision certificate where no construction certificate is required. If the cash contribution (total or in part) remains unpaid after the financial quarter in which the development consent is issued, the amount unpaid (whether it be the full monetary contribution amount or a part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index.

b) The Applicant shall dedicate to Northern Beaches Council a total of 942sqm of land for the provision of multi-functional creekline corridor in lieu of a monetary contribution amount calculated in accordance with Table 4 of the Contributions Plan attributed to the creekline corridor to the value of \$57,351.89. The area to be dedicated is to be subject to a final Plan of Subdivision. The required dedication is to take place by way of subdivision.

c) The Applicant may negotiate with Council for the direct provision of other facilities and services, and/or the dedication of land (other than land identified in (c) above) in lieu of the monetary contribution above (or any portion of that monetary contribution) or the deferral of payments through a Material Public Benefit Agreement between Council and the Applicant in accordance with the Warriewood Valley Development Contributions Plan (as amended). The agreement for Material Public Benefit Agreement between the Applicant and Council must be finalised, formally signed and in place prior to the payment of the monetary contribution.

The Warriewood Valley Development Contributions Plan (as amended) may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or on Council's website at



<https://www.northernbeaches.nsw.gov.au/planning-and-development/building-and-renovations/development-contributions>.

Reason: To provide for contributions in accordance with the Contribution Plan that enables the provision of public infrastructure and services commensurate with the increased demand resulting from development in the Warriewood Valley Release Area.