

Strategic Planning Referral Response

Application Number:	Mod2023/0095
Proposed Development:	Modification of Development Consent DA2019/0600 granted for Alterations and additions to a dwelling house including a swimming pool
Date:	27/03/2023
To:	Phil Lane
Land to be developed (Address):	Lot 2 DP 30019 , 81 Hilltop Road AVALON BEACH NSW 2107

Officer comments

INTRODUCTION

The subject site is 81 Hilltop Road Avalon Beach (Lot 2 DP 30019) and is zoned C4 Environmental Living under the Pittwater LEP 2014.

On 14 October 2019, Council issued a Notice of Determination to DA2019/0600 for Alterations and additions to a dwelling house including a swimming pool. Condition 4 of this approval states:

4. Policy Controls

Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$8,802.15 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The monetary contribution is based on a development cost of \$880,215.00.

The monetary contribution is to be paid prior to the issue of the first 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 monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2019 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

On 2 March 2023, Strategic and Place Planning 3 received a referral request for Mod2023/0095. This application seeks to modify DA2019/0600 as follows:

- Remove the proposed pool

- Replace the existing spa with a new spa
- Remove the proposed carport and driveway
- Extend the proposed workshop to the SW
- Remove the proposed upper floor extension
- Other minor alterations

The modification seeks to reduce the scale of the approved development.

SUBJECT SITE

The subject site comprises of 81 Hilltop Road Avalon Beach (Lot 2 DP 30019). The lot is located adjacent to Council owned Angophora reserve. The subject site is regular in shape and can be accessed via Hilltop Road.

ASSESSMENT OF DA

The modification application seeks to amend Condition 4 to reflect a reduced cost of works, from \$880,215 to \$751,185.59. This is supported by an updated cost of works prepared by Michael Steedman Constructions.

Condition 4 of the consent was calculated based on Cost of works of \$880,215 and levied a monetary contribution of \$8,802.15. As this modification application seeks to reduce cost of works to \$751,185.59, the contribution is recalculated and a monetary contribution of \$7,511.86 is payable. An updated condition has been provided below.

The monetary contribution required by Condition 4 has not been paid.

RECOMMENDATION

A. If approval of the DA is being recommended by the Assessing Officer, Condition 4 should be amended as follows:

Policy Controls

Northern Beaches 7.12 Contributions Plan 2019

A monetary contribution of \$7,511.86 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2019. The monetary contribution is based on a development cost of \$751,185.59.

The monetary contribution is to be paid prior to the issue of the first 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 monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

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This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

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:

Nil.