

Strategic Planning Referral Response

Application Number:	DA2024/0499
Proposed Development:	Demolition works and construction of three residential flat buildings
Date:	28/05/2024
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

DA2024/0499 seeks Demolition works and construction of three residential flat buildings containing 127 units. The architectural plans identify the following composition of the proposed multi-dwelling housing:

- 1-bed dwellings – 9
- 2-bed dwellings – 85
- □ 3-bed dwellings - 33

SPP3 received a referral request on 13 May 2024.

SUBJECT SITE

The subject site is 116, 118 and 120 Frenchs Forest Road West, Frenchs Forest and 11 Gladys Avenue, Frenchs Forest. The subject site is zoned R3 Medium Density Residential under Warringah LEP 2011. The subject site contains four existing dwellings, one on each allotment. These existing dwellings all comprise at least three bedrooms each.

ASSESSMENT OF DEVELOPMENT APPLICATION

The subject site is within the Frenchs Forest Planned Precinct. The Department of Planning and Environment prepared the Frenchs Forest 2041 Place Strategy on 17 December 2021 and the land was rezoned on 1 June 2022.

The Frenchs Forest Town Centre Contributions Plan 2023 (the Contributions Plan) is an IPART-reviewed plan that came into force on 20 December 2023; and funds the delivery of local infrastructure required to support development under the Frenchs Forest 2041 Place Strategy. The Contributions Plan levies both residential and nonresidential development that will result in additional population. The Contributions Plan applies to the subject site and to the development proposed under

DA2024/0499.

A contribution will be calculated in accordance with Table 2 in the Contributions Plan. The applicable contribution rates are indexed in accordance with Chapter 3.3 of the Plan.

A credit will be provided for the four existing 3-bed dwellings on the subject site. The applicant proposes residential development as follows:

- 1-bed dwellings - 9
- 2-bed dwellings - 85
- 3-bed dwellings - 33

The Contributions Plan, in its Glossary of terms and abbreviations defines a bedroom as “any room or space within a dwelling capable of being used as or converted to a bedroom as determined by Council”. An assessment of the submitted plans has identified 14 units containing rooms that are considered to be bedrooms that have not been included as bedrooms on the plans. These are all habitable rooms which have windows to external walls and are of a size and configuration that would allow them to be used as a bedroom. The 14 dwellings in question are:

- Building A – AG11, A111, A211, A311
- Building B – BLG01, BLG02, BG02, BG102, BG106, B202, B206, B302, B306
- Building C – CG02

Due to the size and configuration of these rooms, they are considered to be bedrooms for the purpose of calculating a development contribution. The residential contribution will be based on the following dwelling mix:

- 1-bed dwellings - 9
- 2-bed dwellings - 71
- 3-bed dwellings - 47

I note the assessment of the DA is at its early phase, however the Assessing Officer should be considering the layout of each proposed dwelling given some of the dwellings could be determined to be 3 bedroom dwellings rather than what has been proposed. At present, uncertainty remains to the final quantum and composition of dwellings to be supported by the Assessment Officer. Due to this uncertainty, a calculation of the required development contribution cannot be provided at this time and the application is not supported.

Once the final quantum and composition of dwellings is known, the application must be referred to Strategic and Place Planning 3 to calculate the required contribution and apply a condition of consent.

RECOMMENDATION

A. DA2024/0499 is not supported as it is premature to provide a total contribution amount until the dwelling quantum to be approved has been confirmed by the Assessing Officer.

B. The Assessing Officer is to:

1. determine whether 14 of the dwellings in question are labelled correctly in the number of bedrooms for the purpose of determining the development contributions. This determination is to

consider the definition of a bedroom as stated in the Glossary of terms and abbreviations of the Frenchs Forest Town Centre Contributions Plan, which reads as follows:

a bedroom means “any room or space within a dwelling capable of being used as or converted to a bedroom as determined by Council”.

2. advise the applicant in regard to point B1 above and the future assessment of the dwelling composition.

C. Prior to determination of the DA2023/0499, the Assessing Officer must refer the DA back to Strategic and Place Planning 3 once the final quantum and composition of dwellings has been agreed by the Assessing Officer. This will allow a calculation of the required contribution and a condition of consent.

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.