

## Strategic Planning Referral Response

<b>Application Number:</b>	Mod2024/0051
<b>Proposed Development:</b>	Modification of Development Consent N0440/15 for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping
<b>Date:</b>	04/04/2024
<b>To:</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 1 DP 5055 , 8 Forest Road WARRIEWOOD NSW 2102

### Officer comments

#### CONTEXT

The Court consent N0440/15 notes that the bridge over Jubilee Avenue is to be managed (including the ongoing maintenance and repair) by the Community Association. It is the Assessment Officers responsibility to consider any requirements for owners' consent for access and maintenance of the accessway bridge on Jubilee Avenue.

#### THE SUBJECT APPLICATION

On 8 March 2024, Strategic and Place Planning received a referral request for application (Mod2024/0051) seeking to modify development consent N0440/15 that was granted for the subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping.

Condition 9 of development consent N0440/16 as modified by (Mod2021/0816) specifically relates to the total development contributions as a result of the approved development, to which:

- On 14 April 2022, Council received payment of \$5,162,191.85 (being the adjusted development contribution).
- The section of Narrabeen Creek is to be dedicated to Council by way of subdivision prior to issue of any Occupation Certificate.

On 19 April 2022, Metropolitan building approvals issued a Construction Certificate for works under consent N0440/15 as amended and works commenced on site.

The subject modification application does not seek a change to condition 9 insofar as it relates to the contributions amount nor is there a change to the approved number of dwellings.

#### CONCLUSION

The monetary contribution imposed against consent condition 9 has been paid to Council and this modification is not seeking to increase the number of dwellings. No change is to be made to condition 9 of the development consent.

#### RECOMMENDATION

1. The modification application is supported without change to consent condition 9.
2. It is the Assessing Officer's responsibility to consider any required consents have been obtained especially on the section of the bridge used as accessway located on Jubilee Avenue.

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.