

Strategic Planning Referral Response

Application Number:	Mod2024/0309
Proposed Development:	Modification of consent to DA2021/0212, granted by the NSW Land & Environment Court, for demolition works and construction of a mixed development, comprising seniors housing, commercial uses, carparking, landscaping and stratum subdivision
Date:	17/06/2024
To:	Jordan Davies
Land to be developed (Address):	Lot 11 DP 1258355 , 5 Skyline Place FRENCHS FOREST NSW 2086

Officer comments

Mod2024/0309 has been submitted to the LEC pursuant to Section 4.55(8) of the EPA Act. The application proposes to amend DA2021/0212 for demolition works and construction of a mixed development, comprising seniors housing, commercial uses, carparking, landscaping and stratum subdivision. DA2021/0212 was approved by the LEC on 20 April 2023. The development comprises 98 independent living units including 10 units for disability housing to be operated by Project Independence Limited and 4 affordable units for seniors.

The subject site is 5 Skyline Place, Frenchs Forest. The land is zoned SP4 Enterprise under the Warringah LEP 2011. The site has a frontage to Skyline Place and a battle-axe handle to Frenchs Forest Road East. The Northern Beaches 7.12 Contributions Plan applies to the land and a development contribution is applicable for the approved development. It is noted that the contribution condition was inadvertently missed in the consent issued by the LEC. Mod2023/0617 seeks significant changes to the approved development including an increase in total dwelling numbers.

The Northern Beaches 7.12 Contributions Plan applies to the land and a development contribution is applicable to this application. The contribution is calculated based on 1% of the cost of works. A cost summary report, prepared by Building Logic and dated 6 November 2023, has been submitted with the application. The cost summary report identifies a total construction cost of \$49,090,800 excluding GST. This calculation also excludes costs associated with 784m² of floorspace purported to be managed by a community housing provider.

Chapter 2.5 of the Contributions Plan provides an exemption for “Social housing and community housing provided by an organisation registered as a social housing provider with the NSW Government. Applicants must demonstrate they meet these criteria within the application.”

Chapter 4.3 of the Northern Beaches 7.12 Contributions Plan stipulates that where the proposed cost of carrying out the development exceeds \$1,000,000, the cost summary report must be prepared by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors. The applicant must provide a cost summary report prepared by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors. This report must clearly separate the costs associated with any dwellings to be managed by a community housing provider.

RECOMMENDATION

A. There is insufficient information to determine the applicable development contribution. The applicant should submit an itemised cost estimate report prepared by a quantity surveyor who is a registered

member of the Australian Institute of Quantity Surveyors. The report should clearly identify the cost associated with the 14 dwellings to be managed by a community housing provider.

B. Upon receipt of this additional information, the application should be referred to Strategic and Place Planning 3 for consideration.

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.