

Strategic Planning Referral Response

Application Number:	DA2020/1378
Date:	14/01/2021
To:	Jordan Davies
Land to be developed (Address):	Lot 2 DP 793596 , 2 B Tasman Road AVALON BEACH NSW 2107

Officer comments

The Northern Beaches Section 7.12 Contributions Plan 2019 applies to the subject property.

The subject Development Application DA2020/1378 seeks consent for first-floor addition to an existing school building (Barrenjoey Montessori School).

The applicant seeks exemption to Northern Beaches Section 7.12 Contributions Plan 2019, for the following reasons:

- *The School is a not-for-profit non-government school which heavily relies on government grants to provide new facilities for its school community. The levying of a development contribution, either in part or whole, would divert a portion of these public funds, which have been specifically provided for capital funding for a new school development, to local services without any direct nexus to the impact on those services.*
- *No Section 7.12 (formerly s.94) levies applied to any of the earlier approved stages of the school.*
- *To apply developer contributions to a school would be, in effect, tantamount to a 'double dipping' of contributions payable- an undesirable and inequitable town planning outcome. This is because schools are typically required because of an increased population within its catchment- in this case a wider, regional catchment including the local government area of Northern Beaches. Developer contributions are required of all new residential development. The proposed school additions will not, in itself, generate the need for additional infrastructure covered by the plan.*

Assessment of the DA2020/1378

I have reviewed the DA as submitted; I offer the following commentary:

A public entity owns the subject land: NSW Government - Minister for Education, and the applicant is a charity registered with the Australian Taxation Office (Avalon Montessori Association also known as Barrenjoey Montessori School) for public purposes.

According to **Section 2.5 - What development is exempted?** of Northern Beaches Section 7.12 Contributions Plan 2019, development for public purposes that is provided by a charity registered with the Australian Taxation Office (ATO) is exempted.

Therefore contribution payment is not required for development application DA2020/1378.

This approach has been confirmed with the Principal Development Infrastructure Officer.

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.