

Strategic Planning Referral Response

Application Number:	Mod2024/0419
Proposed Development:	Modification of Development Consent DA2022/1164 granted for Demolition and construction of a commercial building
Date:	16/08/2024
To:	Claire Ryan
Land to be developed (Address):	Lot B DP 102407 , 34 - 35 South Steyne MANLY NSW 2095 Lot 2 DP 861591 , 34 - 35 South Steyne MANLY NSW 2095

Officer comments

INTRODUCTION

Mod2024/0419 seeks to amend Development Consent DA2022/1164 with the following:

- Sprinkler and booster alarm valve relocation
- Construction of additional ground floor openings
- Changes to central courtyard and layout
- Relocation of rooftop plant and equipment including solar panels

This modification application proposes a cost of \$12,575,000.00 compared with the parent application DA2022/1164, which proposed a cost of \$11,075,000.00. As of 13 August 2024, the contributions payment for DA2022/1164 remains outstanding.

SUBJECT SITE

The subject site is 34-35 South Steyne, Manly. The subject site is zoned E1 Local Centre under Manly LEP 2013. The subject site contains a two-storey commercial building with rear at-grade parking and a right of carriageway along the south-western boundary.

CHRONOLOGY

DA2022/1164 for Demolition and construction of a commercial building was approved on 18 December 2023. At the time of determination, Northern Beaches Section 7.12 Contributions Plan 2022 applied to the development and the subject property resulting in the inclusion of Condition 8 to the development consent which reads as follows:

8. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$110,750.00 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 (as amended).

The monetary contribution is based on a development cost of \$11,075,000.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

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

To date, development contributions have not been paid that would satisfy condition 8 of the development consent DA2022/1164. There has been no Construction Certificate issued for works approved under consent DA2022/1164 or commencement of site works. Mod2024/0225, which sought to modify consent DA2022/1164, was approved by Council on 7 August 2024. Both the cost of works and Condition 8 were unaltered by this application. SPP3 received a referral request for this modification, Mod2024/0419, on 7 August 2024.

ASSESSMENT OF MODIFICATION APPLICATION

Northern Beaches Section 7.12 Contributions Plan 2022 was the applicable plan at date of determination and remains applicable to this development consent. The modification will be assessed under this Plan.

The current application Mod2024/0419 seeks an increase to the total development cost from \$11,075,000.00 to \$12,575,000.00. An updated Quantity Surveyor's report has been provided by the applicant. The increased cost is consistent with the changes proposed under Mod2024/0419.

As no contribution has been paid to render satisfaction of condition 8, and given the changes proposed to the approved plans, it is reasonable to amend condition 8 of the consent to reflect the updated development costs stemming from the current modification application.

RECOMMENDATION

A. The proposal is supported subject to a modification of Condition 8 as follows:

8. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$125,750.00 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 (as amended).

The monetary contribution is based on a development cost of \$12,575,000.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

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.