

Strategic Planning Referral Response

Application Number:	Mod2024/0365
Proposed Development:	Modification of Development Consent DA2022/0071 granted for Alterations and additions to a dwelling house
Date:	17/07/2024
To:	Mia Battisti
Land to be developed (Address):	Lot 2 DP 430766 , 38 Lagoon Street NARRABEEN NSW 2101

Officer comments

INTRODUCTION

On 10 July 2024, a referral request was made seeking comments against the current modification application. Mod2024/0365 seeks to modify Development Consent DA2022/0071 by changes to the approved plans as follows:

Ground Floor

- New Garage Door
- External stairs to access the second floor

First Floor

- New Bedroom 1
- New bedroom 2 with ensuite above garage.
- New deck above garage
- Extension to hallway to provide access to bedroom 2

As this modification results in additional floorspace not proposed by the original development consent, it will result in increasing the total development cost to \$1,064,705.00, an increase of \$375,705 from the original development cost.

SUBJECT SITE

The subject site is 38 Lagoon Street, Narrabeen. The subject site is zoned R2 Low Density Residential under Warringah LEP 2011. The subject site contains a multistorey dwelling with a garage and rear pool.

CHRONOLOGY

DA2022/0071 for Alterations and additions to a dwelling house was approved on 22 April 2022. At the time of determination, *Northern Beaches Section 7.12 Contributions Plan 2021* applied to the development and the subject property resulting in the inclusion of Condition 5 to the development consent which read as follows:

6. Policy Controls

Northern Beaches 7.12 Contributions Plan 2021

A monetary contribution of \$6,890.00 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 2021. The monetary contribution is based on a development cost of \$689,000.00.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where

no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2021 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services. On 11 July 2022 development contributions of \$7009.00 were paid to Council.

ASSESSMENT OF MODIFICATION APPLICATION

Condition 6 of the development consent, through payment of the total indexed contribution amount, has been satisfied and cannot be amended by this current or future modification applications.

Notwithstanding, this modification application seeks to increase the floorspace beyond that originally approved by the consent DA2019/0071.

Section 2.5 of the Contributions Plan 2021 lists the criteria for development exempt from Development Contributions payment. This application proposes to expand floorspace being approved by this consent, so the imposition of a Contributions payment relating to the additional cost of this modification is appropriate. Section 2.7 of the s7.12 Contributions Plan 2021 lists the levy rate as being 1% of total development cost when the proposed development is estimated at over \$200,000.

Thus, a new additional Development Contributions condition pertaining to this modification is imposed to account for the additional floor space and local infrastructure demand generated by this modification.

RECOMMENDATION

A. The application for increased floorspace is supported. 2024/504296 Page 3 of 3

B. If supported, a new condition must be added to the consent as a result of the additional floorspace approved by the modification. This new condition, Condition 6A is to be added as below:

6A. Policy Controls

Northern Beaches 7.12 Contributions Plan 2021

A monetary contribution of \$3,757.05 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 2021. The monetary contribution is based on a development cost for this modification of \$375,705.00, being an additional cost to the original cost of works initially approved by consent DA2022/0071.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2021 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at

www.northernbeaches.nsw.gov.au.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

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.