

Strategic Planning Referral Response

Application Number:	Mod2024/0489
Proposed Development:	Modification of Development Consent DA2022/1333 granted for Construction of two dwelling houses (one dwelling on Lot 1 and one dwelling on Lot 4)
Date:	11/10/2024
To:	Anaiis Sarkissian
Land to be developed (Address):	Lot 1 DP 1274062 , 126 B Elimatta Road MONA VALE NSW 2103 Lot 4 DP 1274062 , 126 C Elimatta Road MONA VALE NSW 2103

Officer comments

INTRODUCTION

Mod2024/0489 seeks to modify Development Consent DA2022/1333 with the following:

- Deletion of works on Lot 1
- Reduction of development cost estimate

SPP3 received this referral request on 4 October 2024.

SUBJECT SITE

The subject site is 126B Elimatta Rd, Mona Vale. The subject site is zoned C4 Environmental Living under Pittwater LEP 2014. The subject site is currently an empty lot.

CHRONOLOGY

The application for Construction of two dwelling houses (one dwelling on Lot 1 and one dwelling on Lot 4) was approved by Council on 19 January 2023. These two allotments were the product of a prior subdivision under DA2018/0005 that subdivided one existing allotment into four. Since DA2022/1333 was approved, Lot 1 has been sold. The subject modification application intends to delete the dwelling on Lot 1 from the consent and to amend related conditions as required. The proposed development on Lot 4 remains to be built in accordance with the plans of DA2022/1333.

At the time of consent, the subject site was governed by the Northern Beaches Section 7.12 Contributions Plan 2022. Condition 7 of the Notice of Determination for DA2022/1333 reflects the initial cost estimate; and this condition reads as follows:

7. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$18,980.00 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 \$1,898,000.00. 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.

As of 10 October 2024, this contribution has not been paid and Condition 7 remains unfulfilled. No Construction Certificate has been obtained for DA2022/1333.

ASSESSMENT OF CURRENT APPLICATION

As Condition 7 of the consent remains unfulfilled and there is no Construction Certificate issued for the development, it is appropriate to consider the request to modify Condition 7 and the amount of monetary contributions payable to Council under that consent. The revised cost estimate of \$949,000 is exactly half the price of the estimate under the parent application. Accordingly, it reflects one of the two dwellings being deleted from the consent. Amendments to Condition 7 is supported to ensure the contributions amount payable to Council reflects the cost of works approved by Council.

RECOMMENDATION

A. The application as submitted is supported subject to Condition 7 being modified to read as follows:

7. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$9,490.00 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 \$949,000.00. 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.