

Strategic Planning Referral Response

Application Number:	Mod2023/0583
Proposed Development:	Modification of Development Consent DA2023/1135 granted for alterations and additions to a light industrial development
Date:	02/11/2023
To:	Alex Keller
Land to be developed (Address):	Lot 20 DP 1236268 , 1 Garigal Road BELROSE NSW 2085

Officer comments

The modification was referred to Councils SPP Referral contributions officer for review. The 4.55(1) is acceptable to delete the condition as the error in making the CIV/QS was made by the applicant and the correction to the NoD is warranted.

No objection to the modification.

The modification is consistent with condition 6 having being applied in error and is consistent with Northern Beaches Section 7.12 Contributions Plan 2022 - Clause 2.5 "What development is exempted" criteria.

On 1 November 2023, Strategic and Place Planning received a referral request for Mod2023/0583. Mod2023/0583 has been submitted pursuant to s4.55(1) of the EPA Act and seeks to modify DA2023/1135 for alterations and additions to an existing building.

The subject site is 1 Garigal Road, Belrose (Lot 20 DP1236268). The land is approximately 2.55 hectares in size and has frontages to Garigal Rd, Forest Way and Narabang Way. The land is irregular in shape and is zoned part SP4 Enterprise and part C2 Environmental Conservation under the Warringah LEP 2011.

The land contains an existing light industrial facility comprising manufacturing, warehouse, distribution, and office floorspace.

DA2023/1135 was approved on 17 October 2023 for alterations and additions to an existing building, comprising:

- Demolition of existing internal office partition walls,
- Replacement of floor, ceiling and wall finishes, and
- Construction of new partition walls.

No external works were proposed. The submitted quantity surveyors report identified an estimated cost of \$5,305,234.

Condition 6 of DA2023/1135 requires payment of a monetary contribution to Council totalling \$53,052.34. This condition was calculated and imposed automatically. There was no referral to Strategic and Place Planning.

Mod2023/0583 has been submitted pursuant to s4.55(1) of the EPA Act and seeks to delete Condition 6. The submitted statement of modification identifies that the approved works are an internal fitout and are exempt from a contribution.

The Northern Beaches Section 7.12 Contributions Plan applies to the land. Clause 2.5 identifies development that is exempt from a contribution, and states:

This plan does not apply to the following types of development:

• *Internal fitout works only (no enlargement or expansion of floorspace). For the purposes of this Plan, “Internal fitout” means fittings and furnishing within an existing tenancy unit/dwelling and may include changes to approved egress or openings so long as it does not involve*

- i. enlargement/expansion of the opening;*
- ii. enlargement/expansion of floor space;*
- iii. change to building classification; or*
- iv. intensification of use.*

The works approved under DA2023/1135 are an internal fitout. There are no changes to the external building and no increase to floorspace. The application meets the requirements of clause 2.5 and is exempt from contributions.

RECOMMENDATION

A. Delete Condition 6 requiring payment of a monetary contribution to Council.

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.