

15 May 2018



Swole Fitness Pty Ltd  
C/- Martin Oosthuizen Po Box 7025  
WARRINGAH MALL NSW NSW 2100

Dear Sir/Madam

**Application Number:** Mod2017/0335  
**Address:** Lot 165 SP 13245 , 6 / 22 Central Avenue, MANLY NSW 2095  
**Proposed Development:** Modification of Development Consent DA0289/2015 granted for alterations additions use as an indoor recreation facility and signage.

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Adam Croft  
**Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2017/0335
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	Swole Fitness Pty Ltd
<b>Land to be developed (Address):</b>	Lot 165 SP 13245 , 6 / 22 Central Avenue MANLY NSW 2095
<b>Proposed Development:</b>	Modification of Development Consent DA0289/2015 granted for alterations additions use as an indoor recreation facility and signage.

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	14/05/2018
-----------------------	------------

The request to modify the above-mentioned Development Consent has been approved as follows:

#### **A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
Acoustic Letter	3 December 2016	DJW Projects
Acoustic Report	2 May 2018	The Acoustic Group

c) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

d) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

f) The development is to be undertaken generally in accordance with the following:

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

#### **B. Modify Condition ANS11 to read as follows:**

##### **ANS11**

The hours of operation of the premises (i.e. hours of operation for business) must not exceed 5:00am to 8:00pm Monday to Friday and 7:00am to 10:00am Saturdays without the prior approval of Council.  
Reason: To minimise noise disturbance to neighbouring residential properties.

## Important Information

This letter should therefore be read in conjunction with DA289/2015 - Installation of a wall in an existing shop to create two (2) separate tenancies, change of use to an Indoor Recreation Facility, fit out, signage and hours of operation being Monday - Friday 6:00am to 8:00pm and Saturday from 7:00am to 10:00am - Shop 2 - F45 Training - Approved 18 February 2016.

DA289/2015 - Part 2 - Section 96 to modify approved DA289/2015 - Approved 9 November 2016. .

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

## Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

*NOTE: A fee will apply for any request to review the determination.*

**Signed**            On behalf of the Consent Authority



Name                Adam Croft, Planner

Date                 14/05/2018