

4 December 2018



Milestone (Aus) Pty Ltd
PO Box 288
LEICHHARDT NSW 2040

Dear Sir/Madam

Application Number: Mod2018/0470
Address: Lot 10 DP 1233834 , 22 - 26 Roseberry Street, BALGOWLAH NSW 2093
Proposed Development: Modification of Development Consent DA300/2016 granted for demolition works consolidation of three 3 lots into one 1 construction of two 2 shops including an Aldi store 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

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

Regards,



Thomas Prosser
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0470
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Milestone (Aus) Pty Ltd
Land to be developed (Address):	Lot 10 DP 1233834 , 22 - 26 Roseberry Street BALGOWLAH NSW 2093
Proposed Development:	Modification of Development Consent DA300/2016 granted for demolition works consolidation of three 3 lots into one 1 construction of two 2 shops including an Aldi store and signage

DETERMINATION - APPROVED

Made on (Date)	21/11/2018
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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 Documents

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Plan of Management for Delivery Trucks	July 2018	Milestone

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

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

B. Modify Condition 59 (6W02) to read as follows:

59 (6WM02)

Waste collection must only occur during the following hours:

- Monday – Saturday: 6:00am – 8:00pm
- Sundays and Public Holidays: 8:00am – 8:00pm

Reason: To minimise disruption to neighbouring properties.

C. Add Condition 63 Noise- On-going to read as follows:

1. Compliance with the findings and all recommendations contained within the acoustic assessment report by Wilkinson Murray dated June 2018.
2. All delivery trucks shall use the turning - turntable to avoid the use of any reversing "beepers" at night.
3. Trucks which are not able to immediately enter the dock area are not to wait in the adjoining residential areas .
4. A noise management plan is to be prepared and a copy kept on site addressing the following:
 - a. Measures to minimise noise to nearby residential properties by general operations, equipment and delivery vehicles based on the report by Wilkinson Murray dated June 2018 .
 - b. The store manager shall be available during opening hours to address any noise complaints
 - c. Keep a log of any complaints received and what actions were taken to address the complaint.
 - d. An outline of the methods to manage any noise complaints received.
 - e. Compliance with The Noise Policy for Industry NSW EPA, 2017.

Reason: To ensure that noise is minimised and any nuisance to any residential receiver is avoided.

D. Add Condition 64- Delivery vehicles to read as follows:

Deliveries may occur 24 hours, Monday to Sunday including public holidays. Delivery vehicles of over 6m in length servicing the subject site during this time should avoid travel along Balgowlah Road and Kenneth Road from the east.

In the event that travel along Balgowlah Road or Kenneth Road is unavoidable trucks must not wait/ide; on these roads if access is not available to the subject site.

Reason: To minimise impacts upon residential premises in Balgowlah Road & Kenneth Street.

Important Information

This letter should therefore be read in conjunction with DA300/2016.

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



northern
beaches
council

TRP_{Prosser}

Name Thomas Prosser, Planner

Date 21/11/2018