

24 May 2018



Tony Ashcroft
1073 Pittwater Road
COLLARROY NSW 2097

Dear Sir/Madam

Application Number: Mod2018/0034
Address: Lot 1 DP 9900 , 874 Pittwater Road, DEE WHY NSW 2099
Proposed Development: Modification of Development Consent DA2014/0731 granted for Use of premises for use as a gymnasium

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,

Renee Ezzy
Principal Planner

NOTICE OF DETERMINATION

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|----------------------------|-------------------------------------|
| Application Number: | Mod2018/0034 |
| Determination Type: | Modification of Development Consent |

APPLICATION DETAILS

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| Applicant: | Tony Ashcroft |
| Land to be developed (Address): | Lot 1 DP 9900 , 874 Pittwater Road DEE WHY NSW 2099 |
| Proposed Development: | Modification of Development Consent DA2014/0731 granted for Use of premises for use as a gymnasium |

DETERMINATION - APPROVED

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|-----------------------|------------|
| Made on (Date) | 26/02/2018 |
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Modify Condition 6. Hours of Operation to read as follows:

6. Hours of Operation

The hours of operation are to be restricted to:

Monday to Sunday: 5.00am - 10.30pm

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained. (DACPLG08)

B. Add Condition 7. Noise Reduction Measures as follows

7.

Noise Reduction Measures

The ongoing operation of the premises must ensure compliance with the following:

A. Compliance with the findings and recommendations contained in the report by Acoustic Logic dated 16.1.2018 including :

- The external windows shall be closed during the proposed extended hours.
- No free weight is allowed to be dropped before 5:30am.
- PA is not allowed to be used before 5:30am.

B. Base levels in any music played being reduced to a minimum to reduce the potential of base wave (low frequency) transmission through the building or via windows.

C. Music or amplified announcements or operational noise not being audible in any residential premises between 10pm and 7am.

Reason: To maintain the amenity of any adjacent residential property (DACHPGOG5)

Important Information

This letter should therefore be read in conjunction with DA2014/0731 dated 19/8/2014..

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 Renee Ezzy, Principal Planner

Date 26/02/2018