

31 July 2018

White And Partners (Sydney Investments) Pty Ltd
Po Box 5200
SYDNEY NSW 2000

Dear Sir/Madam

Application Number: Mod2018/0318
Address: Lot 1 DP 859455 , 2 West Promenade, MANLY NSW 2095
Proposed Development: Modification of Development Consent DA176/2016 granted for construction of a mixeduse development and alterations to the existing Auckland Garage building comprising a registered club at ground level and residential accommodation above basement carparking and associated landscaping

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,



Claire Ryan
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0318
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	White And Partners (Sydney Investments) Pty Ltd
Land to be developed (Address):	Lot 1 DP 859455 , 2 West Promenade MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA176/2016 granted for construction of a mixeduse development and alterations to the existing Auckland Garage building comprising a registered club at ground level and residential accommodation above basement carparking and associated landscaping

DETERMINATION - APPROVED

Made on (Date)	31/07/2018
-----------------------	------------

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

Acoustic Amenity

The use of premises must comply with the following:

- (a) The LA10* noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz-8kHz inclusive) by more than 5dB between 7:00am and 12 midnight at the boundary of any residential receiver.
- (b) The LA10* noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz-8kHz inclusive) between 12 midnight and 7:00am at the boundary of any residential receiver.
- (c) Notwithstanding compliance with the above, the noise level from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7:00am
- (d) The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz-8kHz inclusive) by more than 3dB when assessed indoors at any occupied commercial premises whilst that premises is in operation

*(for the purpose of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the premises).

Reason: To protect the acoustic amenity of neighbouring properties.

Important Information

This letter should therefore be read in conjunction with DA0176/2016 dated 28 June 2017, DA0176/2016 Part 2 dated 19 September 2017 and DA0176/2016 Part 3 dated 1 November 2017.

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 Claire Ryan, Planner

Date 31/07/2018