

19 July 2019



Inland Building And Construction
Po Box 1864
BATHURST NSW 2795

Dear Sir/Madam

Application Number: Mod2019/0024
Address: Lot 1 DP 545812 , 43 Booralie Road, TERREY HILLS NSW 2084
Proposed Development: Modification of Development Consent DA2016/0523 granted for Demolition Works construction of a service station 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,



Steven Findlay
Manager Development Assessments

NOTICE OF DETERMINATION

Application Number:	Mod2019/0024
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Inland Building And Construction
Land to be developed (Address):	Lot 1 DP 545812 , 43 Booralie Road TERREY HILLS NSW 2084
Proposed Development:	Modification of Development Consent DA2016/0523 granted for Demolition Works construction of a service station and signage

DETERMINATION - APPROVED

Made on (Date)	03/07/2019
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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 Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DWG. A301 - Issue C	August 2018	Calare Civil Consulting Engineers
DWG. A302 - Issue C	August 2018	Calare Civil Consulting Engineers
DWG. A303 - Issue C	August 2018	Calare Civil Consulting Engineers
DWG. A304 - Issue C	August 2018	Calare Civil Consulting Engineers

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

B. Add Condition No. 1B - Amendment to the Approved Plans to read as follows:

The installation of a new screen to shield visibility of the soffit and lights of the existing service station canopy from the south east.

The new screen is to:

- extend for the entire length of the portion of the canopy facing 37 Booralie Road,

Terrey Hills

- be located immediately below the existing fascia
- have a finished dimension of not less than 0.5 m below the underside of the existing

soffit and fascia

- match the existing fascia in material and colour
- be constructed in a manner that will ensure its long term durability and stability
- be constructed in a manner that will ensure no light can penetrate between it and the

existing fascia.

The screen shall be installed by 30 September 2019.

Details of the proposed screen are to be provided to Council for approval by the Manager Development Assessment or Executive Manager Development Assessment no later than 31 August 2019.

Reason: To reduce the effect of the canopy lighting on the adjoining public land and 37 Booralie Road, Terrey Hills to that which would have applied under the pre-existing approval.

C. Add Condition No. 1C - Canopy Lighting to read as follows:

The canopy lighting shall comply with AS4282 "Control Of The Obtrusive Effects Of Outdoor Lighting".

A suitably qualified person shall certify compliance with above requirement and submit that certification to Council within 30 days from the date of compliance with Condition 1B.

Reason: To ensure compliance with the relevant Australian standard. Glare from internal and external lighting is not permitted to extend beyond the limits of the building authorised by this approval, must comply with AS 4282 "Control of the obtrusive effects of outdoor lighting" and shall not cause a nuisance to any neighbouring residents.

D. Add Condition No. 37A - Hours of Operation of Canopy Lighting to read as follows:

The canopy lighting is to be turned off at all times outside the following hours:

- Monday to Friday: 6am – 11pm
- Saturday: 6am – 11pm
- Sunday and Public Holidays: 7am – 10pm

Reason: To make the canopy lighting consistent with the hours of operation of the service station.

Important Information

This letter should therefore be read in conjunction with DA2016/0523 dated 12 October 2016 and MOD2017/0223 dated 13 December 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.

Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

Right of Appeal

Section 8.10 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.

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

Signed

On behalf of the Consent Authority



Name

Steven Findlay, Manager Development Assessments

Date

03/07/2019