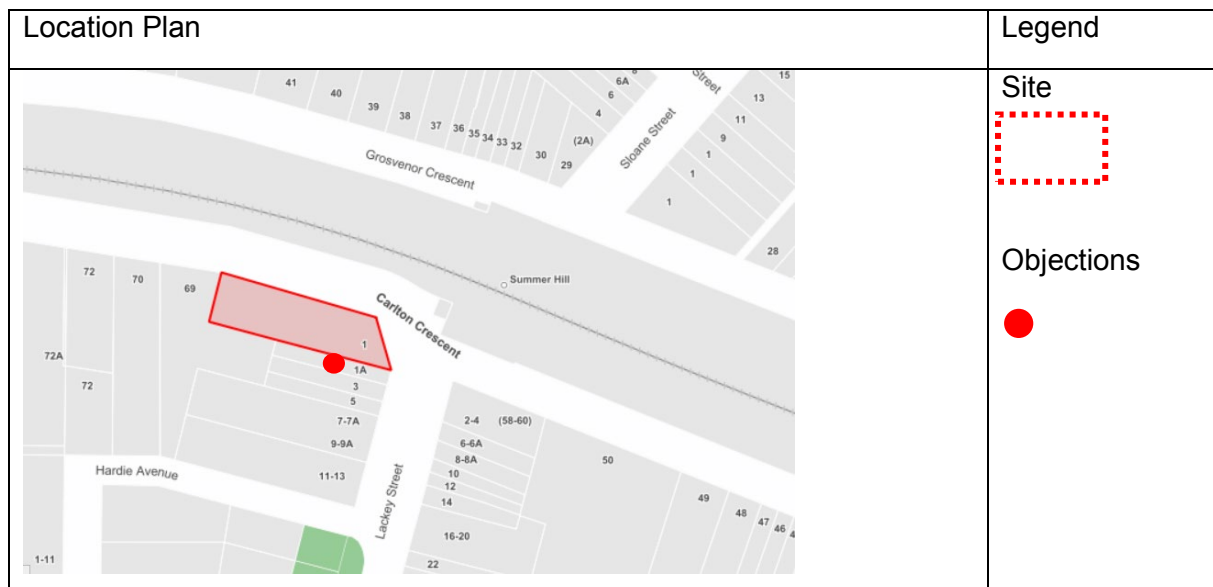




# INNER WEST COUNCIL

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	10.2018.051.1
<b>Address</b>	1 Lackey Street, Summer Hill
<b>Proposal</b>	Section 8.2 review of determination for: Alterations and additions to an existing bar, gambling area and bottle shop within the licensed premises known as the Summer Hill Hotel
<b>Date of Lodgement</b>	Section 8.2 was lodged on: 21 September 2018. The original application was determined by the Inner West Local Planning Panel on the 28 August 2018.
<b>Applicant</b>	Planik
<b>Owner</b>	Laundy Trading (Bristol Arms PTY LTD) - Arthur Laundy
<b>Number of Submissions</b>	One (1)
<b>Value of works</b>	\$280,000
<b>Reason for determination at Planning Panel</b>	The current application is a review of a determination of a refusal issued by the panel on the 28 August 2018. The proposal also involves the partial demolition of a local heritage item
<b>Main Issues</b>	Acoustic treatment
<b>Recommendation</b>	Consent subject to conditions
<b>Attachment A</b>	Recommended conditions of consent
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Acoustical Assessment





Picture 1 Site Photo – Lackey Street frontage

## 1. Executive Summary

This report concerns a review application for alterations and additions to an existing licensed premises known as the Summer Hill Hotel.

The proposal generally complies with the aims, objectives and design parameters contained in the Ashfield Local Environment Plan 2013 (ALEP 2013) and the Comprehensive Inner West Development Control Plan (DCP) 2016. The main aspects of the application revolve around expanding the existing gaming area and deletion of the existing on-site bottle shop to create a new public terrace with a vergola roof to allow for a semi-open environment.

Council raises concerns around the proposed hours of operation for the new public terrace and recommends conditions which limit the operational hours of this new facility.

The proposal does not seek to increase the existing maximum patron capacity.

It is considered that, subject to conditions, the proposal will not result in any significant impacts on the streetscape or amenity of adjoining properties.

## 2. Proposal

The application seeks approval for alterations and additions to the ground floor and ground floor roof of the Summer Hill Hotel.

The proposed works involve the reconfiguration of the existing game room, deletion of the hotel's existing bottle shop and creation of a new public terrace.

The proposed internal works include:

- The reconfigured gaming room along the southern wall of the ground floor, creating additional room for the existing gaming space.
- Extension of the existing public bar towards the south east.
- Creation of a new public terrace within the footprint of the existing bottle shop
- Removal of sections of the wall along the southern end of the existing bar and existing bottle shop
- Installation of new glazed walls and automatic doors

The proposal also seeks consent for numerous external works, these include:

- Construction of a new lobby within the south eastern corner of the site, with new double doors constructed further west, relating directly to the stairs providing access to the first floor of the premises
- Demolition of the existing external steps along the north west elevation (currently providing access to the bottle shop). The existing door to the bottle shop is proposed to be retained to form an external part of the new ground floor terrace
- Removal of the existing ramp leading to the existing bottle shop
- Demolition of the existing concrete roof above the existing bottle shop and installation of an operable roof over the new public terrace

## 3. Site Description

The site is located on the western side of Lackey Street and southern side of Carlton Crescent. The subject site is a rectangular shaped allotment with a splayed frontage to

Lackey Street of 17.9m and a maximum depth of 60.9m, resulting in a total site area of 895.9m<sup>2</sup>.

Currently situated upon the site is a three storey commercial premises, identified as the Summer Hill Hotel. Currently operating within this premises is a bistro area, public bar, TAB and bottle shop. The site is identified as an item of local heritage significance (Item No. 542) and located within the Summer Hill general conservation area.

The character of development within the locality is one of a local centre, with neighbouring developments of a two and three storey nature, incorporating a commercial ground floor use and residential above. The site is located roughly 13m west of the pedestrian entrance to the Summer Hill train station. Businesses currently operating within the vicinity of the premises consist of 'Heritage Coffee Brewers', "Your Doctors' and a Raine & Horne real-estate agency.

## 4. Background

### 4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

#### Subject Site

Application	Proposal	Decision & Date
10.2006.082	Alterations and additions to the Summer Hill Hotel – including a new external terrace to the western side of Hotel, with new waste storage under car parking upgrade, new bistro and extension of an existing gaming room	Appeal Upheld - 28/2/2007
10.2002.372	Alteration to trading hours	Approved – 3/12/2002
10.2018.051	Alterations and additions to existing bar, gambling area and bottle shop within the licensed premises known as the Summer Hill Hotel	Refused by the Inner West Local Planning Panel on the 28 August 2018. The current application is a 8.2 review of this refusal.

## 5. Assessment

The following is a summary of the assessment of the application in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

### Section 8.2 Review

Section 8.2 of the Environmental Planning and Assessment Act 1979 allows an applicant to request Council to review the determination of an application. The review is to be carried out in accordance with the requirements discussing the following:

- A review of a determination cannot be carried out on a complying development certificate, or a determination in respect of designated development, or a determination in respect of integrated development, or a determination made by the

Council in respect of an application by the Crown.

The subject application was not complying development, designated development, integrated development or an application made by the Crown.

- A determination cannot be reviewed after the time limit for making an appeal under Section 8.10 expires, being 6 months from the original determination.

The subject application was determined on 28 August 2018. The request for review was received by Council on 21 September 2018, and the expiration of the time period to complete this review is 28 February 2018.

- The prescribed fee must be paid in connection with a request for a review

The applicant has paid the applicable fee in connection with the request for a review.

- In requesting a review, the applicant may make amendments to the development described in the original application, provided that Council is satisfied that the development, as amended, is substantially the same as the development described in the original application.

The current S8.2 review request is substantially the same as the development described in the original application.

- The review of determination has been notified in accordance with the regulations, if the regulation so require, or a development control plan, if the council has made a development control plan that requires the notification or advertising of requests for the review of its determination.

The application was advertised for a period of 21 days. One (1) submission was received during this advertising period.

- Consideration of any submissions made concerning the request for review within any period prescribed by the regulations or provided by the development control plan.

One submission was received, the matters raised by this submission have been considered through the course of the assessment and have been addressed within this report.

- As a consequence of a review, council may confirm or change the determination.

After reviewing the determination of the application, it is recommended that the Inner West Local Planning Panel change the original determination of this application.

- The review must not be made by the person who determined the original but is to be made by another delegate of the council who is not subordinate to the delegate who made the determination. If the original determination was made by the council then the review is also to be considered by the council.

The original application was determined the Inner West Local Planning Panel. The determination on the review is to be made by members of the Inner West Local Planning Panel who have the authority to determine the application.

## Section 8.2 Assessment

A review of the reasons for refusal is carried out sequentially below:

***The proposal does not demonstrate that it will not have an adverse impact on the amenity on the locality, in particular the panel is not satisfied with the adequacy of the acoustic reports.***

#### Applicant Response

The (a revised?) acoustic report has been (provided and?) reviewed and now makes clear:

- The proposal being assessed – ie gaming room and smokers terrace
- Assessment at closet receivers
- Assessment inclusive of mechanical plant

#### Officer's Comment

Accompanying the section 8.2 application is the submission of amended plans. These plans detail a reduction to the size of the operable roof over the proposed the gaming area and new public terrace. Analysis of the amended ground floor plan highlights that the majority of the new terrace and proposed game room is now to be enclosed, with a minor portion of the spaces incorporating operable louvers. These measures ensure that the new spaces are substantially enclosed and limit the potential for acoustic impacts to neighbouring sites or the locality. The amended plans also detail the provision of new acoustic screens above the openings to the gaming room to further assist with the reduction of acoustic impacts. The applicant has also provided an amended acoustic report which has modelled acoustic impacts for properties at 1A, 2-4, 3 and 5 Lackey Street and 69 Carlton Crescent. These measures are considered to be sufficient to ensure that the proposal will not have an adverse impact upon the amenity of the locality.

***In particular there is no assessment of the impact of the open gaming area upon the nearest residences namely 1A and 3 Lackey Street.***

#### Applicant Response

The Acoustic Report has been updated to assess the impact of the proposed open gaming area on surrounding residential properties. The updated Acoustic Report includes modelling and assessment for 1A, 2-4, 3 and 5 Lackey Street and 69 Carlton Crescent. The plans clearly depict the extent of roof openings.

#### Officer's Comment

Council's Environmental Health Officer has undertaken a comprehensive review of the updated acoustic report and outlined no objection to the proposal, subject to the development complying with the recommendations of the report and the imposition of additional acoustic management conditions. These conditions include the requirement for all external doors and windows relating to the external terraces being closed no later than 10:00pm each night, all doors fitted with self-closing mechanisms and implementation of a requirement for any speakers in the new terrace areas to only be small speakers to be used for background music and to have a maximum sound pressure level (SPL) of no more than 70 dB(A) at 1 metre.

The amended acoustic report with the modelling and assessment for 1A, 2-4, 3 and 5 Lackey Street and 69 Carlton Crescent is considered to be sufficient to understand and mitigate the potential acoustic impacts of the development upon neighbouring sites, likewise conditions recommended by Council's Environmental Health Officer and conditions limiting the hours of operation for the new public terrace will further assist to mitigate and manage the acoustic impacts during the ongoing use of the proposed space.

***Nor do the submitted plans or the reports adequately describe the open nature of the proposed gaming room and the terrace nor do they adequately describe any acoustic measures to these open areas that can be practically implemented.***

#### Applicant Response

Refer to updated plans:  
Level 1 Demolition Plan (DA 004)  
Level 1 Proposed Plan (DA 007)  
Roof Plan (DA 013) and  
Reflected Ceiling Plan (DA014).

The existing roof areas to be penetrated are shown on the plans including:

1. The extent of new operable roof for terrace area - 8.5 m<sup>2</sup>. Non-operable roof blades will be angled towards the north and away from residential apartment to south, and
2. The extended area of steel security grilles for open gaming room (26 m<sup>2</sup>) are depicted.
3. Plans now depict the location of existing plant, relocated plant and new plant.

The operable terrace roof as proposed is as depicted below:



The amended acoustic report assesses the proposal against potential noise and concludes that noise will be within acceptable limits to the criteria set. Notwithstanding, the report provides the following recommendations to mitigate impacts:

- Doors with self-closing mechanisms should be used on all external doors. The self-closing mechanisms must be engaged after 8:00 pm.
- Gaming machines to have volume set to personal levels, a SPL of 55 dB(A) at one metre.
- There is to be no amplified music in the new gaming area
- Face mechanical plant outdoor (condenser) items facing away from residential boundaries

where practical. Use night mode on all units capable.

- All external doors/windows of the outdoor terrace area to be closed no later than 10:00 pm (not including the operable roof);
- All new doors to have self-closing mechanisms;
- Background music speakers in outdoor terrace area to have a maximum SPL of no more than 70 dB(A) at 1 metre.
- Signs to be posted in the venue encouraging patrons to be mindful of neighbours and to leave the premises and local area in a quiet and timely manner.

#### Officer's Comment

Council has undertaken a review of the proposed acoustic measures listed above and in the acoustic report and considers them to be sufficient to protect the amenity of neighbouring sites and the locality. Council's Environmental Health Officer has reviewed these measures and raised no objection, subject to them being conditions on the consent.

Council's Environmental Health Officer has also requested that conditions requiring acoustic testing within the first 60 days of trading take place to ensure that noise emanating from the premises is compliant with the recommendations of the acoustic report and relevant conditions. A condition requiring acoustic testing is recommended for the consent.

### 5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Ashfield Local Environmental Plan 2013; and
- Comprehensive Inner West Development Control Plan 2016.

The following provides further discussion of the relevant issues:

#### **5(a)(i) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

An assessment has been made of the matters set out in Clause 20 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally inconsistent with the objectives of the Plan and would not have an adverse effect on environmental heritage, the visual environmental, the natural environment and open space and recreation facilities.



**5(a)(ii) Ashfield Local Environment Plan 2013 (ALEP 2013)**

The application was assessed against the following relevant clauses of the Ashfield Local Environmental Plan 2013:

<b>Ashfield Local Environmental Plan 2013</b>				
<b>Summary Compliance Table</b>				
<b>Clause No.</b>	<b>Clause</b>	<b>Standard</b>	<b>Proposed</b>	<b>Compliance</b>
2.2	Zoning	B2 – Local Centre	(it's a <b>Pub</b> )	permissible in the zone with development consent
4.3	Height of buildings	10m	No change from existing	N/A
4.4	Floor space ratio	1.5:1	No change from existing	N/A
5.10	Heritage Conservation	The site is identified as an item of local heritage significance (Item No. 542) and located within the Summer Hill general conservation area.		
5.10(4)	Effect of proposed development on heritage significance	The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or the area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).	The proposal has been reviewed by Council's Heritage Advisors who outlined no objection to the proposal. The proposed works have been appropriately designed as to not impact upon the heritage significance of the building or the building's contribution to the conservation area.	Yes
5.10(5)	Heritage assessment	<p>The consent authority may, before granting consent to any development:</p> <p>(d) On land on which heritage item is located, or</p> <p>(e) On land that is within a heritage conservation area, or</p> <p>(f) On land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>Require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	Appropriate documentation regarding heritage management and impacts upon heritage significance have been prepared and submitted as part of this development application. This documentation has been reviewed by Council's Heritage Advisors who outlined no objection to the proposal, subject to suitable conditions of consent.	Yes

## 5(b) Draft Environmental Planning Instruments

### Draft Environment SEPP (Environment)

The NSW government has been working towards developing a new State Environmental Planning Policy (SEPP) for the protection and management of our natural environment. The Explanation of Intended Effect (EIE) for the Environment SEPP was on exhibition from 31 October 2017 until the 31 January 2018. The EIE outlines changes to occur, implementation details, and the intended outcome. It considers the existing SEPPs proposed to be repealed and explains why certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property. Changes proposed include consolidating the seven existing SEPPs including Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development would be consistent with the intended requirements within the Draft Environment SEPP.

## 5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of the Comprehensive Inner West Development Control Plan (DCP) 2016:

DCP 2016 – Chapter A: Miscellaneous				
Control No.	Control	Standard	Proposed	Compliance
DS1.1	Parking for People with Disabilities	Minimum rate of 5 designated spaces per 100 spaces as calculated from the car-parking requirement	No change from existing	N/A
DS3.4	Parking Rates	1 space per 40m <sup>2</sup>	No change from existing	N/A

DCP 2016 – Chapter E1: Heritage Items and Conservations Areas				
Control No.	Control	Standard	Proposed	Compliance
C1	External form and setting	Retain features (including landscape features) that contribute to the significance of the item.	Significant features of the heritage item retained.	Yes
C3		New work is to be consistent with the setback, massing, form and scale of the heritage item.	New works consistent with the massing and form of the existing building.	Yes
C6		Maintain the integrity of the building form (including the roof form and profile) so that the original building is retained and can be clearly discerned, particularly when viewed from the public domain.	The proposal maintains the integrity of the building form, with minimal changes to the existing form.	Yes
C1	Interior elements of heritage items	Minimise change to significant internal room configurations, layouts and finishes of heritage items.	Minimal change to significant room configurations and layout.	Yes
C2		Generally retain original significant building entrances and associated	Significant original entrances retained.	Yes

C7		hallways.  Allow for reversibility of internal changes to significant areas where possible	Entrances altered are not considered to be significant.  Proposed modifications allow for reversibility	Yes
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Hours of Operation

The premises currently has approval for the following hours of operation:

- Monday and Tuesday: 10:00am – 2:00am
- Wednesday and Thursday: 10:00am – 3:00am
- Friday and Saturday: 10:00am – 4:00am
- Sunday: 10:00am – midnight

The current development application seeks consent for the new gaming area and new public terrace to be open to the public for the same hours of operation that are listed above.

Council has undertaken a review of the requested hours of operation in-conjunction with the provided acoustic report. In this instance the site is to be used as a licensed food and drink premises. The proposals location within the Summer Hill Town Centre and proximity to public transport make the site a suitable location for premises seeking late night trading hours.

Council raises no objection to the proposed ‘open’ gaming room and public terrace being permitted to operate to the same hours of operation currently enjoyed by the remainder of the existing premises, subject to suitable conditions of consent regarding patron management and game machine noise emission limitations. The applicable Plan of Management should also be updated to make reference to the new areas and ensure that Management and Security measures for the new areas are incorporated into the PoM to Council’s satisfaction (prior to OC).

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(e) The suitability of the site for the development

The site is zoned B2 Local Centre. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was notified in accordance with the Inner West Comprehensive Development Control Plan 2016 for a period of 21 days to surrounding properties. A total of One (1) submission was received.

The submission raised the following concerns which are discussed below:

Issue: Increase noise and smoke generation

Comment: Matters regarding acoustic impacts have been addressed within the report above. The applicant has provided a new acoustic report and amended the plans to ensure less potential for acoustic impacts to neighbouring residents. Appropriate conditions regarding the use of the new terrace have been incorporated into the consent in order to lessen any potential acoustic impacts for neighbouring residents. The applicant has incorporated in the amended plans a new gaming room exhaust discharge vent located towards the centre of the site. This exhaust is noted to have been introduced following concerns raised by neighbouring residents about smoke generation. Council's Environmental Health Officer has reviewed this new system and raised no objections. Appropriate conditions regarding the management and direction of this all services are recommended for the consent.

Issue: Location of new air conditioning condensers

Comment: Appropriate conditions regarding the acoustic treatment of air conditioning units has been recommended for the consent. These conditions have been advised by Council's Environmental Health Officer and form part of the conditions outlined by the acoustic report and additional conditions recommended by Council's Health Officer.

### 5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

## 6 Referrals

### 6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- *Heritage Advisor* – The proposal was referred to Council's heritage advisor who outlined no objection to the proposal.
- *Development Engineer* - The proposal was referred to Council's Development Engineer advisor who outlined no objection to the proposal, subject to suitable conditions of consent. These conditions have been incorporated into the recommended conditions of consent.
- *Environmental Health Officer* - The proposal was referred to Council's Environmental Health Officer who outlined no objection to the proposal, subject to conditions relating to acoustic management and mechanical plant management. These conditions have been incorporated into the recommended conditions.

## 7. Section 7.12 Contributions

Section 7.12 contributions are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$2,800.00 would be required for the development under Ashfield Section 94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

## 8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in Ashfield Local Environmental Plan 2013 (ALEP 2013). The proposal is generally consistent with the Comprehensive Inner West Development Control Plan 2016. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is suitable for approval subject to the imposition of appropriate conditions.

## 9. Recommendation

- A. That the Panel, as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 grant consent to Development Application No. 10.2018.051.1 for alterations and additions to an existing food and drink premises at 1 Lackey Street, Summer Hill, subject to the conditions listed in Attachment A below.

## Attachment A – Recommended conditions of consent

### CONDITIONS

**DA 2018.51.1**

1 Lackey Street SUMMER HILL 2130

**Description of Work as it is to appear on the determination:**

Alterations and additions to an existing food and drink premises

**A General Conditions**

**(1) Approved plans stamped by Council**

The development must be carried out only in accordance with the plans and specifications set out on drawing numbers

No.	Issue	Title	Prepared by	Dated
DA-003	Revision B	Ground Level – Demolition	Vibe Architects	21/9/2018
DA-004	Revision C	Level 1 – Demolition	Vibe Architects	21/9/2018
DA-006	Revision B	Ground Level Proposed	Vibe Architects	21/9/2018
DA-012	Revision A	Terrace Furniture Plan	Vibe Architects	21/9/2018
DA-014	Revision A	Ground Floor Reflected Ceiling Plan	Vibe Architects	21/9/2018
DA-007	Revision C	Level 1 – Proposed	Vibe Architects	21/9/2018
DA-009	Revision B	East & West Elevations Section 1	Vibe Architects	21/9/2018
DA-013	Revision A	Roof Plan, Section & Section Detail	Vibe Architects	21/9/2018
DA-011	Revision A	Balustrading Detail	Vibe Architects	06/7/2018
80818252-HY-1001	Revision 2	Proposed Ground Floor Stormwater	Cardno	19/2/2018
80818252-HY-1002	Revision 2	Proposed first floor Stormwater	Cardno	19/2/2018

and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

**(2) Compliance with BCA**

All architectural drawings, specifications and related documentation must comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

**(3) Signs –approval required**

No approval is granted by this consent for signage associated with the site.

**(4) Recommendations from Acoustic Report**

All recommendations from the Acoustical Assessment report Revision 1 prepared by Rodney Stevens Acoustics, dated 26 September 2018, must be displayed upon the construction certificate drawings and be in operation before the issue of any final occupation certificate.

**(5) General Heritage**

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 1999.
- (d) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (f) The new windows and doors on the existing building must match the original material.
- (g) The face brickwork/stone/tiles must not be rendered, painted or coated.
- (h) Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing

**(6) Materials for Making Good**

New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

**(7) Additional Acoustic Treatment Measures**

The following acoustic treatment measures must be displayed upon plans forming the construction certificate:

- i. All external doors/windows of the outdoor terrace area and gaming area must closed no later than 10:00 pm, this includes the operable louver openings.
- ii. All new doors are to have self-closing mechanisms.
- iii. Signs are to be posted in the venue encouraging patrons to be mindful of neighbours and to leave the premises in a quiet and timely manner.
- iv. There is to be no amplified music in the gaming area
- v. Gaming machines to have volumes set to a maximum sound pressure level of 55dB(A) at 1 metre.
- vi. Only small speakers are permitted in the new public terrace and must only be used for background music. These speakers are to have a maximum SPL of no more than 70 dB(A) at 1 metre.

**B Design Changes**

The following design changes must be displayed on construction certificate drawings:

- i. Any **new or relocated** mechanical plant outdoor items (including air conditioning condensers and the new gaming room exhaust discharge vent must be facing away from residential boundaries

Amended plans detailing compliance with this condition are to be approved by the principle certifying authority prior to the issue of a construction certificate.

**C Conditions that must be satisfied prior to issuing/releasing a Construction Certificate****(1) Permits - General**

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent shall obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993. Permits are required for the following activities:

- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.
- b) A concrete pump across the roadway/footpath
- c) Mobile crane or any standing plant
- d) Skip bins
- e) Scaffolding/Hoardings (fencing on public land)

- f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
- g) Awning or street verandah over footpath
- h) Partial or full road closure
- i) Installation or replacement of private stormwater drain, utility service or water supply

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities.

Applications for such Permits shall be submitted and approved by Council prior to the commencement of the works associated with such activity or issue of the Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

**(2) Dilapidation – minor**

The person acting on this consent shall submit to the Principal Certifying Authority a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site before the issue of a Construction Certificate.

**(3) Alignment Levels**

Alignment levels for the site at all pedestrian and vehicular access locations shall match the existing back of footpath levels at the boundary

Note: This may require the internal site levels to be adjusted locally at the boundary to ensure that they match the above alignment levels. Failure to comply with this condition will result in vehicular access being denied.

**(4) Security Deposit**

Prior to the commencement of demolition works or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee must be paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit (FOOT)	\$7,860.00
Inspection fee (FOOT)	\$225.00

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.



**(5) Public Liability Insurance**

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands shall take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

**(6) Section 7.12 Contributions**

A Section 7.12 Contribution fee of \$2,800.00 is to be paid in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979*.

**(7) Plant and Equipment location**

All plant and associated equipment must be located within the approved building envelope and is not be located on the roof. Details on the location of all plant and equipment must be consistent with the approved plans and provided prior to the issue of a Construction Certificate.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

**D Conditions that must be complied with before work commences****(1) Asbestos Removal**

An Asbestos Survey prepared by a suitably qualified Occupational Hygienist shall be prepared for the premises. The Survey is to incorporate appropriate Asbestos removal and disposal methods in accordance with the requirements of WorkCover NSW, NSW Environmental Planning and Assessment Amendment (Asbestos) Regulation 2009 and NSW Environment Protection Authority, Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)] and conditions of this consent.

A copy of any WorkCover approval documents is to be included as part of the documentation.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to any works on site commencing or the issue of the Construction Certificate (whichever occurs first).

**E Conditions that must be complied with during construction or demolition****(1) Construction Hours**

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:

- a) 7:00 am to 6.00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b) 8:00 am to 1:00 pm on Saturdays with no demolition works occurring during this time; and
- c) at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving shall be limited to:

8:00 am to 12:00 pm, Monday to Saturday; and  
2:00 pm to 5:00 pm Monday to Friday.

The Proponent shall not undertake such activities for more than three continuous hours and shall provide a minimum of one 2 hour respite period between any two periods of such works.

"Continuous" means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

**(2) New contamination evidence**

Any new information revealed during development works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.

**(3) Vibration Criteria**

Vibration caused by excavation and construction at any residence or structure outside the site must be limited to:

- a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- b) for human exposure to vibration, the evaluation criteria set out in the Environmental Noise Management Assessing Vibration: a Technical Guideline (Department of Environment and Conservation, 2006).

Vibratory compactors must not be used in the vicinity of residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.

**F Conditions that must be complied with prior to installation of services**

**(1) Fire alarm details - Principal Certifying Authority**

Details of the proposed Fire Alarm system shall be submitted to the Principal Certifying Authority for its consideration prior to installation including a certificate, prepared by a person competent to do so, setting out the:-

- (i) basis of design
- (ii) standard to which the system is to be installed; and
- (iii) including all relevant documentation including wiring diagram and details of detectors.

At the completion of the installation a certification shall be submitted to the Principal Certifying Authority containing the following:-

- (i) inspection, testing and commission details;
- (ii) date of inspection, testing and commissioning;
- (iii) the name and address of the individual who carried out the test;
- (iv) a statement that the service has been designed, installed and is capable of operating to the above standard.

**G Conditions that must be complied with before the building is occupied**

**(1) Acoustic Measures**

No occupation certificate is to be issued until it has been adequately demonstrated to the Principle Certifying Authority that all recommendations from Acoustical Assessment report Revision 1 prepared by Rodney Stevens Acoustics, dated 26 September 2018 and the following acoustic treatment measures listed below have been installed and are operational:

- i. All external doors/windows of the outdoor terrace area and gaming area must closed no later than 10:00 pm, this includes the operable louver openings.
- ii. All new doors are to have self-closing mechanisms.
- iii. Signs are to be posted in the venue encouraging patrons to be mindful of neighbours and to leave the premises in a quiet and timely manner.
- iv. There is to be no amplified music in the gaming area
- v. Gaming machines to have volumes set to a maximum sound pressure level of 55dB(A) at 1 metre.
- vi. Only small speakers are permitted in the new public terrace and must only be used for background music. These speakers are to have a maximum SPL of no more than 70 dB(A) at 1 metre.

#### **H Conditions that are ongoing requirements of development consents**

##### **(1) Acoustic requirements – Licensed premise**

The  $L_{A10}$  noise level emitted from the premises, measured between the hours of **7am and 12 midnight**, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive) by more than 5 dB, when measured at the boundary of any adjoining residence.

The  $L_{A10}$  noise level emitted from the premises, measured between the hours of **midnight and 7am**, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive), when measured at the boundary of any adjoining residence.

##### **(2) Acoustic impacts – compliance for business, retail premises**

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background  $L_{A90, 15min}$  noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assess as an  $L_{Aeq, 15min}$  and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

##### **(3) Acoustic Testing**

During the first sixty (60) days of trading being provided at the premises, the following acoustic measures must be undertaken:

- a) A suitably qualified acoustic consultant must be appointed to:
  - i) measure and verify the noise emanating from the premises; and
  - ii) if necessary, make recommendations to ensure that the noise emanating from the premises complies with the noise criteria.
- b) The noise measurements must be:
  - i) undertaken without the knowledge of the applicant, manager or operator of the premises; and
  - ii) taken on at least three (3) different occasions on three (3) different days of the week (excluding Monday, Tuesday and Wednesday) from 11pm until the end of the public entertainment or close of business, whichever occurs first, and
  - iii) submitted to Council within seven (7) days of testing.
- c) If the acoustic consultant recommends that additional treatment or works be undertaken those recommendations must be:
  - i) submitted to Council with the noise measurements; and
  - ii) implemented to the acoustic consultant's satisfaction before the end of the first sixty (60) days of public entertainment provided on the premises.

- d) If the acoustic consultant's recommendations are not implemented in accordance with this condition, the relevant element of trading (ie outdoor area access on the premises must cease until such time as the recommendations are implemented and verified.

**(4) Acoustic – Outdoor area of licensed premise**

There is to be no entertainment in the form of amplified music on any part of the outdoor area at any time.

There is to be no amplification from any gaming machines on any part of the outdoor area at any time.

Machines located within an approved outdoor gaming/smoking area must not be visible from the public domain and must not dispense coins, but be cashless.

There is to be an air lock entry from the outdoor gaming/smoking area into the main building fitted with self-closing device.

The number of patrons using the outdoor gaming area is restricted to 16 persons at any time.

**(5) Acoustic impact – Outdoor gaming machines**

Gaming machines within the outdoor gaming/smoking area are to be cashless and shall not dispense coins into coin trays to ensure the machines do not cause offensive noise nuisance.

**(6) Health Impacts**

The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

**(7) Vibration from plant and equipment**

The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the Environment Protection Authority's Technical Guidelines for Assessing Vibration.

**(8) Registration of Use with Council Food Shop**

The premise must be registered with Council's Environment Health Section in accordance with the following relevant legislation:

Food Shop - Food Act 2003

Details demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any interim / final occupation certificate.

**(9) Liquid trade waste - agreement required prior to OC**

Liquid trade waste materials are to be disposed of in accordance with the requirements of Sydney Water under a Trade Waste License Agreement.

A copy of a trade waste agreement demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Occupation Certificate.

**(10) Air Conditioning Acoustic**

Any air conditioning unit on the site must be installed and operated at all times so as not to cause "Offensive Noise" as defined by the Protection of the Environment (Operations) Act 1997.

**(11) Food Shops – Certification**

The premises are to be designed, constructed and operated in accordance with the:

- Food Act 2003
- Food Regulation 2010
- Australia and New Zealand Food Standards Code
- Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises)
- Australian Standard AS 1668 Part 1 – 1998
- Australian Standard AS 1668 Part 2 – 2012; and
- Building Code of Australia

Details demonstrating compliance with the requirements of this condition are to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

**(12) Discharge of condensate from air conditioning units**

Any condensate, moisture, etc shall not be permitted to be discharged onto the ground surface of the premises or into stormwater drainage systems in contravention of the requirements of the *Protection of the Environment Operations Act 1997*.

All such wastes must be discharged to sewers of the Sydney Water.

**(13) Public address systems - prior consent required**

A public address system or sound amplifying equipment must not be installed in or upon the premises so as to cause or permit the emission of sound onto any public place unless the prior consent of Council has been obtained.

**I Advisory Notes****(1) Other approvals**

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, including:

- an Application for Approval under Section 68 of the *Local Government Act 1993* for any proposed activity under that Act, including any erection of a hoarding. All such applications must comply with the *Building Code of Australia*.
- an Application for Approval under Section 68 of the *Local Government Act 1993* for a Place of Public Entertainment if proposed. Further building work may also be required for this use in order to comply with the *Building Code of Australia*. If there is any doubt as to what constitutes "Public Entertainment" do not hesitate to contact Council's Fire Officer.
- an application for an Occupation Certificate under Section 109(C)(2) of the *Environmental Planning and Assessment Act 1979*.  
**Note:** An application for an Occupation Certificate may be lodged with Council if the applicant has nominated Council as the Principal Certifying Authority.
- an Application for a Subdivision Certificate under Section 109(C)(1)(d) of the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
- an Application for Strata Title Subdivision under the *Strata Schemes (Freehold Development) Act 1973*, if strata title subdivision of the development is proposed.
- a development application for demolition approval under the *Environmental Planning and Assessment Act 1979* if consent for demolition is not granted by this consent.

**(2) Works and requirements of other authorities**

- Sydney Water may require the construction of additional works and/or the payment of additional fees. Other Sydney Water approvals may also be necessary prior to the commencement of

construction work. You should therefore confer with Sydney Water concerning all plumbing works, including connections to mains, installation or alteration of systems, and construction over or near existing water and sewerage services.

- Contact Sydney Water, Rockdale (Urban Development Section) regarding the water and sewerage services to this development.
- Australia Post has requirements for the positioning and dimensions of mail boxes in new commercial and residential developments. A brochure is available from your nearest Australia Post Office.
- Energy Australia/AGL Electricity/AGL Retail Energy or other alternative service/energy providers have requirements for the provision of connections.
- Energy Australia has a requirement for the approval of any encroachments including awnings, signs, etc over a public roadway or footway. The Engineer Mains Overhead Eastern Area should be contacted on 9663 9408 to ascertain what action, if any, is necessary.
- Telstra has requirements concerning access to services that it provides.

**(3) Modifications to your consent - prior approval required**

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 4.55 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 4.55 modification is required.

**Warning:** There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.

**(4) Occupational health and safety**

All site works must comply with the occupational health and safety requirements of the NSW Work Cover Authority.

**(5) Bulk bins on footpath and roadway**

Approval is required from Council prior to the placement of any bulk bins on Council's footpath and/or roadway.

**(6) Compliance with the Disability Discrimination Act - liability**

This decision does not ensure compliance with the Disability Discrimination Act. The owner, lessee, operator and/or manager of the premises is advised that under the *Disability Discrimination Act 1992*, it is illegal to discriminate against a person with a disability by means of restricting access to or within the building. If access is restricted the owner, lessee, operator and/or manager of the premises may be liable for prosecution and/or a successful appeal to the Human Rights and Equal Opportunities Commission. You should therefore investigate your liability under that Act. Australian Standard 1428 - Design for Access and Mobility, Parts 2, 3 and 4 may assist in determining compliance with the *Disability Discrimination Act 1992*.

**Reason for the imposition of conditions**

Unrestricted consent would be likely to cause injury:

- a) to the amenity of the neighbourhood
- b) to the heritage significance of the area
- c) to the heritage significance of the property
- d) to the amenity of the neighbourhood due to the emission of noise
- e) to the amenity of the neighbourhood due to the creation of a traffic hazard

and further, would not be in the public interest.

**Compliance with Building Code of Australia**

- (1) All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
- (2) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in clause 187 or 188.

**NOTES**

- (i) This approval does not relieve an applicant of the obligation to obtain any other approval required under Section 68 of the Local Government Act, 1993 and Ordinances or Section 4.12 of the Environmental Planning & Assessment Act, 1979 or any other Act or Regulation.
- (ii) Further approval(s) – see above, may be required in addition to this development consent. Plans and specifications submitted for building works must comply with the Building Code of Australia, any relevant condition of development consent and/or other code or requirement of Council at the time of approval.

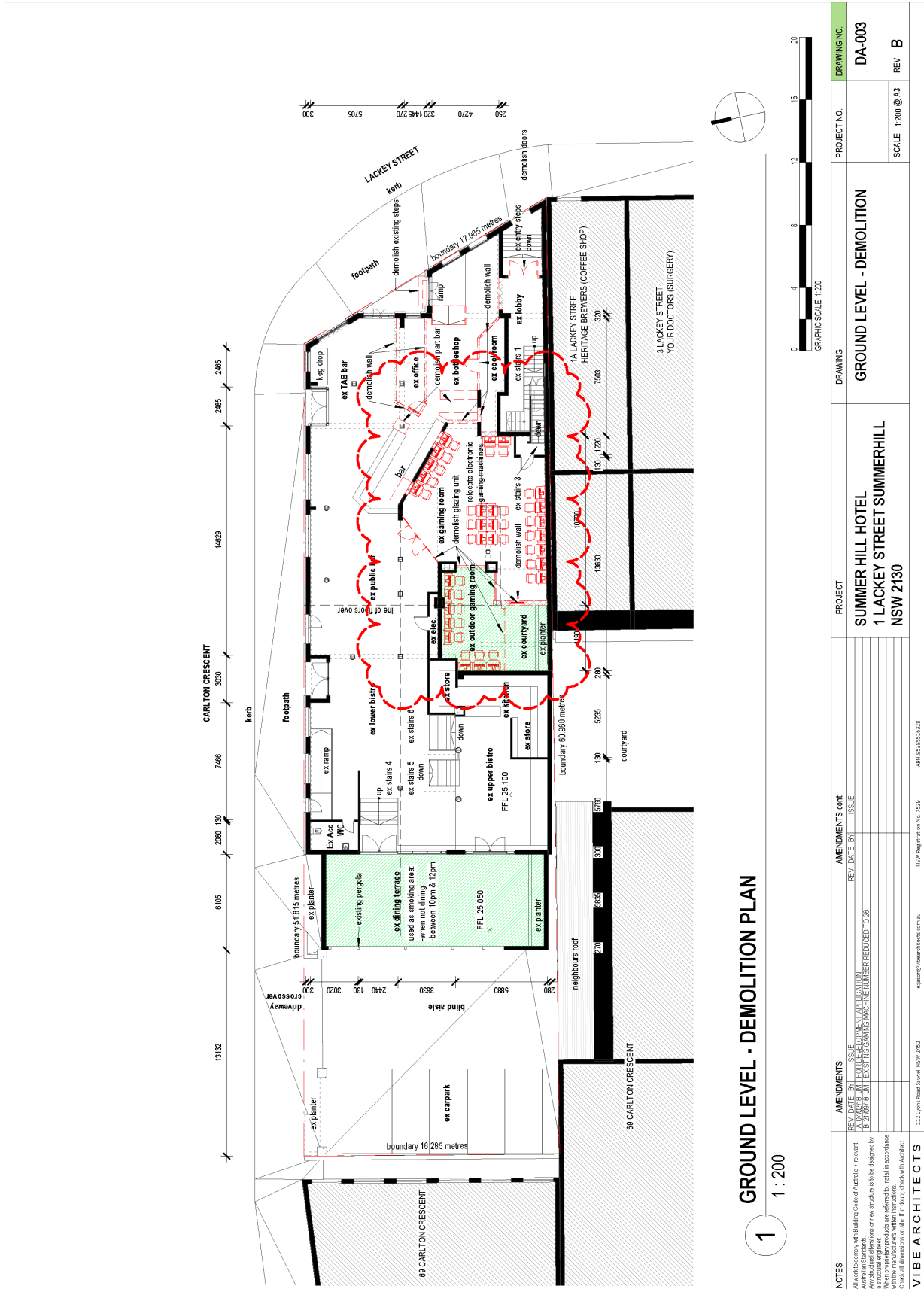
Ask Council if you are unsure of what procedures you need to follow.

**SECTIONS 8.2, 8.7 AND 4.53 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

You are advised that:

- Under the provisions of Section 8.2 of the Environmental Planning and Assessment Act, 1979, an applicant may request Council to review a determination of the applicant's development application, other than an application for designated development. Any request for a review must be made within six (6) months of the date on which the applicant received notice, given in accordance with the regulations, of the determination of the application and be accompanied by the fee prescribed in Section 257 of the Regulations.
- If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act, 1979, gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.
- Under the provisions of Section 4.53 of the Environmental Planning and Assessment Act, 1979, unless the development, which is the subject of this consent, is commenced within five (5) years from the date of determination, the consent will lapse.

Attachment B – Plans of proposed development

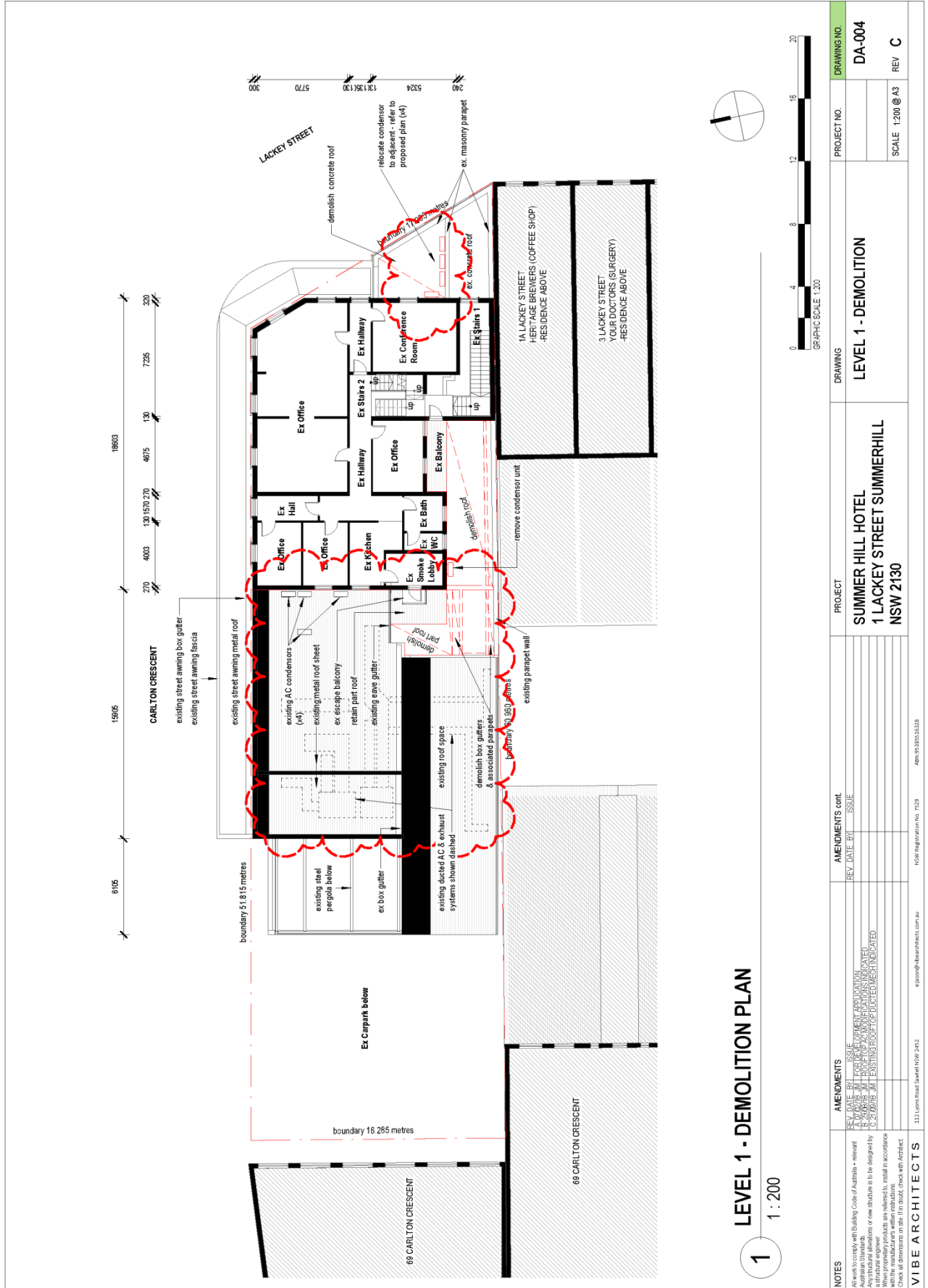


GROUND LEVEL - DEMOLITION PLAN

1 1 : 200

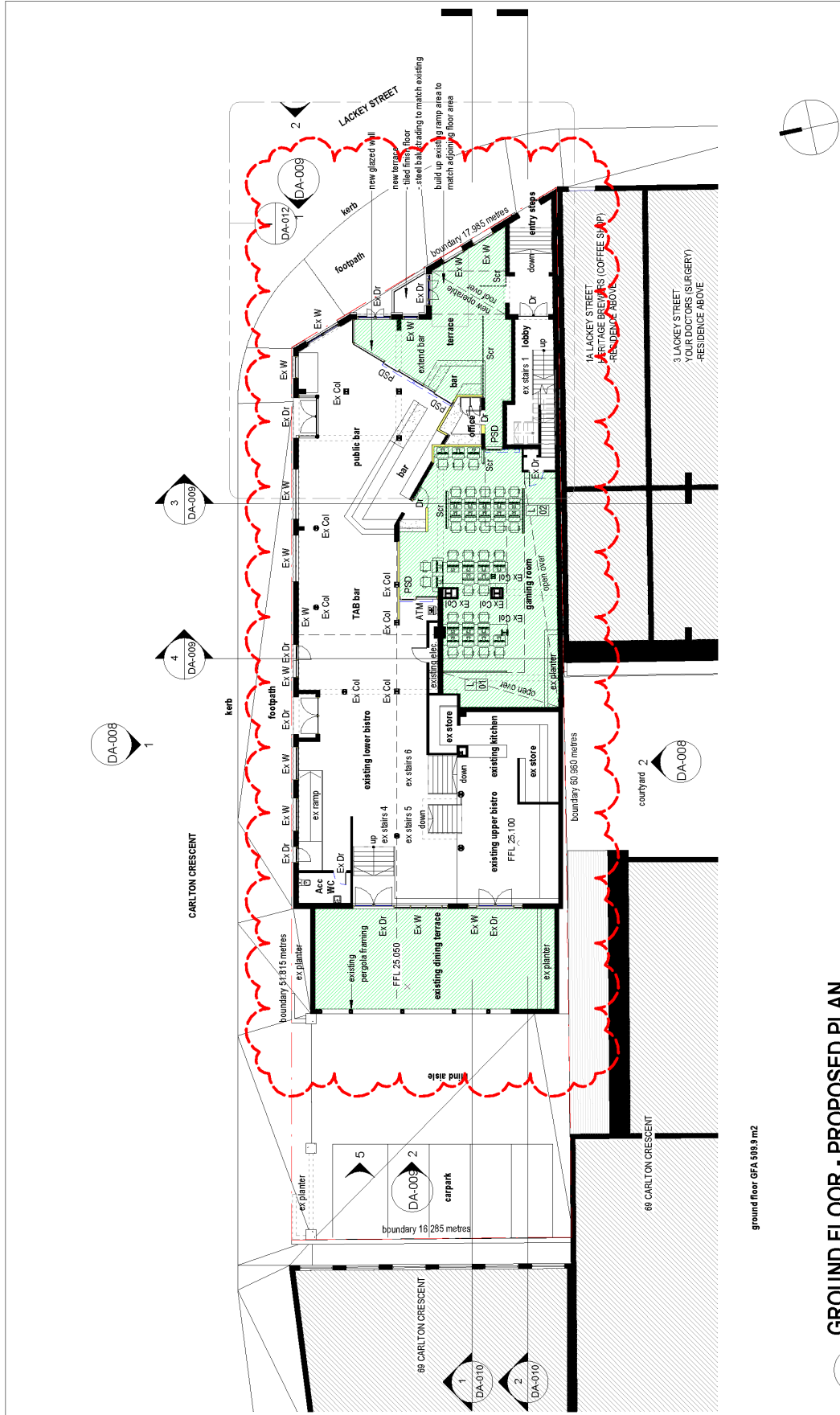
<p><b>NOTES</b></p> <p>All work to comply with Building Code of Australia - Relevant Australian Standards.</p> <p>Where a contractor or sub-contractor is to be engaged by a specialist engineer.</p> <p>Where a specialist engineer is engaged, the contractor must check all dimensions or site. If in doubt, check with Architect.</p>	<p><b>AMENDMENTS</b></p> <table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>BY</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> <td>ISSUE FOR CONCRETE PROTECTION</td> </tr> <tr> <td>2</td> <td></td> <td></td> <td>EXISTING EXHAUST WASHLINE NUMBER REDUCED TO 28</td> </tr> </tbody> </table>	REV.	DATE	BY	ISSUE	1			ISSUE FOR CONCRETE PROTECTION	2			EXISTING EXHAUST WASHLINE NUMBER REDUCED TO 28	<p><b>PROJECT</b></p> <p>SUMMER HILL HOTEL 1 LACKEY STREET SUMMER HILL NSW 2130</p>	<p><b>DRAWING</b></p> <p>GROUND LEVEL - DEMOLITION</p>	<p><b>PROJECT NO.</b></p> <p>DA-003</p>	<p><b>DRAWING NO.</b></p> <p>REV B</p>
	REV.	DATE	BY	ISSUE													
1			ISSUE FOR CONCRETE PROTECTION														
2			EXISTING EXHAUST WASHLINE NUMBER REDUCED TO 28														
<p><b>VIBE ARCHITECTS</b></p> <p>313 Lycom Road, Sutherland NSW 2232</p> <p>483949@vibe architects.com.au</p> <p>02 9593 9233</p>	<p><b>SCALE</b></p> <p>1:200 @ A3</p>																





**1** LEVEL 1 - DEMOLITION PLAN  
1 : 200

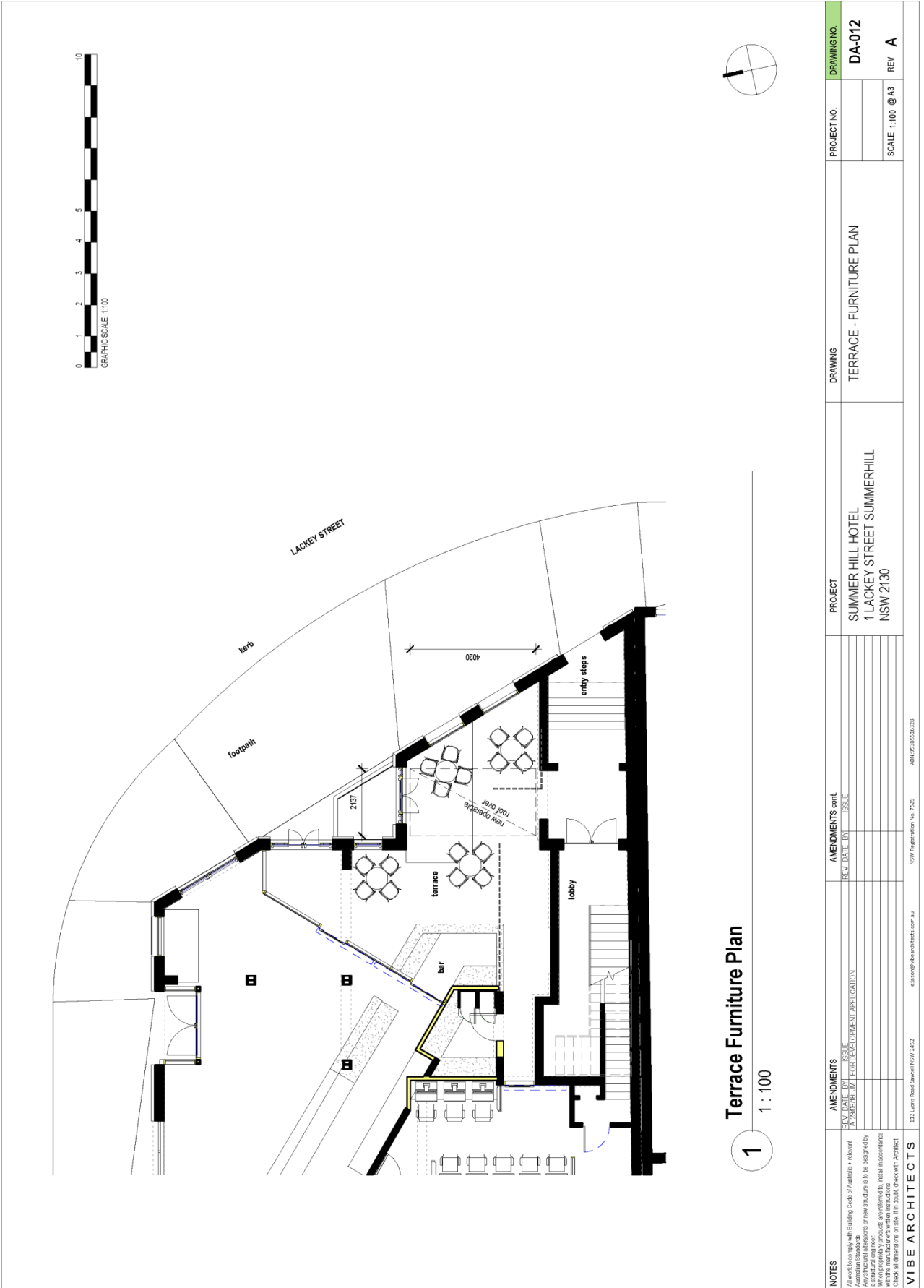
NOTES	AMENDMENTS	AMENDMENTS cont.	PROJECT	DRAWING	PROJECT NO.	DRAWING NO.
All work to comply with Building Code of Australia - relevant parts. Any structural alterations or new structures to be designed by a structural engineer. Check all dimensions on site. If in doubt, check with Architect.	REV. DATE. BY. ISSUE 1. 20/06/18. JM. PROJECT DEVELOPMENT APPLICATION 2. 20/06/18. JM. PROJECT DEVELOPMENT APPLICATION 3. 21/06/18. JM. EXISTING ROOF TOP DOUSTED/RESHINGED	REV. DATE. BY. ISSUE	SUMMER HILL HOTEL 1 LACKEY STREET SUMMERHILL NSW 2130	LEVEL 1 - DEMOLITION		DA-004
<b>VIBE ARCHITECTS</b> 1111 Lepp Road, Summer Hill NSW 2132 @vibe@bluewinnet.com.au 406-9515015028 NSW registration no. 7259					SCALE 1:200 @ A3	REV C

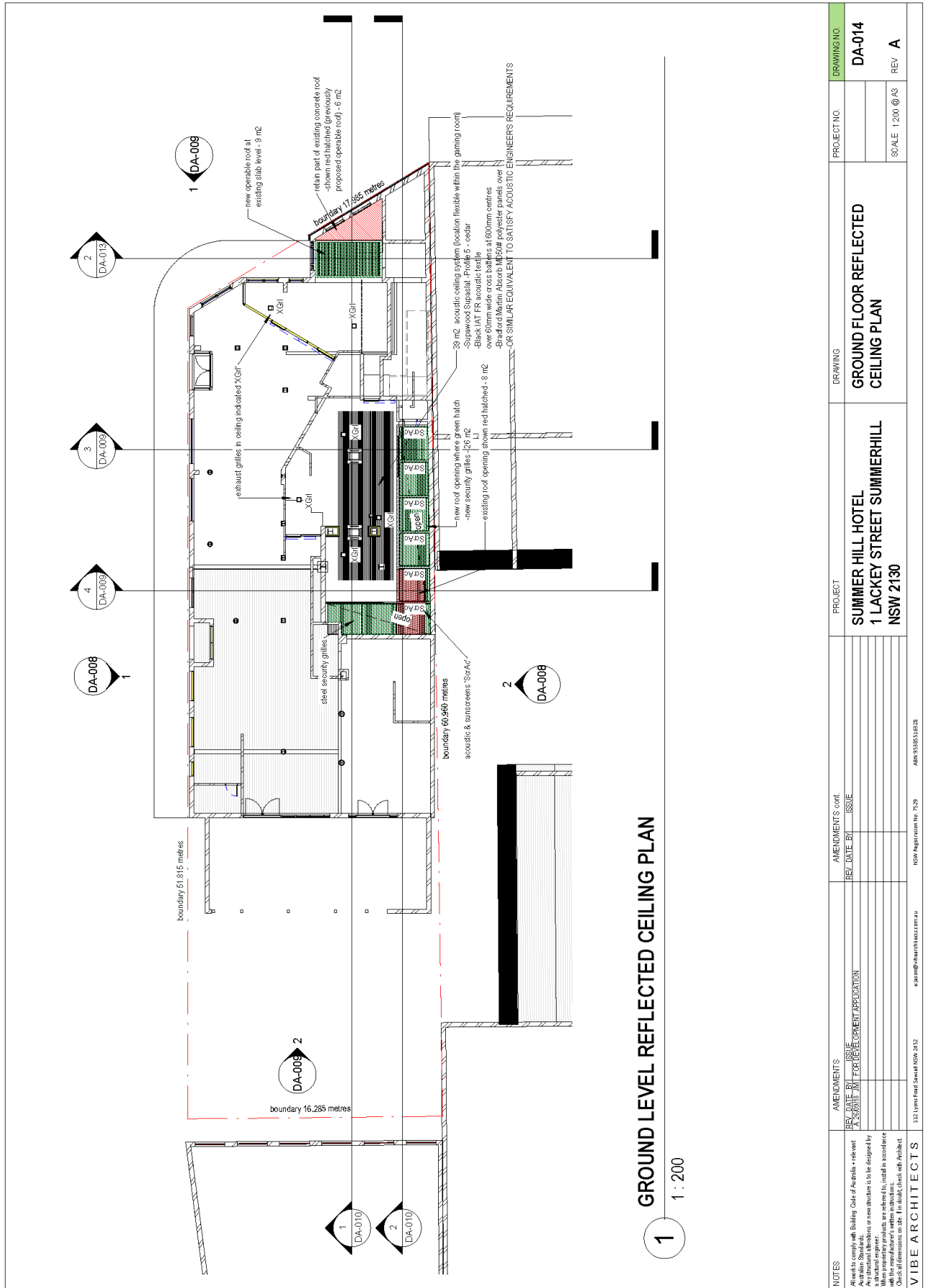


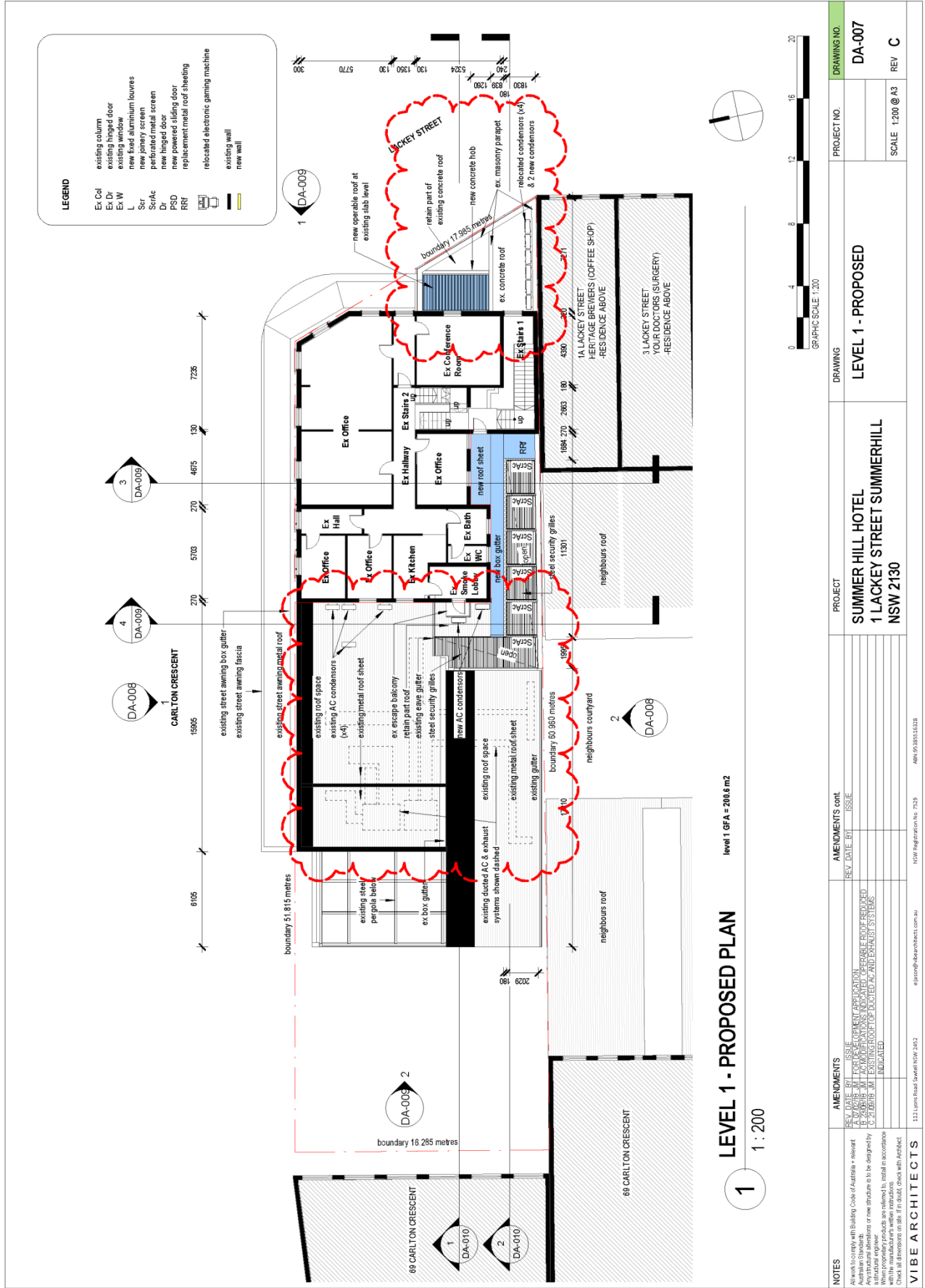
ground floor GFA 508.3 m2

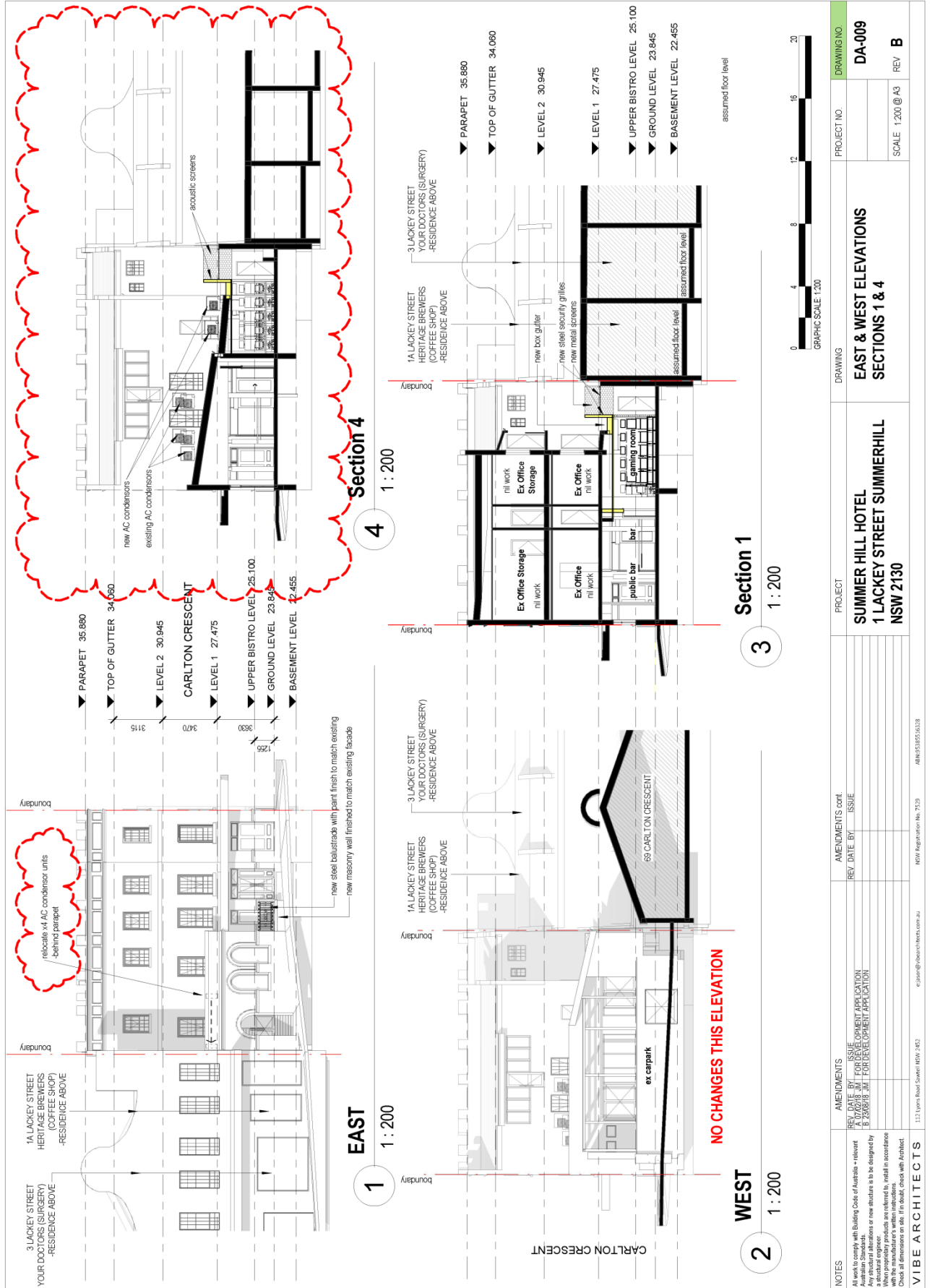
**1** GROUND FLOOR - PROPOSED PLAN  
1 : 200

<b>NOTES</b> All work to comply with Building Code of Australia - relevant Australian Standards. Where appropriate, new or existing work to be designed by a structural engineer. Where proprietary products are referred to, detail in accordance with manufacturer's specifications. Check all dimensions on site. If in doubt, check with Architect.	<b>AMENDMENTS</b> REV. DATE BY ISSUE 1 21/06/18 J.M. FOUNDATION/FORMWORK APPLICATION 2 21/06/18 J.M. OUTDOOR AREAS/HATCHED SIZE OF NEW OPERABLE ROOF REDUCED	<b>PROJECT</b> SUMMER HILL HOTEL 1 LACKEY STREET SUMMERHILL NSW 2130	<b>DRAWING</b> GROUND LEVEL - PROPOSED	PROJECT NO.	DRAWING NO. DA-006
				SCALE 1:200 @ A3	REV B
<b>VIBE ARCHITECTS</b> 331 Leichhardt Street NSW 2042 02 9550 6939   vibe@vibe-architect.com.au NDIS Registered No. 7529 ABN 53 952 55325					

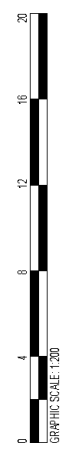
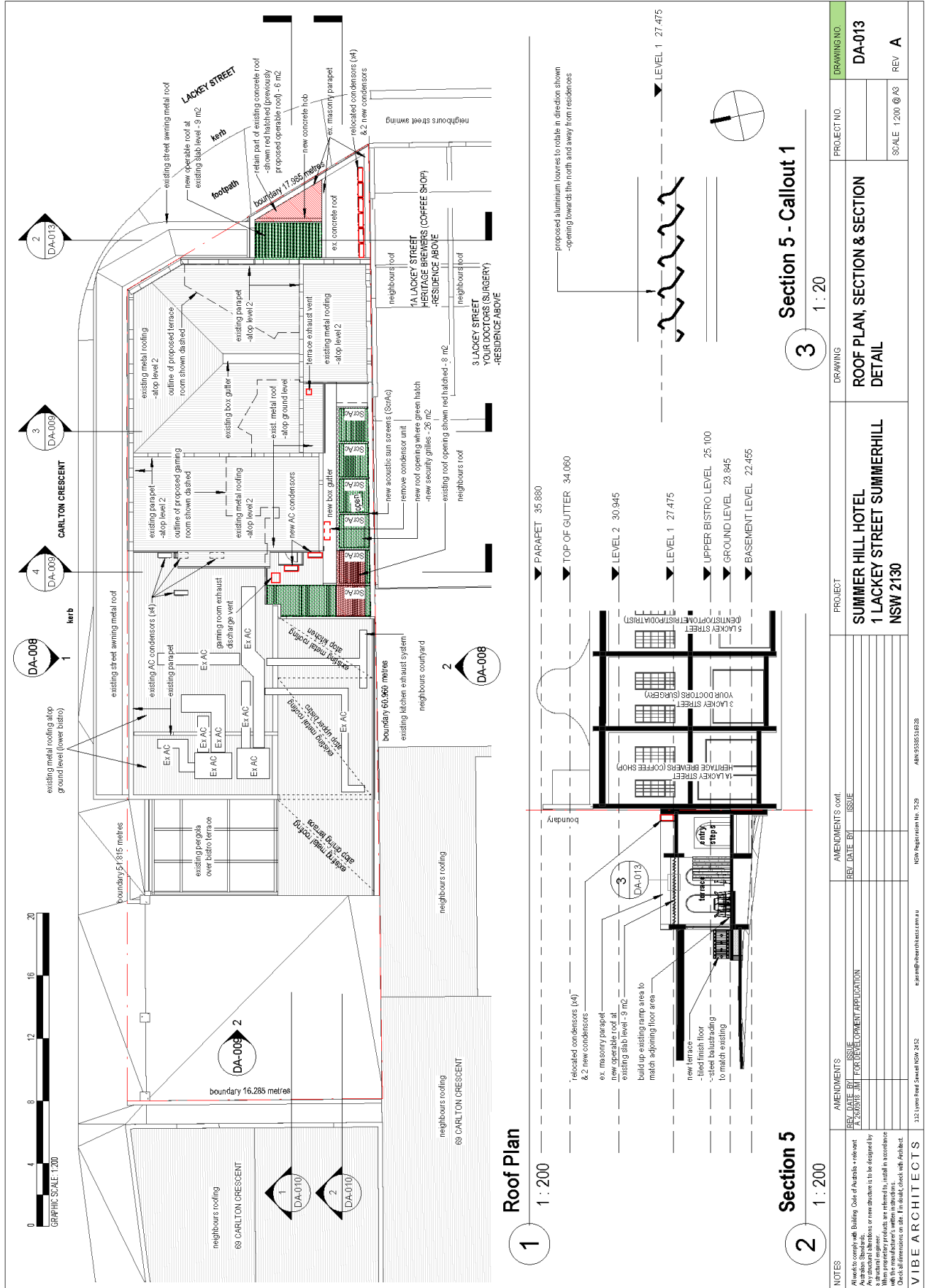








NOTES	AMENDMENTS	AMENDMENTS cont.	PROJECT	DRAWING	PROJECT NO.	DRAWING NO.
<p>At work to comply with Building Code of Australia - relevant Australian Standards.</p> <p>When proprietary products are referred to, install in accordance with the manufacturer's instructions.</p> <p>Check all dimensions on site. If in doubt, check with Architect.</p>	<p>REV. DATE BY ISSUE</p> <p>B 23/08/18 JM FOR DEVELOPMENT APPLICATION</p>	<p>REV. DATE BY ISSUE</p> <p>B 23/08/18 JM FOR DEVELOPMENT APPLICATION</p>	<p>SUMMER HILL HOTEL 1 LACKEY STREET SUMMERHILL NSW 2130</p>	<p>EAST &amp; WEST ELEVATIONS SECTIONS 1 &amp; 4</p>	<p>SCALE 1:200 @ A3</p>	<p>DA-009</p>
<p>VIBE ARCHITECTS 122 Lyons Road, Summer Hill NSW 2130 vibe@vibe-architects.com.au NSW Registration No. 7529 48415510550328</p>						<p>REV B</p>

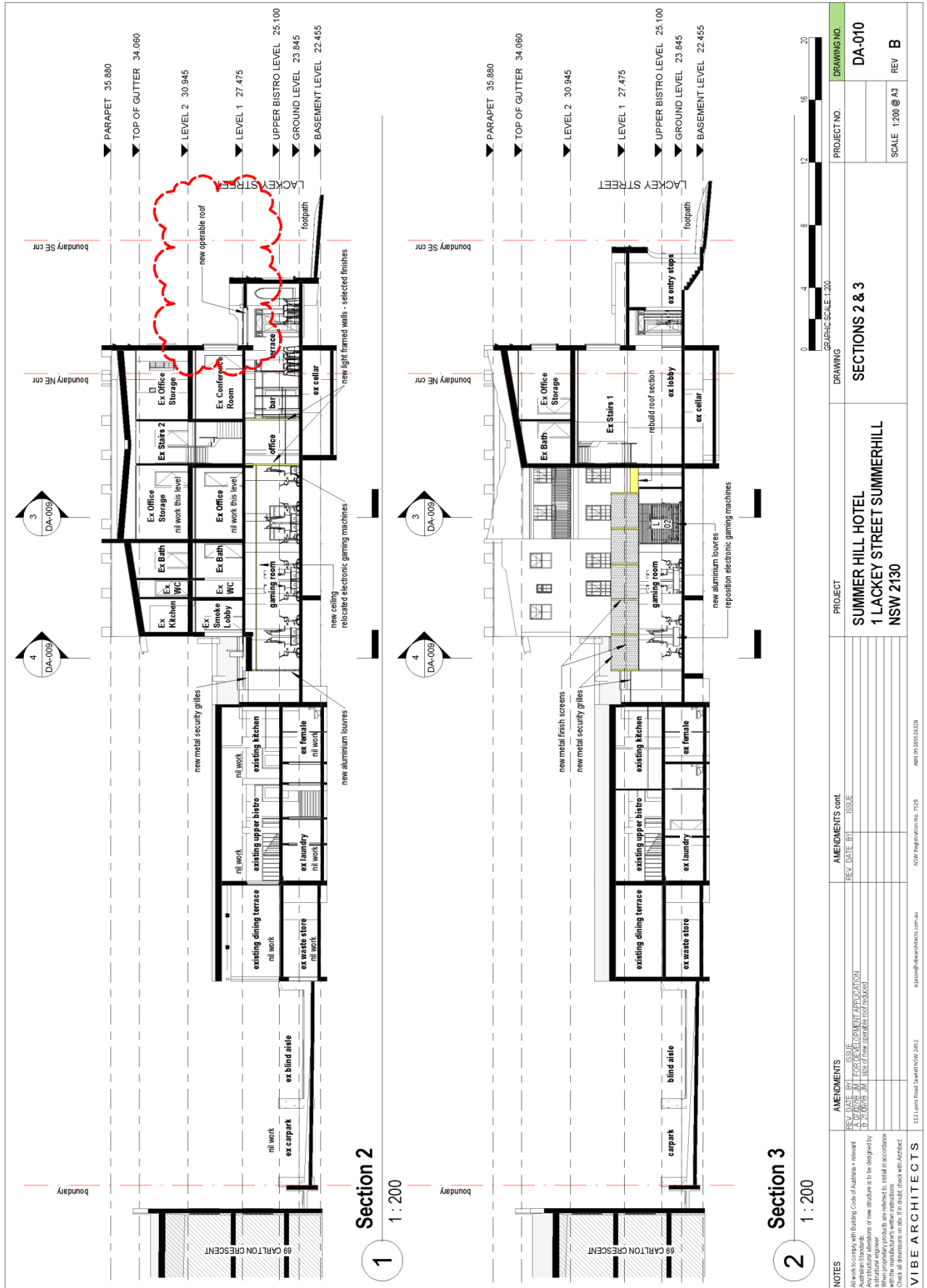


1 Roof Plan  
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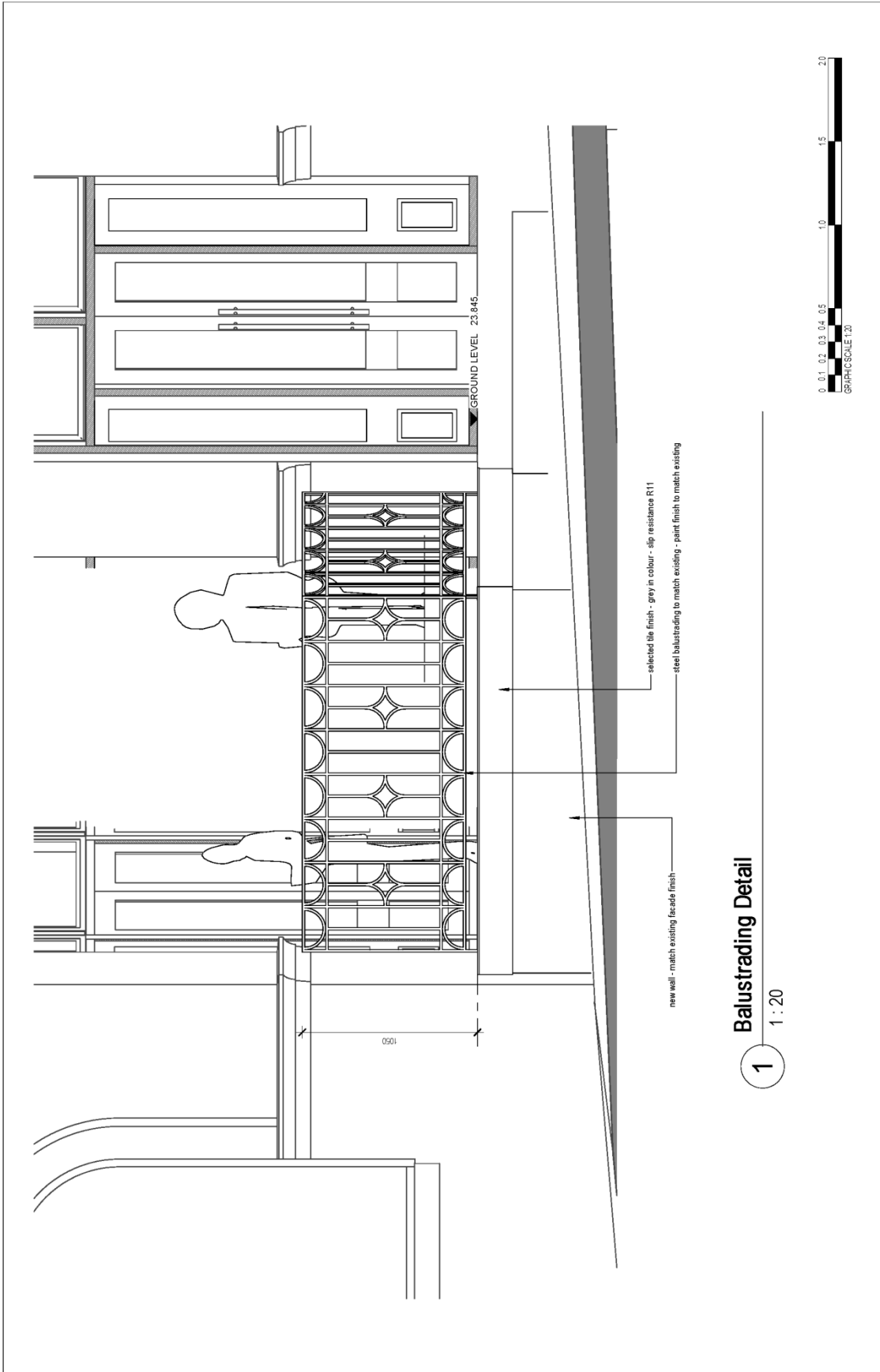
2 Section 5  
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3 Section 5 - Callout 1  
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NOTES	AMENDMENTS	PROJECT	DRAWING NO.								
<p>Align to comply with Building Code of Australia + relevant Australian Standards.</p> <p>When preliminary products are referred to, match in accordance with the manufacturer's specifications.</p> <p>Check dimensions carefully. If in doubt, check with architect.</p>	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>BY</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2/2020</td> <td>JM</td> <td>FOR DEVELOPMENT APPLICATION</td> </tr> </tbody> </table>	REV.	DATE	BY	ISSUE	1	2/2020	JM	FOR DEVELOPMENT APPLICATION	<p>PROJECT</p> <p><b>SUMMER HILL HOTEL</b>  <b>1 LACKEY STREET SUMMERHILL</b>  <b>NSW 2130</b></p>	<p>DRAWING NO.</p> <p><b>DA-013</b></p>
REV.	DATE	BY	ISSUE								
1	2/2020	JM	FOR DEVELOPMENT APPLICATION								
<p>VIB ARCHITECTS</p> <p>112 Lysons Road Street NSW 2152</p> <p>v.arch@vibarchitects.com.au</p> <p>NSW Registration No. 7529</p> <p>ARCNS153518128</p>			<p>PROJECT NO.</p> <p><b>ROOF PLAN, SECTION &amp; SECTION DETAIL</b></p> <p>SCALE 1:200 @ A3</p> <p>REV A</p>								

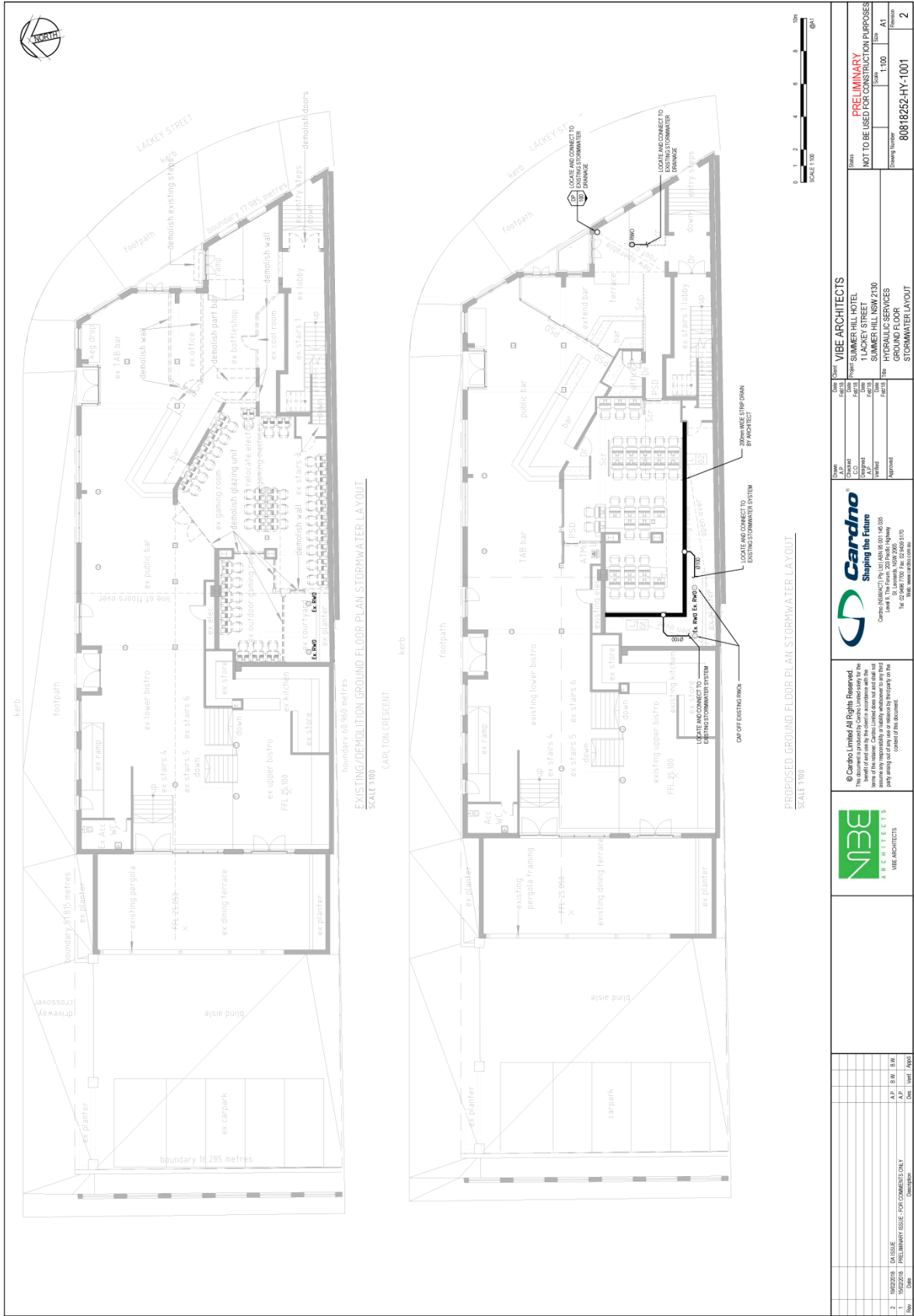






**1** Balustrading Detail  
1 : 20

<p><b>NOTES</b></p> <p>All work to comply with Building Code of Australia + relevant Australian Standards.</p> <p>Where proprietary products are referred to, install in accordance with manufacturer's instructions.</p> <p>Check all dimensions on site. If in doubt, check with Architect.</p>	<p><b>AMENDMENTS</b></p> <table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>BY</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV.	DATE	BY	ISSUE																					<p><b>PROJECT</b></p> <p>SUMMERHILL HOTEL 1 LACKETT STREET SUMMERHILL NSW 2130</p>	<p><b>DRAWING</b></p> <p>BALUSTRADING DETAIL</p>	<p><b>PROJECT NO.</b></p>	<p><b>DRAWING NO.</b></p>
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<p><b>AMENDMENTS cont.</b></p>	<p><b>SCALE</b> 1:20 @ A3</p>	<p>DA-011 REV A</p>																											
<p><b>VIBE ARCHITECTS</b></p> <p>122 York Road, Seven Hills NSW 2147</p> <p>15/17 Appleton Rd, No. 2129</p> <p>14/16/18/20/22/24/26/28/30/32/34/36/38/40/42/44/46/48/50/52/54/56/58/60/62/64/66/68/70/72/74/76/78/80/82/84/86/88/90/92/94/96/98/100</p> <p>vibe@vibe-architect.com.au</p>																													



DATE PLOTTED: 19 February 2018 2:37 PM BY: WALTER ALEXIS ROSANO

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DATE	19 FEB 2018	TIME	2:37 PM
BY	WALTER ALEXIS ROSANO		

PROJECT	PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION PURPOSES	
DRAWING NUMBER	80818252-HY-1001
SCALE	A1
DATE	19 FEB 2018
BY	WALTER ALEXIS ROSANO

CLIENT	VIBE ARCHITECTS
PROJECT	SUMMER HILL HOTEL
ADDRESS	1 LACKEY STREET SUMMER HILL NSW 2150
DESIGNER	HYDRAULIC SERVICES
PROJECT TYPE	STORMWATER LAYOUT

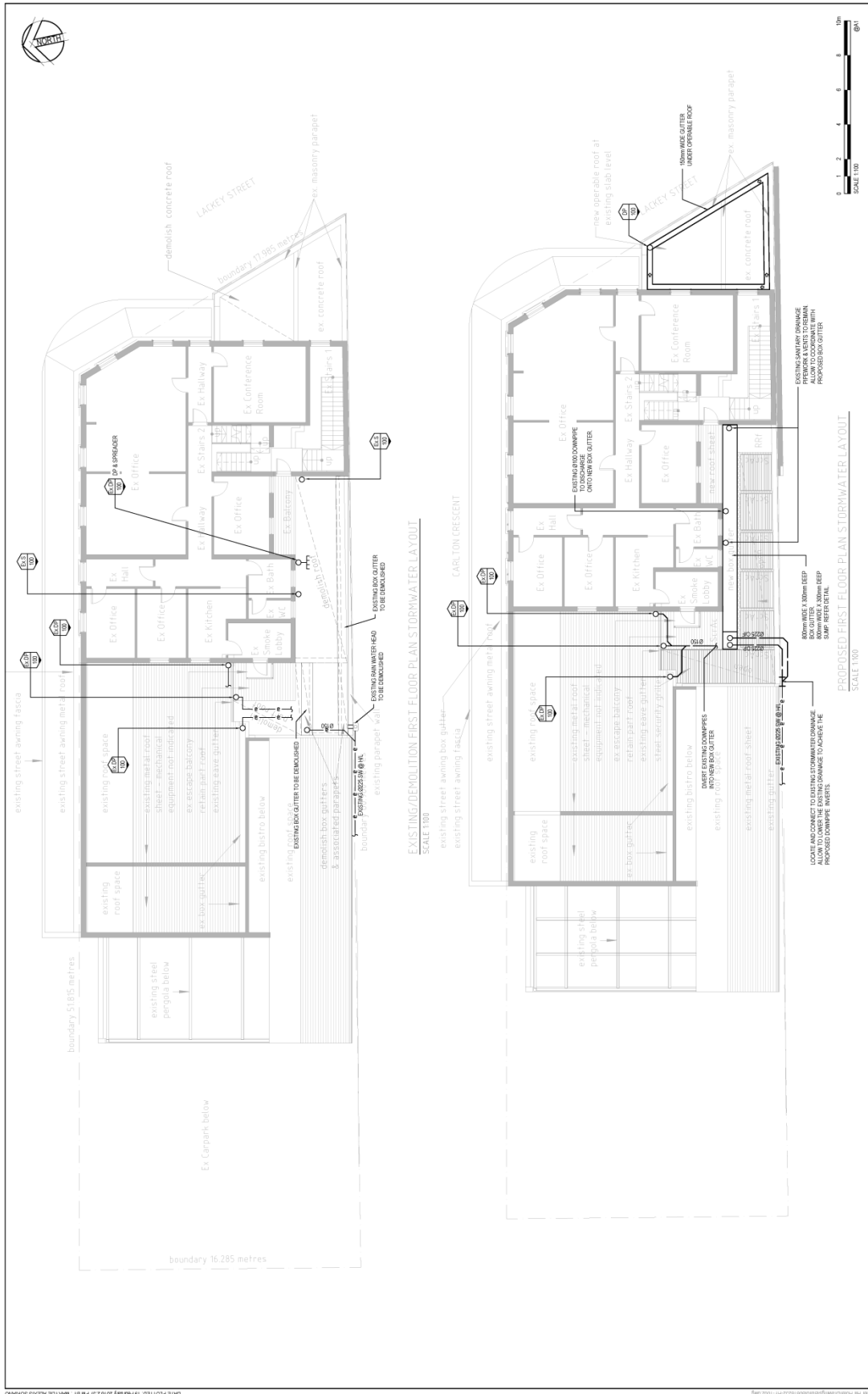
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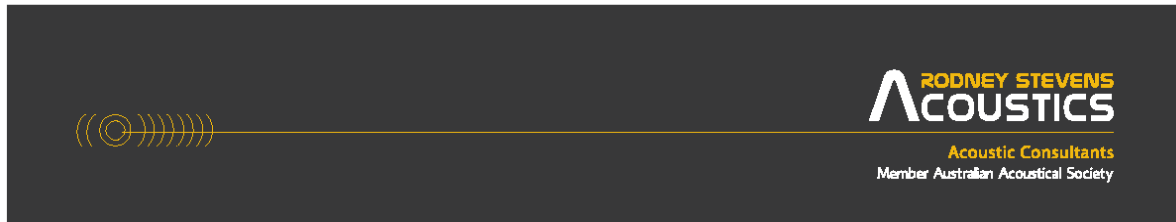
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1	19/02/2018	PRELIMINARY ISSUE FOR COMMENTS ONLY	A.P.	B.W.
2				



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<p>DATE: 19/02/2018 DRAWN: A.P. CHECKED: J.P. DESIGNED: A.P. APPROVED: J.P.</p>	<p>DATE: 19/02/2018 DRAWN: A.P. CHECKED: J.P. DESIGNED: A.P. APPROVED: J.P.</p>	<p>DATE: 19/02/2018 DRAWN: A.P. CHECKED: J.P. DESIGNED: A.P. APPROVED: J.P.</p>	<p>DATE: 19/02/2018 DRAWN: A.P. CHECKED: J.P. DESIGNED: A.P. APPROVED: J.P.</p>
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## Attachment C – Acoustical Assessment



### Proposed Additions and Alterations

Summer Hill Hotel, 1 Lackey Street, Summer Hill NSW 2130

### Acoustical Assessment

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REPORT R170625R2  
Revision 1

Prepared for:

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Proposed Additions and Alterations  
Summer Hill Hotel, 1 Lackey Street, Summer Hill NSW 2130  
Acoustical Assessment

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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
R170625R1	Revision 0	16 February 2018	Thomas Carney	Desmond Raymond	Rodney Stevens
R170625R2	Revision 1	26 September 2018	Thomas Carney	Desmond Raymond	Rodney Stevens



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## 1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (henceforth referred to as RSA) has been commissioned by ALH Group NSW, to assess the potential noise impact associated with proposed additions and alterations to the existing Summer Hill Hotel, 1 Lackey Street, Summer Hill NSW 2130.

The purpose of this assessment is to determine the potential noise impacts on nearby residential receivers and where necessary, provide noise control recommendations to enable the development to operate in an acoustically compliant manner.

This report presents the study methodology, assessment criteria, assessment of noise emissions and noise control recommendations in relation to the noise emissions from the proposed alterations and additions to the Summer Hill Hotel.

Specific acoustic terminology is used in this report. An explanation of common acoustic terms is provided in Appendix A.

## 2 PROJECT DESCRIPTION

### 2.1 Proposed Development

The proposal works include:

- Alteration of existing 28 machine gaming area inclusive of 8 outdoor machines. This is achieved by penetrating the roof to meet outdoor smoking legislation requirements;
- Conversion of an existing bottleshop to an outdoor smoking terrace that will cater for 16 patrons;
- Renew and re- arrangement of roof plant including condensers and extractors.

The hotel's hours of operation are:

- Monday and Tuesday: 10:00am – 2:00am
- Wednesday and Thursday: 10:00am – 3:00am
- Friday and Saturday: 10:00am – 4:00am
- Sunday: 10:00am - midnight

### 2.2 Site Location

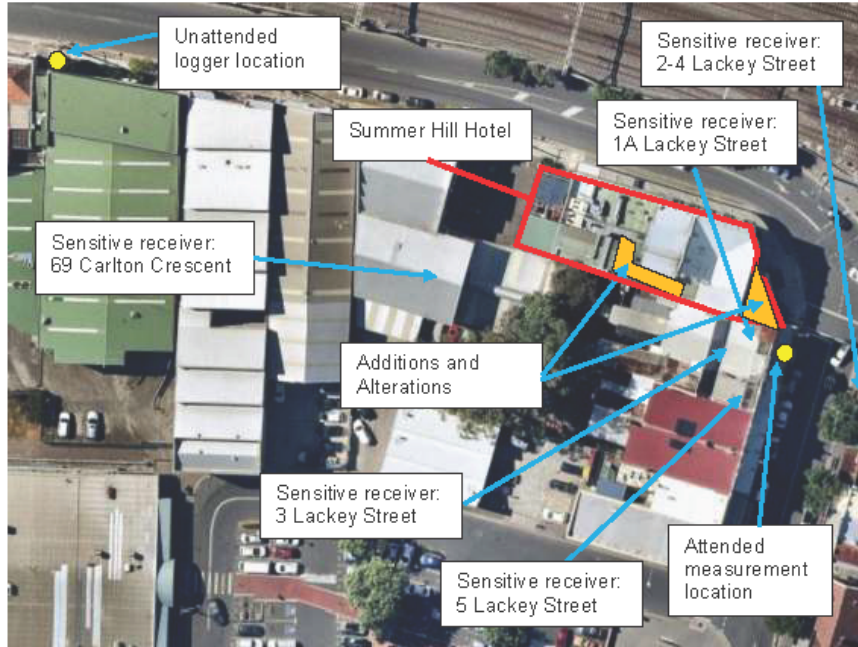
The site is located at 1 Lackey Street, Summer Hill NSW. The immediate surrounding properties are a mixture of commercial and residential.





The project area and nearest neighbouring sensitive receivers are shown in Figure 2.1.

Figure 2-1 Site Location



Aerial image of courtesy of ©2018 nearmap ltd

The proposed floor plans are presented in Figure 2-2 to Figure 2-8.



Figure 2-2 Ground Floor – Demolition Plan

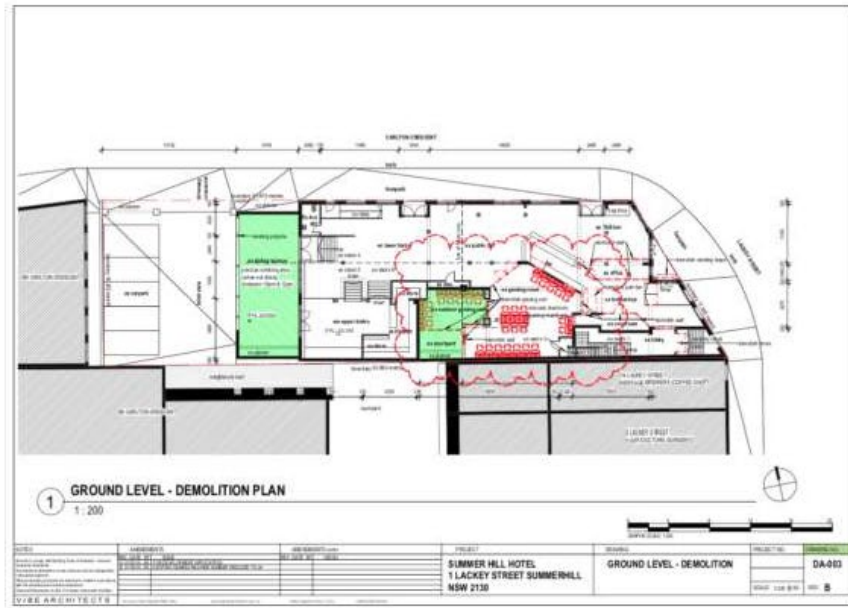


Figure 2-3 Ground Floor – Proposed Plan





Figure 2-4 First Floor – Demolition Plan

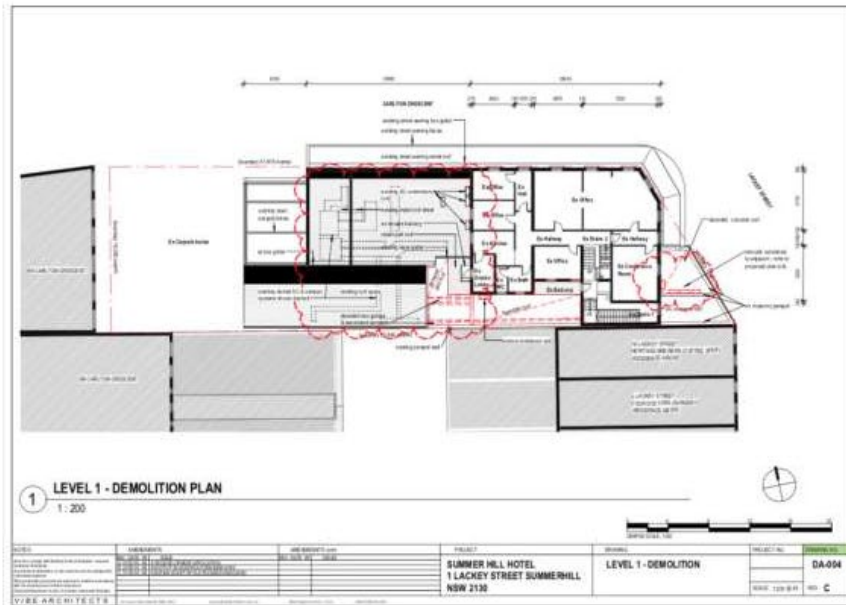


Figure 2-5 First Floor – Proposed Plan

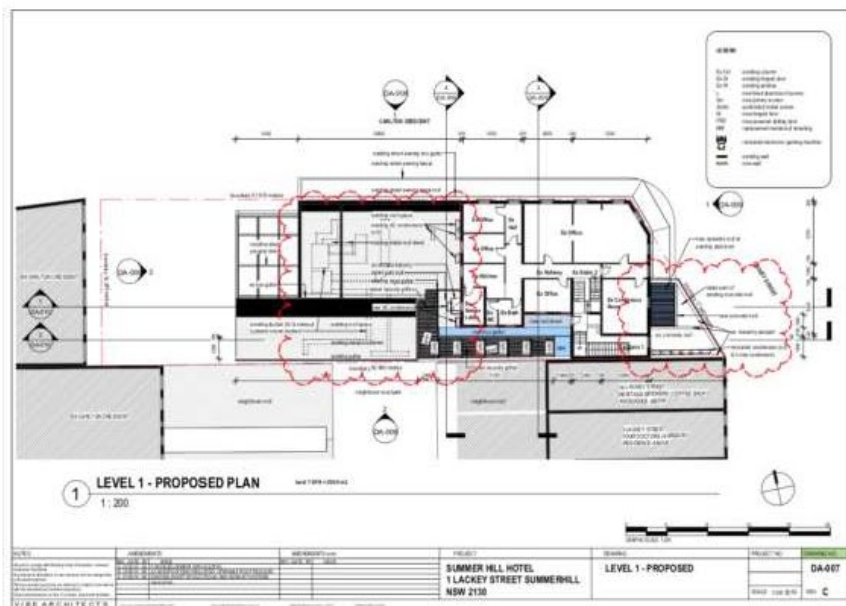




Figure 2-6 Terrace Seating Plan

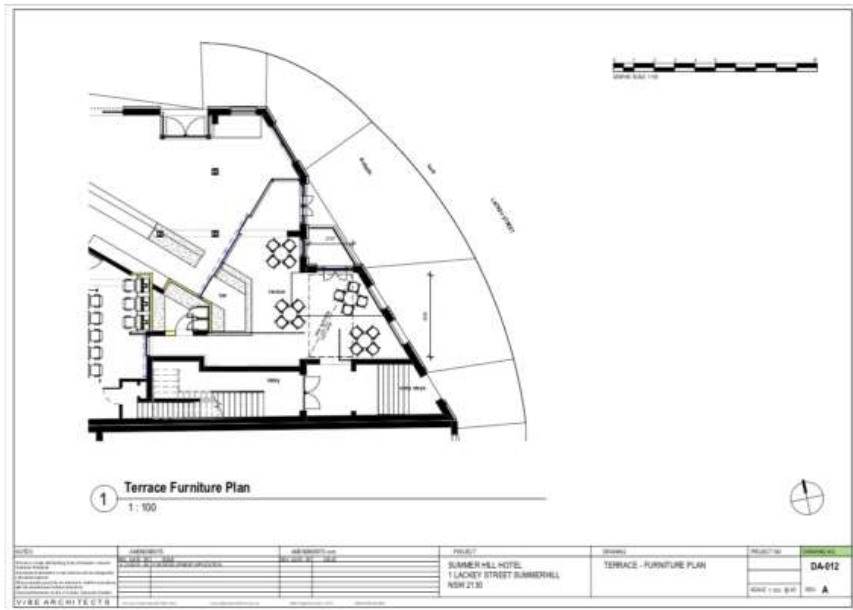


Figure 2-7 Proposed Ceiling Plan

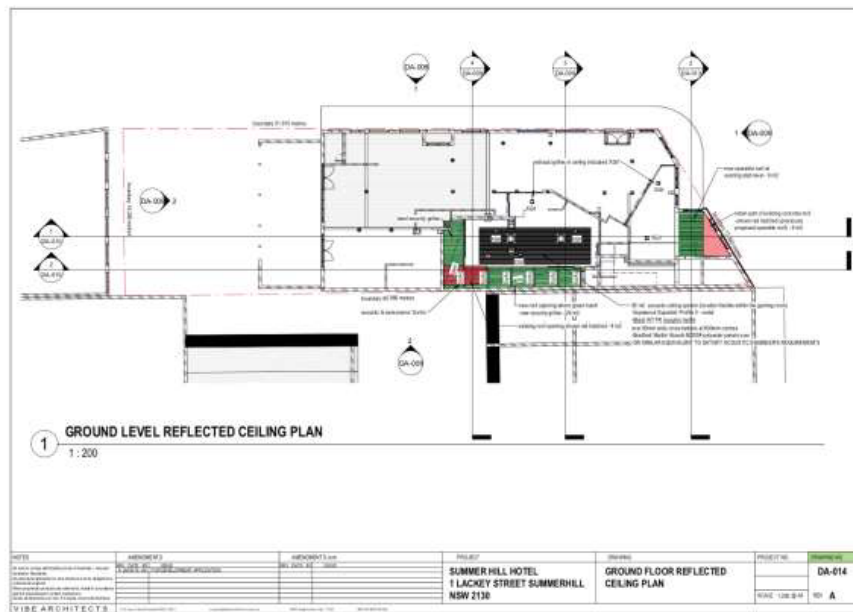
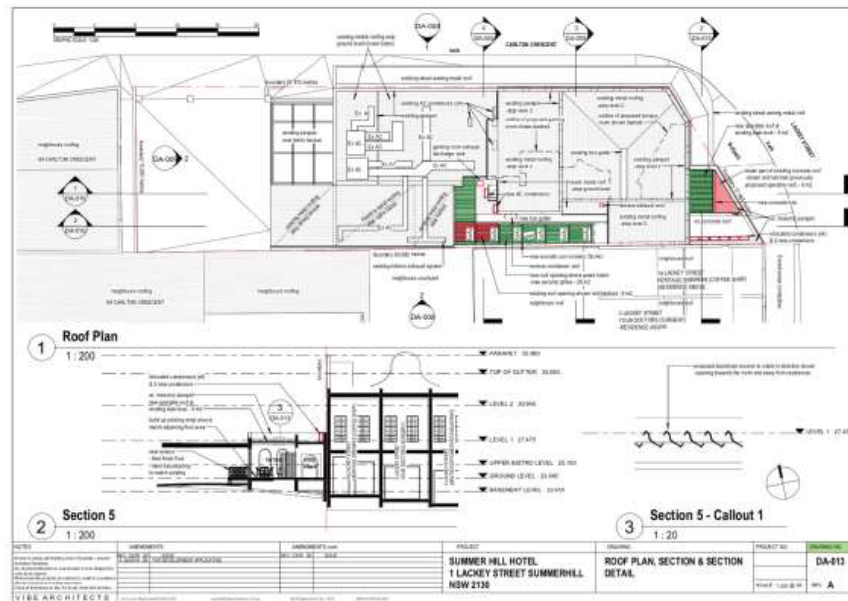




Figure 2-8 Proposed Roof and Mechanical Plant Plan



### 3 EXISTING NOISE ENVIRONMENT

#### 3.1 Ambient Noise Monitoring

In order to characterise the existing acoustical environment in the area, a survey of ambient noise levels was carried out at the site from 1 December 2017 to 8 December 2017. Attended measurements were also conducted on site on December 19 and 21 2017.

Instrumentation for the survey comprised a RION NL-42 Environmental Noise Logger (serial number 546394) fitted with microphone windshield and a NTI XL2 Sound Level Meter (serial number A2A-09798-E0) also fitted with a microphone windshield. Calibration of the logger and meter was checked prior to and following measurements. Drift in calibration did not exceed  $\pm 0.5$  dBA. All equipment carried appropriate and current NATA (or manufacturer) calibration certificates.

The logger continuously sampled noise levels over the entire survey period, and calculated relevant statistical indices for each 15 minute interval. Data measured during periods of adverse weather established through consultation with historical weather reports provided by the Bureau of Meteorology (BOM), has been excluded.

#### 3.2 Noise Monitoring Results

The measured data was processed according to the NSW EPA's *Noise Policy for Industry* (NPfI) assessment time periods. The processed noise monitoring results (based upon noise levels recorded during the weekday daytime period) are presented in Table 3-1.



Table 3-1 Measured Ambient Noise Levels Corresponding to NSW NPFI Assessment Time Periods

Logger Location	Noise Level – dBA re 20 µPa					
	Daytime 7.00 am – 6.00 pm		Evening 6.00 pm – 10.00 pm		Night-time 10.00 pm – 7.00 am	
	RBL <sup>1</sup>	LAeq <sup>2</sup>	RBL	LAeq	RBL	LAeq
72A Carlton Crescent	49	71	47	69	35	66

Note 1: The RBL noise level is representative of the average minimum background sound level (in the absence of the source under consideration), or simply the background level.

Note 2: The LAeq is essentially the average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

In order to assess operational noise emissions (patron and entertainment noise) from the proposed venue, the data obtained from the attended measurement noise monitoring conducted on 19 and 21 December 2017 has been processed in accordance with the Liquor and Gaming NSW (L&G NSW) assessment time periods.

The monitored baseline noise levels are detailed in Table 3-2.

Table 3-2 Measured Noise Levels Corresponding to L&G NSW Assessment Time Periods

Period	Ambient Noise Level per Octave Band (L10 dB)									
	63 Hz	125 Hz	250 Hz	500 Hz	1kHz	2kHz	4kHz	8kHz		
1A Lackey St	7:00 am to midnight		55	52	48	45	44	40	32	24
	Midnight to 7:00 am		52	48	42	39	36	30	23	45

Note 1: This criterion is based on the RBL for the periods 7 am to Midnight calculated from the processed results of ambient noise logging.

Note 2: The 32 Hz octave band has not been assessed due to the unreliability of data in this low (bass) frequency band. It is also likely that even if noise emission in this low frequency octave band exceeds the noise criterion, it will be very close to, if not below, the human threshold of hearing at the nearest sensitive receiver.

#### 4 ACOUSTIC ASSESSMENT CRITERIA

##### 4.1 Patron and Entertainment Noise Criteria

Licensed premises fall under the control of the Liquor and Gaming NSW (L&G NSW). L&G NSW's Standard Conditions for noise from licensed premises apply to the assessment of patron and entertainment noise emissions and are summarised below:

*“The L10 noise emitted from the licensed premises shall not exceed the background noise level in any octave band frequency (31.5 Hz to 8 kHz inclusive) by more than 5 dBA between 7.00 am and midnight at the boundary at any affected residence.*

*The L10 noise level emitted from the licensed premises shall not exceed the background noise in any octave band centre frequency (31.5 Hz to 8 kHz inclusive) between midnight and 7.00 am at the boundary of any affected residence.*

*Notwithstanding compliance of the above, noise from the licensed premises shall not be audible in any habitable room in any residential premises between the hours of midnight and 7.00 am”.*



Based on the measured ambient noise level data for the development presented in Table 3-1 the L&G NSW criteria applicable to nearby residential receivers, based on the measured spectral characteristics are summarised in Table 4-1.

Table 4-1 L&G NSW Criteria for Patron and Entertainment Noise

Period	Ambient Noise Level per Octave Band (L10 dB)							
	63 Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
7.00 am to Midnight <sup>1</sup>	60	57	53	50	49	45	37	29
Midnight to 7:00 am	52	48	42	39	36	30	23	45

Note 1: This criterion is based on the RBL for the periods 7 am to Midnight calculated from the processed results of ambient noise logging.

Note 2: The 32 Hz octave band has not been assessed due to the unreliability of data in this low (bass) frequency band. It is also likely that even if noise emission in this low frequency octave band exceeds the noise criterion, it will be very close to, if not below, the human threshold of hearing at the nearest residential receiver.

#### 4.2 Operational Noise Criteria

Responsibility for the control of noise emissions in New South Wales is vested in Local Government and the EPA. The EPA oversees the Noise Policy for Industry (NPI) October 2017 which provides a framework and process for deriving noise criteria. The NPI criteria for industrial noise sources have two (2) components:

- Controlling the intrusive noise impacts for residents and other sensitive receivers in the short term; and
- Maintaining noise level amenity for particular land uses for residents and sensitive receivers in other land uses.

##### Intrusiveness Criterion

For assessing intrusiveness, the background noise generally needs to be measured. The intrusiveness criterion essentially means that the equivalent continuous noise level (LAeq) of the source should not be more than 5 dB(A) above the measured Rated Background Level (RBL), over any 15 minute period.

##### Amenity Criterion

The amenity criterion is based on land use and associated activities (and their sensitivity to noise emission). The cumulative effect of noise from industrial sources needs to be considered in assessing the impact. The criteria relate only to other industrial-type noise sources and do not include road, rail or community noise. The existing noise level from industry is measured.

If it approaches the criterion value, then noise levels from new industrial-type noise sources, (including air-conditioning mechanical plant) need to be designed so that the cumulative effect does not produce total noise levels that would significantly exceed the criterion.

##### Area Classification

The NPI characterises the "Urban" noise environment as an area with an acoustical environment that:

- is dominated by 'urban hum' or industrial source noise,
- where urban hum means the aggregate sound of many unidentifiable, mostly traffic and/or industrial related sound sources
- has through-traffic with characteristically heavy and continuous traffic flows during peak periods
- is near commercial districts or industrial districts



- has any combination of the above.

The area surrounding the proposed development falls under the "Urban" area classification due to be located within the Summer Hill Local Centre and adjacent to multiple railway lines.

**Project Specific Noise Levels**

Having defined the area type, the processed results of the attended noise monitoring have been used to determine project specific noise criteria. The intrusive and amenity criteria for nearby residential premises are presented in Table 4-2.

These criteria are nominated for the purpose of assessing potential noise impacts from the proposed development.

In this case, the ambient noise environment is not controlled by industrial noise sources and therefore the project amenity noise level are assigned as per Table 2.2 of the NPfI (Recommended Amenity Noise Levels). For each assessment period, the lower (i.e. the more stringent) of the amenity or intrusive criteria are adopted.

The level of transport noise, road traffic noise in particular, may be high enough to make noise from an industrial source effectively inaudible, even though the  $L_{Aeq}$  noise level from that industrial noise source may exceed the project amenity noise level. In these circumstances, the project amenity noise level may be derived from the  $L_{Aeq, period(traffic)}$  minus 15 dB(A). As the project site is in a high traffic area, the amenity criteria is based on the measured  $L_{Aeq}$  noise levels.

This high traffic project amenity noise level may be applied only if all the following apply:

- traffic noise is identified as the dominant noise source at the site
- the existing traffic noise level (determined using the procedure outlined in A2, Fact Sheet A, that is, measuring traffic instead of industrial noise) is 10 dB or more above the recommended amenity noise level for the area
- it is highly unlikely traffic noise levels will decrease in the future.

The applicability of these traffic noise provisions needs to be determined for each assessment period (that is, day, evening and night).

These are shown in bold text in Table 4-2.

Table 4-2 Operational Project Trigger Noise Levels

Receiver	Time of Day	ANL <sup>1</sup> $L_{Aeq}(5m,1h)$	Measured		Criteria for New Sources	
			RBL <sup>2</sup> $L_{Aeq}(15m,1h)$	$L_{Aeq}$ Noise Level)	Intrusive $L_{Aeq}(5m,1h)$	Amenity $L_{Aeq}(15m,1h)$
Residential	Day	60	49	71	<b>54</b>	59
	Evening	50	47	69	<b>52</b>	57
	Night	45	35	66	<b>40</b>	54

Note 1: ANL = "Amenity Noise Level" for residences in Urban Areas.

Note 2: RBL = "Rating Background Level".

In summary, the project specific noise level for the assessment of (continuous  $L_{Aeq}(15minute)$ ) operational noise emissions between 7:00 am and 6:00 pm, based upon the procedures documented within the NSW NPfI, is **54 dBA** and evening period of 6:00 pm and 10:00 pm is **52 dBA**. For any plant operating at night-time, between 10:00 pm and 7:00 am, the project specific noise limit is **40 dBA**.





5 NOISE IMPACT ASSESSMENT

5.1 Operational Noise Emissions – Mechanical Plant

Mechanical plant of potential significance in regard to environmental noise emissions includes:

- Air conditioning/ventilation system(s)
- Extraction Fan

The existing mechanical plant servicing the area will be replaced with newer equipment, which has inherently lower operating noise.

The noise data for the proposed equipment is listed in Table 5-1.

Table 5-1 Proposed Mechanical Plant

Mechanical Plant Equipment	Nominated Model	Sound Pressure Level
Extraction Fan		50 dB(A) @ 3 metres
Condenser Units X 3	Daikin FCQ125KAVEA	56 dB(A) @ 1 metre 50 dB(A) @ 1 metre (night mode)

Noise level predictions for proposed additional mechanical plant at the site have been predicted by utilising NSW EPA recognised and approved computer noise model SoundPlan 7.4 software. SoundPlan is a fully integrating software suite that specialises in computer simulations of noise situations incorporating over 50 calculation standards. The model calculates overall noise levels at receiver locations considering distance, atmospheric absorption, barriers effects of intervening ground types, source levels, source and receiver locations and topography.

The predicted cumulative  $L_{Aeq(15\text{minute})}$  noise levels due to noise emissions from all the proposed mechanical plant items of the proposed development have been predicted to the nearest potentially affected property boundary to the south (5 Lackey Street) and west (69 Carlton Crescent). The strictest criteria at residential receivers is the night time criteria, which is **40 dB(A)**. Criteria for commercial receivers is **65 dB(A)** when in use.

Environmental noise emissions due to the cumulative operation of the proposed additional mechanical plant are predicted to be in the order of **39 dB(A)** at the worst case assessment location to the south and **38 dB(A)** to the west site boundaries. The project specific design limit applicable to continuously operating mechanical plant achieves the noise criteria.

5.2 Patron and Entertainment Noise

The proposed gaming area has been calculated to include a total of 40 patrons. Calculations of noise transmitted from the new additions to Summer Hill Hotel have been made based on a typical patron sound power spectrum as based on the sound power levels derived from Table 16.1 in "Handbook of Acoustical Measurements and Noise Control" by C.M. Harris. Harris documents a typical casual male voice being 53 dBA at 1 m, a typical normal voice is 58 dBA at 1 m, a typical raised voice is 65 dBA at 1 m, a typical loud voice is 75 dBA at 1 m and shouting is 88 dBA at 1 m. Applying a standard conversion of +8 dBA to convert sound pressure level at 1 m to a sound power level, the sound power level of a typical normal voice equates to 66 dBA.

Table 5-2 outlines the sound power spectrum of a patron talking with a normal vocal effort.



Table 5-2 Typical Sound Pressure Level of 1 Person with Normal Voice at 1 m – Lp

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
1 Patron – Normal Voice	58	48	51	54	46	41	39	35	58

This spectrum and overall noise level is believed to be a reasonable approximation of the typical scenario that could be expected from patrons using the additions.

The following operational scenario has been assumed for the purposes of this assessment:

- Calculation of 40 people in the proposed gaming room. Half of them talking at once.

Table 5-3 Overall Patron Sound Power Level – Lw

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
40 patrons proposed gaming room	74	64	67	70	62	57	55	51	74

The 32 Hz octave band has not been assessed due to the limited availability of transmission loss (TL) data in this low (bass) frequency band. It is also very likely that even if noise emission in this low frequency octave band exceeds the noise criterion; it will be very close to, if not below, the human threshold of hearing at the receivers.

### 5.3 Gaming Machine Noise Assessment

The following sections summaries the results of gaming machines in the proposed gaming area. Measurements have been previously conducted by Rodney Stevens Acoustics within an existing gaming rooms. L10 sound pressure level of five (5) gaming machines was measured. The corresponding sound power level of these gaming machines is presented in Table 5-4.

Table 5-4 Typical Sound Power Level of Gaming Machines – dB

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
Bank of five (5) active gaming machines	66	62	65	64	59	61	57	42	67

Based on a calculation of 28 gaming machine in the proposed gaming area, the following worst-case operational scenarios have also been assumed for our assessment:



Table 5-5 Sound Power Level of 28 Gaming Machine – Lw (dBA)

Scenario	Resultant Noise Level per Octave Band (dB)								Overall (dBA)
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz	
28 Gaming Machines	73	69	72	71	66	68	64	49	74

5.4 Gaming Area – Predicted Patron and Gaming Noise Impacts

Predictive resultant noise spectrums based on the proposed additions have been calculated for patron and gaming machine emission at neighbouring residential receivers are presented in Table 5-6.

The following assessment was conducted without any form of noise control other than attenuation provided by the existing and proposed building façades.

Noise level predictions for potential patron and gaming noise at the site have been predicted by utilising NSW EPA recognised and approved computer noise model SoundPlan 8 software. SoundPlan is a fully integrating software suite that specialises in computer simulations of noise situations incorporating over 50 calculation standards. The model calculates overall noise levels at receiver locations considering distance, atmospheric absorption, barriers effects of intervening ground types, source levels, source and receiver locations and topography.

Table 5-6 Gaming Area Noise Assessment at Nearby Noise Sensitive Receiver

Receivers	Resultant Sound Pressure Level per Octave Band (dB)							
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
1A Lackey Street	Cumulative Noise Impact							
Noise Impact	19	24	35	40	39	43	40	23
Criterion 7am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	3	-
Criterion midnight to 7am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	2	4	13	17	3
3 Lackey Street	Cumulative Noise Impact							
Noise Impact	15	16	27	29	24	24	17	0
Criterion 7am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	-	-
Criterion midnight to 7am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	-	-	-	-	-



5 Lackey Street		Cumulative Noise Impact						
Noise Impact	11	14	23	28	25	26	18	0
Criterion 7am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	-	-
Criterion midnight to 7am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	-	-	-	-	-
2-4 Lackey Street		Cumulative Noise Impact						
Noise Impact	9	10	19	22	18	18	11	0
Criterion 7am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	-	-
Criterion midnight to 7am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	-	-	-	-	-
69 Carlton Crescent		Cumulative Noise Impact						
Noise Impact	9	10	21	25	21	22	14	0
Criterion 7am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	-	-
Criterion midnight to 7am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	-	-	-	-	-

The predicted noise impact show an exceedance with regulatory criteria in some octave bands at the nearest sensitive receiver. The proposed additions and alterations will comply with criteria with recommendations set out in this report.

5.5 Outdoor Terrace – Predicted Patron and Background Music Noise Impacts

Noise level predictions for proposed additional mechanical plant at the site have been predicted by utilising NSW EPA recognised and approved computer noise model SoundPlan 8 software. SoundPlan is a fully integrating software suite that specialises in computer simulations of noise situations incorporating over 50 calculation standards. The model calculates overall noise levels at receiver locations considering distance, atmospheric absorption, barriers effects of intervening ground types, source levels, source and receiver locations and topography.

An assessment has been conducted based on a maximum of 16 patrons being in the proposed outdoor terrace area at one time and low level background music playing. The assessment is shown in the Table 5-7 below:



Table 5-7 Outdoor Terrace Area Noise Assessment at Nearby Noise Sensitive Receiver

Receivers	Resultant Sound Pressure Level per Octave Band (dB)							
	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
1A Lackey Street	Cumulative Noise Impact							
Noise Impact	11	8	18	26	21	18	16	10
Criterion 7 am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	-	-
Criterion midnight to 7 am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	-	-	-	-	-
2-4 Lackey Street	Cumulative Noise Impact							
Noise Impact	3	5	8	17	11	8	3	0
Criterion 7 am to midnight	60	57	53	50	49	45	37	29
<i>Exceedance</i>	-	-	-	-	-	-	-	-
Criterion midnight to 7 am	52	48	42	39	36	30	23	20
<i>Exceedance</i>	-	-	-	-	-	-	-	-

RSA can demonstrate that the proposed outdoor terrace area will comply with relevant criteria in relation to acoustics.



## 6 RECOMMENDATIONS

### 6.1 Outdoor Gaming Area

#### 6.1.1 Acoustic Treatment

Acoustic ceiling panels to be installed in the proposed new area. Panels should cover a minimum of 50% of ceiling space. Panels with a NRC rating of minimum 0.75 is required and be a minimum 50mm thick. Material such as acoustic polyester will be sufficient.

Precise design and location of materials should be reviewed by a qualified acoustic consultant at construction certificate stage.

#### 6.1.2 Noise Management Recommendations

The following measures are recommended to be included in order to maintain a healthy relationship with surrounding sensitive receivers.

- Doors with self closing mechanisms should be used on all external doors. The self closing mechanisms must be engaged after 8:00 pm.
- Gaming machines to have volume set to personal levels, a sound pressure level of 55 dB(A) at one metre.
- There is to be no amplified music in the new gaming area

#### 6.1.3 Mechanical Plant

- Face mechanical plant outdoor (condenser) items facing away from residential boundaries where practical.
- Use night mode on all units capable.

### 6.2 Outdoor Terrace

Although the assessment conducted demonstrates compliance with regulatory criteria, the following measures are recommended to maintain a healthy relationship with surrounding neighbouring premises:

- All external doors/windows of the outdoor terrace area to be closed no later than 10:00 pm (not including the operable roof);
- All new doors to have self-closing mechanisms;
- Background music speakers in outdoor terrace area to have a maximum SPL of no more than 70 dB(A) @ 1 metre.
- Signs to be posted in the venue encouraging patrons to be mindful of neighbours and to leave the premises and local area in a quiet and timely manner.



7 CONCLUSION

Rodney Stevens Acoustics has conducted an acoustical assessment of the proposed additions and alterations at Summer Hill Hotel, 1 Lackey Street, Summer Hill NSW. The assessment has included acoustical measurements to characterise the ambient noise environment of the area, establishment of noise criteria, and a comparison of predicted noise levels with regard to guidelines recommended by Liquor and Gaming NSW (L&G NSW) and *Noise Policy for Industry*.

Noise emissions from the proposed additions and alterations to the surrounding nearest sensitive receivers have been calculated with the noise criteria as established in accordance with the L&G NSW guidelines and the *Noise Policy for Industry*. The additions and alterations will comply if recommendations in this report are followed.

Approved:-

Rodney Stevens – MAAS

Principal/Manager



**Appendix A – Acoustical Terminology**

A-weighted sound pressure	The human ear is not equally sensitive to sound at different frequencies. People are more sensitive to sound in the range of 1 to 4 kHz (1000 – 4000 vibrations per second) and less sensitive to lower and higher frequency sound. During noise measurement an electronic ' <i>A-weighting</i> ' frequency filter is applied to the measured sound level <i>dB(A)</i> to account for these sensitivities. Other frequency weightings (B, C and D) are less commonly used. Sound measured without a filter is denoted as linear weighted dB(linear).
Ambient noise	The total noise in a given situation, inclusive of all noise source contributions in the near and far field.
Community annoyance	Includes noise annoyance due to: <ul style="list-style-type: none"> <li>• character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content)</li> <li>• character of the environment (e.g. very quiet suburban, suburban, urban, near industry)</li> <li>• miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations)</li> <li>• human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).</li> </ul>
Compliance	The process of checking that source noise levels meet with the noise limits in a statutory context.
Cumulative noise level	The total level of noise from all sources.
Extraneous noise	Noise resulting from activities that are not typical to the area. Atypical activities may include construction, and traffic generated by holiday periods and by special events such as concerts or sporting events. Normal daily traffic is not considered to be extraneous.
Feasible and reasonable measures	Feasibility relates to engineering considerations and what is practical to build; reasonableness relates to the application of judgement in arriving at a decision, taking into account the following factors: <ul style="list-style-type: none"> <li>• Noise mitigation benefits (amount of noise reduction provided, number of people protected).</li> <li>• Cost of mitigation (cost of mitigation versus benefit provided).</li> <li>• Community views (aesthetic impacts and community wishes).</li> </ul>

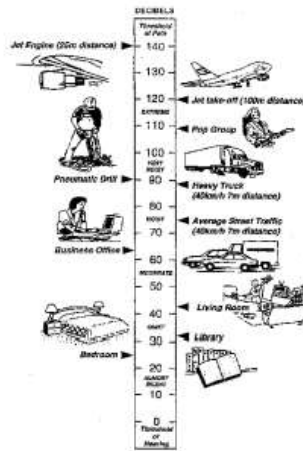




- Noise levels for affected land uses (existing and future levels, and changes in noise levels).

Impulsiveness	Impulsive noise is noise with a high peak of short duration or a sequence of these peaks. Impulsive noise is also considered annoying.
Low frequency	Noise containing major components in the low-frequency range (20 to 250 Hz) of the frequency spectrum.
Noise criteria	The general set of non-mandatory noise levels for protecting against intrusive noise (for example, background noise plus 5 dB) and loss of amenity (e.g. noise levels for various land use).
Noise level (goal)	A noise level that should be adopted for planning purposes as the highest acceptable noise level for the specific area, land use and time of day.
Noise limits	Enforceable noise levels that appear in conditions on consents and licences. The noise limits are based on achievable noise levels, which the proponent has predicted can be met during the environmental assessment. Exceedance of the noise limits can result in the requirement for either the development of noise management plans or legal action.
Performance-based goals	Goals specified in terms of the outcomes/performance to be achieved, but not in terms of the means of achieving them.
Rating Background Level (RBL)	The rating background level is the overall single figure background level representing each day, evening and night time period. The rating background level is the 10 <sup>th</sup> percentile min L <sub>90</sub> noise level measured over all day, evening and night time monitoring periods.
Receptor	The noise-sensitive land use at which noise from a development can be heard.
Sleep disturbance	Awakenings and disturbance of sleep stages.
Sound and decibels (dB)	Sound (or noise) is caused by minute changes in atmospheric pressure that are detected by the human ear. The ratio between the quietest noise audible and that which should cause permanent hearing damage is a million times the change in sound pressure. To simplify this range the sound pressures are logarithmically converted to decibels from a reference level of 2 x 10 <sup>-5</sup> Pa.

The picture below indicates typical noise levels from common noise sources.



dB is the abbreviation for decibel – a unit of sound measurement. It is equivalent to 10 times the logarithm (to base 10) of the ratio of a given sound pressure to a reference pressure.

Sound power level (SWL)

The sound power level of a noise source is the sound energy emitted by the source. Notated as SWL, sound power levels are typically presented in *dB(A)*.

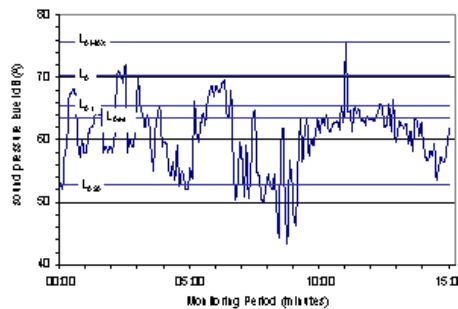
Sound pressure level (SPL)

The level of noise, usually expressed as SPL in *dB(A)*, as measured by a standard sound level meter with a pressure microphone. The sound pressure level in *dB(A)* gives a close indication of the subjective loudness of the noise.

Statistical noise levels

Noise levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

A hypothetical example of A weighted noise levels over a 15 minute measurement period is indicated in the following figure:





Key descriptors:

$L_{Amax}$  Maximum recorded noise level.

$L_{A1}$  The noise level exceeded for 1% of the 15 minute interval.

$L_{A10}$  Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.


$L_{Aeq}$  Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.

$L_{A90}$  Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).

Threshold	The lowest sound pressure level that produces a detectable response (in an instrument/person).
Tonality	Tonal noise contains one or more prominent tones (and characterised by a distinct frequency components) and is considered more annoying. A 2 to 5 dBA penalty is typically applied to noise sources with tonal characteristics.



Appendix B – Calibration Certificates



Level 7 Building 2 423 Pennant Hills Rd  
Pennant Hills NSW AUSTRALIA 2120  
Ph: +61 2 9484 0800 A.B.N. 65 160 399 119  
www.acousticresearch.com.au

**Sound Level Meter**  
IEC 61672-3:2013

**Calibration Certificate**  
Calibration Number C17537

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**Client Details** Rodney Stevens Acoustics Pty Ltd  
1 Majura Close  
St Ives Chase NSW 2075

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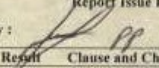
**Equipment Tested/ Model Number :** Rion NL-42  
**Instrument Serial Number :** 00810779  
**Microphone Serial Number :** 148338  
**Pre-amplifier Serial Number :** 22257

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<b>Pre-Test Atmospheric Conditions</b>	<b>Post-Test Atmospheric Conditions</b>
Ambient Temperature : 22°C	Ambient Temperature : 22.3°C
Relative Humidity : 45.5%	Relative Humidity : 47.1%
Barometric Pressure : 94.4kPa	Barometric Pressure : 99.35kPa

---

**Calibration Technician :** Jason Gomes      **Secondary Check:** Riley Cooper  
**Calibration Date :** 13/10/2017      **Report Issue Date :** 17/10/2017

**Approved Signatory :**  Ken Williams

Clause and Characteristic Tested	Result	Clause and Characteristic Tested	Result
12: Acoustical Sig. tests of a frequency weighting	Pass	17: Level linearity incl. the level range control	Pass
13: Electrical Sig. tests of frequency weightings	Pass	18: Toneburst response	Pass
14: Frequency and time weightings at 1 kHz	Pass	19: C Weighted Peak Sound Level	Pass
15: Long Term Stability	Pass	20: Overload Indication	Pass
16: Level linearity on the reference level range	Pass	21: High Level Stability	Pass

The sound level meter submitted for testing has successfully completed the class 2 periodic tests of IEC 61672-3:2006, for the environmental conditions under which the tests were performed.

However, no general statement or conclusion can be made about conformance of the sound level meter to the full requirements of IEC 61672-1:2002 because evidence was not publicly available, from an independent testing organisation responsible for pattern approvals, to demonstrate that the model of sound level meter fully conformed to the requirements in IEC 61672-1:2002 and because the periodic tests of IEC 61672-3:2006 cover only a limited subset of the specifications in IEC 61672-1:2002.

Least Uncertainties of Measurement			
Acoustic Tests		Environmental Conditions	
31.5 Hz to 8kHz	±0.16dB	Temperature	±0.03°C
12.5kHz	±0.2dB	Relative Humidity	±0.46%
10kHz	±0.29dB	Barometric Pressure	±0.017kPa
Electrical Tests			
31.5 Hz to 10 kHz	±0.12dB		

*All uncertainties are derived at the 95% confidence level with a coverage factor of 2.*

---

This calibration certificate is to be read in conjunction with the calibration test report.

Acoustic Research Labs Pty Ltd is NATA Accredited Laboratory Number 14172.  
Accredited for compliance with ISO/IEC 17025.

The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/national standards.

NATA is a signatory to the ILAC Mutual Recognition Arrangement for the mutual recognition of the equivalence of testing, medical testing, calibration and inspection reports.

PAGE 1 OF 1



	<b>NATAcoustic</b> Acoustic Calibration & Testing Laboratory Level 1, 416A Elizabeth Street, Surry Hills NSW 2010 AUSTRALIA Ph: (02) 8218 0570 email: service@natacoustic.com.au website: www.natacoustic.com.au A division of Renzo Tonin & Associates (NSW) Pty Ltd ABN 29 117 462 861		
	<b>Certificate of Calibration</b> <b>Sound Level Meter</b>		
Calibration Date	2/3/2016	Job No	RB447
Client Name	Rodney Stevens Acoustics Pty Ltd		
Client Address	PO Box 552, Wahroonga, NSW 2076		
<b>Test Item</b>			
Instrument Make	NTI	Model	XL2
Microphone Make	NTI	Model	MC230
Preamplifier Make	NTI	Model	MZ230
Ext'n Cable Make	NTI	Model	N/A
Accessories	Nil		
		Serial No	#A2A-09798-E0
		Serial No	#6685
		Serial No	#005642
		Serial No	N/A
		Firmware	2.71
SLM Type	1		
Filters Class	1		
Environmental Conditions	Measured		
	Start	End	
Air Temp. (°C)	25.6	25.3	
Rel. Humidity (%)	57.0	55.6	
Air Pressure (kPa)	101.0	100.9	
<b>Applicable Standards:</b> Periodic tests were performed in accordance with procedures from IEC 61672-3 :2013 <b>Applicable Work Instruction:</b> RWI-08 SLM & Calibrator Verification <b>Laboratory Equipment :</b> B&K4226 Multifunction Acoustic Calibrator SN 2288472 Agilent Function Generator Model 33220A SN MY43004013 Agilent Digital Multimeter Model 34401A SN MY41004386 <b>Traceability:</b> Accredited for compliance with ISO/IEC 17025. The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/national standards. This document shall not be reproduced, except in full. <b>Scope:</b> This certificate is issued on the basis that the instrument complies with the manufacturer's specification. See "Sound Level Meter Verification - Summary of Tests" page for an itemised list of results for each test. <b>Uncertainty:</b> The uncertainty is stated at a confidence level of 95% using a k factor of 2.			
<b>Calibration Statement:</b> The sound level meter submitted for testing has successfully completed the periodic tests of IEC 61672-3:2013, for the environmental conditions under which the tests were performed. As public evidence was available, from an independent testing organization responsible for approving the results of pattern evaluation tests performed in accordance with AS IEC 61672-2:2013, to demonstrate that the model of sound level meter fully conformed to the class 1 specifications in AS IEC 61672-1:2013, the sound level meter submitted for testing conforms to the class 1 specifications of AS IEC 61672-1:2013.			
 NATA Accredited Laboratory Number 14966 WORLD RECOGNISED ACCREDITATION	Authorized Signatory:  Print Name: Renzo Tonin Date: 3 March 2016		
	Template Document Name: RGT-05 (rev 41) SLM ISO Verification		





Appendix C – Unattended Noise Monitoring Results

