

 DEVELOPMENT ASSESSMENT REPORT	
Application No.	MOD/2022/0008
Address	95 Ramsay Street HABERFIELD NSW 2045
Proposal	Section 4.55 Modification to DA10.2017.107 - Modifications include a request to regularize unapproved works on the site, modifications to the physical form of the Crystal Carwash and modifications to the operational arrangements of the carwash.
Date of Lodgement	13 January 2022
Applicant	Mr Victor Sahade
Owner	Haberfield Nominees NSW Pty Ltd
Number of Submissions	Initial: 20
Value of works	\$775,850.00
Reason for determination at Planning Panel	Number of submissions
Main Issues	Parking Signage Impact on the Haberfield Heritage Conservation Area Acoustic impacts on surrounding residential properties
Recommendation	Refusal
Attachment A	Reasons for refusal
Attachment B	Plans of proposed development
Attachment C	Original Conditions of Consent DA 010.2017.170 (as modified) and Stamped Plans
Attachment D	Acoustic Report
Attachment E	IWLPP Resolution - REV/2021/0006 - Refusal
Attachment F	IWLPP Resolution – MOD/2020/0401 - Refusal
	
LOCALITY MAP	
Subject Site 	Objectors 
Notified Area 	Supporters 
Note: Due to scale of map, not all objectors could be shown.	

1. Executive Summary

This report is an assessment of the application submitted to Council for Section 4.55 Modification to DA10.2017.107. Modifications seek to regularize unapproved works on the site, changes to the physical form of the Crystal Carwash and modifications to the operational arrangements of the carwash at 95 Ramsay Street, Haberfield.

The application was notified to surrounding properties and 20 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Parking
- Signage
- Impact on the Haberfield Heritage Conservation Area
- Acoustic impacts on surrounding residential properties

The proposed modification represents another proposal in a series of retrospective applications for works undertaken on the site without consent. The modified development fails to comply with the provisions of the Ashfield Local Environmental Plan (ALLEP) 2013 and the Comprehensive Inner West Development Control Plan (CIWDCP) 2016. It is considered that the proposal will result in any significant impacts on the Haberfield Heritage Conservation Area (HCA), the streetscape and the amenity of adjoining properties.

Overall, the non-compliances are considered unacceptable and therefore the application is recommended for refusal.

2. Proposal

Approval is sought to modify the approved service station, car wash and café. The following amendments are proposed:

- Retrospective approval of the shade structure over the wipe-down area.
- Retrospective approval of the enclosure of the walkway adjacent to the carwash.
- Retrospective approval of the extension of the carwash roof.
- Retrospective approval of the installation of a number of signs.
- Retrospective approval of the installation of a dog wash facility.
- Increase the provision of off-street parking and reconfigure the carparking arrangement.
- Landscape works.
- Reduction in the width of the southern driveway off Kingston Street.
- Increase the maximum number of employees on the site from 8 to 12.
- Extension of hours of operation of the Crystal Carwash facility to 7pm closing Monday to Friday.
- Updated Plan of Management for the Crystal Carwash facility.

3. Site Description

The subject site is located on the eastern side of Ramsay Street, on the eastern corner of the intersection of Ramsay Street, Kingston Street, and St Davids Road, Haberfield. The site consists of one allotment and is generally square in shape with a total area of 1860sqm and is legally described as 95 Ramsay Street, Haberfield.

The site has a 39.6m wide primary frontage to Ramsay Street and a 45.7m wide secondary frontage to Kingston Street. The site currently has vehicular access from both frontages.

An existing service station, car wash, and vehicle repair station are located on the site. Surrounding development comprises residential and commercial development.

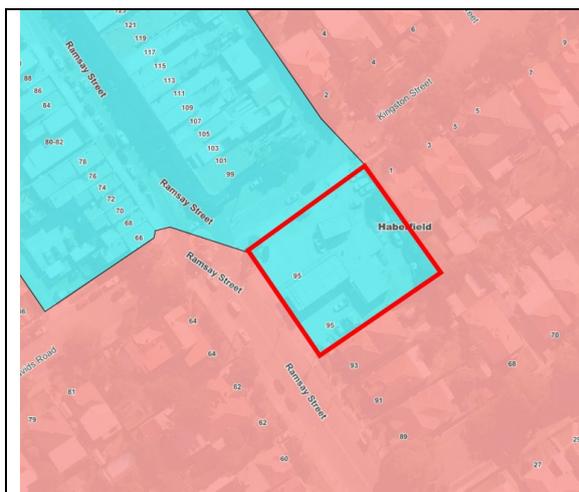


Figure 1: Zoning map



Figure 2: Aerial map

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
REV/2021/0006	S8.2 Review Application to MOD/2020/0401 for modification of existing development to regularise works and inclusion of a dogwash facility	Refused by IWLPP 27 Oct 2021
MOD/2020/0401	Modification of existing development to regularise works and inclusion of a dog wash facility	Refused by IWLPP 23 Feb 2021
10.2017.170.4	Modification of approved service station and extension of trading hours until 7.00pm daily	Refused 24 Sep 2019
10.2017.170.3	Removal of a 3m wide section of approved landscape strip and construction of new vehicle crossing to Kingston Street	Approved 1 Mar 2019

10.2017.170.2	Section 4.55 application to amend DA2017.170 to retain the existing service station, reversal of the vehicle flow and modifications to the existing floor area and approved staff amenities building	Approved 20 Nov 2018
10.2017.170.1	Alterations and additions to existing service station to create new extended building to provide a convenience store, new café and ancillary spaces, new single storey building to provide plant, amenities and staff room, a new car washing facility, car parking and associated signage	Approved 21 Jan 2018
10.2005.159.1	Construction of a concrete block retaining wall and fence between the service station at No. 95 Ramsay Street and the dwelling house at No. 1 Kingston Street; Installation of crash barrier on service station side	Approved 20 Sep 2005
10.2001.109.1	Demolition of existing service station and removal of all trees on the site; construction of petrol station/convenience store to operate 24 hours and construction of a car wash and advertising signage	Refused 13 Dec 2001
6.1990.370.1	Alterations to service station	Approved 26 Oct 1990
6.1984.15.1	Building Application – Steel Canopy	Approved 7 Feb 1984
6.1981.459.1	Building Application – Convert to self service	Approved 17 Nov 1981
1.1970.7720.1	Building Application – Car wash	Approved 1 Jan 1970

In addition to the above, it is noted that the site has been subject to ongoing investigation by Council's Compliance Officers and Environmental Health Officers with regard to unauthorised works and noise impacts.

A site audit inspection was undertaken 20/01/2022 by Council Regulatory / Compliance officer who noted that unauthorised works subject of previous Orders remains unresolved and that the current modification application is a further attempt to regularise unauthorised works and seek consent for the current operation of the site which exceeds the original consent.

In consideration of the current modified proposal against previous applications, the following is noted:

Parking

The current application proposes changes to the location and number of parking spaces on the site. The previous applications (REV/2021/0006 and MOD/2020/0401) were found to be acceptable and subsequently recommended for approval, subject to conditions which ensured the parking spaces could be appropriately accommodated on the site.

While the current application seeks to retain the 8 parking spaces originally approved on the site, it has failed to demonstrate that the proposed changes to the parking and access arrangements have been designed in accordance with Council's Parking requirements and will not result in adverse impacts on traffic and the locality. The development seeks to intensify the use of the site and results in multiple use/access conflicts which are unable to be conditioned. As such the application is recommended for refusal due to the parking deficiencies - refer to Section 5(d) for further discussion.

Acoustic impacts on surrounding residential properties

The previous application (REV/2021/0006) found the dog wash facility to be unacceptable due to potential acoustic impacts which were not adequately assessed within the applicant’s acoustic report. The application was however, recommended for approval subject to a condition to delete the dog wash facility.

The acoustic report submitted with the current application does not provide an assessment of the operation of the proposed dog washing facility, current car wash operation, and the cumulative impact of the entire site operation. In addition, the acoustic impacts of existing plant and equipment and unauthorised works for which approval is being sought, have not been assessed in this report. While the dog wash facility may be deleted by way of a condition, the development seeks to intensify the use of the site and the application has failed to demonstrate that the acoustic impacts to neighbouring properties would be acceptable. Council is unable to impose conditions of consent to mitigate the acoustic impacts of the development as it is unclear how the cumulative impact of the entire site’s operation will affect neighbouring properties. As such the application is recommended for refusal due to deficiencies with the acoustic report - refer to Section 5(f) for further discussion.

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
27 Jan 2022	Application lodged
03 Feb 2022 – 17 Feb 2022	Application notified
24 Feb 2022	Council’s Legal Department advised that they are pursuing the action against the unauthorised works on the site.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

- “(a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”*

In considering the above, the site has been used in the past for activities which could have potentially contaminated the site. However, as the application seeks to modify the service station only, it is considered that the site will not require remediation in accordance with SEPP 55.

5(a)(ii) State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and Signage

The following is an assessment of the development under the relevant controls contained in the SEPP.

The SEPP specifies aims, objectives, and assessment criteria for signage as addressed below. Schedule 5 specifies assessment criteria for signage relating to character of the area, special areas, views and vistas, streetscape, setting or landscaping, site and building, illumination and safety. Overall, the proposed signage is considered satisfactory having regard to the assessment criteria contained in Schedule 5 of the SEPP.

The application seeks consent for the following signage:

Location	Sign Type	Lettering	Dimension
Fronting the corner of Ramsay Street and Kingston Street	Ground mounted vertical sign	Sign A - “CRYSTAL 4 MIN CAR WASH \$19”	1190mm (width) by 3600mm (height)
Fronting Ramsay Street adjacent to eastern boundary	Ground mounted illuminated lightbox pole sign (double sided)	Sign B - indicating fuel prices	1190mm (width) by 2820mm (height)
Front Façade of the Convenience Store Building – fronting Ramsay Street	Illuminated Wall Mounted Horizontal Sign	Sign D - “CRYSTAL carwash café”	4000mm (width) by 790mm (height)

Eastern corner of the Convenience Store Building – fronting Ramsay Street	Wall Mounted Horizontal Sign	Sign F - “CRYSTAL carwash café”	1200mm (width) by 600mm (height)
Eastern corner of the Convenience Store Building – fronting Ramsay Street	Ground mounted vertical sign	Sign G – “CRYSTAL Unlimited Washes \$69”	1050mm (width) by 2400mm (height)
Western corner of the Convenience Store Building – fronting Ramsay Street	Ground mounted vertical sign	Sign H – Carwash price menu	1050mm (width) by 2400mm (height)
Fronting Kingston Street	Horizontal roof mounted sign, above pergola / shade structure	Sign K - “CRYSTAL carwash café”	6990mm (width) by 910mm (height)
Along eastern boundary of the site - fronting Kingston Street	Horizontal wall / fence mounted sign	Sign M - “CAR WASH ENTRY”	2790mm (width) by 900mm (height)
Along eastern boundary of the site - fronting Kingston Street	Ground mounted vertical sign	Sign N - advertising for various in-store products	950mm (width) by 1250mm (height)
Fronting Ramsey Street and Kingston Street	3x Double sided illuminated signs mounted on the fuel canopy	Sign P - containing the BP ‘Helio’ logo	780mm (width) by 780mm (height)
Fronting Ramsay Street	4x double sided projecting signs mounted on the fuel canopy columns	Sign Q - “BP Ultimate”	1360mm (width) by 900mm (height)

The application seeks to delete the following existing signage:

Location	Sign Type	Lettering	Dimension
Fronting Kingston Street	Horizontal ground mounted vertical sign	Sign I - “CRYSTAL Car Wash Café”	3230mm (width) by 1550mm (height)
Fronting Ramsey Street and Kingston Street	2x Parapet signs	Sign L and Sign J – “CRYSTAL carwash café”	4000mm (width) by 400mm (height)
Along eastern boundary of the site - fronting Kingston Street	2x Horizontal wall / fence mounted signs	Sign M - “4 MIN CAR WASH \$19” and “Crystal 10c off”	2790mm (width) by 900mm (height)

Along eastern boundary of the site - fronting Kingston Street	1x Ground mounted vertical sign	Sign N - advertising for various in-store products	950mm (width) by 1250mm (height)
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It is noted that several signs are proposed to be removed as part of this application, in line with Council’s recommendation for approval under the previous applications (REV/2021/0006 and MOD/2020/0401). It is also noted that the site adjoins low density residential development and is within the Haberfield Conservation Area.

While some concern is raised that the signage proposed on the site is excessive, the proposed carwash signage is associated with an approved service station on the site. Therefore, while further conditions could be imposed to remove additional signage from the site, beyond those proposed to be removed, it is unlikely to reduce the overall visual clutter of the site associated with the service station use. It is considered that the modified proposal will have negligible impacts on the character of the area, Haberfield HCA and the streetscape.

The proposed development is consistent with objectives set out in Section 3 (1) (a) and the assessment criteria specified in Schedule 5 as follows:

Criteria	Assessment
Character of the area	<ul style="list-style-type: none"> The signage is incompatible with the desired future character of the area. The signage is inconsistent with the Haberfield Heritage Conservation Area
Special areas	<ul style="list-style-type: none"> The signage detracts from the amenity, significance and visual quality of the Haberfield Heritage Conservation Area
Views and vistas	<ul style="list-style-type: none"> The signage does not obscure or compromise important views. The signage does not inhibit viewing rights of other advertisers. The signage does dominate the skyline and views from Kingston Street and Ramsay Street.
Streetscape, setting or landscape	<ul style="list-style-type: none"> The scale proportion and form of the signage is inappropriate to Kingston Street and Ramsay Street as well as the locality. Several signs are not of a simple design and given the number of signs proposed for the site, overall contribute to visual clutter. The signage does not reduce and rationalises the existing signage at the site. The signage will not impact vegetation.
Site and building	<ul style="list-style-type: none"> The scale proportion and form of the signage is inappropriate to the building on which the signage is to be located. The signage overwhelms important features of the existing building.

Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> All elements of the signage have been well integrated into the structure which displays the signage.
Illumination	<ul style="list-style-type: none"> The proposed illuminated signage is unacceptable and will result in adverse amenity impacts or effect safety.
Safety	<ul style="list-style-type: none"> The signage will reduce safety of public roads, pedestrians, bicyclists on Kingston Street and Ramsay Street as it will obscure sightlines from public areas.

The site is located in a prohibited area listed within Section 3.8 (1). The display of advertisement is prohibited on land which is located within a heritage area and/or conservation area. However, as discussed above, the proposed carwash signage is associated with an approved service station on the site and therefore, will not result in unacceptable visual impacts to the Haberfield Heritage Conservation Area beyond what has already been approved on the site.

The proposal is satisfactory noting the matters for consideration contained within Section 3.11 of the SEPP however, the application is recommended for refusal for other reasons outlined in this report.

5(a)(iii) State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Vegetation SEPP concerns the protection and removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of IWCDP 2016. The application will not *result* in any impacts to any significant vegetation on the site or on Council land and is therefore considered acceptable.

Chapter 10 Sydney Harbour Catchment

The site is not located within the foreshores and waterways area, a Strategic Foreshore site or listed as an item of environmental heritage under the SEPP and as such only the aims of the plan are applicable. The proposal is consistent with these aims.

5(a)(iv) Ashfield Local Environment Plan 2013 (ALEP 2013)

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

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards

- Clause 5.10 - Heritage Conservation
- Clause 6.5 - Development on land in Haberfield Heritage Conservation Area

(i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned B2 – Local Centre under the *ALEP 2013*. The *ALEP 2013* defines the development as:

“Service Station”

The development is permitted with consent within the land use table. The proposed “dog wash” area is a small, ancillary component which is indistinguishable in form from the approved car wash and is considered permissible as an ancillary component of the approved principal use.

The development is generally consistent with the objectives of the B2 Zone, however, the application is not supported for reasons discussed elsewhere in this report and recommended for refusal.

The following table provides an assessment of the application against the development standards:

Standard	Proposal	Complies
Height of Building	No change to the approved building height proposed	Yes
Floor Space Ratio	No change to the approved gross floor area proposed	Yes
Heritage Conservation	It is considered that the proposed modifications will alter the heritage impact of the approved development or the significance of the surrounding heritage conservation area	No – refer below for discussion
Development on land in Haberfield Heritage Conservation Area	As the development is not a dwelling house, the clauses relating to the Haberfield Conservation Area are not applicable	Yes

(i) Clause 5.10 - Heritage Conservation

The objectives of this clause are as follows:

- a) *to conserve the environmental heritage of Ashfield,*
- b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- c) *to conserve archaeological sites,*
- d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The following Subclauses are also relevant to the assessment of the proposal:

(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 area concerned.

The proposal seeks retrospective approval for several structures, a dog wash facility, several signs and changes to the operation of the approved car wash.

The site is located on the corner of Kingston Street and Ramsay Street and is highly visible within the Haberfield Conservation Area. However, the site is not a residential premises, and the proposed changes are associated with an existing service station and car wash on the site. The additional roof forms and colours and materials of the additional structures at the rear of the existing service station result in negligible visual bulk as seen from the public domain.

As discussed previously, the proposed changes to the carwash signage is associated with an approved service station on the site. Therefore, while further conditions could be imposed to remove additional signage from the site, beyond those proposed to be removed, it is unlikely to reduce the overall visual clutter of the site associated with the service station use. It is considered that the modified signage will have negligible impacts on the character of the area, Haberfield HCA and the streetscape.

However, insufficient acoustic information has been submitted with the application demonstrating that the proposed dog wash will not have adverse noise impacts to surrounding residential dwellings. Further concern is raised regarding the changes to operation of the car wash and potential noise impacts as a result of increased staff numbers and extended hours of operation. Acoustic information demonstrating that these changes to the operation are acceptable for the HCA and adjoining residential development was not provided with the application.

Overall, the proposal will result in unacceptable impacts to the Haberfield Heritage Conservation Area and does not meet the objects under this Clause of the LLEP 2013.

5(b) Draft Environmental Planning Instruments

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

Draft Environmental Planning Instruments	Compliance
Draft State Environmental Planning Policy (Environment) 2018	Yes
Draft State Environmental Planning Policy (Remediation of Land) 2018	Yes
Draft State Environmental Planning Policy (Environment) 2017	Yes

5(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

IWCDCP2016	Compliance
Section 1 – Preliminary	
B – Notification and Advertising	Yes
Section 2 – General Guidelines	
A – Miscellaneous	
8 - Parking	No – refer to discussion below
10 - Signs and Advertising Structures	Yes – refer to discussion under section 5(a)(ii) of this report
E2 – Haberfield Heritage Conservation Area	
3 – Planning Measures for Commercial properties	Yes

The following provides discussion of the relevant issues:

Chapter A, Part 8 - Parking

The current application proposes changes to the location and number of parking spaces on the site. The previous applications (REV/2021/0006 and MOD/2020/0401) were found to be acceptable and subsequently recommended for approval, subject to conditions which ensured the parking spaces could be appropriately accommodated on the site.

While it is noted that the current application seeks to retain the 8 parking spaces originally approved on the site, Council's Development Engineer raised the following concerns with the modified proposal:

- *The carwash entry is marked along the south eastern boundary of the site, on the right hand side of the exit driveway to Ramsey Street which conflicts with vehicles exiting the site (refer to Image 1 below). While this arrangement has not been shown of the plans, the traffic circulation (entry and exit) within the site for both the service station and car wash use does not appear to be feasible. Further concern is raised regarding car space 8 which is located in the carwash entry and conflicts with vehicles trying to enter the car wash or exit the service station onto Ramsey Street.*



Image 1: Existing driveway to Ramsey Street frontage showing carwash entry and vehicle exit from the service station.

- *The car spaces are not compatible with the current circulation and access arrangements. Car space 8 is in conflict with this carwash entry being in the carwash entry driveway. In addition, vehicles leaving car space 6 will interfere with the entry to the carwash in particular if a queue forms for the carwash that extends adjacent to car space 6.*
- *Given the current poor access and parking arrangements on site, any further intensification of the site would have adverse impacts on traffic and the locality and hence the inclusion of a dog wash and increase in staff / operation on the site can not be supported.*

The application has failed to demonstrate that the proposed changes to the parking and access arrangements on the site have been designed in accordance with Council's Parking requirements and will not result in adverse impacts on traffic and the locality. The development seeks to intensify the use of the site and results in multiple use/access conflicts which are unable to be conditioned.

As such the application is recommended for refusal.

5(e) Section 4.55 Assessment

Under Section 4.55 of the Environmental Planning and Assessment (EP&A) Act, 1979, Council, when considering a request to modify a Determination, must:

- a) be satisfied that the development as modified is substantially the same development as the development for which consent was originally granted;
- b) consult with any relevant authority or approval body;
- c) notify the application in accordance with the regulations;
- d) consider any submissions made; and
- e) take into consideration the matters referred to in Section 4.15 as are of relevance to the development the subject of the application.

The development being modified is not considered to be substantially the same development as the development for which consent was originally granted. No authorities or bodies were required to be consulted. The application was notified in accordance with the regulations and Council's policy and the submissions considered below. The relevant matters under Section 4.15 have been addressed within this report and it is considered that the modifications will alter compliance with the relevant parts of the *Ashfield Local Environmental Plan 2013* and Comprehensive Inner West Development Control Plan 2016.

As such, the application is recommended for refusal.

5(f) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

Parking

The proposed changes to the parking and access arrangements on the site and the inclusion of a dog wash facility result in several use/access conflicts and have not been designed in accordance with Council's Parking requirements. The development seeks to intensify the use of the site and given the poor parking and access arrangements would result in adverse impacts on traffic and the locality.

Acoustic impacts on surrounding residential properties

The acoustic report submitted with the application however, does not provide an assessment of the current car wash operation, the operation of the proposed dog washing facility and the cumulative impact of the entire site operation. Specifically, insufficient information has been provided, addressing the following aspects of the development:

- Identification of the most affected residential premises
- Noise emissions from the use and operation of the proposed development
- Noise level emissions from any proposed plant and equipment and operational changes (e.g., dog washing facility, vehicle and car door movements associated with carparks 3 to 5)
- Noise level emissions from any existing plant and equipment and operations (e.g., vacuums, high pressure hosing, brush washing, blow drying, refrigeration condensers, air conditioning units, etc)
- Cumulative noise level impact of all proposed and existing plant & equipment and operational noise running simultaneously at maximum capacity.
- Detailed noise attenuation measures and recommendations to ensure compliance with the nominated noise criteria.
- Detailed recommended monitoring and compliance programs/validation to ensure compliance with relevant noise criteria.

As such, the application fails to demonstrate that noise emissions of the proposed car wash operation comply with the relevant provisions of the Protection of the Environment Operations Act 1997, NSW Environment Protection Authority's Noise Policy for Industry and any other relevant guidelines and standards.

Overall, the proposed changes to the operation of the site and inclusion of the dog wash facility are considered unacceptable and would result in adverse impacts on adjoining residential development and the locality.

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

It is considered that the proposal will have an adverse impact on the adjoining properties and therefore it is considered that the site is unsuitable to accommodate the proposed development.

5(h) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties.

20 submissions were received in response to the initial notification.

The following issues raised in submissions have been discussed in this report:

- Non-compliance with ALEP 2013 and IWCDCP 2016 – refer to Section 5(a)(iv) and Section 5(d)
- Illegal / unauthorised building works and noncompliance with original DA conditions of consent – refer to Section 4(a)
- Signage – refer to Section 5(a)(ii) and 5(a)(iv)
- Impact on HCA – refer to Section 5(a)(iv)
- Parking – refer to Section 5(d)
- Safety – refer to Section 5(d)
- Development is not substantially the same (compliance with s4.55 of the EP&A) – refer to Section 5(e)
- Acoustic Privacy and Noise – refer to Section 5(a)(iv) and Section 5(f)

In addition to the above issues, the submissions raised the following concerns which are discussed under the respective headings below:

Issue: Hours of Operation, Staff Numbers and Intensification of the site
Comment: As discussed throughout this report, insufficient information has been submitted with the application demonstrating that the increased operation of the site beyond the original consent, in terms of increased hours of operation, staff numbers and additional facilities, can be supported.

Issue: Visual Impacts and Amenity
Comment: The proposal results in acceptable visual impacts on the HCA, streetscape and adjoining properties. However, the application is recommended for refusal other reasons outlined in this report.

Issue: Vacuum stations not shown on plan
Comment: It is noted that some aspects of the site's current operation such as the vacuuming and detailing stations has not been shown on the plans and has not been applied for under the current application. The matter of unauthorised works is currently being investigated by Council's Compliance Department.

Issue: Insufficient plans and information
Comment: The deficiencies with the information submitted with the application have been noted in the body of this report.

5(i) 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 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.

- Building Certification – No objection raised, subject to recommended conditions.
- Development Engineer – Application not supported.
- Health – Application not supported.

6(b) External

- N/A

7. Section 7.11 Contributions/7.12 Levy

The proposed modifications do not alter the contributions payable for the approved development DA10.2017.107.

8. Conclusion

The proposal does not comply with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development will result in significant impacts on the amenity of adjoining properties, the streetscape and the Haberfield Heritage Conservation Area, and is not considered to be in the public interest.

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, refuse Development Application No. MOD/2022/0008 for Section 4.55 Modification to DA10.2017.107 - Modifications include a request to regularize unapproved works on the site, modifications to the physical form of the Crystal Carwash and modifications to the operational arrangements of the carwash. at 95 Ramsay Street HABERFIELD NSW 2045 for the following reasons.

Attachment A – Reasons for refusal

1. The proposed development is inconsistent with the following Clauses of *Ashfield Local Environmental Plan 2013*, pursuant to Section 4.15 (1)(a)(i) of the *Environmental Planning and Assessment Act 1979*:
 - a. Clause 5.10 – Heritage Conservation, in that the proposal will result in unacceptable impacts to the Haberfield Heritage Conservation Area.
2. The proposed development does not comply with the following Parts of the Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill, pursuant to Section 4.15 (1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*:
 - a. Chapter A, Part 8 – Parking, in that the proposal will result in several use/access conflicts and result in adverse impacts on traffic, safety and the locality.
3. The proposed development is inconsistent with Section 4.55 of the *Environmental Planning & Assessment Act 1979* in that the development is not substantially the same development as the development for which consent was originally granted.
4. The application as submitted has not provided adequate information in order to undertake a full and proper assessment of the application in accordance with the *Environmental Planning & Assessment Act 1979* in that the following has not been provided with the application:
 - a. An acoustic report which provides an assessment of the current car wash operation, the operation of the proposed dog washing facility and the cumulative impact of the entire site operation.
5. The adverse environmental impacts of the proposal mean that the site is not considered to be suitable for the development as proposed, pursuant to Section 4.15 (1)(c) of the *Environmental Planning and Assessment Act 1979*.
6. Having regard to submissions received and the adverse environmental impacts of the proposal, the application as proposed is not in the public interest, pursuant to Section 4.15 (1)(e) of the *Environmental Planning and Assessment Act 1979*.

Attachment B – Plans of proposed development

A3

4.55 ISSUE

No.95-97 RAMSEY STREET, HABERFIELD

GENERAL NOTES:

1. ALL BUILDING WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA.
2. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ANY STRUCTURAL OR CIVIL ENGINEERING COMPUTATIONS, DRAWINGS AND TRUSSWALL FRAMING LAYOUTS (IF APPLICABLE)
3. THESE PLANS HAVE BEEN PREPARED FOR THE PURPOSE EXPRESSLY NOTIFIED BY THE AUTHOR. NO OTHER PERSON MAY USE THESE PLANS.
4. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE THESE DRAWINGS.
5. WATERPROOFING OF WET AREAS TO COMPLY WITH AS 3740 AND BCA TABLE 3.8.1.1
6. STAIR CONSTRUCTION TO BE IN ACCORDANCE WITH BCA PART 3.9.1.3 & 3.9.1.4. ALL TREADS, LANDINGS AND THE LIME TO HAVE NON SLIP FINISH OR SUITABLE NON SLIP STRIP NEAR EDGE OF NOSING.
7. BALLUSTRADE CONSTRUCTION TO BE IN ACCORDANCE WITH BCA PART 3.9.2.2 & 3.9.2.3 AND MUST BE PROVIDED WHERE CHANGE IN LEVEL EXCEEDS 100mm ABOVE THE SURFACE BENEATH LANDINGS, RAMPS AND/OR TREADS. BALLUSTRADES (OTHER THAN TENSIONED WIRE) TO BE:
 - 100mm MIN ABOVE FINISHED SURFACE LEVEL OF BALCONIES, LANDINGS OR THE LIKE.
 - 80mm MIN ABOVE STAIR NOSING OR RAMP, AND
 - LESS THAN 125mm GAP BETWEEN VERTICAL MEMBERS, AND
 - WHERE CHANGE IN LEVEL EXCEEDS 400mm ANY HORIZONTAL ELEMENT WITHIN THE BALLUSTRADE BETWEEN 150mm AND 700mm ABOVE FLOOR LEVEL MUST NOT FACILITATE CLIMBING.
8. WHERE THE BUILDINGS IS LOCATED IN A TERMITE PRONE AREA THE UNDERSIDE AND PERIMETER IS TO BE TREATED AGAINST TERMITE ATTACK IN ACCORDANCE WITH AS 3660.1
9. STORMWATER DRAINAGE TO BE IN ACCORDANCE WITH AS 3500.3
10. WHERE REQUIRED MECHANICAL VENTILATION SHALL COMPLY WITH A.S. 1688.2 AND BCA.
11. FIRE SEPARATION OF BUILDINGS ON BOUNDARY TO BE IN ACCORDANCE WITH BCA PART 3.7.1.
12. PROVIDE CONTINUOUS CAVITY FLASHING TO KEEP HOLES TO BROCKWORK, OVER AND BELOW WINDOWS @1200 CENTRES MAX. IN ACCORDANCE WITH BCA 3.3.4.12.
13. ALL GLAZING TO BE IN ACCORDANCE WITH BCA, AS 1288 & AS 2047.
14. WHERE ANY FOOTINGS ARE TO BE CONSTRUCTED ADJACENT TO EASEMENTS, THESE FOOTINGS SHALL BE FOUNDED AT A DEPTH BELOW ANY ANGLE OF REPOSE FROM THE INVERT OF ANY SERVICES WITHIN THE EASEMENT (45° FOR CLAY & 30° FOR SAND)
15. INTERCONNECTED SMOKE ALARMS ARE TO BE PROVIDED AND INSTALLED IN ACCORDANCE WITH AS 3786 & BCA PART 3.7.2.
16. DOORWAYS WITHIN 1200mm OF THE CLOSET PAN MUST OPEN OUTWARDS, SLIDE, OR BE PROVIDED WITH LIFT OFF HINGES AS PER BCA FIGURE 3.8.3.3.
17. SUB-FLOOR VENTILATION TO BE IN ACCORDANCE WITH BCA PART 3.4.1
18. ALL STRUCTURAL TIMBER FRAMING BRACINGS & TIE DOVENS ARE TO BE IN ACCORDANCE WITH AS 1684 & TIMBER FRAMING MANUAL, A.S. 1684 W/NG SUPP 12.
19. BEDROOM WINDOWS TO BE RESTRICTED MAX. 125mm OPENING WHERE SILL HEIGHT IS LESS THAN 1700mm ABOVE FLOOR LEVEL AND THE FALL EXCEEDS 2000mm TO THE SURFACE BENEATH IN ACCORDANCE WITH BCA 2013 PART 3.9.2.5

Sheet List

Sheet No.	Sheet Name	Current Revision	Current Rev Issued	Sheet Issue Date
A0.00	Cover	L	Yes	29/12/21
A1.01	Site Plan	L	Yes	29/12/21
A1.03	Demolition Plan	L	Yes	29/12/21
A2.01	Proposed Floor Plan	L	Yes	29/12/21
A2.02	Proposed Roof Plan	L	Yes	29/12/21
A3.02	Elevations	L	Yes	29/12/21
A3.03	Elevations	L	Yes	29/12/21
A4.01	Sections	L	Yes	29/12/21
A4.02	Sections	L	Yes	29/12/21
A5.01	Schedules	C	Yes	06/07/18
A8.01	Signage Plan	L	Yes	29/12/21
A8.02	Signage Detail	L	Yes	29/12/21
A8.03	Signage Detail	L	Yes	29/12/21

DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS



 i.d. Projects

 PO Box 533 Westbury NSW

 Ph 02 98482956 F 02 99525285

 Email info@idprojects.com.au

 211207 - 4.55 Issues

PROJECT CNR Ramsey & Kingston Streets

 DRAWING Haberefeld

 COVER

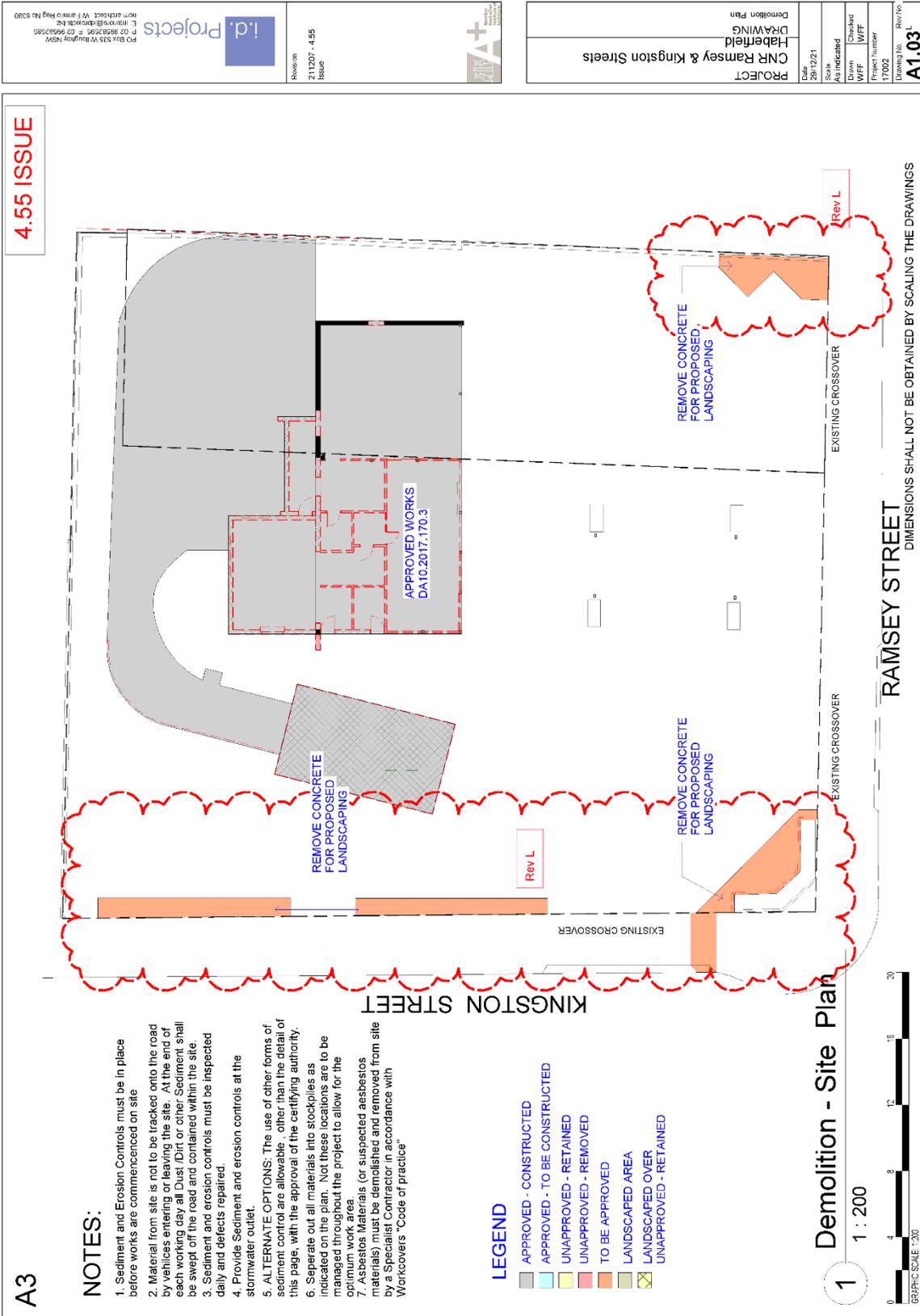
 Date: 29/12/21

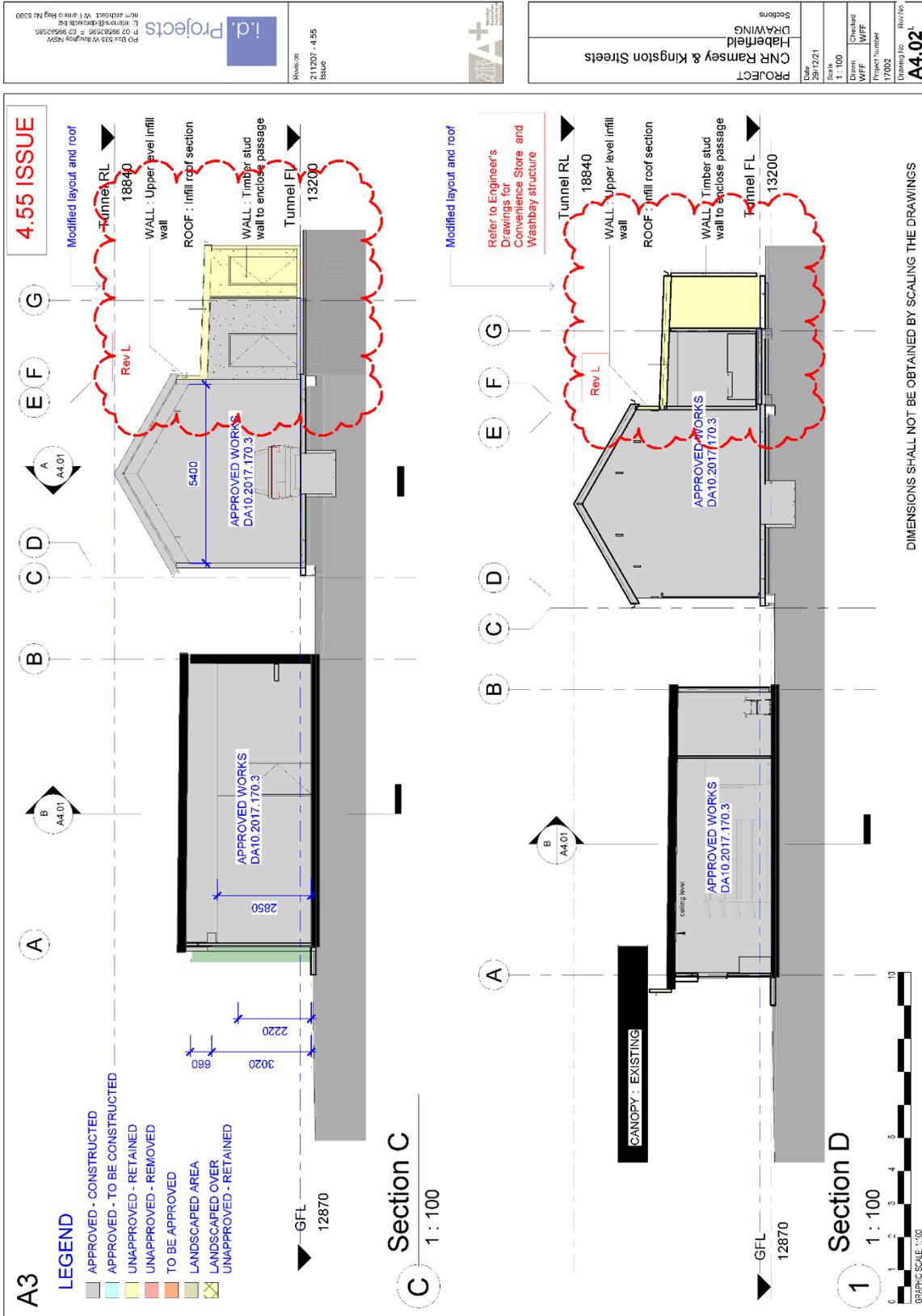
 Scale:

 Class:

 Project Number: 17002

 Drawing No: A0.00





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Fax: (02) 9382 6285
www.idprojects.com.au

Revision: 211207 - 4.55 Issue

PROJECT
CNR Ramsey & Kingston Streets
Habfield

Sections:
Date: 28/1/2021
Scale: A4:0
Drawn: WFF
Checked: WFF
Project Number: 177002
Drawing No.: Rev No:
A4.02

PO Box 535 Waverley NSW
Tel: (02) 9369 2585
Fax: (02) 9369 2585
www.projects.i.d.

Revision
S96 Issue

PROJECT
CNR Ramsey & Kingston Streets

Schedule
DRAWING
Habfield

Date
28/1/2021

Scale
1:100

Drawn
WFF

Checked
WFF

Project Number
177002

Drawing No.
Rev No
A5.01

Part J1	Building Fabric	Requirements
J1.3	Required Minimum Total R Value from Table J1.3(e)	Required minimum R = 3.2
J1.3	Does the building have a metal roof?	Yes
J1.3	Check/provide construction details to achieve R3.0 insulation (excluding where a lower conditioned space is covered by unconditioned space e.g. plant room).	
J1.3	If the building has a metal roof and purins directly attached to ceiling, provide details of the thermal break - Separated by roof cavity.	
<p>Target outcome is to enforce the following: Achieve a minimum Total R Value of 3.2 Verify the thermal break requirements</p>		
J1.5	Walls	Total R Value min. R = 2.8
J1.5	Required Minimum Total R Value for external envelope walls (conditioned space) is:	
J1.5	Table J1.5b	Target min R value R = 2.3
J1.5	a (i) Achieve a minimum Total R Value of 2.8	
J1.5	Less 0.6 for	
J1.5	a (ii) A surface density 375kg/m ² >220 kg/m ²	
J1.5	Insulation Batt: R2.0 plus required	
J1.5	Check / provide wall construction details. External 9mm GFC on STUD WALL	
J1.5	R2.0 insulation	
J1.5	13mm Plasterboard	
<p>4.55 ISSUE WORKS</p>		
<p>Target outcome is to enforce the following: Achieve a minimum Total R Value of 2.3</p>		
J1.6	Floors	Nil
J1.6	Table J1.6 (a) (i)	
J1.6	Required Minimum Total R Value	(slab on ground)
J1.6	Check / provide floor construction details. Slab on ground	
<p>Part J2 External Glazing</p>		
J2.4	Glazing	Note Glazing calculator Total System U-Value & SHGC requirements
J2.4	Glazing calculator printout attached	Glass Ua=3.6 SHGC=0.41 Venidian ComfortPlus ITO Grey 37 (#4)
<p>Part J3 Building Sealing</p>		
J3.4	Windows and Doors	Provide seals to manufacturer's specification.
<p>Target outcome is to enforce the following: Ensure each element is checked and sealed.</p>		

A3

Building name/identification
94-97 Ramsey Rd Habfield

Shed

Climate zone
5

Application
shop display

Table 1: Glazing area (A) 24.1m²

Table 2: Glazing area (A) 37.6m²

Table 3: Glazing area (A) 19.5m²

12 Use currently proposed

Glazing element	Facing sector	Size				Performance				SHADING				CALCULATED OUTCOMES OK (if inputs are valid)				Outcomes
		Option A facade	Option B facade	Height (m)	Width (m)	Area (m ²)	Total System (AFRC)	Total System (AFRC)	P	H (m)	I (m)	G (m)	SHGC (S _g)	SHGC (S _g)	U _g (W/m ² K)	U _g (W/m ² K)	Element share allowance based	
1	NE	2.40	4.09	2.40	4.09	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	45% of 85%	24% of 85%	
2	NW	2.40	3.87	2.40	3.87	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	48% of 81%	28% of 81%	
3	SE	2.40	3.87	2.40	3.87	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	48% of 81%	28% of 81%	
4	NW	2.40	2.15	2.40	2.15	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	71% of 91%	71% of 91%	
5	SW	2.40	2.28	2.40	2.28	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	71% of 87%	71% of 87%	
6	SW	2.40	2.28	2.40	2.28	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	39% of 87%	39% of 87%	
7	SW	2.40	3.90	2.40	3.90	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	21% of 87%	21% of 87%	
8	SW	1.00	1.29	1.00	1.29	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	21% of 87%	21% of 87%	
9	SW	1.00	1.29	1.00	1.29	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	21% of 87%	21% of 87%	
10	SW	1.00	1.29	1.00	1.29	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	21% of 87%	21% of 87%	
11	SW	1.00	1.29	1.00	1.29	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	21% of 87%	21% of 87%	
12	SW	1.00	1.29	1.00	1.29	6.5	0.38	1.200	2.850	0.42	0.45	0.95	0.81	2.25	2.4%	21% of 87%	21% of 87%	

IMPORTANT NOTICE AND DISCLAIMER IN RESPECT OF THE GLAZING CALCULATOR
While the ABCB believes that the Glazing Calculator, if used correctly, will produce accurate results, it is provided "as is" and without any representation or warranty of any kind. Your use of the Glazing Calculator is entirely at your own risk and the ABCB accepts no liability of any kind.

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Rev C

Application
shop display

Climate zone
5

Element share allowance based

Outcomes

24% of 85%

28% of 81%

71% of 91%

71% of 87%

39% of 87%

21% of 87%

DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE DRAWINGS

PAGE 750

Attachment C- Original Conditions of Consent DA 010.2017.170 (as modified) and Stamped Plans

From: "Gerardine Galley" <Gerardine.Galley@innerwest.nsw.gov.au> on behalf of "Inner West Council - PSC" <inner.west.council.-psc@innerwest.nsw.gov.au>
Sent: Fri, 29 Mar 2019 15:17:08 +1100
To: victor@crystalcarwash.com
Subject: DA 2017.170.3 - 95 Ramsay Street HABERFIELD - Approved S4.55 consent + covering letter + stamped plan
Attachments: DA 2017 170 - 95 Ramsay Street HABERFIELD - stamped plan.pdf, DA 2017 170 - 95 Ramsay Street HABERFIELD - Section 4.55 Covering Letter.pdf, DA 2017 170 - 95 Ramsay Street HABERFIELD - Consent Local Approval.pdf



Contact: Cameron Gray
Phone: 9392 5502

29 March 2019

MR V SAHADE
GPO BOX 3341
SYDNEY NSW 2001

Dear Mr Sahade

**Section 4.55 Amendment to Development Consent 10.2017.170.3
Property – 95 Ramsay Street, Haberfield**

Reference is made to your application to amend Development Consent No. 10.2017.170 granted by Council, as the responsible authority.

Arising from consideration of your application, it has been decided, pursuant to Section 4.55 of the Environmental Planning and Assessment Act, to modify Consent No. 10.2017.170 as follows:

*Condition A(1) Amended
Condition G(6) Added
Condition G(7) Added
Condition H(21) Added*

You are advised that under the provisions of the Environmental Planning and Assessment Act 1979, you have the right of appeal against any or all of the conditions imposed by Council.

A copy of the consent, as amended, is attached.

Date of Section 4.55 amendment: 1 March 2019

Yours faithfully

Per Cameron Gray
Jai Reid
Team Leader Development Assessment

PO Box 14 Petersham 2049 | P 02 9392 5000 | E council@innerwest.nsw.gov.au

Customer Service Centres | Petersham 2-14 Fisher Street | Leichhardt 7-15 Wetherill Street | Ashfield 260 Liverpool Road



**SECTION 4.55 AMENDMENT OF 1 MARCH 2019 TO
DEVELOPMENT CONSENT 10.2017.170**
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
(SECTION 4.18(1)(A))
ASHFIELD LOCAL ENVIRONMENTAL PLAN 2013

Consent No. 10.2017.170.3
Date of Determination 22 January 2018
Lapse Date: Five (5) years from date of determination

APPLICANT:

MR V SAHADE
GPO BOX 3341
SYDNEY NSW 2001

PREMISES: 95 RAMSAY STREET
HABERFIELD
LOT: 1 DP: 180212, LOT: 1 DP: 926992

APPROVAL:

Inner West Council, as the responsible authority, hereby consents to:

Alterations and additions to existing service station to create a new extended building to provide a convenience store, new café and ancillary spaces, new single storey building to provide plant, amenities and staff room, a new car washing facility, car parking and associated signage.

Jai Reid
Team Leader Development Assessment

P.O. Box 14 Petersham 2049 | P (02) 9392 5000 | E council@innerwest.nsw.gov.au

Customer Service Centres | Petersham 2-14 Fisher Street | Leichhardt 7-15 Wetherill Street | Ashfield 260 Liverpool Road

Document Set ID: 2424634
Version: 1, VersionDate: 29/03/2019

CONSENT NO. 10.2017.170.3

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CONDITIONS:

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	Council Date Stamp
A1.00	1	Site Analysis	i.d. Projects	21/09/2017
A1.01	D	Site Plan	i.d. Projects	11/12/2018
A1.03	C	Demolition Plan	i.d. Projects	06/07/2018
A2.00	C	Existing Floor Plan	i.d. Projects	06/07/2018
A2.01	C	Proposed Floor Plan	i.d. Projects	06/07/2018
A2.02	C	Proposed Roof Plan	i.d. Projects	06/07/2018
A3.02	C	Elevations	i.d. Projects	06/07/2018
A3.03	C	Elevations	i.d. Projects	06/07/2018
A4.01	C	Sections	i.d. Projects	06/07/2018
A4.02	C	Sections	i.d. Projects	06/07/2018
A5.01	C	Schedules	i.d. Projects	06/07/2018
A6.01	C	Finishes	i.d. Projects	06/07/2018
A6.02	C	Finishes	i.d. Projects	06/07/2018
A7.01	C	Perspectives	i.d. Projects	06/07/2018
A7.02	C	Perspectives	i.d. Projects	06/07/2018
A8.01	C	Signage Plan	i.d. Projects	06/07/2018
A8.02	C	Signage Detail	i.d. Projects	06/07/2018

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

Condition A(1) Amended 1 March 2019

(2) Compliance with BCA

All works are to comply with the Building Code of Australia and relevant Australian Standard requirements.

The building shall show compliance with the Building Code of Australia (BCA) Part J, Energy Efficiency Provisions.

B Design Changes

(1) Amended plans to be submitted

Amended plans and specifications incorporating the following amendments are to be submitted with the application for a construction certificate:

- (a) The advertisement area of the pylon sign shall not be greater than 3.3sqm and shall include the street number (preferable on the top);
- (b) Two bicycles spaces are to be provided on the site;
- (c) The window located on the north eastern side of the staff room is to be deleted and

CONSENT NO. 10.2017.170.3

3/17

- relocated to the south western side of the staff room;
- (d) ~~The terrace area to the south east of the staff room be deleted;~~
- (e) ~~The areas shown as being of acrylic render, finished in "grey" are to be amended to an off white colour equal to Dulux Traditional Colour "Lime White" and the render to be similar in finish to traditional roughcast plaster;~~
- (f) ~~The areas shown as being BP White to be substituted for the BP Green on the column at the south west corner where "Trex Timber" separates the column from the roughcast rendered wall; and~~
- (g) ~~The roof colour to be Colorbond "Gully", "Wallaby" or "Dune".~~

Condition B(1) Deleted 30 November 2018

C Conditions that must be satisfied prior to issuing/releasing a Construction Certificate**(1) Waste Management Plan**

Prior to the issue of a Construction Certificate, the applicant shall prepare and submit a Waste Management Plan in accordance with the provisions of Ashfield Development Control Plan - Planning For Less Waste and the Waste Planning Guide for Development Applications (Planning for Less Waste, prepared by the Regional Waste Boards), including:

- (a) Estimations of quantities and type of materials to be reused, recycled or left over for removal from site;
- (b) Identification on a plan of on site material storage areas during construction, waste storage, recycling and composting areas;
- (c) Details of construction materials and methods to be used to minimise the production of waste in the completion of the new building work.
- (d) How waste is to be treated on the site.
- (e) How any residual non-reusable and non-recyclable waste is to be disposed of and including details of the approved waste disposal outlets where disposal will take place.

(2) Construction and Site Management Plan

Prior to the issue of a Construction Certificate the applicant shall submit to Council or the accredited certifier a construction and site management plan that clearly sets out the following:

- (a) what actions and works are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like,
- (b) the proposed method of loading and unloading excavation machines, building materials, formwork and the erection of any part of the structure within the site,
- (c) the proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period,
- (d) how it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways,
- (e) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a chartered Civil Engineer or an accredited certifier.

Where it is proposed to:

- pump concrete from within a public road reserve or laneway, or
- stand a mobile crane within the public road reserve or laneway, or
- use part of Council's road/footpath area,
- pump stormwater from the site to Council's stormwater drains, or

CONSENT NO. 10.2017.170.3

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store waste and recycling containers, skip, bins, and/or building materials on part of Council's footpath or roadway,

An Activity Application for a construction zone, a pumping permit, an approval to stand a mobile crane or an application to pump water into a public road, together with the necessary fee shall be submitted to Council and approval obtained before a Construction Certificate is issued.

Note: A separate application to Council must be made for the enclosure of a public place (hoarding).

(3) Erosion & sedimentation control-management plan

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environmental Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

- (a) "*Sedimentation and Erosion Control*" - Department of Conservation and Land Management.
- (b) "*Soil and Water Management for Urban Development*" - Department of Housing.

The plan must be submitted with the application for a construction certificate.

Further information may be obtained from:

Environment Protection Officer
Environment Protection Authority
Inner Sydney Region
Locked Bag 1502
BANKSTOWN NSW 2200

(4) Landscaping plan

- (a) Submission of a *Detailed Landscape Plan* at scale 1:100 or 1:200 (prepared by a landscape architect, landscape designer or other suitably qualified person who is eligible for membership of the Australian Institute of Landscape Architecture or the Australian Institute of Landscape Designers and Managers) to the Principal Certifying Authority. The plan should be consistent with the approved development plans including any approved *Landscape Concept Plan* and include -
- (b) **Site information** – show existing structures, fencing, neighbouring buildings, existing trees and rock outcrops, man-made structures.
- (c) **Landscape Design** - proposed landscaping, surface levels, external/internal dimensions, retaining walls, driveways/pathways, screen planting, pools and features, lawn areas, soil depth on suspended concrete slabs etc.
- (d) **Planting Schedules** - detail common/ botanic names and quantities.

Note: Ashfield Council encourages the use of indigenous native plants where appropriate.
- (e) **Maintenance/Embellishment Strategy** - to ensure plants are successfully established and maintained- show construction work exclusion areas, irrigation details, staking, topsoil, mulch etc.
- (f) Landscaping details are to be provided for approval with the Construction Certificate. All site

CONSENT NO. 10.2017.170.3**5/17**

works and landscaping is to be carried out in accordance with the approved plans prior to completion of work and/or occupation of the premises.

Note: Please refer to Council's *development application form submission requirements* for more information.

(5) Damage deposit/footpath, road, kerb and gutter

A Damage Deposit of **\$22,800** is to be submitted prior to the release of the Construction Certificate covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of construction or demolition.

This Damage Deposit covers unforeseen damage to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance be required on Council land, a Road Opening Permit must be obtained before those works take place.

Bank Guarantees are accepted in lieu of any Council security deposit/bond subject to the following:

It must be an **original with no end date** and issued in favour of Council, details of the proponent's address shall be included.

A charge equal to the value multiplied by the current "overdue rates interest charge" be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.

Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.

Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.

At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

Until all items above are completed, no documents or usage sought from Council by the party lodging the Bank Guarantee can be issued. Please allow a minimum of 2 business days for this process. The return of the Damage Deposit shall not be refunded until all conditions of Consent have been completed and the Occupation Certificate has been released.

(6) Long service levy

Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building of \$25,000.00 and over are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

(7) Section 94A Contribution

Pursuant to Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and Ashfield Council's Section 94A Development Contributions Plan 2009 a contribution of **\$7,758.50** shall be paid to Ashfield Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Ashfield Council's Section 94A Development Contributions Plan 2009.

The contribution is to be paid prior to the issue of the construction certificate and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the Principal Certifying Authority (PCA).

CONSENT NO. 10.2017.170.3

6/17

(8) Services and infrastructure adjustment/relocation

The applicant shall meet the full cost for Telstra, Sydney Water, Energy Australia, AGL Electricity/AGL Retail Energy or alternative service/energy providers to adjust/relocate their services/infrastructure as required. The applicant shall make the necessary arrangements with the relevant service authority or relevant retail energy company.

(For information on the location of services contact the "Dial before you Dig" service on 1100.)

Documentary evidence from the utility authorities/retail energy company confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate.

(9) Design and construction of car parking area

The car park layout is to be designed and constructed in accordance with Australian Standards AS 2890.1 2004 "Off Street Car Parking" as well as AS2890.6 -2009 Parking Facilities - Off-street parking for people with disabilities.

(10) Access and services for people with a disability

Detailed plans drawn to the scale of 1:50 shall be submitted detailing compliance with the requirements of AS4299 and AS 1428 and the provisions of Part C1 – Access, Adaptability and Mobility, Ashfield Development Control Plan 2007 prior to the issue of a Construction Certificate, and details of complying levels, ramp slopes, door widths, circulation spaces.

(11) Access management plan for people with a disability

An Access Management Plan shall be submitted to Council or the accredited certifier before the issue of a Construction Certificate. Details for the Access Management Plan shall include:

- (a) Access to the building for people with disabilities in accordance with the provisions of AS4299 and AS 1428 Part 1 and the Ashfield Development Control Plan for Access and Mobility (tel. 9716 1800 for a free copy)
- (b) Sanitary facilities accessible to people with disabilities. Such facilities shall be accessible to all persons working in or using the building.

(12) Water conservation

Water saving devices must be fitted to all showers and dual flush cisterns installed within all WC/ sanitary facilities provided throughout the development to reduce ongoing water consumption. Documentation to be shown on the plans to be provided with the Construction Certificate

(13) Energy Efficiency

The development must be designed and constructed to maximise energy efficiency, including wall and ceiling insulation and energy efficient appliances/hot water/cooling systems. Contact the Sustainable Energy Development Authority, telephone 9291 5260 for general design and construction information relating to energy efficiency. Documentation detailing the energy efficiency features of the development is to be shown on the plans to be provided with the Construction Certificate.

(14) Ventilation

To ensure that adequate provision is made for ventilation of the building all mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

- (a) *Building Code of Australia.*
- (b) AS 1668.1 - 1998.
- (c) AS 1668.2 - 1991.
- (d) *Public Health Amendment Regulation 2003*
- (e) *Public Health Act 1991*
- (f) Work Cover Authority.
- (g) AS/NZS 3666.1 - 2002.

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Evidence from an appropriately qualified person certifying that these design requirements have been met shall accompany the application for the Construction Certificate.

(15) Footpath/laneway – photographs to be submitted

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of the roadway, footpath and/or laneway at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this shall result in the applicant being held accountable for the cost of all repairs in the area near/at the site.

(16) Payment of any Additional Fees

If the estimated cost of works for the construction certificate application exceeds the estimate supplied with the development application, an additional fee, any contributions and bonds based on the revised estimate must be paid to Council prior to release of the Construction Certificate.

(17) Health

- (a) Any mechanical, chemical and car wash related waste generated on the premises is to be stored and collected separately by a private waste collection service and not accessible to the public. This space needs to be identified on the plans submitted to Council.
- (b) Council does not provide collection of mechanical and related waste and may refuse to collect general waste bins contaminated with such waste.
- (c) The weekly waste and recycling generation from the site (café, convenience store and office component of the mechanic workshop) stated in the Waste Management plan is incorrect. The development must provide a waste collection service and bin storage area to adequate to facilitate the correct projected minimum waste and recycling generated:
 - General Waste 1897 litres weekly
 - Recycling 1834 litres weekly
- (d) The bin storage area needs to:
 - be well lit, ventilated and not effecting the amenity of neighbours
 - have access to water for cleaning the bins and the water is to drain directly to the sewer.
 - Sufficient space close to commercial premise for interim storage of re-usable commercial items such as crates, pallets, kegs and similar items.
 - secure space must be allocated for the separate storage of liquid wastes, including commercial cleaning products, chemicals, paints, solvents, motor and cooking oil. This area for liquid waste storage must be in accordance with the requirements of State agencies and legislation.
- (e) The bin presentation point for a Council collection service should be located on Kingston Street.
- (f) Consideration should be given to the close residential component of the area with waste and recycling collection services only occurring between the hours of 6am – 10pm.
- (g) The Waste Management Plan for construction and demolition waste must be submitted and approved by Council, addressing the following:
 - Full disclosure of any asbestos-contaminated material known to be at the site, and details of quantities, the licence details of any asbestos removalist, and the designated disposal site licensed to accept asbestos-related waste;
 - Details regarding the types of waste and likely quantities of waste to be produced;
 - Details regarding how all other waste is to be minimised within a development; and estimations of quantities and types of materials to be re-used or left over for removal from the site;

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- A site plan showing storage areas away from public access for re-usable materials and recyclables during demolition and construction;
- Details of re-using or recycling methods for waste either on site or off site;
- Nomination of the person responsible for implementing the waste management plan on site and the person responsible for retaining waste dockets from facilities;
- Designation of appropriately licensed facilities to receive the development's construction and demolition waste;
- Confirmation that all waste going to landfill is not recyclable or hazardous; and
- The NSW Government Waste Avoidance and Resource Recovery Strategy 2013-2021 sets an 80% recycling target for Construction and Demolition Waste. The Waste Plans must indicate a level of reuse and recycling either on site or diverted with receipts sufficient to demonstrate consistency with that target.

D Conditions that must be complied with before work commences

(1) Notice of Commencement – Notification of Works

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given Notification in Writing to Council no later than two days before the building work commences.

(2) Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

(3) Inspections required by Principal Certifying Authority

Inspections shall be carried out at different stages of construction by Council or an accredited certifier. If Council is selected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

(4) Sanitary facilities - demolition/construction sites

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

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(5) Site Controls

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in the Sydney Coastal Councils' *Stormwater Pollution Control Code for Local Government*.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall also include the protection of stormwater inlets or gutter systems within the immediate vicinity of the site.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

(6) Building location - check survey certificate

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the: -

- (i) location of the building with respect to the boundaries of the site;
- (ii) level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);
- (iii) site coverage of the buildings on the site.

(7) Protection of public places - erection or demolition of building

- If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or involves the enclosure of a public place; a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- Any such hoarding, fence or awning is to be erected prior to works commencing and only with Council approval in accordance with Workcover requirements. The temporary structures are to be removed when the work has been completed.

(8) Site fencing/security

The site must be appropriately secured and fenced to the satisfaction of Council during demolition, excavation and construction work to ensure there are no unacceptable impacts on the amenity of adjoining properties. Permits for hoardings and or scaffolding on Council land must be obtained and clearly displayed on site.

(9) Demolition work plan

Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

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(10) Asbestos sheeting removal - EPA/Workcover Authority

Asbestos removal is to be carried prior to principal works commencing in accordance with Environmental Protection Authority and Workcover Authority requirements. Proper procedures shall be employed in the handling and removal of asbestos and products containing asbestos so as to minimise the risk to personnel and the escape of asbestos particles in the atmosphere. Work is only to be carried out with the prior consent of the Work Cover Authority.

Note: There are substantial penalties for non-compliance with the above requirements.

(11) Garbage skips on Council land - Council approval

Bulk refuse bins or garbage skips shall not be placed on grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's Customer Service on telephone 9716 1800.

(12) Structural Engineering Details

Structural engineer's details prepared and certified by a practising structural engineer for all reinforced concrete and structural members is to be submitted to the Principal Certifying Authority for approval.

(13) On site detention system – check survey

Prior to the construction of an on-site detention system and above the underground garage involving permanent construction work (eg construction of concrete slabs, walls, pipe-systems or pits etc, and prior to the placement of any concrete for ground floor, car park or garages) a "check survey from a registered surveyor" must be forwarded to the Council indicating compliance with the approved plans before any concrete pour is approved by the relevant Council building surveyor or Authorised Certifier.

(14) Existing Site Stormwater System

The total existing site stormwater system shall be tested by a qualified plumber to ensure it functions satisfactory in discharging water to the Council stormwater system. If it does not, the system shall be repaired to operate satisfactorily. No 'charged' lines are permitted.

E Conditions that must be complied with during construction or demolition**(1) Plans to be available on site**

The Council stamped approved plans, Development Consent and Construction Certificate shall be held on site to be produced unobliterated to Council's officer at any time when required.

(2) Building construction - check survey

A check survey is to be submitted to the Principal Certifying Authority for perusal at an early stage of construction indicating excavated levels, boundary distances, site coverage and building alignment to ensure compliance with the approved plans.

(3) Signs to be erected on building and demolition sites

(1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited; and
- (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.

(2) Any-sign shall be maintained and not removed until work has been finished.

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(4) Demolition/excavation/construction - hours of work

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7.00 am to 6.00 pm, Monday to Friday and from 7:00 am to 1.00 pm on Saturday. Work is prohibited on Sundays, and on public holidays.

(5) Demolition requirements/standards

Demolition of is to be carried out in accordance with the following:

- (a) Australian Standard 2601 and any requirements of the Workcover Authority.
- (b) The Waste Management Plan submitted with the Development Application.
- (c) The property is to be secured to prohibit unauthorised entry.
- (d) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.
- (e) All other materials and debris is to be removed from the site and disposed of to approved outlets.
- (f) Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken for hazardous dust control:
- (g) Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- (h) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
- (i) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- (j) Any existing accumulations of dust (eg; ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- (k) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not to be allowed to enter the street gutter and stormwater systems.
- (l) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- (m) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.
- (n) Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.
- (o) Following demolition activities, soil must be tested by a person with suitable expertise to

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ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be provided for approval by the Principal Certifying Authority.

(6) Footpath, kerb and gutter protection

The applicant shall take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

Pedestrian access across this footpath shall be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense.

(7) Road opening permit – Council controlled lands

A road opening permit shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Engineering Services for details.

This road opening permit covers the direct costs involved in the repair/replacement of works where the public or Council controlled lands are specifically damaged/saw cut etc for the construction of services, stormwater pipes, kerb works, bitumen works, footpath works etc. It is *separate* from a Damage Deposit as listed elsewhere in these Conditions of Consent.

(8) Materials and colour schemes

Materials of construction are to be as specified in the schedule of finishes submitted with the development application and on the approved plans, except where amended by the conditions hereunder.

(9) Roof guttering and drainage system/disposal of stormwater

The roof shall be provided with a complete guttering and drainage system. Roofwater shall be disposed of by approved drainage lines discharging into the street gutter.

(10) Waterproofing materials/installation – BCA/Australian Standards

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.

The wet areas in the building shall be impervious to water as required by Part 3.8.1 of the Building Code of Australia (BCA). The junction between the floor and wall and the construction of the bath shower recess, basin, sink or the like shall be in accordance with the BCA & AS 3740:2004 'Waterproofing of wet areas within residential buildings'.

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are suitable for the situation and that the application and/or installation has been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

(11) Safety Glazing - BCA

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

(12) Sign colour/intensity

The signs must not be arranged to move or vary the intensity from light to dark or colour to colour, or to be intense enough to impair a driver's vision nor to distract his/her attention.

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The illumination of the signs shall not create an amenity issue.

(13) Work to comply with Ashfield Council's "Guidelines for Food Premises"

All work shall comply with Ashfield Council's "Guidelines for Food Premises" and Australian Standard 4674-2004 "Design, construction and fitout of food premises".

(14) Stormwater Quality

At the last pit before discharge into the Council stormwater system, the following shall be installed:-

- a) The pit shall be extended to include a 300mm deep sediment collection area, with 8 vertical seepage holes (filled with clean gravel) in the base of the modified pit,
- b) A hot dipped galvanised, Maximesh, trash/filter screen over the outlet pipe.

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

Nil

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

(1) Approval to use/occupy building

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.

Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

(2) Compliance with approved plans

Prior to the issue of an Occupation Certificate, written verification from a suitably qualified professional civil engineer shall certify that the new building works have been designed and built in accordance with Ashfield's Comprehensive Development Control Plan 2016, "Chapter A, Part 3 - Flood Hazard" and the approved flood risk management report prepared for this application, which would include building materials and electrical works.

(3) House Number

A House Number that is clearly visible to motorists and a minimum lettering height of 80mm, shall be displayed.

(4) NSW Police Force Requirements

Conditions and requirements imposed by Ashfield Local Area Command in their letter dated 30 March 2017 (which is attached to this consent) shall be complied with. Compliance method of the conditions shall be submitted and approved by Inner West Council prior to release of the Occupation Certificate.

(5) Landscaping

All landscaping must be completed prior to the issue of an Occupation Certificate.

(6) Heavy Duty Vehicle Crossing

A heavy duty vehicular crossing and layback shall be constructed in Kingston Street, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications", before the issue of the Occupation Certificate and at no cost to Council. The vehicle crossing shall be 3m wide at the property boundary widening to the external edges of both wings as per Council's Standard Plan.

Condition G(6) Added 1 March 2019

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(7) Redundant Vehicle Crossing

The existing redundant vehicular crossings to the site in Kingston Street, shall be removed and replaced by kerb and gutter and concrete footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" before the issue of the Occupation Certificate and at no cost to Council. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb shall also be in stone.

Condition G(7) Added 1 March 2019**H Conditions that are ongoing requirements of development consents****(1) Approved use**

The premises shall not be used for any purpose other than that stated in the Development Application, i.e. Service station without the prior consent of the Council.

(2) Maximum number of employees

The maximum number of employees on the premises is not to exceed eight (8) at any time.

(3) Retain amenity

The use is to be conducted at all times without interference to the amenity of the area.

(4) Hours of operation

The hours of operation are limited to the following:

Monday to Sunday - 7.00am to 6.00pm

(5) Machinery - soundproofing

All plant/machinery or equipment to be soundproofed to reduce the emission of noise, to the requirements of the Principal Certifying Authority and in compliance with the *Protection of the Environment Operations Act 1997* and EPA noise control guidelines.

(6) Noise nuisance/prevention

Effective measures to be taken at all times to prevent any nuisance being caused by noise, vibrations, smells, fumes, dust, smoke, waste water products and the like.

(7) Lighting overspill – amenity

No security or other lighting shall cause light overspill to adjoining property owners occupiers or residents.

(8) Trade waste containers

Any trade waste containers are to be screened from view from a public place and are not to obstruct or interfere with the use of the loading and parking facilities.

(9) Liquid waste discharge to sewer - POEO Act

All liquid wastes arising from the premises, other than stormwater shall be discharged to the sewer in accordance with the requirements of Sydney Water and the *Protection of the Environment Operations Act 1997*.

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(10) Waste disposal - records

Permanent accurate and legible record of receipts for removal of both liquid and solid waste from the site shall be kept on the premises. Such records to be made available to upon request.

(11) Protection of the Environment Operations Act 1997 - offensive noise prohibited

The premises shall operate so as not to give rise to 'Offensive Noise' nuisance as defined by the *Protection of the Environment Operations Act 1997*.

(12) Protection of the Environment Operations Act 1997 - offensive noise/vibration prohibited

The use and occupation of the premises including all plant and equipment installed thereon, shall not give rise to any offensive noise or vibration from the premises within the meaning of the *Protection of the Environment Operations Act 1997*.

(13) Air conditioners - noise control - Protection of the Environment Operations Act 1997

The air conditioners as approved by this consent shall 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* that will adversely affect the amenity of the premises in close proximity to the property.

(14) Sign hazard – RMS objection reserved

The Roads and Maritime Services reserves the right to later object if the signs, after erection, are considered to be prejudicial to the safety of the travelling public.

(15) Parking spaces and loading areas - maintenance/ line marking/use

The **nine (9)** off-street car parking spaces and the loading/unloading areas provided on site shall be maintained and line marked in accordance with AS2890.1 (1993). Under no circumstances are such spaces to be used for the storage of goods or waste products.

Condition H(15) Amended 30 November 2018**(16) Loading/unloading on site**

All loading and unloading are to be conducted within the site at all times within the approved hours of operation. Any designated loading bay/dock area is to remain available for loading/unloading purposes at all times. No storage of goods or parking of cars is to be carried out in these areas.

(17) Service vehicles & tank trailer deliveries

1. All service vehicles and tank trailers shall not impede or obstruct in the passage way, access to any of the bowzers, or spaces for the parking of customers in the service station.
2. Tank trailer deliveries shall be made at times least interfering with customer activity.

(18) Stormwater drainage system - clean discharges

Only clean and unpolluted water shall be permitted to discharge to Council's or Sydney Water's stormwater drainage system.

(19) Waste Bins

The waste bins shall be emptied frequently to avoid odour nuisance.

(20) Pollution nuisance/prevention

The premises must not give rise to any impurities or odours in contravention of the Protection of Environment Operations Act, 1997. Any odours released from the premises must not cause a public nuisance nor be hazardous or harmful to human health. Effective measures to be taken at all times to

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prevent any nuisance being caused by noise, vibrations, smells, fumes, dust, smoke, waste water products and the like.

(21) New Vehicle Crossing

The vehicular crossing and footpath works shall be constructed by your own contractor. You or your contractor shall complete an application for 'Construction of Vehicle Crossing and Public Domain Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works."

Condition H(21) Added 1 March 2019**I Advisory Notes****(1) 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 96 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 96 modification is required.

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

(2) 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.

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- (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 D – Acoustic Report

ATTACHMENT A

ACOUSTIC REPORTS

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THE ACOUSTIC GROUP

14.09.2017 – PROPOSED CRYSTAL CARWASH FACILITY:

95-97 RAMSAY ST, HABERFIELD

47.5285.L2:MCC

14th September, 2017

Crystal Car Wash
777 New South Head Road
ROSE BAY NSW 2029

Attention: Mr A. Sahade

Dear Sirs,

NEW BP FUEL STATION AND CONVENIENCE STORE
95-97 RAMSEY ROAD, HABERFIELD

An acoustic assessment has been carried out in relation to the proposed Crystal Carwash facility to replace the existing carwash at the BP service station on the corner of Ramsey Street and Kingston Street.

Our acoustic assessment for the proposed Crystal Carwash facility (our reference 47.5285.R1:MCC) identifies the prevailing ambient noise levels and noise targets for mechanical plant associated with the new car wash.

The architectural drawings of the proposed development at the subject site by i.d. Projects (project no. 17002, dated 30/8/17) identify that the existing buildings at the site (consisting of a store, garage for servicing vehicles and an automatic carwash system) will be demolished and replaced by the new car wash, convenience store and café at a similar location to the existing building at the site.

The detailed design of mechanical plant for the convenience store is not available at the DA stage. However for the purpose of the Development Application for the entire site, there is a need to provide acoustic criteria for plant associated with the convenience store.

From our assessment of the proposed carwash facility, mechanical plant noise targets were provided based upon the daytime operation of the carwash.

20-22 FRED STREET, LILYFIELD, 2040, NSW, AUSTRALIA A.B.N. 73 082 704 701
ph: (612) 9555 4444 fx: (612) 9555 4442 voip: (612) 8208 8881 tag1@acoustics.com.au

New BP Fuel Station and Convenience Store – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

Page 2 of 2

In terms of the operation of the site, we are advised that the Crystal Carwash facility will operate during the daytime period whilst the fuel station/convenience store will have the same trading hours as the existing BP service station (to 10:00 PM). The convenience store will have refrigeration that will operate on a 24-hour basis, that may have condenser units located on the roof of the store.

At the development application stage, the location and selection of mechanical plant for the convenience store is unknown, noting that the identification of mechanical plant associated with the proposed development and controls (if necessary) to comply with the acoustic criteria normally occurs at the construction certificate stage.

For the noise emission from the entire site to achieve compliance with the background +5 dB(A) noise target during the daytime and evening periods, the noise design target for the convenience store's mechanical plant that operate during the trading hours of the fuel station/convenience store (such as air-conditioning units) has been specified at 46 dB(A) and 45 dB(A) at the residential boundaries to the north-east and south-east respectively.

From the ambient noise levels and Rating Background Levels identified in the proposed carwash acoustic assessment, the noise design target for mechanical plant associated with the refrigeration units of the convenience store has been specified at 35 dB(A) at the nearest residential boundaries to the north-east and south-east.

Yours faithfully,

THE ACOUSTIC GROUP PTY LTD



CHRISTOPHER Y. H. CHAN



47.5285.R1:MCC

14th September, 2017

Crystal Car Wash
777 New South Head Road
ROSE BAY NSW 2029

Attention: Mr A. Sahade

Dear Sirs,

PROPOSED CRYSTAL CAR WASH FACILITY – 95-97 RAMSEY ROAD, HABERFIELD

The purpose of this report is to present the results and findings of acoustic assessment in relation to noise emission from the proposed Crystal Car Wash facility to be located at the rear of the BP service station at 95-97 Ramsey Road, Haberfield.

The architectural drawings of the proposed Crystal Carwash by i.d. Projects (project no. 17002, dated 30/8/17) identify that the proposal will involve demolishing the existing building and automatic carwash system at the site and the construction of a new building which will have a convenience store and café, with a new automatic carwash system along the north-eastern boundary of the site.

The Acoustic Group was requested to undertake an acoustic assessment of noise emission from the proposed Crystal Carwash facility.

To undertake the assessment, unattended noise monitoring was conducted in the northern corner of the roof of the existing building at the site between Saturday 24th June and Wednesday 5th July, 2017 which were supplemented by attended measurements conducted at the site on the morning of Wednesday 19th July, 2017.

In addition, we have relied upon measurements conducted of the automated carwash system at the existing Crystal Carwash facility at 6 Bream Street, Coogee, where measurements were conducted on Friday 17th June, 2016 as part of a compliance test of that facility. The noise level of the automated carwash system at the Crystal Carwash facility in Coogee has been verified with noise measurements conducted during a compliance test of the Crystal Carwash facility at 75 Sailors Bay Road, Northbridge.

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The Site

The subject site is located in the eastern corner of Ramsey Street and Kingston Street. Kingston Street is considered to be a local road whilst Ramsey Street is considered to be a collector/sub-arterial Road which provides vehicular access between the local roads and the City West Link.

Adjacent to the north-eastern and south-eastern boundaries of the site are single-storey residential dwellings.

To the north-west of Kingston Street, there are restaurants and other commercial premises on either side of Ramsey Street. To the south-west of the site, on the opposite side of Ramsey Street, are residential premises.

There is currently a disused automatic carwash system near the northern corner of the site. On the south-eastern side of the existing building at the site, there is a garage which operates as a vehicle servicing premises.

The new building at the site will be at a similar location to the existing building and will include a convenience store and café. Adjoining the rear of the building is the washbay tunnel of the Crystal Carwash premises that is parallel to the north-eastern boundary of the site and is covered by a metal deck roof. On the opposite side of the washbay tunnel, adjacent to the north-eastern boundary of the site, will be the plant room and various facilities for the staff of Crystal Carwash.

Measurement Techniques

Noise measurements were taken in accordance with the Australian Standard AS1055 "Acoustics - Description and Measurement of Environmental Noise" and the ambient background measurement procedures set out in Appendix B of the EPA's *Industrial Noise Policy*.

Unattended sound level measurements were recorded using a SVAN 957 sound level meter (serial no. 15364) whilst the attended sound level measurements were conducted using a Bruel and Kjaer 2250 Sound Level Meter (serial no. 3004338).



The reference calibration level of the meters was checked prior to and after measurements using a Brüel & Kjær Sound Level Calibrator Type 4230 and exhibited no system drift. The calibration of the sound level meters to manufacturer's requirements are current.

Acoustic Criteria

General criteria for noise assessment in New South Wales utilises the EPA's intrusive noise target which is described as the Leq level of noise emitted from the premises assessed over a 15-minute period having a limit specified as 5 dB above the background level.

The background level described under EPA criteria is determined over an extended period of time to account for the fluctuation throughout the day and is described as a Rating Background Level ("RBL").

When noise contains tonal or intermittent characteristics that may affect the subjective response to the noise, adjustments are added to the measured level to take account of the annoying characteristic.

Where a sound is considered to have a low frequency noise characteristic, a procedure is identified by the EPA in their *Industrial Noise Policy* document to provide a penalty correction. Similarly, there are procedures identified in the INP for noise described as an impulsive noise separately to the procedure for tonal noise. A correction for intermittent noise only applies during the night-time period and is not applicable in this case.

Measurement Results

In order to assess the noise emission from the proposed Crystal Carwash premises with respect to the EPA's intrusive noise criteria, it is necessary to obtain the ambient background levels to be applied at the residential boundaries.

Whilst one can utilise ambient background levels for compliance purposes from short duration measurements, the preferred procedure set out by the EPA in their *Industrial Noise Policy* document (the "INP") is to conduct noise monitoring over a period for a number of days so as to determine the daily background noise levels, which in turn are used to determine the RBL to be used for assessment purposes.



With respect to the INP document, the background level is classified in terms of a daytime period (7.00 AM to 6.00 PM), evening period (6.00 PM to 10.00 PM), and night time period (10.00 PM to 7.00 AM), except for Sundays and public holidays when the night time period is extended to 8.00 AM.

The unattended noise logger was positioned in the north eastern corner of the roof on the existing building at the site so as to be in a secure location that is exposed to the ambient noise of the area. Unattended noise monitoring was carried out between Saturday 24th June and Wednesday 5th July, 2017 to record ambient noise levels in accordance with EPA procedures for determination of a RBL.

Observation of weather data from the Bureau of Meteorology station at Canterbury indicates that there was a short period of rain on the afternoon of Wednesday 28th June, 2017. In accordance with EPA procedures, the noise logger data affected by rain was excluded in the determination of the RBL. The weather data indicates that there were no other occurrences of adverse weather during the unattended monitoring period.

The logger graphs show that in general, the ambient noise levels during the daytime and evening periods are elevated in comparison to the night-time period. On weekdays, the background levels during the morning and evening periods are generally higher than at midday which is typical of sites that are affected by road traffic noise as a result of the influence from the peak traffic periods in the morning and evening.

In accordance with EPA procedures for determining the Rating Background Level (RBL), by way of the individual daily background levels for the relevant time periods, Table 1 sets out the resultant levels for the logger location.

TABLE 1: Unattended Noise Logger Results – dB(A)

	Day (7am - 6pm)	Evening (6pm - 10pm)	Night (10pm - 7am)
Rating Background Levels	48	47	37
Leq Ambient Noise Levels	61	60	54



In addition to unattended noise logger measurements, attended measurements were conducted at the site on the morning of Wednesday 19th July, 2017. The weather conditions during the attended measurements were clear and cool (13°C) with no wind detected at the site.

The results of the attended measurements are provided in Appendix D as a series of time splice graphs as well as a table of A-weighted statistical results in octave bands.

The upper time splice graph in Appendix D1 relates to a 15 minute sample recorded at Location 1, adjacent to the north-eastern boundary of the site and shielded from Ramsey Road by the building at the site. This location reflects the acoustic environment for the single-storey residential dwelling to the north-east. An ambient background level of 48 dB(A) was measured at Location 1 which was a general roar of distant road traffic and vehicles on Ramsey Street. Noise from the operation of the fuel station was inaudible at Location 1 as a result of the shielding by the building at the site.

Observation of the time splice graph identifies an elevated background level around 50 dB(A) between 9:10 AM – 9:16 AM which was the result of a truck idling to the north-west of the measurement location, on the opposite side of Kingston Street.

Moving to Location 2, between the building at the site and the south-eastern boundary of the site, the ambient background level increased to 50 dB(A) as a result of Location 2 having a direct line-of-sight to vehicles passing the measurement location on Ramsey Street. Occasionally, noise emission from the fuel station and vehicle servicing operations could be detected at Location 2.

Observation of the lower time splice graph in Appendix D1 identifies a peak in the A-weighted level of 80 dB(A) at around 9:27 AM which was the result of an aircraft overflight.

The ambient noise levels at the nearest residential boundaries (ground level) are lower than the ambient noise levels recorded by the unattended noise logger as a result of the logger location on the roof having a greater exposure to the road traffic noise.

Comparing the attended measurement results to the unattended logger results, the attended measurement at Location 1 reveals a background level that is in the order of 2 dB less than the logger results for similar time periods during the day, whilst the attended measurement at Location 2 reveals a background level that is in the order of 1 dB less than the logger results.



Therefore the daytime RBLs applied to the residential boundaries (at the ground) to the north-east and south-east of the site for this assessment are 46 dB(A) and 47 dB(A) respectively.

Appendix E presents the measurement results of the automated carwash system at the Crystal Carwash facility in Coogee (being the type proposed for the subject site) to provide noise source data.

The time splice graph in Appendix E3 is of a measurement at the nearest residential boundary to the Crystal Carwash facility in Coogee which has annotations of the observations made from the residential boundary location to indicate different noise components at different parts of the car wash cycle.

The upper time splice graph in Appendix E4 relates to a measurement conducted approximately 2 metres from the car washing area (measurement location shown in Appendix E1). The washing cycle involves washing the body of the vehicle with belts which occurred during the first minute of the measurement. The wheels of the vehicles are then washed with jets which gave rise to intermittent noise that was audible but partially shielded by the vehicles. The increase in noise level at the end of the measurement relates to the operation of the blowers.

The lower time splice graph in Appendix E4 is a measurement of the noise from the operation of the blowers which was conducted approximately 3 metres from the exit side of the blower enclosure.

Appendix E5 shows a time splice graph of the vehicle passing through the car wash where the location of the measurement microphone was 1 metre from the tyre jet spray outlet (measurement location shown in Appendix E2) which began operation at approximately 9:04 AM.

Acoustic Assessment

The Traffic and Parking Assessment report by John Coady Consulting Pty Ltd (dated 30th June, 2017) utilises observations and traffic counts of existing Crystal Carwash facilities at Rose Bay, Coogee, Strathfield and Merrylands.



The traffic report predicts that the average maximum daily throughput of the proposed Crystal Carwash facility in Haberfield will be 100 vehicles for Saturdays – Sundays, 80 vehicles for Fridays and 55 vehicles for Mondays – Thursdays. The peak hour of the proposed carwash facility is predicted to occur on Saturdays from 2:00 PM – 3:00 PM and will have a throughput of 13 vehicles during that hour. For Fridays, the peak hour throughput of the carwash is predicted to be 10 vehicles per hour and will occur between 11:00 AM and midday.

As the EPA's intrusive noise criterion is assessed as a 15 minute Leq, the assessment considers the carwash throughput to be 4 vehicles in a 15 minute period as a conservative approach.

From the time splice graphs of the measurements conducted at the Crystal Carwash facility in Coogee, the occurrence and duration of the noise events determine the sound exposure level ("SEL"), being an LAeq level normalised to 1 second, of the individual noise sources from the operation of the automated carwash system to then derive the A-weighted Leq 15 minute contribution for assessment with the EPA intrusive noise criterion.

The observations at the Crystal Carwash facility in Coogee revealed the primary components of the automated carwash system that generate noise to be the washing the vehicle body, spraying the wheels of the vehicle with jets and drying the vehicle with blowers. The sound power SEL of washing the vehicle body is calculated to be 109.0 dB(A). The spraying of the wheels has a sound power SEL of 108.3 dB(A) whilst the blowers have a sound power SEL of 111.3 dB(A).

The nearest residential receivers to the proposed carwash are the residences adjoining the north-eastern boundary of the site (1 Kingston Street) and south-eastern boundary of the site (93 Ramsey Street). The site plan (drawing no. A1.01) identifies that the south-eastern boundary of the site will have 2.1 metre high lapped and capped timber fence. The assessment considers the north-eastern boundary of the site to have a 1.8 metre high lapped and capped timber fence.



The architectural drawings of the proposal identifies that the automated carwash system will occur within a washbay tunnel which runs parallel to north-eastern boundary of the site. Taking into consideration the shielding by the washbay tunnel structure, the boundary fences and distance attenuation to the nearest residential boundaries, the Leq 15 minute level from the washing of 4 vehicles is calculated to be 38 dB(A) at north-eastern boundary of the site and the 48 dB(A) at the south-eastern boundary of the site. The Leq level of the automated carwash system is less than the background level at the north-eastern boundary and 1 dB greater than the background level at the south-eastern boundary and therefore, the operation of the automated carwash system complies with the EPA's intrusive noise criterion of background +5 dB(A).

In terms of the mechanical plant servicing the carwash facility, the proposed floor plan (drawing no. A2.01) identifies a plant room on the north-eastern side of the washbay tunnel. At the development application stage, the specific location, selection of mechanical plant and ventilation of the plant room is unknown, noting that the identification of mechanical plant associated with the proposed development and controls (if necessary) to comply with the acoustic criteria normally occurs at the construction certificate stage.

The EPA's intrusive noise criteria covers the entire operation of the carwash facility which will be a contribution of noise from the automated carwash system and mechanical plant. For the total contribution of noise from the automated carwash system and mechanical plant to be less than background +5 dB(A), the noise design target for mechanical plant servicing the carwash facility has been specified as 47 dB(A) at the north-eastern boundary of the site and 45 dB(A) at the south-eastern boundary.

Compliance testing at other Crystal Carwash facilities has established that the standard automatic carwash mechanical plant can satisfy the design target.

Conclusion

An acoustic assessment was conducted with respect to the proposed Crystal Carwash facility to replace the existing carwash facility at the rear of the BP service station at 95-97 Ramsey Street, Haberfield.

The assessment involved unattended measurements of the ambient noise level from Saturday 24th June to Wednesday 5th July, 2017. Supplementing the unattended logger measurements are attended measurements conducted during a site visit on the morning of Wednesday 19th July, 2017.



Propose Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

Page 9 of 9

Measurements of the existing Crystal Carwash automatic facility at 6 Bream Street, Coogee were utilised in the assessment to obtain a sound power SEL for the various noise sources of the automated carwash system.

The assessment of noise emission from the automated carwash system was conducted with respect to the nearest residences adjacent to the north-eastern and south-eastern boundary of the site and revealed full compliance with the EPA's intrusive noise target of background +5 dB(A).

In terms of the mechanical plant servicing the proposed carwash facility, noise targets of 47 dB(A) and 45 dB(A) have been specified at the residential boundaries to the north-east and south-east respectively.

Yours faithfully,

THE ACOUSTIC GROUP PTY LTD



CHRISTOPHER Y. H. CHAN

The Acoustic Group Report 47.5285.R1:MCC
14th September, 2017



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX A1

APPENDIX A: Site and Measurement Locations



Site



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX A2



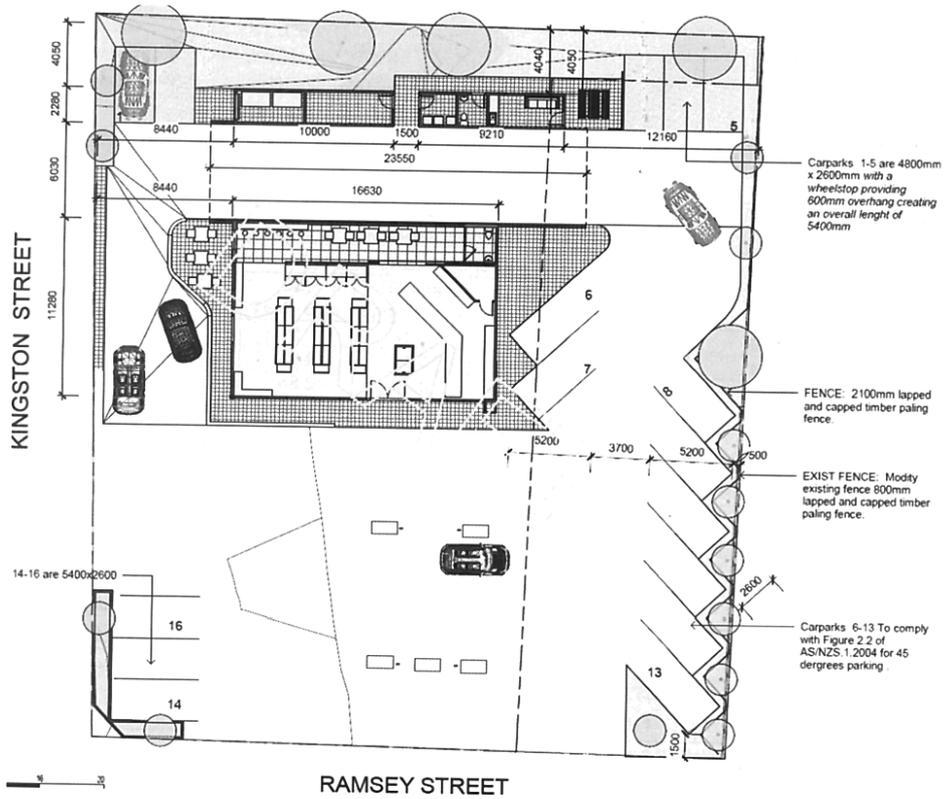
- Logger Location (on roof)
- Attended Measurement Locations



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX B1

APPENDIX B: Site Plan



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C1

APPENDIX C: Logger Results

Crystal Cawash Haberfield	
Job Number:	47.5285.R1
Instrumentation:	SVAN 957 15364
Logger Location:	Roof (northern corner)
Free Field:	yes
Monitoring Period:	Saturday 24 June 2017 to Wednesday 5 July 2017

**BACKGROUND AND AMBIENT NOISE MONITORING RESULTS
NSW EPA's INDUSTRIAL NOISE POLICY, 2000**

Day	L90 Background Noise Levels			Leq Ambient Noise Levels		
	Day	Evening	Night	Day	Evening	Night
	7am - 6pm	6pm - 10pm	10pm - 7am	7am - 6pm	6pm - 10pm	10pm - 7am
Saturday 24 June 2017	*	49.2	38.5	*	55.6	51.1
Sunday 25 June 2017	48.2	48.0	37.3	62.2	61.2	54.2
Monday 26 June 2017	48.5	45.0	36.6	60.8	61.9	55.4
Tuesday 27 June 2017	48.6	47.1	35.3	60.9	56.7	52.2
Wednesday 28 June 2017	49.8	47.2	36.4	61.7	62.4	54.9
Thursday 29 June 2017	48.3	47.4	38.6	61.5	61.0	55.0
Friday 30 June 2017	50.0	49.0	40.0	56.8	55.4	52.6
Saturday 1 July 2017	50.1	48.0	38.4	59.3	54.3	49.3
Sunday 2 July 2017	46.4	48.1	38.2	61.3	61.1	53.8
Monday 3 July 2017	47.4	44.4	36.8	61.2	61.0	53.7
Tuesday 4 July 2017	47.9	45.5	36.5	60.4	60.4	52.5
RBL Median	48.4	47.4	37.3	-	-	-
Log Average	-	-	-	60.8	60.0	53.5

**TRAFFIC NOISE MONITORING RESULTS
DECCW's NSW Road Noise Policy 2011**

Day	Leq Ambient Noise Levels		Leq 1 Hr Noise Levels			
	Day	Night	Day - Max	Day - Min	Night - Max	Night - Min
	7am - 10pm	10pm - 7am				
Saturday 24 June 2017	*	53.6	61.7	*	58.5	46.9
Sunday 25 June 2017	64.5	56.7	67.3	60.9	63.0	45.6
Monday 26 June 2017	63.6	57.9	67.0	58.0	64.6	46.1
Tuesday 27 June 2017	62.6	54.7	67.4	55.3	62.2	43.6
Wednesday 28 June 2017	64.4	57.4	67.9	60.3	63.6	44.6
Thursday 29 June 2017	63.9	57.5	66.7	59.9	64.4	44.2
Friday 30 June 2017	59.0	55.1	61.9	56.4	62.3	47.8
Saturday 1 July 2017	60.9	51.8	66.3	54.8	56.4	45.8
Sunday 2 July 2017	63.7	56.3	67.6	54.0	62.7	45.2
Monday 3 July 2017	63.7	56.2	66.3	58.7	62.6	46.0
Tuesday 4 July 2017	62.9	55.0	65.6	57.7	60.4	44.1
Log Average	63.2	56.0	66.4	58.2	62.4	45.6

* indicates an incomplete set of data for a given time period
Nighttime for a given day continues through to the following morning

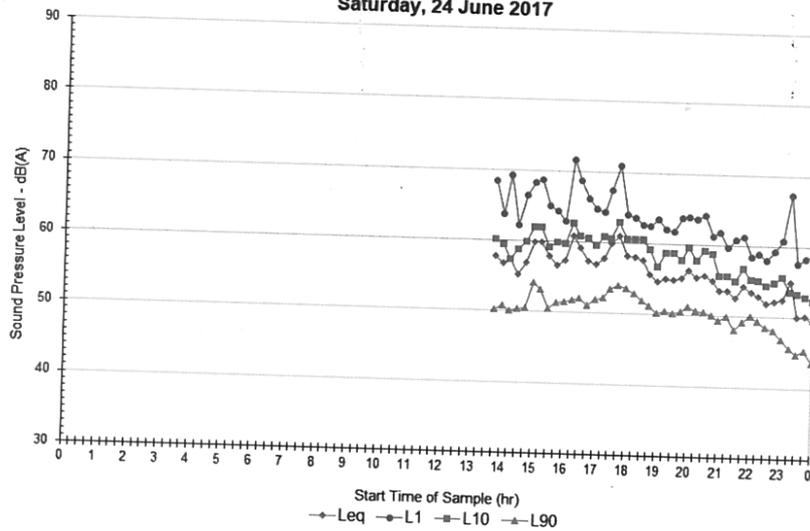
The Acoustic Group Report 47.5285.R1:MCC
14th September, 2017



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C2

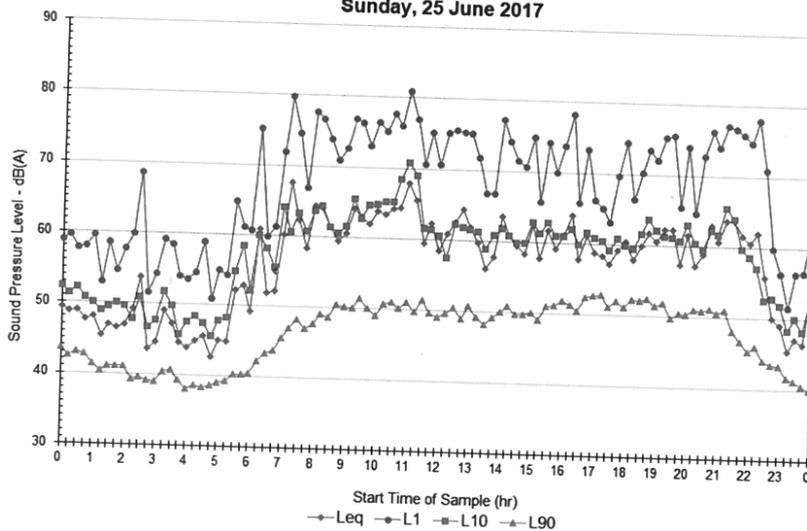
Ambient Measurements Saturday, 24 June 2017



Crystal Cawash Haberfield
SVAN 957 15364

47.5285.R1
Roof (northern corner)

Ambient Measurements Sunday, 25 June 2017



Crystal Cawash Haberfield
SVAN 957 15364

47.5285.R1
Roof (northern corner)

The Acoustic Group Report 47.5285.R1:MCC
14th September, 2017

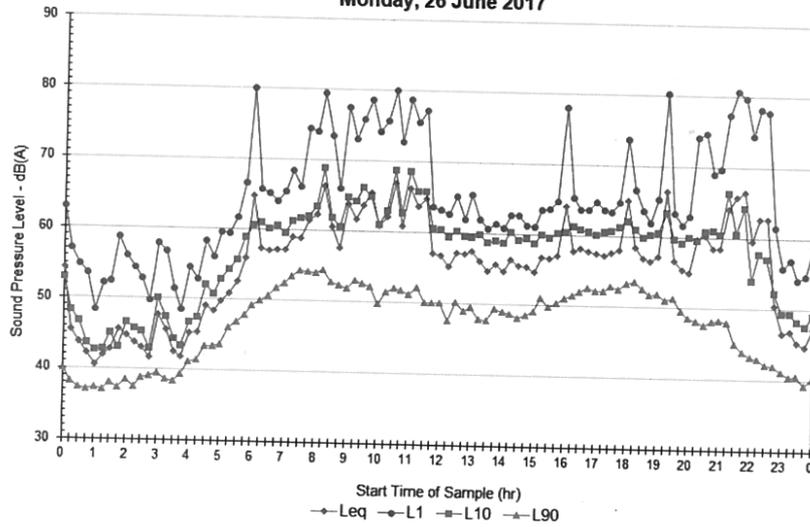


Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C3

Ambient Measurements

Monday, 26 June 2017

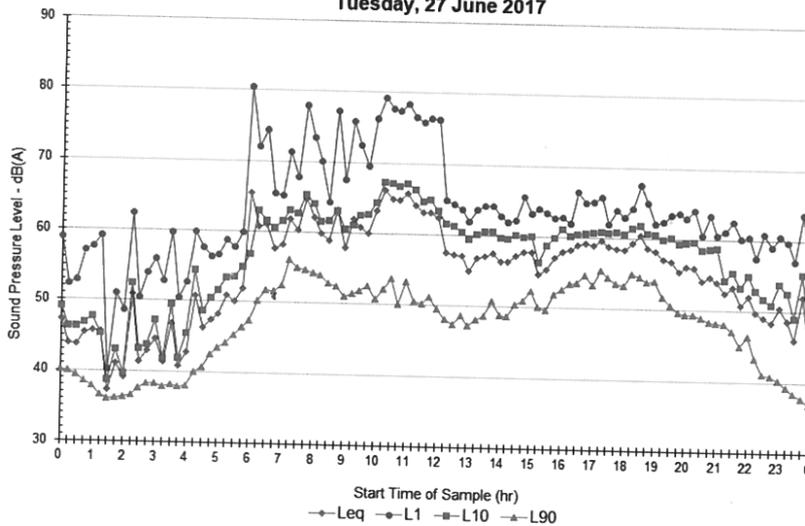


Crystal Carwash Haberfield
SVAN 957 15364

47.5285 R1
Roof (northern corner)

Ambient Measurements

Tuesday, 27 June 2017



Crystal Carwash Haberfield
SVAN 957 15364

47.5285 R1
Roof (northern corner)

The Acoustic Group Report 47.5285.R1:MCC
14th September, 2017

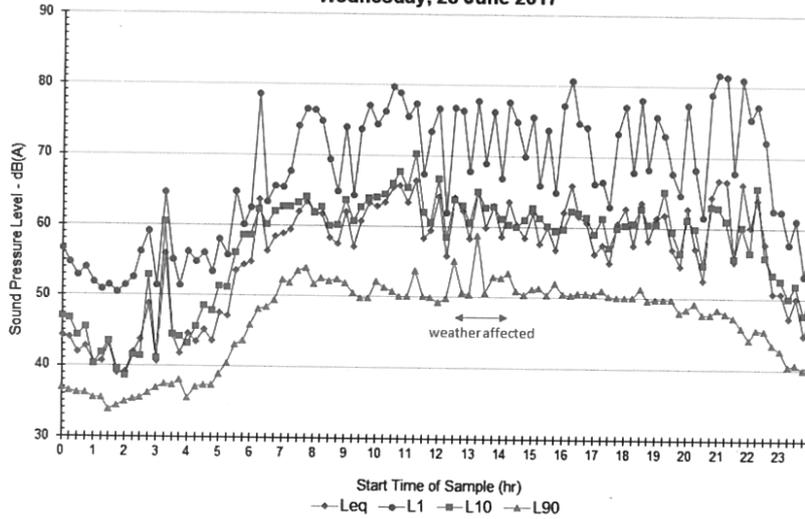


Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C4

Ambient Measurements

Wednesday, 28 June 2017

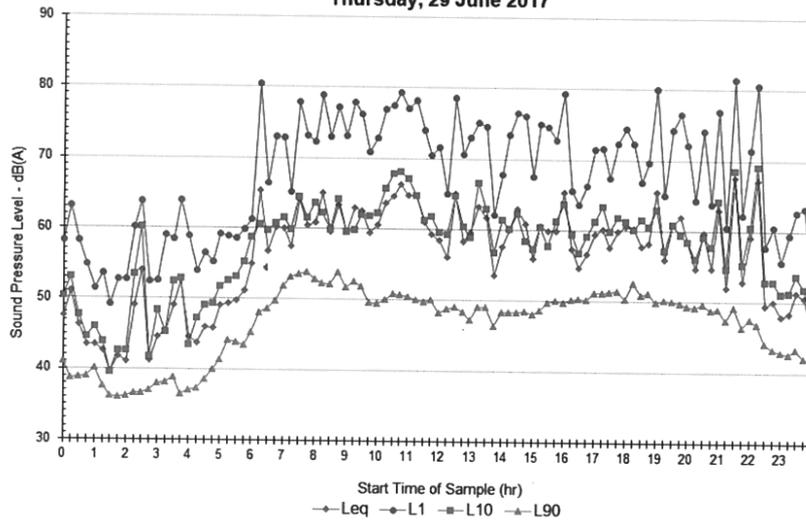


Crystal Carwash Haberfield
SVAN 957 15364

47.5285.R1
Roof (northern corner)

Ambient Measurements

Thursday, 29 June 2017



Crystal Carwash Haberfield
SVAN 957 15364

47.5285.R1
Roof (northern corner)

The Acoustic Group Report 47.5285.R1:MCC
14th September, 2017

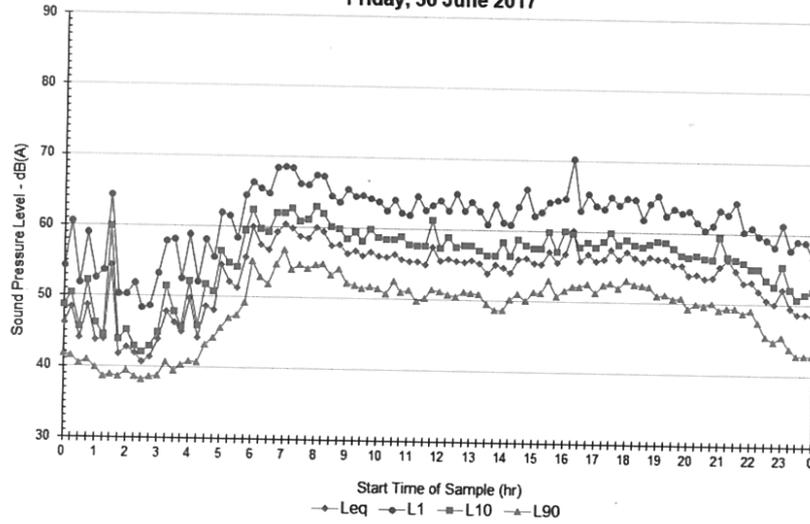


Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C5

Ambient Measurements

Friday, 30 June 2017

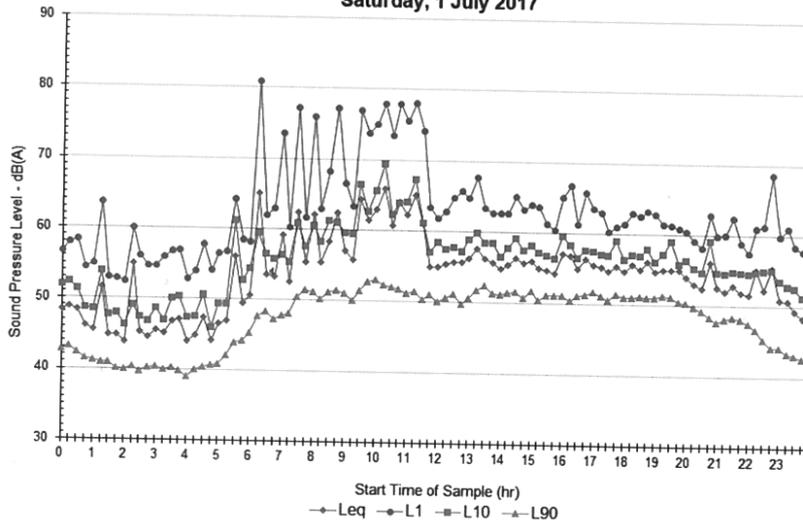


Crystal Carwash Haberfield
SVAN 957 15364

47 5285 R1
Roof (northern corner)

Ambient Measurements

Saturday, 1 July 2017



Crystal Carwash Haberfield
SVAN 957 15364

47 5285 R1
Roof (northern corner)

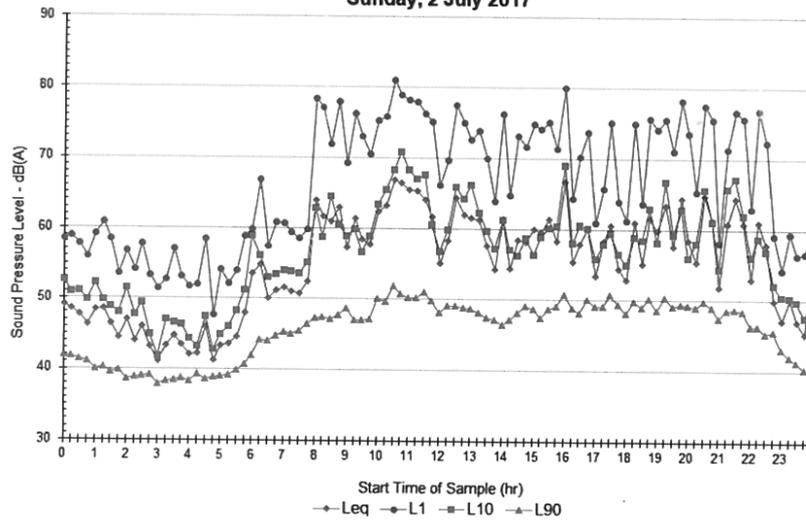


Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C6

Ambient Measurements

Sunday, 2 July 2017

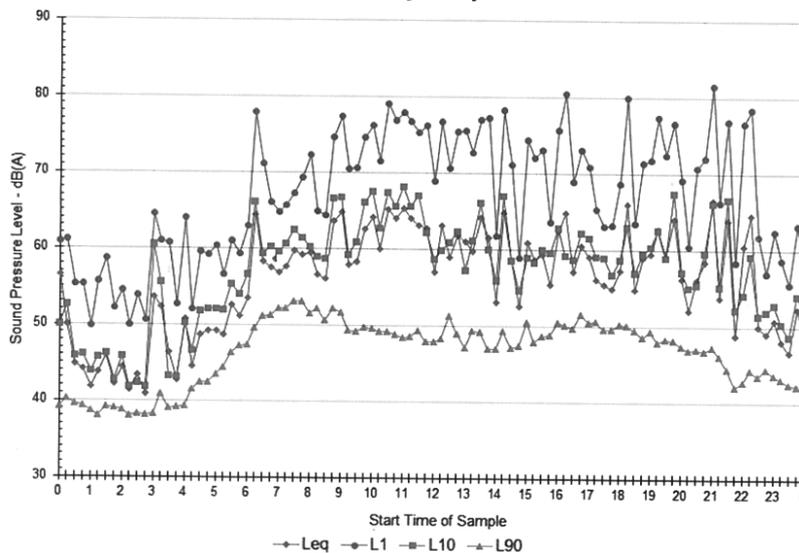


Crystal Car Wash Haberfield
SVAN 957 15364

47.5285.R1
Roof (northern corner)

Ambient Measurements

Monday, 3 July 2017



Crystal Car Wash Haberfield
SVAN 957 15364

47.5285.R1
Roof (northern corner)

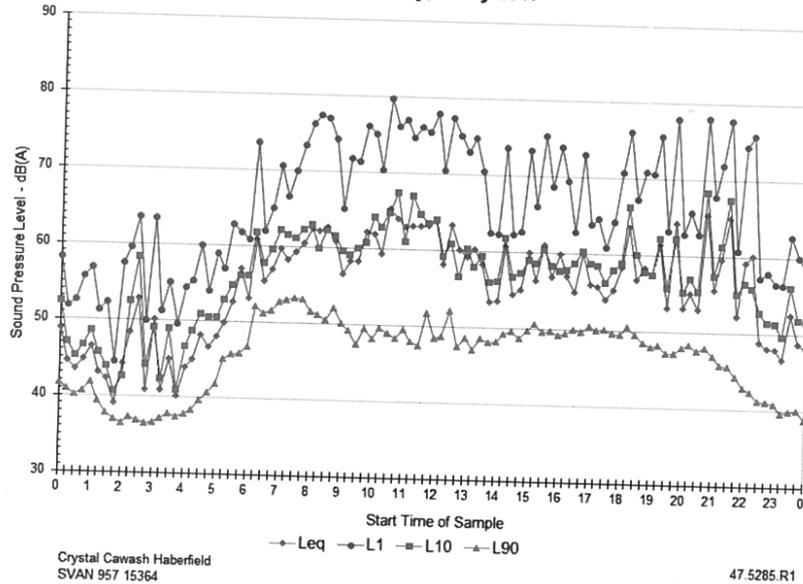


Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX C7

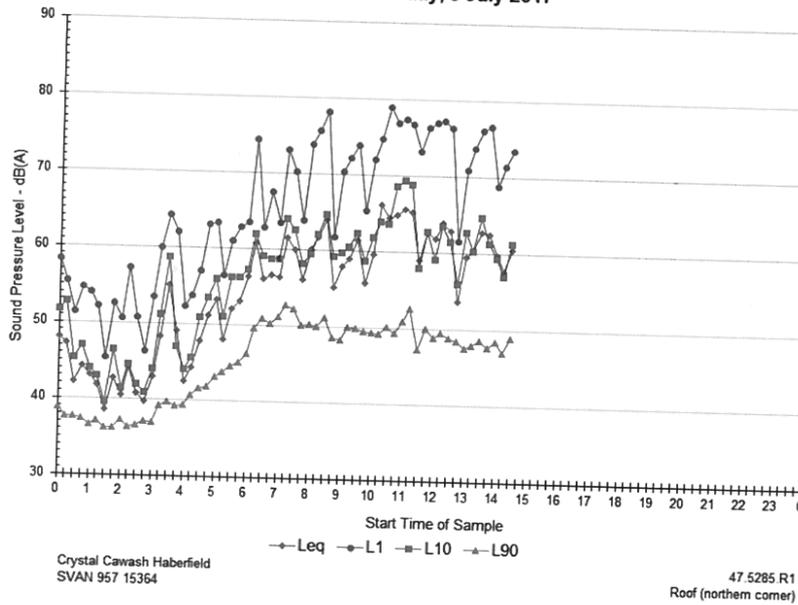
Ambient Measurements

Tuesday, 4 July 2017



Ambient Measurements

Wednesday, 5 July 2017



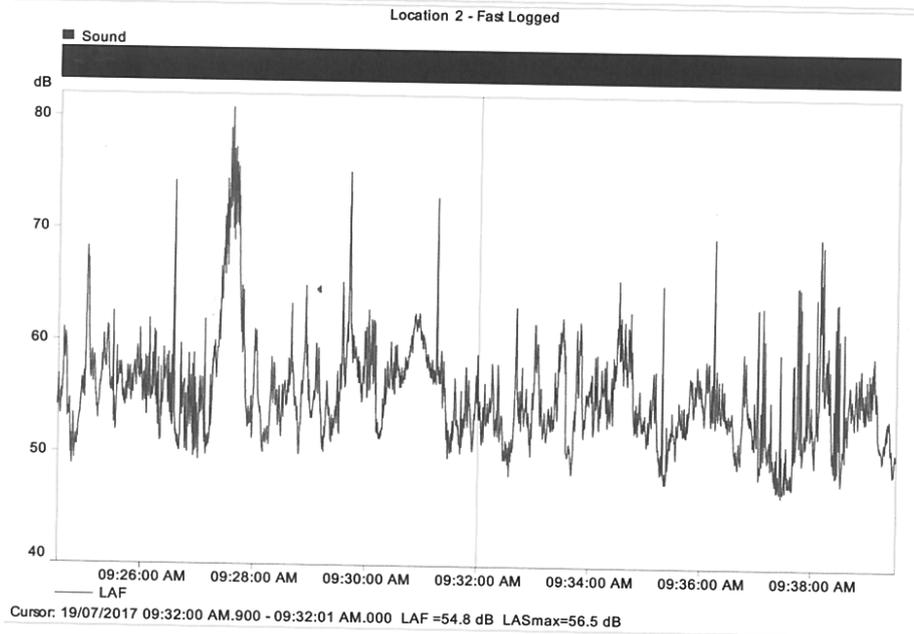
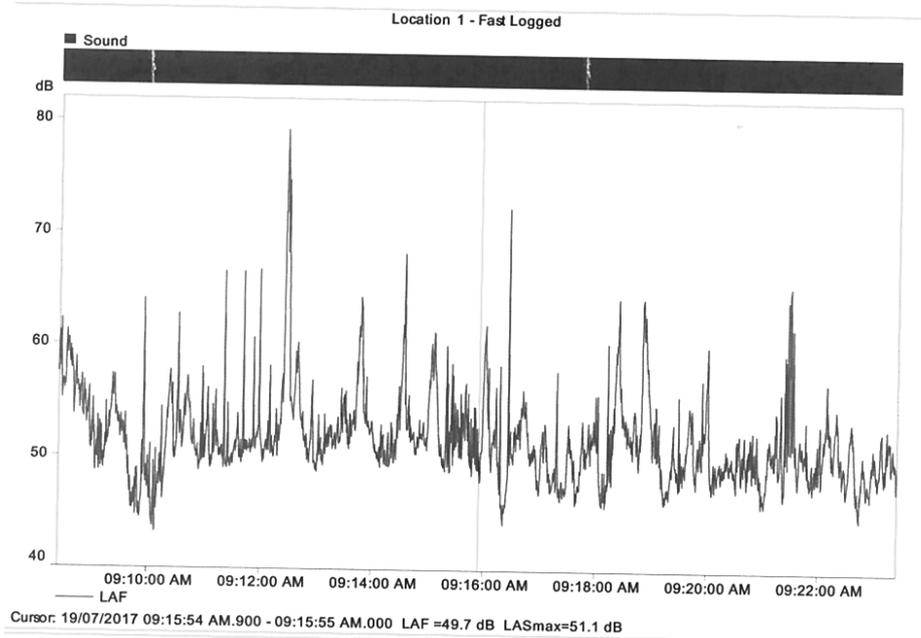
The Acoustic Group Report 47.5285.R1:MCC
14th September, 2017



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX D1

APPENDIX D: Attended Measurement Results – Haberfield



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX D2

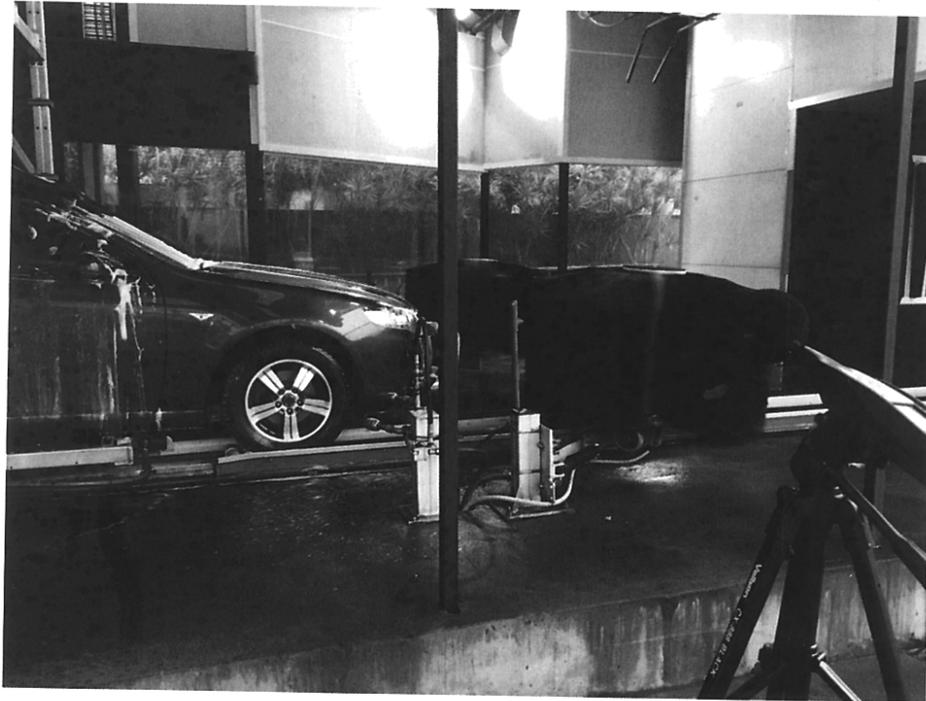
Location	Parameter	dB(A)	Octave Band Centre Frequency (Hz)								
			31	63	125	250	500	1k	2k	4k	8k
1	Ambient L ₁₀	56	29	43	44	46	49	51	49	45	36
	Ambient L _{eq}	56	26	39	43	47	50	49	49	45	37
	Ambient L ₉₀	48	19	29	33	37	40	43	40	33	24
2	Ambient L ₁₀	60	28	40	45	48	52	56	53	46	34
	Ambient L _{eq}	59	25	37	44	48	53	56	52	44	36
	Ambient L ₉₀	50	17	28	34	38	43	46	43	36	24



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX E1

APPENDIX E: **Attended Measurement Results – Crystal Carwash Coogee**

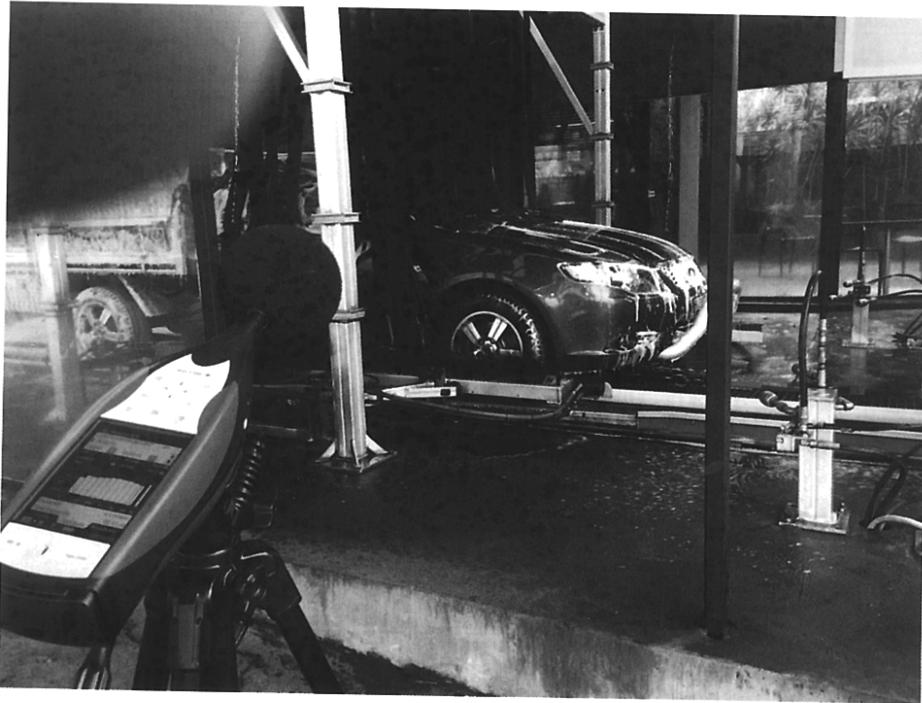


View of microphone position for washing



*Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash*

APPENDIX E2

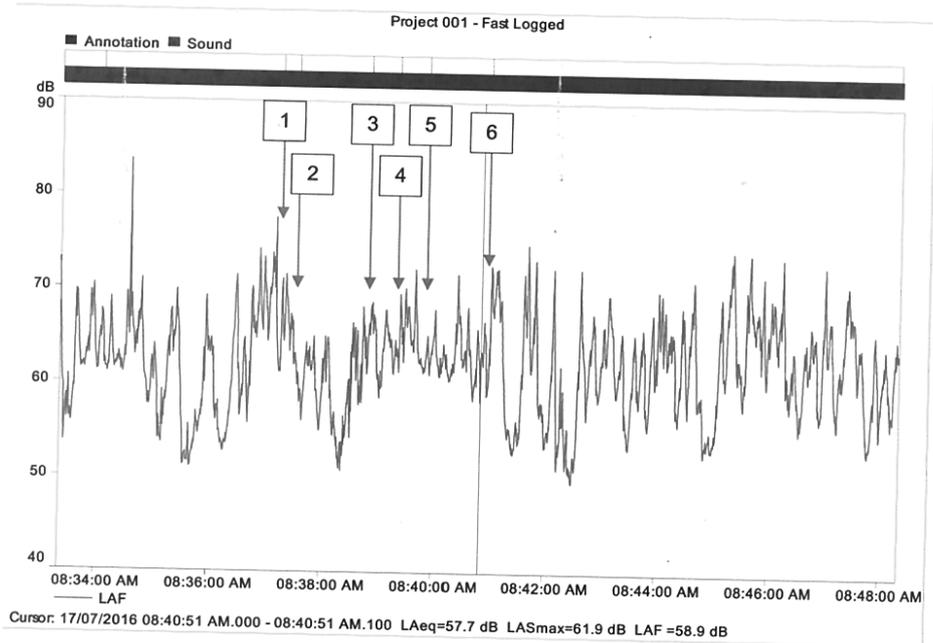


View of Position near tyre wash jet



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX E3

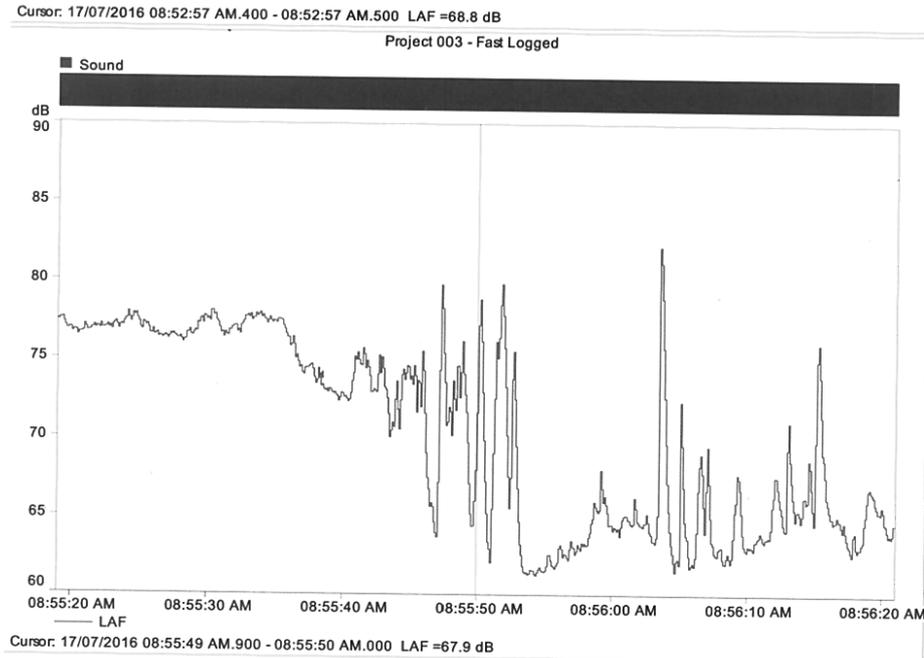
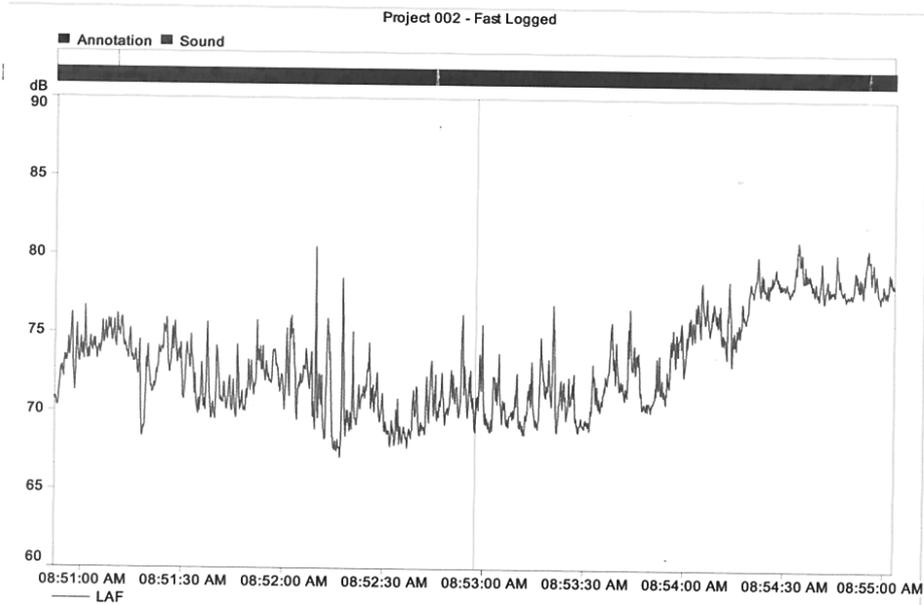


- 1 – car into wash line
- 2 – being hosed
- 3 – first brushes
- 4 – second wash and brushes
- 5 – blower
- 6 – blower off



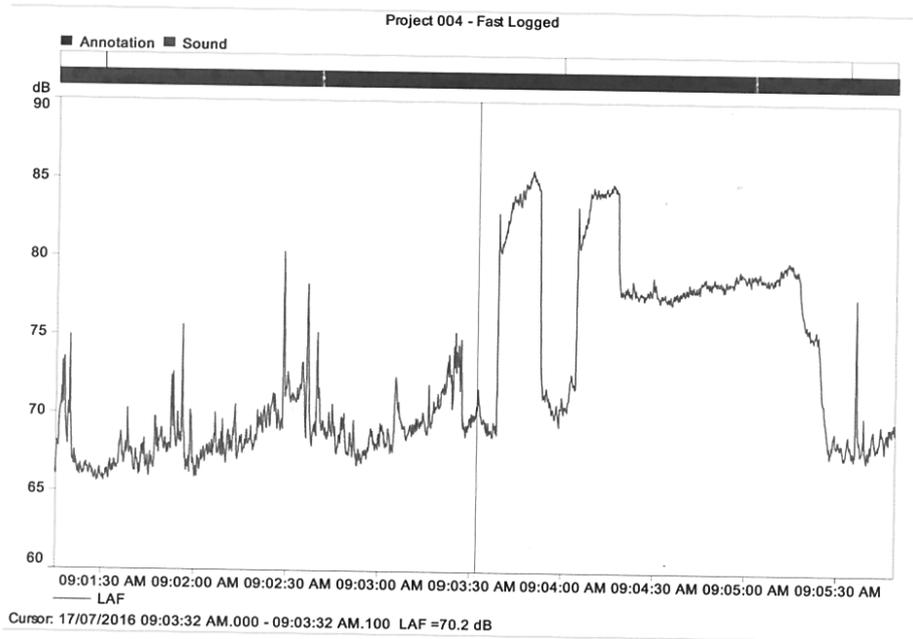
Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX E4



Proposed Crystal Car Wash Facility – 95-97 Ramsey Street, Haberfield
Crystal Car Wash

APPENDIX E5



THE ACOUSTIC GROUP

04.01.2021 – PROPOSED EXTENSION IN TRADING HOURS: CRYSTAL CARWASH

95-97 RAMSAY ST, HABERFIELD

51.5285.R5:MSC

4 January 2021

John Coady Consulting
PO Box 528
MANLY NSW 1655

Attention: Mr J. Coady

Dear Sirs,

PROPOSED EXTENSION IN TRADING HOURS
CRYSTAL CAR WASH – 95 RAMSAY STREET, HABERFIELD

Further to your request I have reviewed the Council's correspondence dated 11 December 2020 seeking clarification of a number of aspects with respect to a modification to existing development at the above car wash (MOD/2020/0401).

In late 2019 the Council engaged Rodney Stevens Acoustics to undertake an acoustic assessment of the Crystal Car Wash operations. The report from Rodney Stevens Acoustics supplied by Council to the applicant is identified as reference document R190632R1, Revision 1 and is dated 16 March 2020.

The assessment undertook unattended noise logger measurements at a residential location three lots to the east of the subject site in close proximity to the boundary fences and at a lower elevation the subject site therefore resulting in an ambient background level at that location which would not be representative of the nearest residential receivers.

Page 10 of the RSA report identified that ambient measurements conducted by RSA in the backyard of 68 O'Connor Street on 11 January 2020 revealed on the basis of a short-term measurement a background level of 40 dB(A) which was used for the intrusiveness noise assessment.

The RSA report does not include any unattended or attended measurements to identify the existing acoustic environment or noise emitted from the car wash. There is no identification of the LAeq noise contribution (of the car wash) as required by the EPA when dealing with the intrusiveness noise target.

The RSA report provided recommendations for the provision of a fence adjacent to the north-eastern and south-eastern boundaries and the provision of an upgrade to the construction of the fence to provide a higher level of noise attenuation through the fence, and in increase in the fence height.

6/62 ARGYLE STREET, SOUTH WINDSOR NSW 2756 AUSTRALIA
ph: (+612) 9555 4444 tag1@acoustics.com.au ABN 73 082 704 701



The RSA report concluded that with the provision of the recommended upgraded boundary fence and elimination of a number of minor sound leakage paths that the premises would fully comply with the intrusiveness noise target of background +5 dB(A), based upon a nominated ambient background level of 40 dB(A).

I am instructed that the RSA report was appended to a Prevention Notice 2020-01 issued by the Council.

The proposed fence acoustic upgrading was the subject of a letter from RSA dated 25 May 2020 (re R190632R2) that set out the specific construction details and is more specific than that set out in the RSA report appended to the Prevention Notice.

Therefore with respect to the information requested by Council pertaining to noise (and noting that the subject premises is not licensed and therefore is not subject to the relevant provisions of liquor and gaming New South Wales, and that the EPA no longer have a Noise Control Manual), then the first RSA report addresses:

- nominated most affected residential properties;
- noise emission from the use and operation of the development;
- any noise attenuation measures and recommendations to ensure compliance with the nominated noise criteria;
- noise emissions from any proposed an existing plant and equipment (e.g. mechanical ventilation system, refrigeration condensers, air-conditioning units, swimming pool pump etc);
- cumulative impact of all plant and equipment operating simultaneously at maximum capacity.

The RSA report clearly identified that the provision of the noise control measures set out in the report would achieve compliance with the relevant noise criteria and did not require or recommend any compliance program or validation exercise.

The matter of noise emission from the car wash as identified in the RSA report does not involve any Road traffic noise intrusion and therefore that aspect requested by Council is not applicable to the subject development.

The only issue that was not addressed in the RSA report was consideration of the proposed additional operating hours and staff numbers, as the report was only dealing with the existing operations.



An extension of the trading hours from 6 pm to 7 pm, extends past the daytime period of 6 pm and enters into the evening period (6pm – 10pm) but does not cover all of the evening period. Under part A3 of the EPA's *Noise Policy for Industry* the proposed extension in trading hours would be described as a shoulder period.

For a shoulder period due to the limited operation outside of daytime hours then for deriving the intrusiveness noise level target the procedure is to determine the lowest 10th percentile value of aggregate data for the equivalent of one week's worth of valid data taken over the shoulder period.

A problem exists in terms of the ambient data for the shoulder period is that the RSA report does not provide any noise logger measurements to determine the lowest 10th percentile value.

A further problem that exists with the RSA report is that the ambient monitoring was conducted in January 2020 which occurs in school holidays and under section A1.3 of the *Noise Policy for Industry* as the ambient background level at the site is affected by transportation noise then the ambient noise levels obtained by RSA are not representative of normal conditions as the reduced volume of traffic over the Christmas January holiday period is most noticeable in Sydney.

Ambient Measurements

The original DA acoustic assessment identified that the vacant service station site did not have anywhere secure along the rear boundary of the site for the purpose of installation of a logger and therefore the ambient measurements were conducted on the roof of the premises but at the rear (eastern) end of the existing building.

The original DA acoustic assessment identified that the minimum background levels occur during the middle of the day in that road traffic during the morning and peak hours gave rise to higher ambient background levels. The original DA acoustic assessment identified the evening shoulder period (of 6pm – 7pm) had higher background levels than prior to 6 pm.

Unattended logger measurements were conducted in the south eastern corner of the site in October 2019 being adjacent to the site boundary to 1 Kingston Street (see Appendix A) and partially shielded from the car wash activities by the internal fence.



The logger was a SVAN 957 Sound Level Meter (serial number 15364). The calibration of the meter was checked prior to and during measurement downloads using a Bruel & Kjaer Sound Level Calibrator Type 4320 and did not exhibit any deviation above 0.5 dB. The logger at the time carried a NATA calibration performed by a NATA registered laboratory.

Appendix B presents the logger results in a table of results and graphical presentation of the daily change in statistical noise levels throughout each day.

Weather data was obtained from the Bureau of Meteorology Station at Sydney Observatory.

The table of results in Appendix B1 provides data for the entire data set the daytime Rating Background Level to be 46 dB(A), the evening Rating Background Level 42 dB(A) and the night time Rating Background Level of all the data to be 35 dB(A).

The monitoring did not occur during school holidays and therefore is valid under EPA requirements. Furthermore the results indicate the conservative nature of the RSA background level used for assessment purposes noting that under EPA requirements that background level would be invalid.

Utilising the measurement results shown in Appendix B, the lowest 10 percentile of the aggregate for 9 days of monitoring is found to be 44 dB(A). Theoretically in accordance with EPA procedures then the intrusiveness noise target for the extended trading hours would become $44 + 5 = 49$ dB(A).

However, the noise controls specified by RSA resulted as a worst-case operating scenario of the car wash for a noise level less than 45 dB(A).

Therefore, the proposed extension of trading hours would be under the EPA's intrusiveness noise target by reason of the noise controls that were in effect specified by Council for the subject site.

Therefore the acoustic impact of the proposed modification of trading hours is under the nominated intrusiveness noise targets set out in the RSA report and therefore has addressed the last noise item raised by the Council.



Conclusion

The Council engaged RSA to undertake an acoustic assessment in relation to noise emission from the Crystal Car Wash facility at 95 Ramsay Street, Haberfield.

The majority of the additional information (in relation to noise) requested by Council is contained in the RSA report of 16 March 2020.

The report from RSA identified the provision of upgraded barriers would fully comply with an intrusiveness noise target of 45 dB(A) based on a short-term sample measurement conducted in January 2020.

The RSA report is absent noise logger data to identify the rating background level that would apply to the shoulder period between 6 pm and 7 pm. Examination of noise logger charts available for the subject site from testing undertaken by The Acoustic Group identifies that the minimum background level for the daytime period tends to occur in the middle of the day and the ambient background levels prior to and after 6 pm are noticeably higher, which reflects the influence of road traffic noise that determines the ambient background level throughout the day and evening periods.

Ambient noise logger measurements conducted in the south eastern corner of the site immediately adjacent to the adjoining residential property found the Rating Background Level for the 6 pm to 7 pm shoulder period to be 44 dB(A).

As the acoustic consultant engaged by the Council nominated noise controls to result in noise emission less than 45 dB(A) at residential receivers then the proposed modification of trading hours would automatically satisfy the intrusiveness noise target as the design of the controls was based upon a worst-case scenario of all operations occurring simultaneously on the site.

Yours faithfully,

THE ACOUSTIC GROUP PTY LTD



STEVEN E. COOPER



Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX A1

APPENDIX A: Site and Measurement Locations



The Acoustic Group Report 51.5285.R5.MSC
4 January 2021



Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX A2



● Logger Measurement Location

The Acoustic Group Report 51.5285.R5.MSC
4 January 2021



Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX B1

APPENDIX B:

Crystal Carwash Haberfield						
Job Number:	5285					
Instrumentation:	SVAN 957 15364					
Logger Location:	Eastern Corner					
Free Field:	no					
Monitoring Period:	Tuesday 8 October 2019		to	Thursday 17 October 2019		
BACKGROUND AND AMBIENT NOISE MONITORING RESULTS NSW EPA's NOISE POLICY FOR INDUSTRY, 2017						
Day	L90 Background Noise Levels			Leq Ambient Noise Levels		
	Day 7am - 6pm	Evening 6pm - 10pm	Night 10pm - 7am	Day 7am - 6pm	Evening 6pm - 10pm	Night 10pm - 7am
Tuesday 8 October 2019	*	42.1	35.8	*	51.6	44.3
Wednesday 9 October 2019	49.0	43.9	35.6	53.5	50.0	43.2
Thursday 10 October 2019	48.4	43.9	31.9	53.3	49.3	43.5
Friday 11 October 2019	46.2	44.4	40.0	53.2	48.8	48.8
Saturday 12 October 2019	48.4	46.3	34.5	54.1	55.0	49.2
Sunday 13 October 2019	44.1	41.9	33.5	54.0	55.7	51.7
Monday 14 October 2019	45.1	40.3	34.2	57.5	55.6	52.2
Tuesday 15 October 2019	45.6	41.4	32.9	57.1	54.8	50.0
Wednesday 16 October 2019	46.3	40.0	35.5	52.4	54.0	51.2
RBL Median	46.3	42.1	34.5	-	-	-
Log Average	-	-	-	54.8	53.5	49.4
TRAFFIC NOISE MONITORING RESULTS DECCW's NSW Road Noise Policy 2011						
Day	Leq Ambient Noise Levels		Leq 1 Hr Noise Levels			
	Day 7am - 10pm	Night 10pm - 7am	Day - Max	Day - Min	Night - Max	Night - Min
Tuesday 8 October 2019	*	46.8	*	*	52.9	40.4
Wednesday 9 October 2019	55.3	45.7	57.0	51.7	52.1	38.9
Thursday 10 October 2019	55.0	46.0	56.9	50.9	51.8	37.6
Friday 11 October 2019	54.9	60.2	58.0	50.1	68.0	44.7
Saturday 12 October 2019	56.9	51.7	60.9	52.4	57.4	38.0
Sunday 13 October 2019	57.0	54.2	59.3	51.5	62.8	37.9
Monday 14 October 2019	59.6	54.7	63.3	53.9	63.3	37.3
Tuesday 15 October 2019	59.1	52.5	62.8	55.2	60.9	39.2
Wednesday 16 October 2019	55.4	53.7	57.7	53.9	61.8	39.9
Log Average	57.0	54.1	60.2	52.8	62.0	40.0

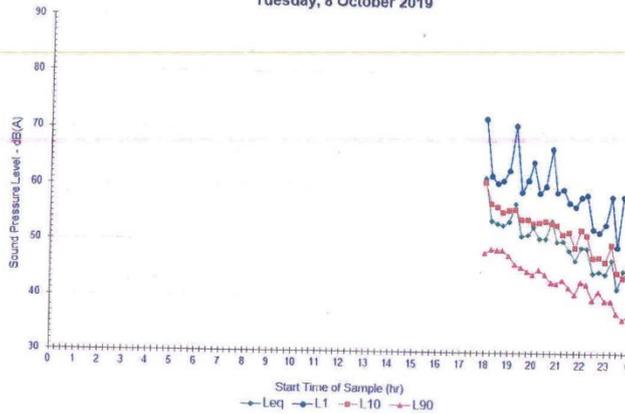
* Indicates an incomplete set of data for a given time period
Nighttime for a given day continues through to the following morning



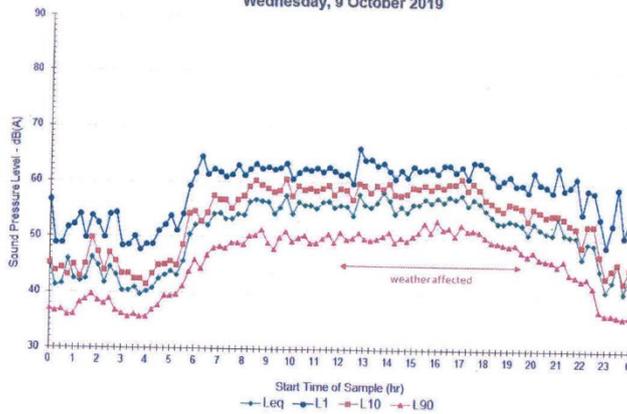
Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX B2

Ambient Measurements Tuesday, 8 October 2019



Ambient Measurements Wednesday, 9 October 2019



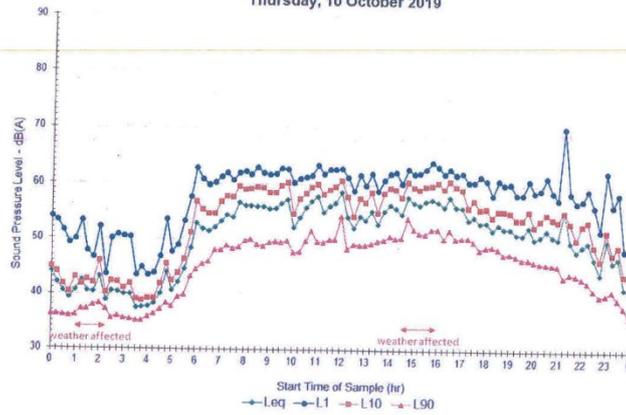
The Acoustic Group Report 51.5285.R5.MSC
4 January 2021



Acoustic Compliance -- Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX B3

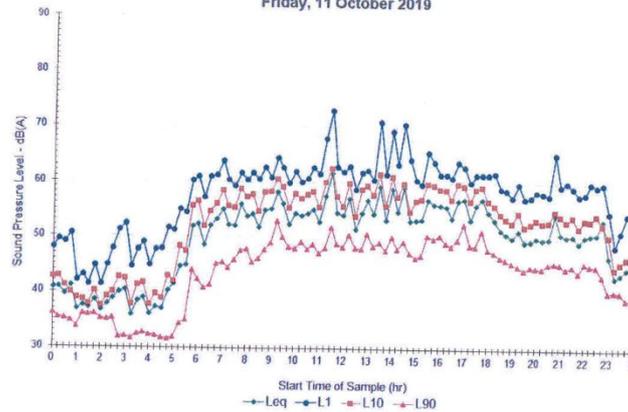
Ambient Measurements Thursday, 10 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements Friday, 11 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

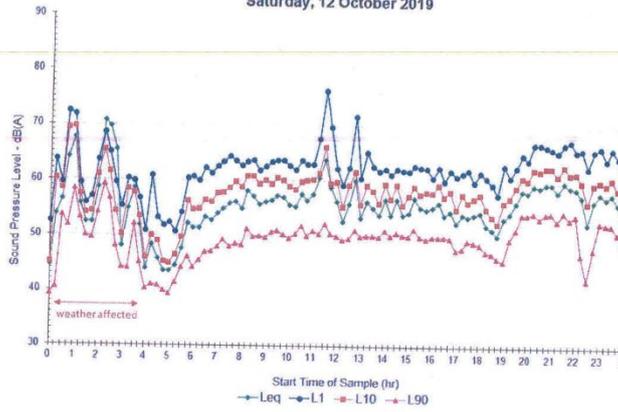
The Acoustic Group Report 51.5285.R5.MSC
4 January 2021



Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX B4

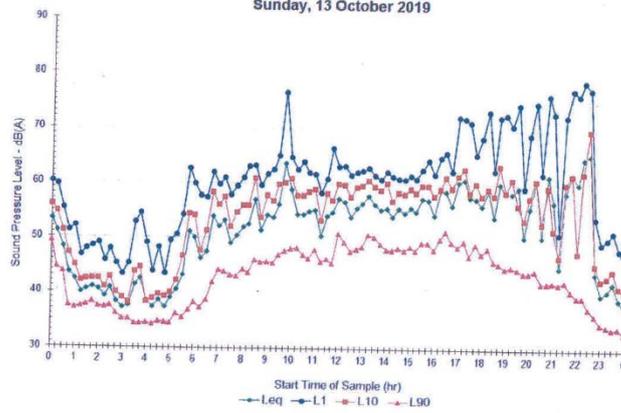
Ambient Measurements Saturday, 12 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements Sunday, 13 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

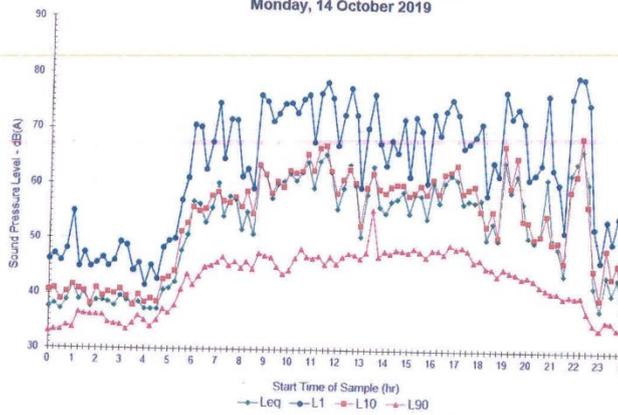
The Acoustic Group Report 51.5285.R5.MSC
4 January 2021



Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX B5

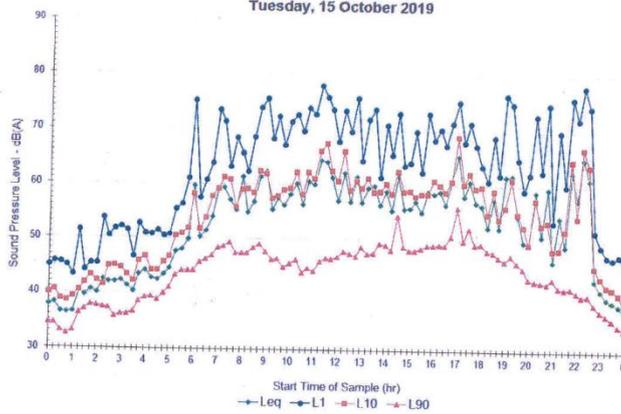
Ambient Measurements Monday, 14 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements Tuesday, 15 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

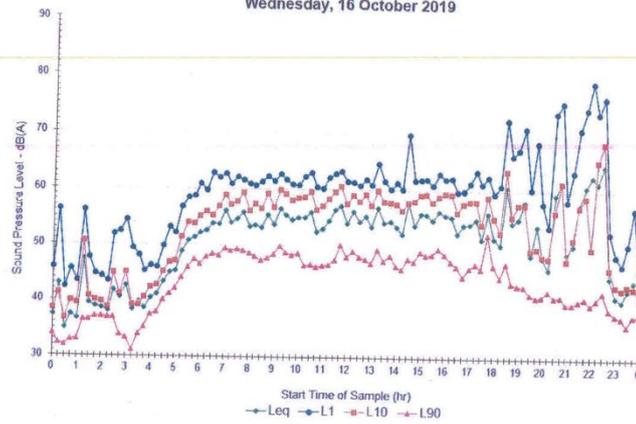
The Acoustic Group Report 51.5285.R5/MSC
4 January 2021



Acoustic Compliance – Proposed MOD/2020/0401, Crystal Car Wash, Haberfield
Crystal Car Wash

APPENDIX B6

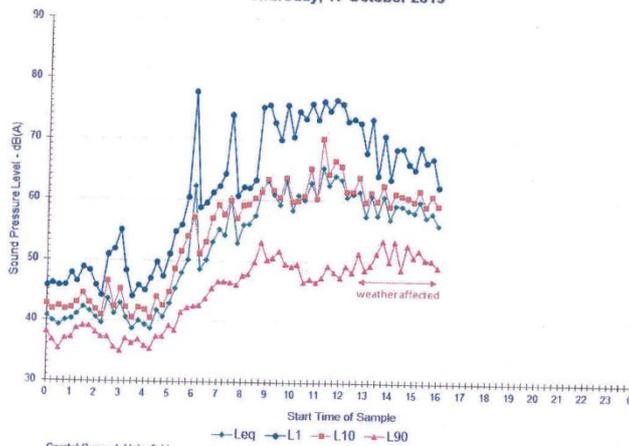
Ambient Measurements Wednesday, 16 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements Thursday, 17 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

The Acoustic Group Report 51.5285.R5.MSC
4 January 2021



THE ACOUSTIC GROUP

**22.03.2021 – MODIFICATION OF EXISTING DEVELOPMENT: CRYSTAL
CARWASH**

95-97 RAMSAY ST, HABERFIELD

51.5285.L6:MSC

22 March 2021

John Coady Consulting
PO Box 528
MANLY NSW 1655

Attention: Mr J. Coady

Dear Sirs,

MODIFICATION OF EXISTING DEVELOPMENT

CRYSTAL CAR WASH – 95 RAMSAY STREET, HABERFIELD

I am instructed that a modification application for the above premises, whilst recommended for approval by Council was rejected by the Planning Panel.

I am instructed that submissions from an adjoining neighbour identified a constant level of constant disruption of noise and referred to a report prepared by Renzo Tonin & Associates ("RT& A") impacting the property of 68 O'Connor Street, Haberfield.

I am instructed that the RT & A report had not been submitted to Council and was not submitted to the Panel, and therefore it is possible the verbal claims made by the objector to the Panel may not necessarily be accurate.

Following the panel decision, a report from RT & A identified as "*68 O'Connor Street, Haberfield, Assessment of Noise Emission from Crystal Car Wash*" has been provided for my review.

The report that I have been provided contains a number of significant errors and unsubstantiated conclusions.

Starting with the front page of the RT & A document the "assessment" is dated 7 December 2020, with a reference code of "TL638 – 01FO2 acoustic report (r2)".

However, the document control sheet identifies the report as issue revision 3 dated 5 December 2020 and the footer in the document has a code of "TL6308 – 01 FO2 ACOUSTIC REPORT (R3)".

Hence by the document control versus the cover page of the report there would appear to be some confusion as to which a version of the report is relevant. For the purpose of my assessment, I have identified a full description of the various references provided in the document that I am instructed forms part of the submission from the occupier 68 O'Connor Street, Haberfield.

Having reviewed the RT & A report I formed the view that it is not an independent assessment but is simply a report prepared to present an advocate's position in that there are a number of important matters that need to be taken into consideration when considering what weight (if any) should be placed upon the subject report.

Section 3.1 of the report identifies unattended long-term noise monitoring occurred between 2 and 8 October 2020 to determine the existing level of ambient and background noise surrounding the site, along with impacts of the carwash and the residential receiver at 68 O'Connor Street, Haberfield.

At no point in time does the report identified that the ambient measurements were conducted under atypical conditions in that Sydney was, and still is, to a certain point subject to restrictions as a result of Covid 19 with the most noticeable impact being reduced road traffic volumes (and therefore noise) in Sydney.

The fact that the number of Councils have questioned the suitability of ambient background levels conducted in the current Covid 19 environment in that ambient noise levels have been found to be noticeably lower than that undertaken in the pre-Covid situation.

Figure 1 identifies the noise logger location in plan view would be adjacent two boundary fences connecting at the north-western corner of the residential property.

The report does not include any photographic evidence of the logger to identify its relationship to the acoustic environment of the area, or any supplementary measurements that would indicate the ambient noise experienced at the dwelling itself, being removed from the shielding of the fences to which the logger would have experienced.

It is relevant for the Council to consider that in terms of the objector's submission there is a claim of constant noise impacts throughout the day from the carwash. There is no acoustic evidence to support such a claim, Furthermore, it is highly unlikely that an individual would be spending all day situated at the logger location identified in the RT & A report.

Section 3.1.1 of the RT & A report refers to measurements undertaken by RSA at 72 O'Connor Street, but fails to identify that RSA did not use that ambient noise level by reason of shielding of the location by the boundary fences and not being representative of background level at residential locations in proximity of the car wash.

Section 3.1 identifies that the original DA assessment had ambient background levels significantly higher and that fails to identify the nature of those ambient levels would be higher in that they were on the Crystal Car Wash site and had clear exposure to traffic on Haberfield Street and Kingston Street. The RT & A report fails to identify the zoning of the carwash site permits commercial operations.

The RT& A report makes an interesting comment at the end of Section 3.1.1 as to no measurements taken from the property at 68 O'Connor Street, which is correct but fails to identify the complainant 68 O'Connor Street refused permission to undertake measurements at that site.

In terms of a claim of no measurements being at the side or rear of other properties sharing a boundary with the car wash that statement is incorrect. Measurements have been provided to Council at the rear of 1 Kingston Street on the boundary between the car wash and that property (see Appendices A & B to this letter). There is no fence on the boundary and that position did receive a lower ambient background level than that obtained on the site but testing of the car wash identified compliance with the EPA criteria.

In Section 4 covering monitoring results, Table 3 claims to identify noise criteria exceedances to which there is no factual material contained in the report such as a noise level trace to determine or identify the actual noise emission from the car wash upon which the calculations have been determined.

Utilising the first example of a start time of 12.06 and purporting to be a 15 minute LAeq presents some difficulty in that the next sample from the subject logger has a start time of 12.15.

The provision of the actual measurements would have identified the extent of the noise level attributed to the car wash was limited and only formed part of a 15 minute derived contribution. The claims for 12.15 and 12.30 of a noise contribution are attributed to the entire 15 minute period as an LAeq level being or generated by the car wash are clearly questionable.

The nature of extraneous noise at the subject site as a result of vehicles utilising the surrounding roads, and aircraft over flying the site is not identified in the RT & A report or the measurement results.

By way of Table 3 from the entire logger monitoring that would appear to be a cumulative amount of six days of measurements. But RT & A have provided 12 events where there is claim there is an exceedance of the criteria.

RT & A have not identified the noise contribution either by way of the ambient or the car wash at other periods of time. To have only 12 periods over six days of monitoring and only recorded in the NW corner of the rear yard does not accord with non-compliance at the dwelling, or non-compliance throughout the entire monitoring, which is a suggested a conclusion from the RT in a report.

Looking at the derived contributions there are a range of "derived" but unsubstantiated noise contributions presented in Table 3 that vary between 1 and 6 dB above the nominated criteria.

There is no identification of the background level during the alleged exceedances, nor the determination of the actual noise contribution associated with the car wash.

The RT & A report had failed to identify that the RSA assessment provided modelling in terms of the operation of the premises and specified noise controls that would comply with the project specific criteria. Even though the target levels were based on atypical background levels.

There is no identification for removal of the background level from the LAeq level or the derivation of individual LAE components is to give the "contribution". The energy logarithmic average of the levels identified in Table 3 is 47.8 dBA to which removal of the background level would have an average exceedances for the entire 12 periods of assessments in the order of 47 dB(A).

Bearing in mind RT & A have failed to identify the atypical nature of the background level recorded at that time, then if the background level is marginally higher than 40 dB(A) when dealing with the real-world situation that occurs in the area, then the matter of the alleged breach is reduced.

The RT & A report has failed to identify the position of the EPA in relation to a residual noise impact, being where noise from a development exceeds the project noise trigger levels.

Table 4.1 of the Noise Policy for Industry identifies that the significance of residual noise impact impacts that are less than or equal to 2 dB above the project noise trigger level are considered negligible and does not warrant receiver based treatments or controls.

The material provided in the RT & A report fails to identify the position of Renzo Tonin in utilising the EPA's 2 dB tolerance before the Land and Environment Court with respect to intermittent noise emission from a childcare centre at 108 Beresford Road, Strathfield not being an issue of concern for the EPA.

Conclusion

There are a number of technical issues in the RT & A report that question the independence of that organisation with respect to the conduct of compliance testing of the Crystal Carwash facility at Haberfield.

Of critical importance is that the RT & A report fails to identify the nature of ambient noise levels at the time of the measurements would be classified by the EPA as being "atypical" by not representing the normal traffic volume that would occur in a non-Covid 19 situation.

The logger results attached to the report indicate that there are maximum noise levels that regularly occur throughout the day being significantly higher than the background level, which in the main from previous testing have been related to aircraft noise.

The RT & A report presents a total of 12 events to which there is claimed an exceedance of the incorrect noise target. There is no material provided in the report to substantiate the alleged levels attributed to the car wash nor any correction for the existing ambient background level that is clearly shown in the logger graphs to be in the vicinity of 40 dB(A) with both higher and lower levels, depending upon the time during the day.

The RT & A report has failed to identify the tolerance with respect to a project specific criteria identified by the EPA as the "residual noise" that in 2020 their former principal of the company successfully advocated in the Land and Environment Court the very application of the 2 dB tolerance to the project specific targets.

The nature of six days of monitoring where over the six days the car wash would be permitted to operate and for a significant proportion of that time to only end up with only 12 occurrences of an alleged disturbance for a location 3 m from the boundary fence does not support the position by the objector from 68 O'Connor Street, Haberfield of implying a continuous and unacceptable noise impact.

The Council engaged an acoustic consultant to undertake acoustic compliance testing to which the consultant nominated testing during the busiest time on a Saturday. I am instructed RSA found that there was clear compliance with the noise target (based upon an atypical background level of 40 dB(A)) and provided such verification both to my client and the Council.

The RT & A report is critical of compliance testing undertaken by RSA even though it identifies that the compliance testing was over two hours on a Saturday which is in effect the busiest day normally for a car wash and therefore would represent the potentially the greatest noise impact that may occur.

There is no time trace material provided by RT & A to substantiate the claims in Table 3 that there were exceedances the criteria. Accordingly, on that fact alone little weight should be placed upon the RT & A report.

On the basis of the above comments, and what in my view is not an independent assessment, in my opinion little weight should be placed upon the RT & A report, bearing in mind that the Council itself obtained independent advice in relation to noise upon which a design for upgrading of a fence was provided and upon that design the car wash undertook those works.

I am instructed that noise monitoring of the operation of the carwash with respect to compliance testing was undertaken by RSA in the presence of Council officers who were able to verify compliance with the acoustic criteria using the atypical acoustic criteria nominated by RSA acoustics.

Yours faithfully,

THE ACOUSTIC GROUP PTY LTD



STEVEN E. COOPER

APPENDIX A: Site and Measurement Locations





● Logger Measurement Location

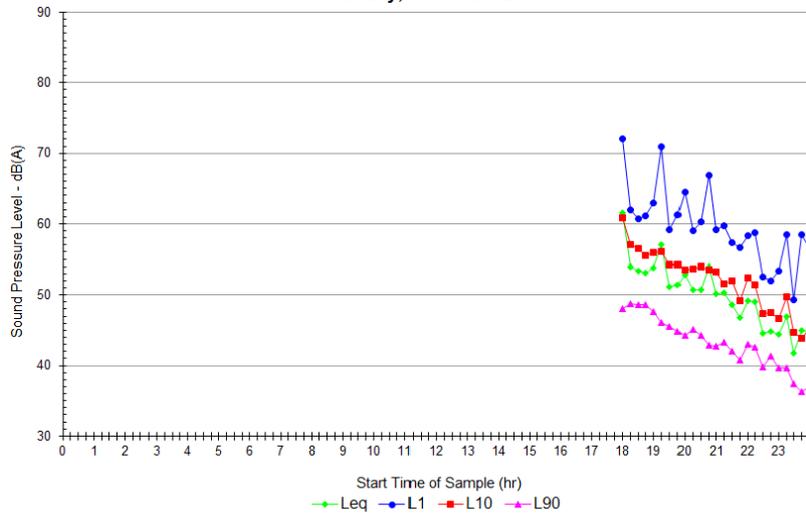
APPENDIX B:

Crystal Carwash Haberfield						
Job Number:	5285					
Instrumentation:	SVAN 957 15364					
Logger Location:	Eastern Corner					
Free Field:	no					
Monitoring Period:	Tuesday 8 October 2019		to	Thursday 17 October 2019		
BACKGROUND AND AMBIENT NOISE MONITORING RESULTS NSW EPA's NOISE POLICY FOR INDUSTRY, 2017						
Day	L90 Background Noise Levels			Leq Ambient Noise Levels		
	Day 7am - 6pm	Evening 6pm - 10pm	Night 10pm - 7am	Day 7am - 6pm	Evening 6pm -	Night 10pm - 7am
Tuesday 8 October 2019	*	42.1	35.8	*	51.6	44.3
Wednesday 9 October 2019	49.0	43.9	35.6	53.5	50.0	43.2
Thursday 10 October 2019	48.4	43.9	31.9	53.3	49.3	43.5
Friday 11 October 2019	46.2	44.4	40.0	53.2	48.8	48.8
Saturday 12 October 2019	48.4	46.3	34.5	54.1	55.0	49.2
Sunday 13 October 2019	44.1	41.9	33.5	54.0	55.7	51.7
Monday 14 October 2019	45.1	40.3	34.2	57.5	55.6	52.2
Tuesday 15 October 2019	45.6	41.4	32.9	57.1	54.8	50.0
Wednesday 16 October 2019	46.3	40.0	35.5	52.4	54.0	51.2
RBL Median	46.3	42.1	34.5	-	-	-
Log Average	-	-	-	54.8	53.5	49.4
TRAFFIC NOISE MONITORING RESULTS DECCW's NSW Road Noise Policy 2011						
Day	Leq Ambient Noise Levels			Leq 1 Hr Noise Levels		
	Day 7am - 10pm	Night 10pm - 7am	Day - Max	Day - Min	Night - Max	Night - Min
Tuesday 8 October 2019	*	46.8	*	*	52.9	40.4
Wednesday 9 October 2019	55.3	45.7	57.0	51.7	52.1	38.9
Thursday 10 October 2019	55.0	46.0	56.9	50.9	51.8	37.6
Friday 11 October 2019	54.9	60.2	58.0	50.1	68.0	44.7
Saturday 12 October 2019	56.9	51.7	60.9	52.4	57.4	38.0
Sunday 13 October 2019	57.0	54.2	59.3	51.5	62.8	37.9
Monday 14 October 2019	59.6	54.7	63.3	53.9	63.3	37.3
Tuesday 15 October 2019	59.1	52.5	62.8	55.2	60.9	39.2
Wednesday 16 October 2019	55.4	53.7	57.7	53.9	61.8	39.9
Log Average	57.0	54.1	60.2	52.8	62.0	40.0

* indicates an incomplete set of data for a given time period
 # Nighttime for a given day continues through to the following morning

Ambient Measurements

Tuesday, 8 October 2019

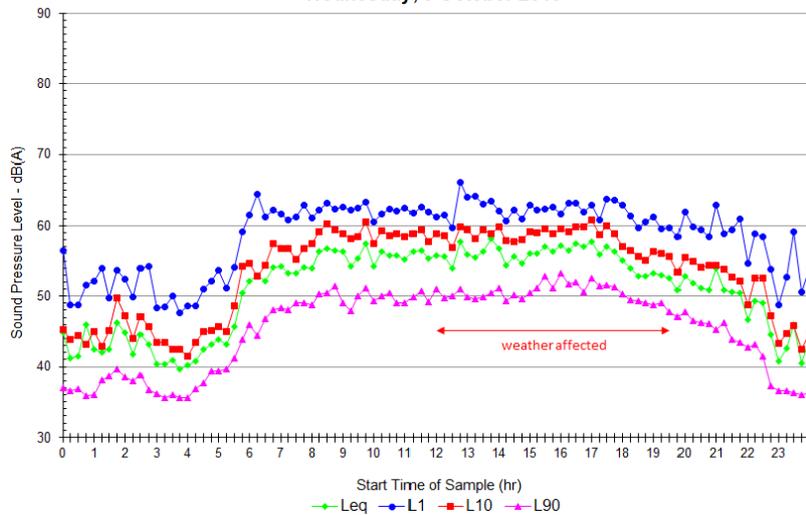


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Wednesday, 9 October 2019

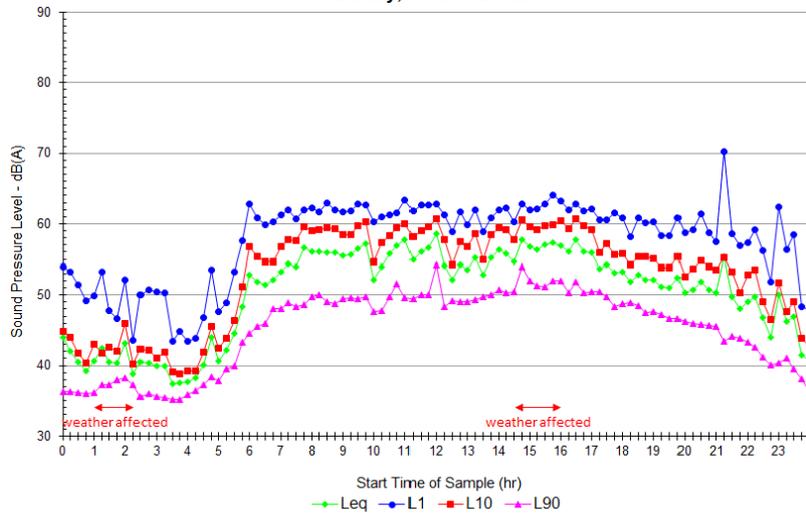


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Thursday, 10 October 2019

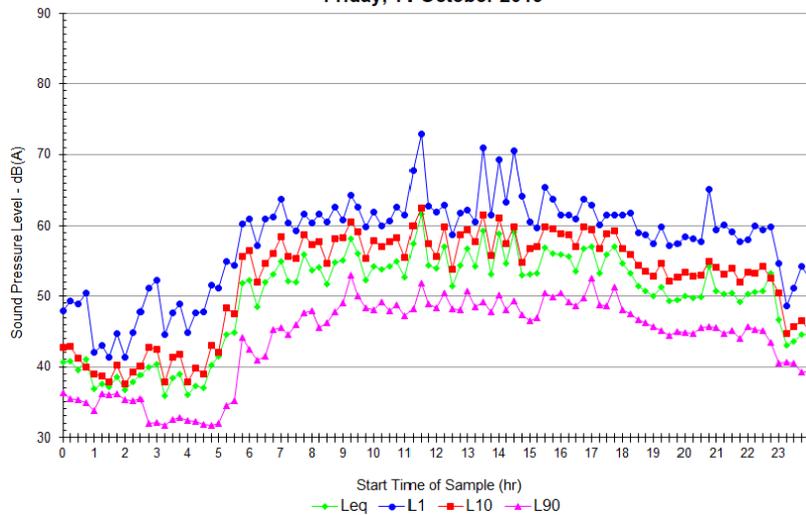


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Friday, 11 October 2019

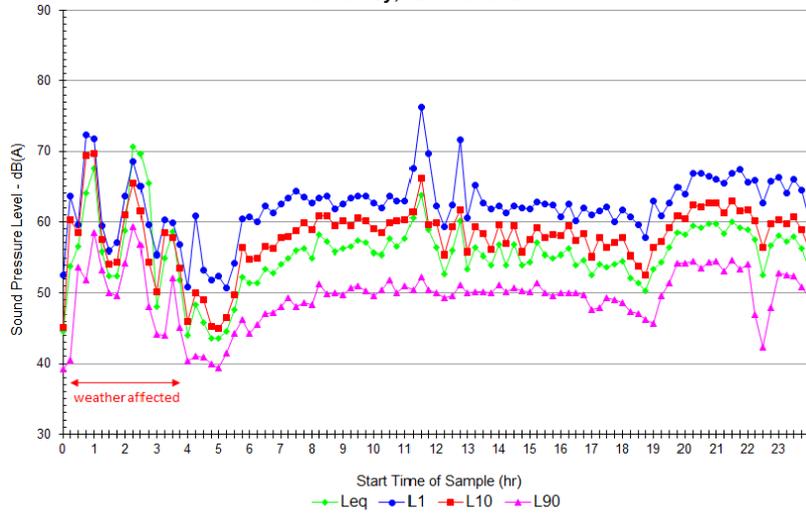


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Saturday, 12 October 2019

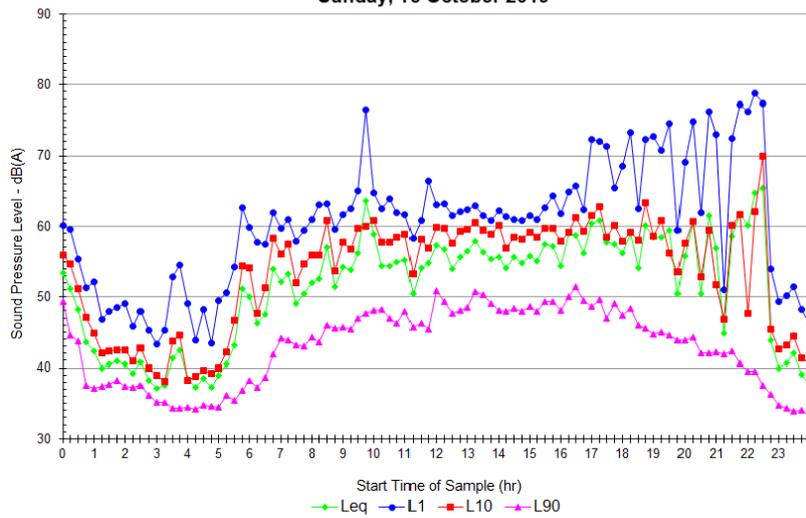


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Sunday, 13 October 2019

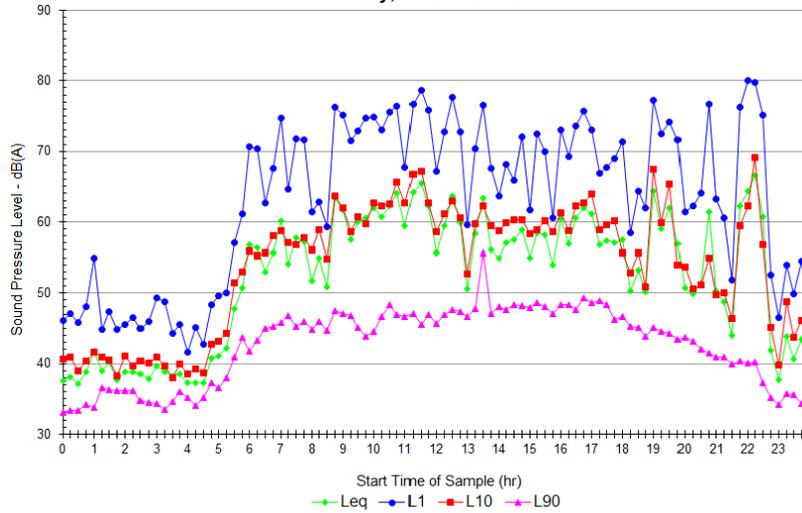


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Monday, 14 October 2019

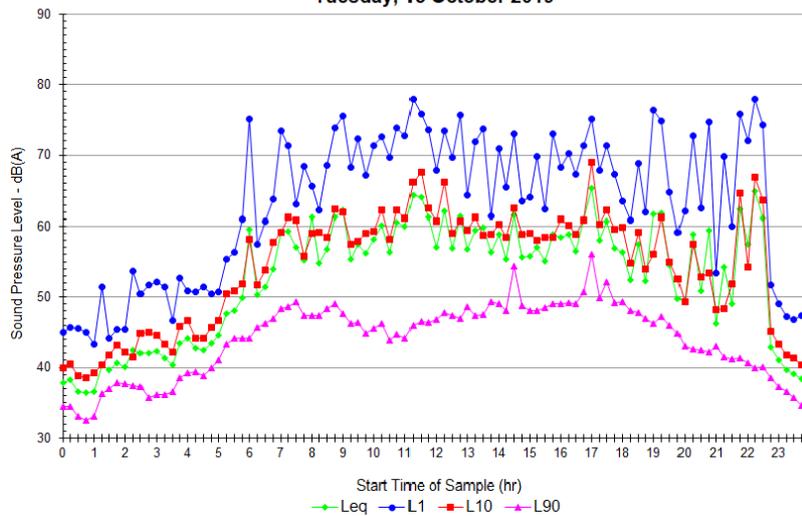


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Tuesday, 15 October 2019

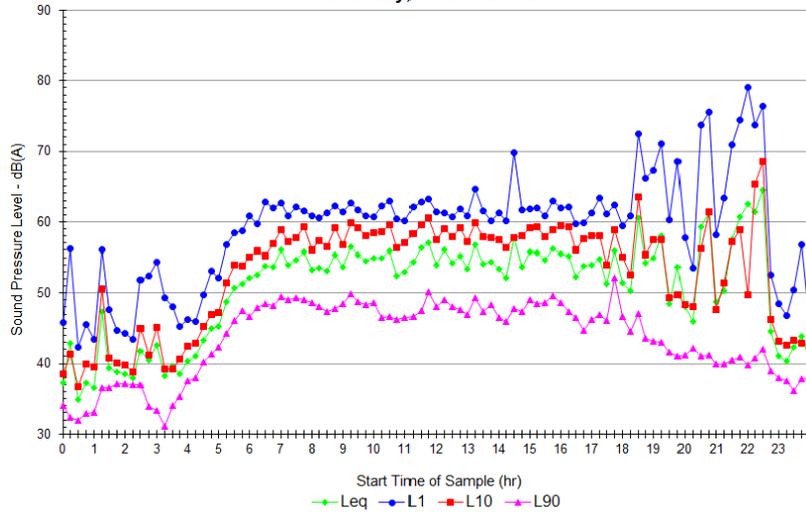


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Wednesday, 16 October 2019

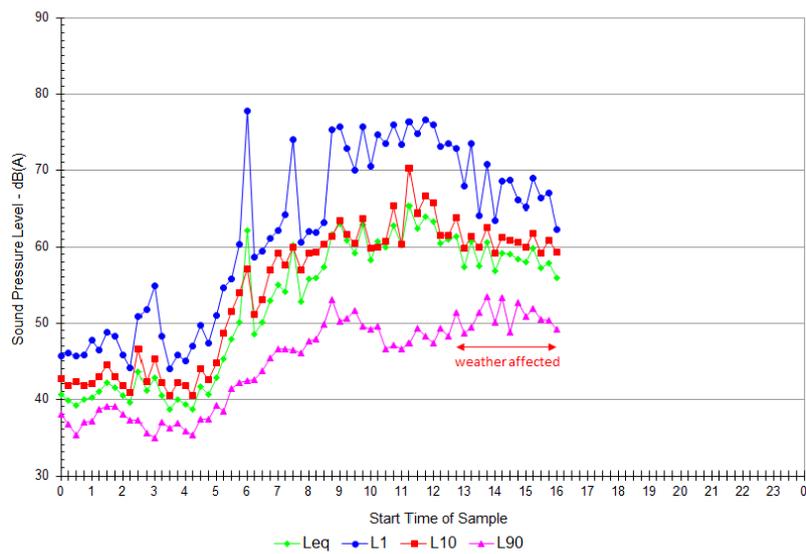


Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

Ambient Measurements

Thursday, 17 October 2019



Crystal Carwash Haberfield
SVAN 957 15364

5285
Eastern Corner

THE ACOUSTIC GROUP

**13.10.2021 – MODIFICATION OF EXISTING DEVELOPMENT: CRYSTAL
CARWASH**

95-97 RAMSAY ST, HABERFIELD

51.5285.L7A:MSC

13 October 2021

John Coady Consulting
PO Box 528
MANLY NSW 1655

Attention: Mr J. Coady

Dear Sirs,

MODIFICATION OF EXISTING DEVELOPMENT

CRYSTAL CAR WASH – 95 RAMSAY STREET, HABERFIELD

I am instructed that a modification application for the above premises before the Inner West Local Planning Panel on 14 September 2021 deferred determination of the Application and raised additional issues to be addressed by the Applicant.

The current operation of the car wash site has been certified by an external consultant (retained by the Council) as fully satisfying the relevant EPA noise criteria applicable to the site.

The proposed additional staff parking spaces (identified as spaces 3 & 4) to the south and east of the toilets behind the carwash cleaning area, would from an acoustic perspective not give rise to any impact in terms of noise criteria specified for the site, by nature of a vehicle arriving or departing at the end of a shift.

The parking bays 3 & 4 are subject to acoustic shielding by a barrier located along the boundary of the site, being a barrier designed by RSA Acoustics (on behalf of Council) to address noise emission from the site and will retain the existing privacy screen that is to be moved into the landscape area to facilitate the use of parking bays 3 & 4 .

The suggestion of relocation or removal of vacuum or air pump in the Ramsay Street/Kingston Street corner of the site is not necessary, and in an acoustic sense the use of that area for its current purpose places any noise associated with those activities significantly removed from residential receivers.

I am instructed that the Applicant has proposed the provision of a Try-Blu K9000 dog wash adjacent to the existing ice machine on the southern boundary of the site.

Noise data provided in relation to the K9000 unit in operation identified a maximum level of 66 dB(A) at 4 metres from the unit during the last cycle of the washing operation. The double sound isolation wall required by RSA Acoustics runs behind the dog wash. To maintain compliance with the background + 5 dB(A) limit it is proposed that the car wash side of the common fence be fully sheeted with 9mm Compressed Sheet II for the entire rear of the dog wash and ice machine and extended 1.5 metres in a horizontal direction past the extremities of the ice machine and the dog wash.

Yours faithfully,

THE ACOUSTIC GROUP PTY LTD

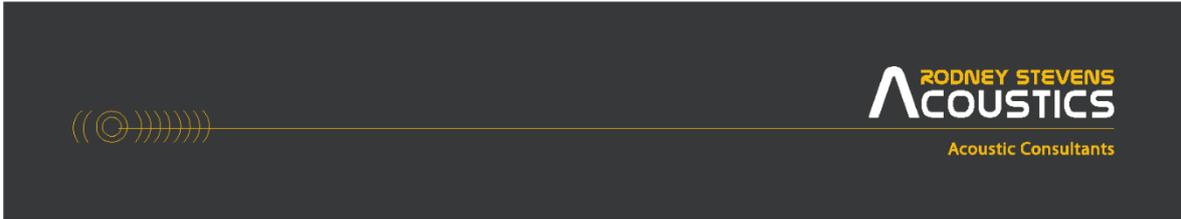


STEVEN E. COOPER

RODNEY STEVENS ACOUSTIC GROUP

04.02.2021 – NOISE IMPACT ASSESSMENT CRYSTAL CARWASH, HABERFIELD

95 RAMSAY ST, HABERFIELD



REPORT R190632R1

Revision 0

Noise Impact Assessment
Crystal Carwash Haberfield
95 Ramsay Street Haberfield NSW

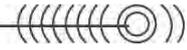
PREPARED FOR:
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Inner West Council
P. O. Box 14
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4 February 2020

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Version: 1, Version Date: 29/03/2020

Page 63

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Noise Impact Assessment
Crystal Carwash Haberfield
95 Ramsay Street Haberfield NSW

PREPARED BY:

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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
R190632R1	Revision 0	4 February 20	Desmond Raymond	Rodney Stevens	Rodney Stevens

Rodney Stevens Acoustics
 Report Number R190632R1
 Revision 0

Noise Impact Assessment Proposed Residential Development
 95 Ramsay Street Haberfield NSW
 Inner West Council
 Page 2

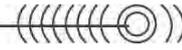
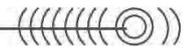


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1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (here forth referred to as RSA) has been engaged by Inner West Council to prepare a noise impact assessment for the existing car wash located at 95 Ramsay Street Haberfield NSW.

This report details the results of an ambient noise survey, establishes the noise criteria for the carwash and the results of the noise emanating from the operation of the car wash. This report also investigates the noise complaints received by Inner West Council from a nearby resident regarding the noise emissions from the Car Wash.

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

2 PROJECT SITE

2.1 Project Site

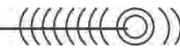
Crystal Car Wash is located at 95 Ramsay Street Haberfield NSW. The site is bounded by adjoining residential receivers to the south, east and west.

Figure 2-1 shows an aerial image of the site area and the surrounding environment.

Figure 2-1 Site Location



Image Courtesy of Google Maps © 2020.



3 BASELINE NOISE SURVEY

3.1 Unattended Noise Monitoring

In order to characterise the existing acoustical environment of the area unattended noise monitoring was conducted between the dates of 11th January and 18th January 2020 at the logging location shown in Figure 2-1

Logger location was selected with consideration to other noise sources which may influence readings, security issues for noise monitoring equipment and gaining permission for access from residents and landowners.

Instrumentation for the survey comprised of a RION NL-42EX environmental noise logger (serial number 546394) fitted with microphone windshields. Calibration of the logger was checked prior to and following measurements. Drift in calibration did not exceed ±0.5 dB(A). All equipment carried appropriate and current NATA (or manufacturer) calibration certificates. Measured data has been filtered to remove data measured during adverse weather conditions upon consultation with historical weather reports provided by the Bureau of Meteorology (BOM).

The logger determines L_{A1} , L_{A10} , L_{A90} and L_{Aeq} levels of the ambient noise. L_{A1} , L_{A10} , L_{A90} are the levels exceeded for 1%, 10% and 90% of the sample time respectively (see Glossary for definitions in Appendix A). Detailed results at the monitoring location are presented in graphical format in Appendix B. The graphs show measured values of L_{A1} , L_{A10} , L_{A90} and L_{Aeq} for each 15-minute monitoring period

3.2 Data Processing

3.2.1 Noise Emission (*Noise Policy for Industry*)

In order to assess noise emission from the carwash, the data obtained from the noise logger has been processed in accordance with the procedures contained in the NSW Environmental Protection Authority's (EPA) Noise Policy for Industry (NPfI, 2017) to establish representative noise levels that can be expected in the residential vicinity of the site. The monitored baseline noise levels are detailed in Table 3-1.

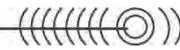
Table 3-1 Measured Baseline Noise Levels Corresponding to Defined NPfI Periods

Location	Measurement Descriptor	Measured Noise Level – dB(A) re 20 µPa		
		Daytime 7 am - 6 pm	Evening 6 pm – 10 pm	Night-time 10 pm – 7 am
72 O'Connor Street	L_{Aeq}	56	56	50
	RBL (Background)	37	34	29

Notes: All values expressed as dB(A) and rounded to nearest 1 dB(A);

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 present for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).



4 NOISE GUIDELINES AND CRITERIA

Inner West Council (The Leichhardt Development Control Plan (DCP) 2013) currently does not have any controls for noise emissions from a commercial property to residential receivers. RSA will adopt the guidelines presented in the EPA's Noise Policy for Industry.

4.1 Operational Noise Project Trigger Noise Levels

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 (NPfI) October 2017 which provides a framework and process for deriving project trigger noise level. The NPfI project noise levels 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.

4.1.1 Intrusiveness Noise Levels

For assessing intrusiveness, the background noise generally needs to be measured. The intrusiveness noise level 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.

4.1.2 Amenity Noise Levels

The amenity noise level 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 noise levels 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 project trigger noise level 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 project trigger noise level.

4.1.3 Area Classification

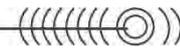
The NPfI characterises the "Urban" noise environment as an area with an acoustical environment that:

- 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.

4.1.4 Project Specific Trigger Noise Levels

Having defined the area type, the processed results of the unattended noise monitoring have been used to determine project specific project trigger noise levels. The intrusive and amenity project trigger noise levels for nearby residential premises are presented in Table 4-1. These project trigger noise levels 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 levels are assigned as per Table 2.2 of the NPfI (Recommended Amenity Noise Levels) and standardised as per Section 2.2 of the NPfI. For each assessment period, the lower (i.e. the more stringent) of the amenity or intrusive project trigger noise levels are adopted. These are shown in bold text in Table 4-1.

Table 4-1 Operational Project Trigger Noise Levels

Receiver	Time of Day	ANL ¹ L _{Aeq} (15min)	Measured		Project Trigger Noise Levels	
			RBL ² L _{A90} (15min)	Existing L _{Aeq} (15min)	Intrusive L _{Aeq} (15min)	Amenity L _{Aeq} (15min)
Residential	Day	60	37	56	42	63
	Evening	50	34	56	39	53
	Night	45	29	50	34	48

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

Note 2: RBL = "Rating Background Level".

5 NOISE IMPACT ASSESSMENT

5.1 Noise Complaint Details

There has been a number of noise complaints arising from a neighbouring residence regarding the noise emissions from the operation of the carwash. Summary of the noise complaints are as follows:

- Staff communicating with each other in loud voices. Noise from staff can be heard in the backyard and also inside the residential premises.
- Staff slamming supply room doors.
- Modified cars revving engines while queuing.

The complainants have noted that the noises are prominent during busier periods specifically weekends and public holidays.

5.2 Noise Complaint Investigation

In order to investigate the noise emanating from the carwash, a number of noise measurements were conducted by RSA staff on 11th January 2020 between 11am to 12:30pm. The purpose of the noise investigation was to measure the noise levels at the site, at the boundary of the site and in the backyard of the adjoining neighbouring backyard.

The site layout, noise monitoring locations and immediate receptors to noise are presented in the figure below.

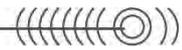
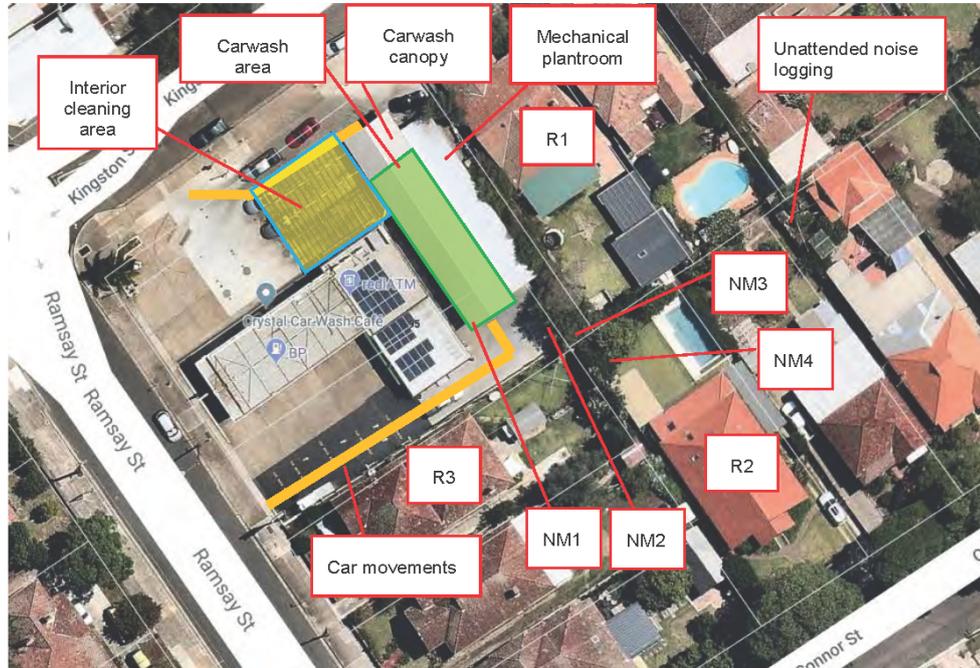


Figure 5-1 Site Layout



The carwash operates with the cars entering the carwash from Ramsay Street. When the carwash is full, cars queue on the driveway. At the carwash bay, the cars have their engines turned off and on a conveyor that starts the automated carwash. Occasionally cars have a high pressure clean at the start by an employee if there is caked on dirt.

The automated car wash consists of soap and brush clean, rinse and blow drying the car. The blowers are located under the canopy. Once the cars are washed, the customers have the option to have the interior cleaned. It's at this location that the vacuum gets operated along with the interior clean. The cars then exit the carwash via Kingston Street.

The noise levels, observations on site and site activities are presented in Table 5-1 below.

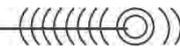


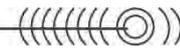
Table 5-1 Mechanical Plant Schedules

Monitoring Location	Site Observations	Measured noise levels
NM1	This was close up measurements of the carwash. Site activities included:	
	Vehicles idling on the driveway	L _p 66 dB(A) at 1m
	High pressure cleaning the car	L _p 74 dB(A) at 1m
	Brush washing the car	L _p 64 dB(A) at 1m
	Blower drying the car	L _p 70 dB(A) at 1.2m
	Vacuum cleaning	L _p 66 dB(A) at 1m
NM2	This location was near the boundary fence on the carwash side. This location observed similar activities as NM1 apart from vacuum cleaning. It should be noted that the blower and vacuum cleaning was not audible at this location.	L _{Aeq(15min)} 63 dB(A) at boundary
	Primary source of noise was from customer vehicles entering the carwash, idling and accelerating, the operation of the brush cleaning and the operation of the pressure hose. Road traffic noise from Ramsay Street was also audible at this location.	
NM3	This location was near the boundary fence on the residential side of the fence, approximately 1.2m from the colourbond fence.	L _{Aeq(15min)} 54 dB(A) at boundary
	Due to the proximity of the noise monitoring location, activities from the slow speed movements of cars and brush clean were audible.	
NM4	The noise monitoring was conducted on the backyard of 68 O'Connor Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, high pressure hose operation and road traffic on Ramsay Street.	L _{Aeq(15min)} 48 dB(A) in the backyard

During the noise measurements, employees were not engaged in loud conversations and staff did not slam the supply room & bathroom doors. The vehicles being washed consisted of standard type cars and no modified vehicles were present.

In order to establish operational noise criteria for the carwash, unattended noise monitoring was conducted at the location presented in Figure 5-1. This location was selected due to access to a residential receiver that was not affected by noise from the carwash. The results of the unattended noise monitoring are presented in Table 3-1 with the intrusive noise trigger levels presented in Table 4-1. Long term noise monitoring conducted in the residential backyard, 72 O'Connor Street, is considered to be quieter than the background levels experience at the residential backyards closer to Ramsay Street and Kingston Street. Residents located closer to Ramsay Street can experience higher background levels due to the impact by road traffic from Ramsay Street.

Background levels of L_{A90} 37 dB(A) was measured in the backyard of 72 O'Connor Street during the long-term measurements.



In the absence of noise from the carwash, a background level of L_{A90} 40 dB(A) was measured in the backyard of 68 O'Connor Street by RSA on 11th January. RSA recommends utilising the background levels from the short term attended measurements for the purposes of applying operational noise criteria. Section A1.1 of the *NPfl* allows for the acceptance of short-term background noise levels particularly when assessing noise complaints.

Applying RBL + 5dB to L_{A90} 40 dB(A), the intrusive criteria is calculated to be $L_{Aeq(15min)}$ 45 dB(A).

At NM4, the noise levels from the carwash was measured to be $L_{Aeq(15min)}$ 48 dB(A). This exceeds the noise criteria by 3 dB. Observations from RSA staff noted the dominant noise source was the pressure hose washing the cars and the low speed movement of cars. Road traffic noise from Ramsay Street was also audible at this location.

Further noise control measures are recommended to be implemented in order for the carwash to operate in an acoustically compliant manner. These measures are presented in Section 6 of this report.

5.3 Noise Modelling

Noise emissions for the carwash has also been modelled by RSA. The site has been modelled to allow for the maximum capacity of the carwash scenario. Noise emissions at the nearest residential receivers are presented in the table below.

Noise modelling has been conducted utilising the modelling software SoundPlan 8.1.

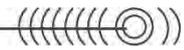
The predicted noise calculations take into account the following:

- Heights of receivers are assumed to be 1.5 meters above respective level
- All activities are operational at the same time (worst case scenario) as per the observations on site from RSA
- Source noise levels obtained from measurements at NM1
- Existing 1.6m high colourbond fence around the perimeter of the carwash
- All mechanical plants housed in the existing mechanical plant room
- Resulting noise levels have been calculated to the most affected point on the backyard of the affected receivers

Table 5-2 Predicted Noise Levels At Sensitive Receivers

Receiver	Period	Calculated Noise Level L_{Aeq} – dB(A)	Criteria	Compliance
R1	Day	52	45	With Recommendations
R2	Day	52	45	With Recommendations
R3	Day	55	45	With Recommendations

Noise modelling of the carwash show exceedances in the noise criteria. Further noise control measures are recommended to be incorporated with the carwash.



RSA has been requested by Inner West Council to conduct the noise modelling without the canopy structure covering the car wash. Removing the canopy structure does not influence the noise impact to the nearby sensitive receivers. The resultant noise levels are identical to Table 5-2.

6 RECOMMENDATIONS

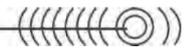
The noise monitoring conducted by RSA staff and the noise modelling shows exceedance to the noise criteria. Noise control measures listed below are recommended to be incorporated within the carwash:

- Existing boundary fence to be extended to 1.8m and lined with material similar to *Pyrotek Outdoor Wavebar 4kg/m²*. Figure below highlights the location of the fence upgrade

Figure 6-1 Fence Upgrade Location



- Supply room door and toilet door to have a self-closing mechanism to avoid door slam
- Plan of management of the carwash to be revised to include:
 - Staff to keep voices within acceptable limits. No shouting/yelling by carwash employees or customers.
 - During peak periods, staff is to advise customers waiting to turn of car engine



7 CONCLUSION

A noise impact assessment has been conducted in relation to the noise complaint received by Inner West Council from the Crystal Carwash located at 95 Ramsay Street Haberfield NSW

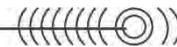
This assessment has been conducted and appropriate noise emission criteria have been established in accordance with EPA *Noise Policy for Industry* requirements.

Attended noise monitoring at multiple locations and noise modelling completed by RSA shows exceedance in the established noise criteria.

This report shows that under the most conservative operating scenarios and the implementation of the recommendations, operational noise emission from the carwash can achieve the established criteria at neighbouring residences.

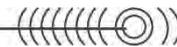
Approved:-

Rodney Stevens
Manager/Principal

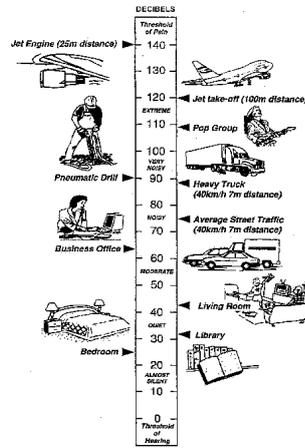
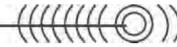


Appendix A – Acoustic Terminology

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 <i>dB(linear)</i> .
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"> ■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content) ■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry) ■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations) ■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).
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"> ■ Noise mitigation benefits (amount of noise reduction provided, number of people protected). ■ Cost of mitigation (cost of mitigation versus benefit provided). ■ Community views (aesthetic impacts and community wishes). ■ 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 th percentile min L _{A90} 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)	<p>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 10⁻⁵ Pa.</p> <p>The picture below indicates typical noise levels from common noise sources.</p>



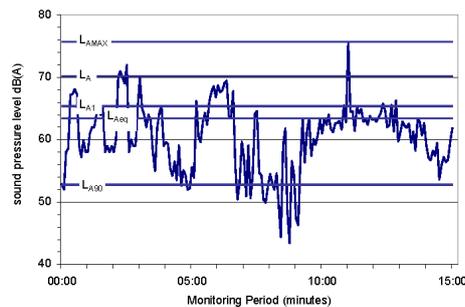
dB is the abbreviation for decibel – a unit of sound measurement. It is equivalent to 10 times the logarithm (to base 10) of the ratio of a given sound pressure to a reference pressure.

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.

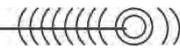
Statistic noise levels Noise levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

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.

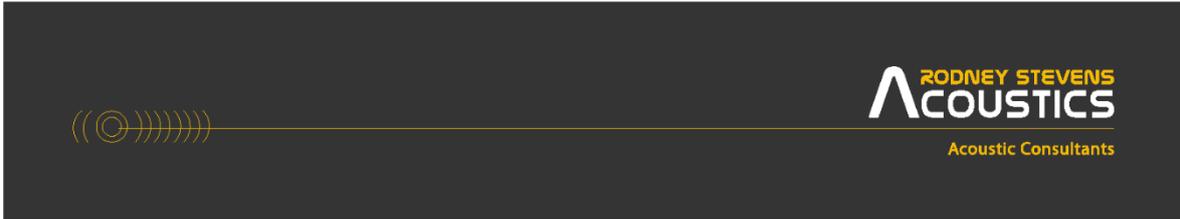


	<p>LA10 Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.</p> <p>LAeq Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.</p> <p>LA90 Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).</p>
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 dB(A) penalty is typically applied to noise sources with tonal characteristics

RODNEY STEVENS ACOUSTIC GROUP

16.03.2020 – NOISE IMPACT ASSESSMENT – CRYSTAL CARWASH

96 RAMSAY ST, HABERFIELD



REPORT R190632R1

Revision 1

Noise Impact Assessment
Crystal Carwash Haberfield
95 Ramsay Street Haberfield NSW

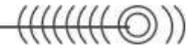
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Noise Impact Assessment
 Crystal Carwash Haberfield
 95 Ramsay Street Haberfield NSW

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DOCUMENT CONTROL

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Rodney Stevens Acoustics
 Report Number R190632R1
 Revision 1

Noise Impact Assessment Proposed Residential Development
 95 Ramsay Street Haberfield NSW
 Inner West Council
 Page 2

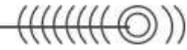


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1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (here forth referred to as RSA) has been engaged by Inner West Council to prepare a noise impact assessment for the existing car wash located at 95 Ramsay Street Haberfield NSW.

This report details the results of an ambient noise survey, establishes the noise criteria for the carwash and the results of the noise emanating from the operation of the car wash. This report also investigates the noise complaints received by Inner West Council from a nearby resident regarding the noise emissions from the Car Wash.

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

2 PROJECT SITE

2.1 Project Site

Crystal Car Wash is located at 95 Ramsay Street Haberfield NSW. The site is bounded by adjoining residential receivers to the south, east and west.

Figure 2-1 shows an aerial image of the site area and the surrounding environment.

Figure 2-1 Site Location



Image Courtesy of Google Maps © 2020.



3 BASELINE NOISE SURVEY

3.1 Unattended Noise Monitoring

In order to characterise the existing acoustical environment of the area unattended noise monitoring was conducted between the dates of 11th January and 18th January 2020 at the logging location shown in Figure 2-1

Logger location was selected with consideration to other noise sources which may influence readings, security issues for noise monitoring equipment and gaining permission for access from residents and landowners.

Instrumentation for the survey comprised of a RION NL-42EX environmental noise logger (serial number 546394) fitted with microphone windshields. Calibration of the logger was checked prior to and following measurements. Drift in calibration did not exceed ±0.5 dB(A). All equipment carried appropriate and current NATA (or manufacturer) calibration certificates. Measured data has been filtered to remove data measured during adverse weather conditions upon consultation with historical weather reports provided by the Bureau of Meteorology (BOM).

The logger determines L_{A1} , L_{A10} , L_{A90} and L_{Aeq} levels of the ambient noise. L_{A1} , L_{A10} , L_{A90} are the levels exceeded for 1%, 10% and 90% of the sample time respectively (see Glossary for definitions in Appendix A). Detailed results at the monitoring location are presented in graphical format in Appendix B. The graphs show measured values of L_{A1} , L_{A10} , L_{A90} and L_{Aeq} for each 15-minute monitoring period

3.2 Data Processing

3.2.1 Noise Emission (*Noise Policy for Industry*)

In order to assess noise emission from the carwash, the data obtained from the noise logger has been processed in accordance with the procedures contained in the NSW Environmental Protection Authority's (EPA) Noise Policy for Industry (NPI, 2017) to establish representative noise levels that can be expected in the residential vicinity of the site. The monitored baseline noise levels are detailed in Table 3-1.

Table 3-1 Measured Baseline Noise Levels Corresponding to Defined NPfi Periods

Location	Measurement Descriptor	Measured Noise Level – dB(A) re 20 µPa		
		Daytime 7 am - 6 pm	Evening 6 pm – 10 pm	Night-time 10 pm – 7 am
72 O'Connor Street	L_{Aeq}	56	56	50
	RBL (Background)	37	34	29

Notes: All values expressed as dB(A) and rounded to nearest 1 dB(A)

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 present for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).



4 NOISE GUIDELINES AND CRITERIA

Inner West Council (The Leichhardt Development Control Plan (DCP) 2013) currently does not have any controls for noise emissions from a commercial property to residential receivers. RSA will adopt the guidelines presented in the EPA's Noise Policy for Industry.

4.1 Operational Noise Project Trigger Noise Levels

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 project trigger noise level. The NPI project noise levels 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.

4.1.1 Intrusiveness Noise Levels

For assessing intrusiveness, the background noise generally needs to be measured. The intrusiveness noise level 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.

4.1.2 Amenity Noise Levels

The amenity noise level 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 noise levels 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 project trigger noise level 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 project trigger noise level.

4.1.3 Area Classification

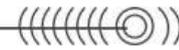
The NPI characterises the "Urban" noise environment as an area with an acoustical environment that

- 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.

4.1.4 Project Specific Trigger Noise Levels

Having defined the area type, the processed results of the unattended noise monitoring have been used to determine project specific project trigger noise levels. The intrusive and amenity project trigger noise levels for nearby residential premises are presented in Table 4-1. These project trigger noise levels 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 levels are assigned as per Table 2.2 of the NPfI (Recommended Amenity Noise Levels) and standardised as per Section 2.2 of the NPfI. For each assessment period, the lower (i.e. the more stringent) of the amenity or intrusive project trigger noise levels are adopted. These are shown in bold text in Table 4-1.

Table 4-1 Operational Project Trigger Noise Levels

Receiver	Time of Day	ANL ¹ L _{Aeq} (15min)	Measured		Project Trigger Noise Levels	
			RBL ² L _{A90} (15min)	Existing L _{Aeq} (15min)	Intrusive L _{Aeq} (15min)	Amenity L _{Aeq} (15min)
Residential	Day	60	37	56	42	63
	Evening	50	34	56	39	53
	Night	45	29	50	34	48

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

Note 2: RBL = "Rating Background Level".

5 NOISE IMPACT ASSESSMENT

5.1 Noise Complaint Details

There has been a number of noise complaints arising from a neighbouring residence regarding the noise emissions from the operation of the carwash. Summary of the noise complaints are as follows:

- Staff communicating with each other in loud voices. Noise from staff can be heard in the backyard and also inside the residential premises.
- Staff slamming supply room doors.
- Modified cars revving engines while queuing.

The complainants have noted that the noises are prominent during busier periods specifically weekends and public holidays.

5.2 Noise Complaint Investigation

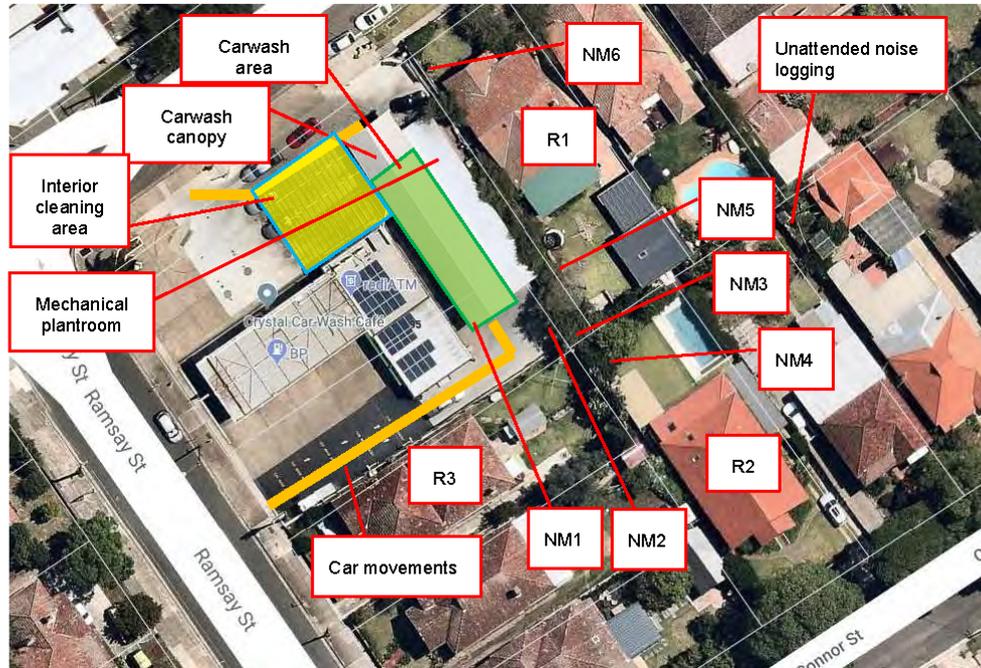
In order to investigate the noise emanating from the carwash, a number of noise measurements were conducted by RSA staff on:

- 11th January 2020 between 11am to 12:30pm: The purpose of the noise investigation was to measure the noise levels at the site, at the boundary of the site and in the backyard of the adjoining south eastern neighbouring premises.
- 29th February 2020 between 10am to 11am: The purpose of the noise investigation was to measure the noise levels in the backyard & front yard of the adjoining eastern neighbouring premises.
- 11th March 2020 between 10am to 10:30am: The purpose of the noise investigation was to measure the noise levels in the mechanical plant room of the carwash.

The site layout, noise monitoring locations and immediate receptors to noise are presented in the figure below.



Figure 5-1 Site Layout



The carwash operates with the cars entering the carwash from Ramsay Street. When the carwash is full, cars queue on the driveway. At the carwash bay, the cars have their engines turned off and on a conveyor that starts the automated carwash. Occasionally cars have a high pressure clean at the start by an employee if there is caked on dirt.

The automated car wash consists of soap and brush clean, rinse and blow drying the car. The blowers are located under the canopy. Once the cars are washed, the customers have the option to have the interior cleaned. It's at this location that the vacuum gets operated along with the interior clean. The cars then exit the carwash via Kingston Street.

The noise levels, observations on site and site activities are presented in Table 5-1 below.



Table 5-1 Mechanical Plant Schedules

Monitoring Location	Site Observations	Measured noise levels
NM1	This was close up measurements of the carwash. Site activities included:	
	Vehicles idling on the driveway	L _p 66 dB(A) at 1m
	High pressure cleaning the car	L _p 74 dB(A) at 1m
	Brush washing the car	L _p 64 dB(A) at 1m
	Blower drying the car	L _p 70 dB(A) at 1.2m
	Vacuum cleaning	L _p 66 dB(A) at 1m
NM2	This location was near the boundary fence on the carwash side. This location observed similar activities as NM1 apart from vacuum cleaning. It should be noted that the blower and vacuum cleaning was not audible at this location.	L _{req(15min)} 63 dB(A) at boundary
	Primary source of noise was from customer vehicles entering the carwash, idling and accelerating, the operation of the brush cleaning and the operation of the pressure hose. Road traffic noise from Ramsay Street was also audible at this location.	
NM3	This location was near the boundary fence on the residential side of the fence, approximately 1.2m from the colourbond fence.	L _{req(15min)} 54 dB(A) at boundary
	Due to the proximity of the noise monitoring location, activities from the slow speed movements of cars and brush clean were audible.	
NM4	The noise monitoring was conducted on the backyard of 68 O'Connor Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, high pressure hose operation and road traffic on Ramsay Street.	L _{req(15min)} 48 dB(A) in the backyard
NM5	The noise monitoring was conducted on the backyard of 1 Kingston Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, high pressure hose operation, operation of the mechanical plants in the plant room and clear audible conversations between staff & customers.	L _{req(15min)} 54 dB(A) in the backyard
	Note 1: there is a clear line of sight through the lapped and capped fence between the backyard and the carwash. Noise is clearly flanking through the fence and onto the backyard.	
NM6	The noise monitoring was conducted on the front yard of 1 Kingston Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, operation of vacuum, operation of the mechanical plants in the plant room and road traffic on Kingston Street.	L _{req(15min)} 50 dB(A) in the front yard



Note 1: there is a clear line of sight through the gap under the fence between the front yard and the carwash.

Note 2: noise from heavy traffic and aircraft has been removed from the measurement

During the noise measurements, employees were not engaged in loud conversations and staff did not slam the supply room & bathroom doors. The vehicles being washed consisted of standard type cars and no modified vehicles were present.

In order to establish operational noise criteria for the carwash, unattended noise monitoring was conducted at the location presented in Figure 5-1. This location was selected due to access to a residential receiver that was not affected by noise from the carwash. The results of the unattended noise monitoring are presented in Table 3-1 with the intrusive noise trigger levels presented in Table 4-1. Long term noise monitoring conducted in the residential backyard, 72 O'Connor Street, is considered to be quieter than the background levels experience at the residential backyards closer to Ramsay Street and Kingston Street. Residents located closer to Ramsay Street can experience higher background levels due to the impact by road traffic from Ramsay Street.

Background levels of $L_{Aeq} 37$ dB(A) was measured in the backyard of 72 O'Connor Street during the long-term measurements.

In the absence of noise from the carwash, a background level of $L_{Aeq} 40$ dB(A) was measured in the backyard of 68 O'Connor Street by RSA on 11th January. RSA recommends utilising the background levels from the short term attended measurements for the purposes of applying operational noise criteria. Section A1.1 of the *NPF* allows for the acceptance of short-term background noise levels particularly when assessing noise complaints.

Applying RBL + 5dB to $L_{Aeq} 40$ dB(A), the intrusive criteria is calculated to be $L_{Aeq(15min)} 45$ dB(A).

At NM4, the noise levels from the carwash was measured to be $L_{Aeq(15min)} 48$ dB(A). This exceeds the noise criteria by 3 dB. Observations from RSA staff noted the dominant noise source was the pressure hose washing the cars and the low speed movement of cars. Road traffic noise from Ramsay Street was also audible at this location.

At NM5, the noise levels from the carwash was measured to be $L_{Aeq(15min)} 54$ dB(A). This exceeds the noise criteria by 9 dB. Observations from RSA staff noted the dominant noise source was the pressure hose washing the cars, the low speed movement of cars and clear conversations. The fencing in the backyard is a combination of lapped and capped timber with colourbond on top. The fence has gaps between the timber planks with a clear line of sight to the carwash. There is also a large gap in the fencing near the mechanical plant room.

At NM6, the noise levels from the carwash was measured to be $L_{Aeq(15min)} 50$ dB(A). This exceeds the noise criteria by 5 dB. Observations from RSA staff noted the dominant noise source was the vacuum cleaners operating and the mechanical plant room. There is a gap under the existing fence which has a clear line of sight to the vacuum area of the car wash.

Additional noise measurements were conducted inside the mechanical plant room on 11th March 2020 to obtain the existing noise levels within the room. The plant room is constructed from light weight construction with plasterboard on either side with insulation inside. The entrance is through the roller door which is understood to be closed at peak times. A number of flanking paths were identified including:

- Around the roller door rails and housing
- Through the roller door



- Gaps through the external wall which has pipes for cleaning chemical supply

The plant room houses equipment for the operation of the carwash. These include industrial motors, blowers, pumps and pneumatic switches. Cumulative noise levels in the centre of the plant was measured to be $L_{Aeq(15min)}$ 74 dB(A).

Further noise control measures are recommended to be implemented in order for the carwash to operate in an acoustically compliant manner. These measures are presented in Section 6 of this report.

5.3 Noise Modelling

Noise emissions for the carwash has also been modelled by RSA. The site has been modelled to allow for the maximum capacity of the carwash scenario. Noise emissions at the nearest residential receivers are presented in the table below.

Noise modelling has been conducted utilising the modelling software SoundPlan 8.1.

The predicted noise calculations take into account the following:

- Heights of receivers are assumed to be 1.5 meters above respective level
- All activities are operational at the same time (worst case scenario) as per the observations on site from RSA
- Source noise levels obtained from measurements at NM1
- Existing 1.6m high colourbond fence around the perimeter of the carwash
- Mechanical plants located at the same location without the plant room (as requested by the client). Source noise levels obtained from measurements inside the plant room
- Resulting noise levels have been calculated to the most affected point on the backyard of the affected receivers

Table 5-2 Predicted Noise Levels At Sensitive Receivers

Receiver	Period	Calculated Noise Level L_{Aeq} – dB(A)	Criteria	Compliance
R1	Day	54	45	With Recommendations
R2	Day	53	45	With Recommendations
R3	Day	55	45	With Recommendations

Noise modelling of the carwash show exceedances in the noise criteria. Further noise control measures are recommended to be incorporated with the carwash.



6 RECOMMENDATIONS

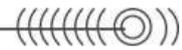
The noise monitoring conducted by RSA staff and the noise modelling shows exceedance to the noise criteria. Noise control measures listed below are recommended to be incorporated within the carwash:

- Existing boundary fence to be extended to 1.8m and lined with material similar to *Pyrotek Outdoor Wavebar 4kg/m²*. Figure below highlights the location of the fence upgrade

Figure 6-1 Fence Upgrade Location



- Supply room door and toilet door to have a self-closing mechanism to avoid door slam
- Plant room to be upgraded to include:
 - All gaps to be fully sealed
 - Roller door to be replaced with solid core door with acoustic seals.
 - Space above the door to be fully covered with insulation infill and plasterboard finish
- Plan of management of the carwash to be revised to include:
 - Staff to keep voices within acceptable limits. No shouting/yelling by carwash employees or customers.
 - During peak periods, staff is to advise customers waiting to turn of car engine



7 CONCLUSION

A noise impact assessment has been conducted in relation to the noise complaint received by Inner West Council from the Crystal Carwash located at 95 Ramsay Street Haberfield NSW

This assessment has been conducted and appropriate noise emission criteria have been established in accordance with EPA *Noise Policy for Industry* requirements.

Attended noise monitoring at multiple locations and noise modelling completed by RSA shows exceedance in the established noise criteria.

This report shows that under the most conservative operating scenarios and the implementation of the recommendations, operational noise emission from the carwash can achieve the established criteria at neighbouring residences.

Approved:-

Rodney Stevens
Manager/Principal

DRAFT

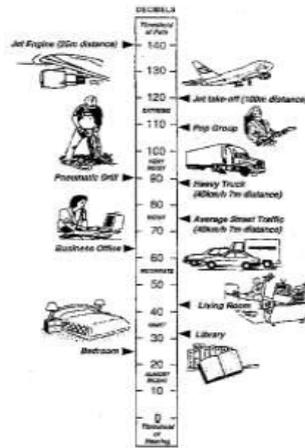
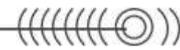


Appendix A – Acoustic Terminology

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 'A-weighting' 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 <i>dB(linear)</i> .
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"> ■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content) ■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry) ■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations) ■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).
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"> ■ Noise mitigation benefits (amount of noise reduction provided, number of people protected). ■ Cost of mitigation (cost of mitigation versus benefit provided). ■ Community views (aesthetic impacts and community wishes). ■ 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 th percentile min L ₉₀ 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)	<p>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 10⁻⁵ Pa.</p> <p>The picture below indicates typical noise levels from common noise sources.</p>



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)*.

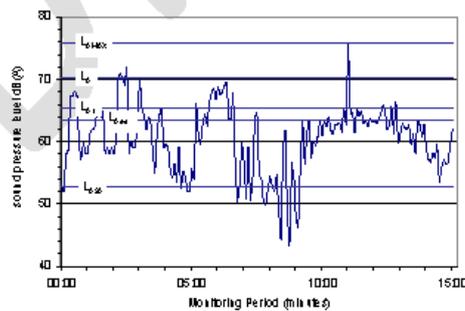
Sound Pressure Level (SPL)

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.

Statistic 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_{max} 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.

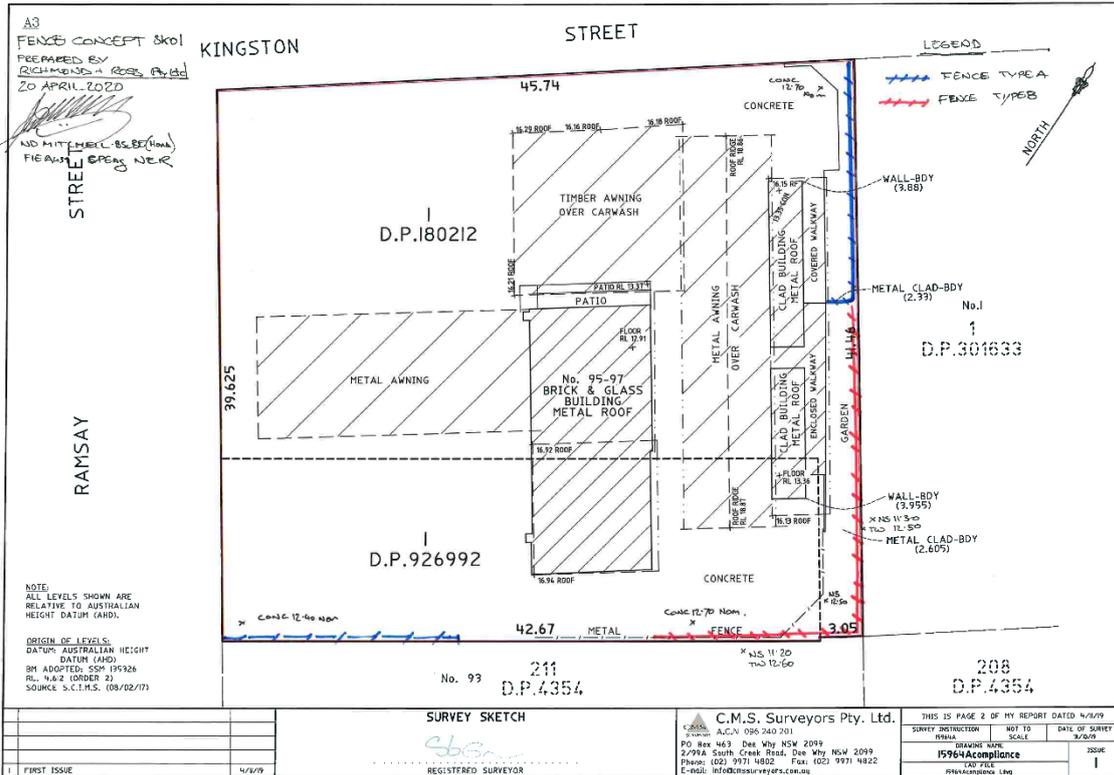
L_{Aeq} Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.

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).

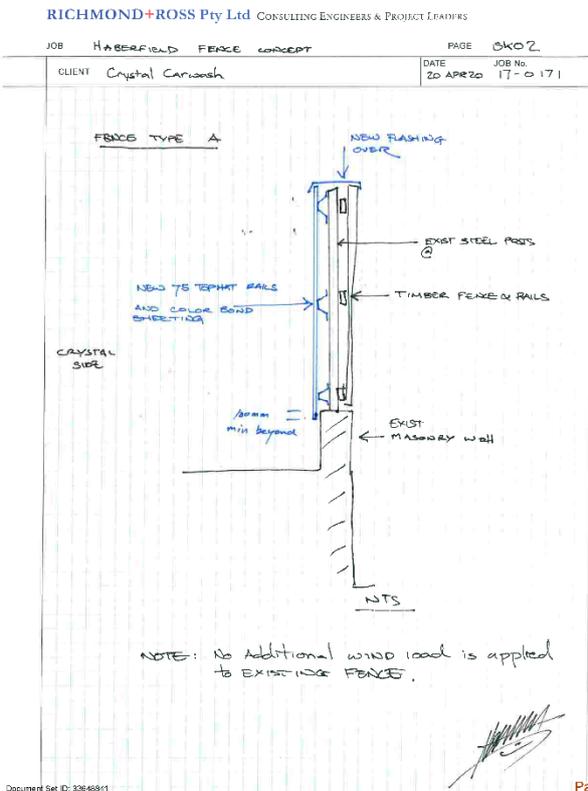
Tonality Tonal noise contains one or more prominent tones (and characterised by a distinct frequency components) and is considered more annoying. A 2 to 5 dB(A) penalty is typically applied to noise sources with tonal characteristics

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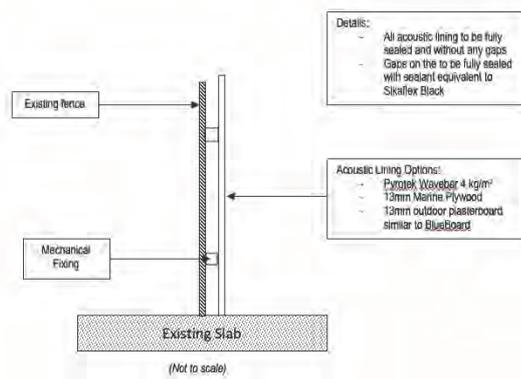
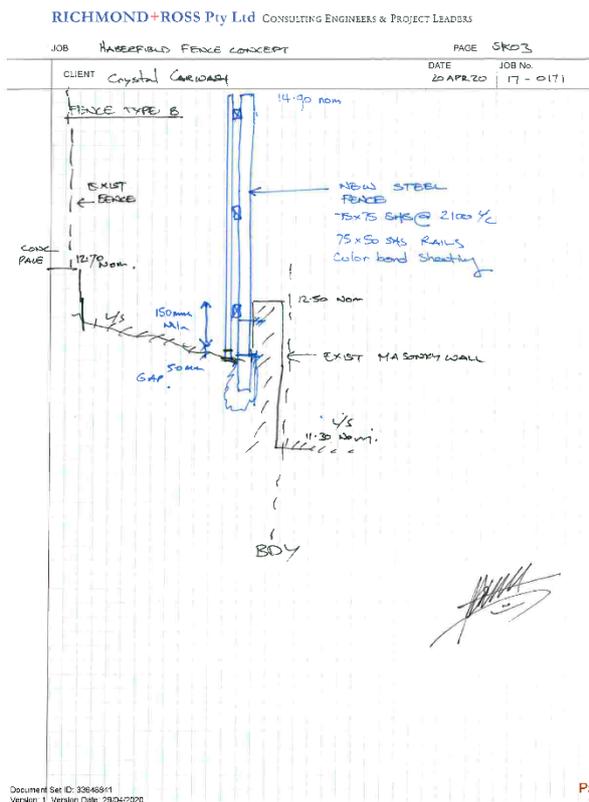
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 Version: 1, Version Date: 28/04/2020

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RODNEY STEVENS ACOUSTIC GROUP

25.05.2020 – CRYSTAL CARWASH HABERFIELD FENCING DETAIL



Reference: R190632R2

25th May 2020

Kursty Delmas
Inner West Council
P. O. Box 14
Petersham NSW



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Re: Crystal Carwash Haberfield Fencing Detail

Rodney Stevens Acoustics (RSA) has been engaged by Inner West Council to conduct a noise impact assessment for noise emissions resulting from the operation of Crystal Carwash located at 95 Ramsay Street Haberfield NSW. The requirement noise assessment was in response to noise complaints received by council from nearby sensitive receivers. RSA completed a comprehensive noise assessment on 16 March 2020, Report Number R190632R1 Revision 1. The assessment contained recommendations for the acoustic treatment of the existing fence at the boundary of the carwash and the neighbouring residents.

This document presents the detail of the acoustic fence including the height, location and construction material of the fence. Figure below presents the location of the acoustic fence.

Figure 1-1



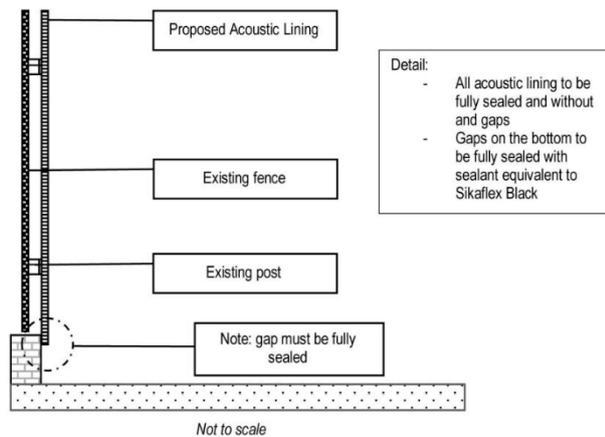
ABN 78 149 311 455

Section 1 of the fence is presented as an acoustic treatment to the existing fence. The existing fence is of timber construction with steel posts on a concrete retaining wall. It is recommended to line the existing fence with acoustic material similar to:

- Pyrotek Wavebar 4kg/m²
- 13mm Marine Plywood
- 13mm outdoor plasterboard similar to Blueboard

It is understood the existing fence has a height of 1.8m from the retaining wall. It is recommended to retain the existing height. Figure below presents an indicative treatment of Section 1.

Figure 1-2 Section 1 Fence Detail

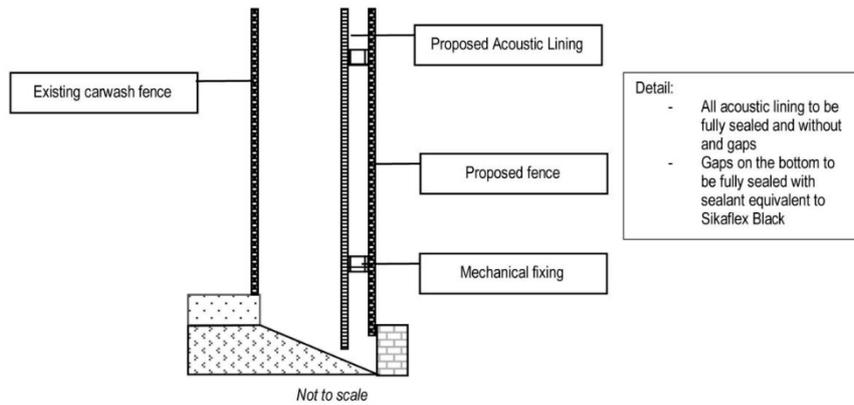


Section 2 is presented as the construction of new fencing. A lapped and capped timber fence is proposed for the residential side with acoustic lining on the carwash side. The height of the fence is to be a minimum of 2.1m from the existing retaining wall. The height of the fence must be consistent with the existing carwash Colorbond fence and not with the step down of the retaining wall. It is recommended to line the proposed fence with acoustic material similar to:

- Pyrotek Wavebar 4kg/m²
- 13mm Marine Plywood
- 13mm outdoor plasterboard similar to Blueboard

Figure below presents an indicative treatment of Section 2.

Figure 1-3 Section 2 Fence Detail

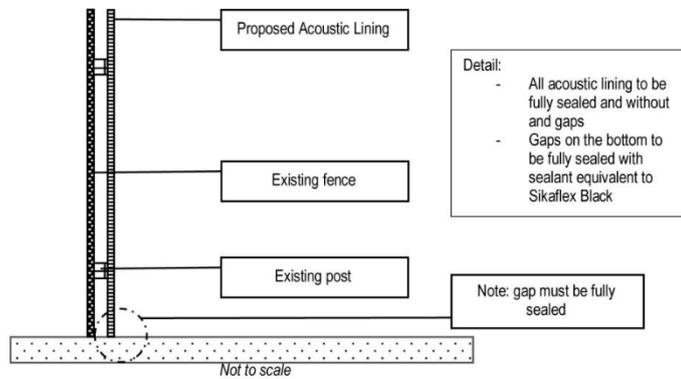


Section 3 of the fence is presented as acoustic treatment to the existing fence. The existing fence is of a Colorbond construction on the existing concrete slab flooring. It is recommended to line the existing fence with acoustic material similar to:

- Pyrotek Wavebar 4kg/m²
- 13mm Marine Plywood
- 13mm outdoor plasterboard similar to Blueboard

It is understood the existing fence has a height of 1.8m. It is recommended to retain the existing height. Figure below presents an indicative treatment of Section 3.

Figure 1-4 Section 3 Fence Detail



The above presented acoustic treatments and figures are shown as in-principle design only and are not to scale. Further advice on construction and structural detail should be sourced from an appropriately qualified engineer.

This document is presented as supplemental documentation to RSA Report Number R190632R1 dated 16 March 2020, and presents the required acoustic treatment to the fence at the Crystal Car Wash located at 95 Ramsay Street Haberfield.

Approved: -

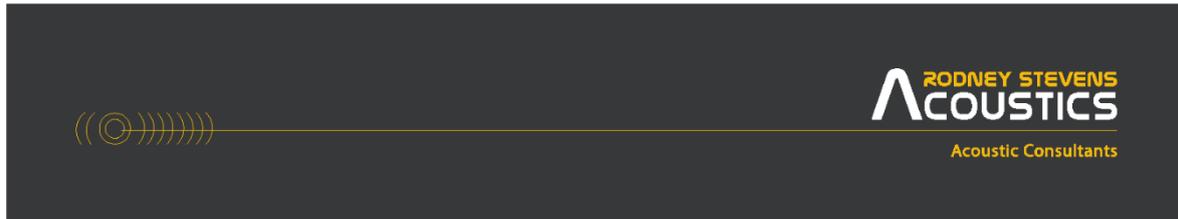


Rodney Stevens
Managing Director/Principal

RODNEY STEVENS ACOUSTIC GROUP

18.08.2020 – COMPLIANCE REPORT – CRYSTAL CARWASH HABERFIELD

95 RAMSAY ST, HABERFIELD



REPORT R190632C1

Revision 0

Compliance Report
Crystal Carwash Haberfield
95 Ramsay Street Haberfield

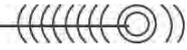
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18 August 2020

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Document Set ID: 33885937
Version: 1, Version Date: 20/08/2020

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Noise Impact Assessment

Proposed Residential Development

95 Ramsay Street Haberfield

PREPARED BY:

Rodney Stevens Acoustics Pty Ltd
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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
R190632C1	Revision 0	18 August 2020	Desmond Raymond	Rodney Stevens	Rodney Stevens

Rodney Stevens Acoustics
 Report Number R190632C1
 Revision 0

Noise Compliance Report
 Crystal Carwash Haberfield
 Inner West Council
 Page 2

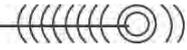
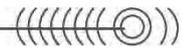


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1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (here forth referred to as RSA) has been engaged by Inner West Council to prepare a noise compliance report for the Crystal Carwash located at 95 Ramsay Street Haberfield in response to complaints from the neighbouring residences regarding the noise emitting from the operation of the carwash.

This report details the results of an ambient noise survey and establishes the noise criteria for mechanical plant for the development

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

2 PROPOSED DEVELOPMENT

2.1 Development Site

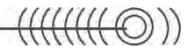
Crystal Car Wash is located at 95 Ramsay Street Haberfield NSW. The site is bounded by adjoining residential receivers to the south, east and west.

Figure 2-1 shows an aerial image of the site area and the surrounding environment.

Figure 2-1 Site Location



Image Courtesy of Google Maps © 2020.

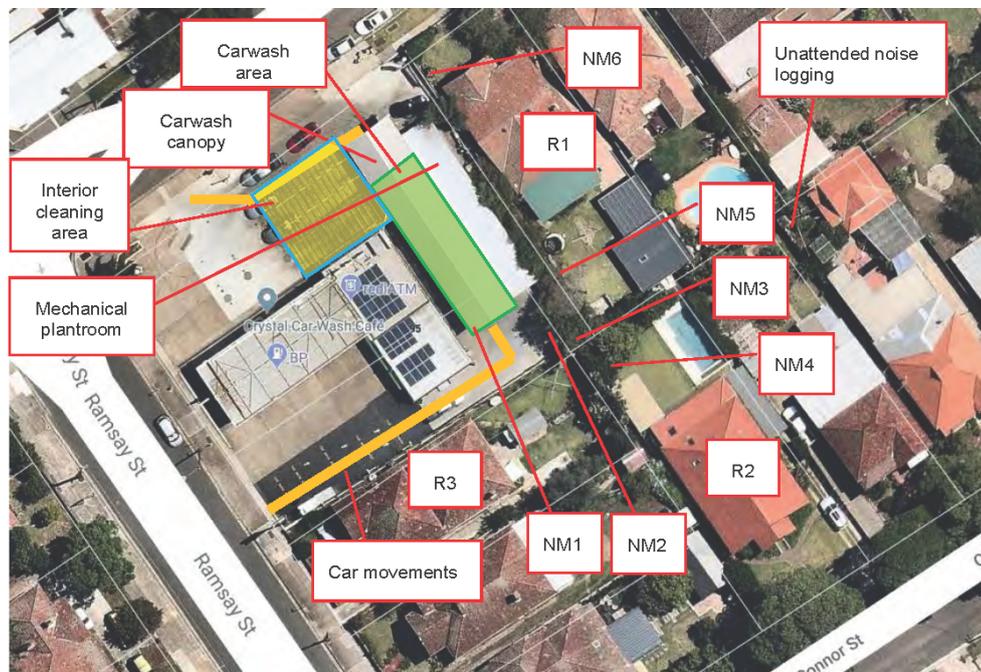


3 PREVIOUS ACOUSTIC ASSESSMENT

RSA had conducted a noise assessment of the noise emanating from the carwash and presented the findings in RSA Acoustic Report Number R190632R1 dated 16 March 2020. The purpose of the assessment was to measure the noise from the carwash at the adjoining residential premises. In order to investigate the noise emanating from the carwash, a number of noise measurements were conducted by RSA staff on:

- 11th January 2020 between 11am to 12:30pm: The purpose of the noise investigation was to measure the noise levels at the site, at the boundary of the site and in the backyard of the adjoining south eastern neighbouring premises.
- 29th February 2020 between 10am to 11am: The purpose of the noise investigation was to measure the noise levels in the backyard & front yard of the adjoining eastern neighbouring premises.
- 11th March 2020 between 10am to 10:30am: The purpose of the noise investigation was to measure the noise levels in the mechanical plant room of the carwash.

Figure 3-1 Site Layout



The noise levels, observations on site and site activities are presented in table below.

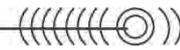
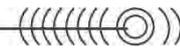


Table 3-1 Noise Monitoring Locations

Monitoring Location	Site Observations	Measured noise levels
NM1	This was close up measurements of the carwash. Site activities included:	
	Vehicles idling on the driveway	L _p 66 dB(A) at 1m
	High pressure cleaning the car	L _p 74 dB(A) at 1m
	Brush washing the car	L _p 64 dB(A) at 1m
	Blower drying the car	L _p 70 dB(A) at 1.2m
	Vacuum cleaning	L _p 66 dB(A) at 1m
NM2	This location was near the boundary fence on the carwash side. This location observed similar activities as NM1 apart from vacuum cleaning. It should be noted that the blower and vacuum cleaning was not audible at this location.	L _{Aeq(15min)} 63 dB(A) at boundary
	Primary source of noise was from customer vehicles entering the carwash, idling and accelerating, the operation of the brush cleaning and the operation of the pressure hose. Road traffic noise from Ramsay Street was also audible at this location.	
NM3	This location was near the boundary fence on the residential side of the fence, approximately 1.2m from the colourbond fence.	L _{Aeq(15min)} 54 dB(A) at boundary
	Due to the proximity of the noise monitoring location, activities from the slow speed movements of cars and brush clean were audible.	
NM4	The noise monitoring was conducted on the backyard of 68 O'Connor Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, high pressure hose operation and road traffic on Ramsay Street.	L _{Aeq(15min)} 48 dB(A) in the backyard
NM5	The noise monitoring was conducted on the backyard of 1 Kingston Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, high pressure hose operation, operation of the mechanical plants in the plant room and clear audible conversations between staff & customers.	L _{Aeq(15min)} 54 dB(A) in the backyard
	Note 1: there is a clear line of sight through the lapped and capped fence between the backyard and the carwash. Noise is clearly flanking through the fence and onto the backyard.	
NM6	The noise monitoring was conducted on the front yard of 1 Kingston Street. Noise from vehicle movements in the carwash was audible at this location. Specific noise events observed included car movements on the driveway, operation of vacuum, operation of the mechanical plants in the plant room and road traffic on Kingston Street.	L _{Aeq(15min)} 50 dB(A) in the front yard



Note 1: there is a clear line of sight through the gap under the fence between the front yard and the carwash.

Note 2: noise from heavy traffic and aircraft has been removed from the measurement

During the noise measurements, employees were not engaged in loud conversations and staff did not slam the supply room & bathroom doors. The vehicles being washed consisted of standard type cars and no modified vehicles were present.

4 OPERATIONAL NOISE CRITERIA

In order to establish operational noise criteria for the carwash, unattended noise monitoring was conducted at the location presented in Figure 3-1. This location was selected due to access to a residential receiver that was not affected by noise from the carwash. The results of the unattended noise monitoring are presented in Table 3-1 with the intrusive noise trigger levels presented in Table 4-1 of RSA Report R190632R1 dated 16 March 2020. Long term noise monitoring conducted in the residential backyard, 72 O'Connor Street, is considered to be quieter than the background levels experience at the residential backyards closer to Ramsay Street and Kingston Street. Residents located closer to Ramsay Street can experience higher background levels due to the impact by road traffic from Ramsay Street. Background levels of L_{A90} 37 dB(A) was measured in the backyard of 72 O'Connor Street during the long-term measurements.

In the absence of noise from the carwash, a background level of L_{A90} 40 dB(A) was measured in the backyard of 68 O'Connor Street by RSA on 11th January. RSA recommends utilising the background levels from the short term attended measurements for the purposes of applying operational noise criteria. Section A1.1 of the *NPfl* allows for the acceptance of short-term background noise levels particularly when assessing noise complaints.

Applying RBL + 5dB to L_{A90} 40 dB(A), the intrusive criteria is calculated to be $L_{Aeq(15min)}$ 45 dB(A).

5 COMPLIANCE ASSESSMENT

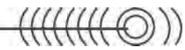
Following the acoustic assessment, RSA recommended the construction of a new acoustic barrier at the boundary of the site. RSA provided fencing detail in document reference R190632R2 dated 25 May 2020.

RSA personnel conducted a site visit on 1st August 2020 between 11am to 1pm to inspect the acoustic barrier and to measure the noise impact at the adjoining residential premises.

A summary of the measured level is presented in table below:

Table 5-1 Post Noise Monitoring Locations

Monitoring Location	Site Observations	Measured noise levels
NM4	<p>The noise measurement was conducted on the backyard of 68 O'Connor Street.</p> <p>Noise from vehicle movements in the carwash was slightly audible at this location. Specific noise events observed included a modified car movement on the driveway and road traffic on Ramsay Street.</p> <p>Noise from 'loud' cars and motorbikes on Ramsay Street, aircraft noise and trucks on Ramsay Street were excluded from the measurements.</p>	$L_{Aeq(15min)}$ 45 dB(A) in the backyard



NM5	<p>The noise monitoring was conducted on the backyard and on the patio of 1 Kingston Street. Noise from vehicle movements in the carwash was not audible at this location. Slight noise was audible in the form of blow dryer. Overall, the operation of the carwash was not audible at this location.</p> <p>Noise from truck movements and loud cars on Kingston Street, aircraft, car horn on Kingston Street/Ramsay Street and lawn mower (operating in the neighbouring house) were excluded from the measurement</p>	<p>$L_{Aeq(15min)}$ 42 dB(A) in the backyard</p> <p>$L_{Aeq(15min)}$ 44 dB(A) in the patio</p>
-----	--	--

The noise emanating from the carwash complies with the established noise criteria of $L_{Aeq(15min)}$ 45 dB(A). It should be noted that there are noise events that are slightly audible in the assessment locations. These include modified car movements from the driveway to the carwash area and the operation of the blower/dryer. While these are audible, the overall operation of the carwash complies with the EPA Noise Policy for Industry (NPI) guidelines and criteria.

No further acoustic measures are required for the site.

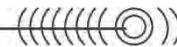
6 CONCLUSION

A compliance noise measurement has been conducted in relation to the operation of the Crystal Carwash at 95 Ramsay Street Haberfield. This assessment has been conducted and appropriate noise emission criteria have been established in accordance with Inner West Council's requirements.

This report shows that under the most conservative operating scenarios and with the implementation of the acoustic barrier, operational noise emission from the carwash complies with the noise criteria.

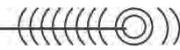
Approved:-

Rodney Stevens
 Manager/Principal

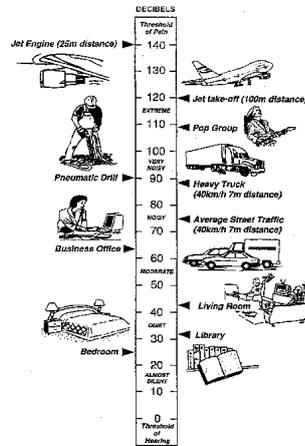


Appendix A – Acoustic Terminology

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 <i>dB(linear)</i> .
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"> ■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content) ■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry) ■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations) ■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).
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"> ■ Noise mitigation benefits (amount of noise reduction provided, number of people protected). ■ Cost of mitigation (cost of mitigation versus benefit provided). ■ Community views (aesthetic impacts and community wishes). ■ 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 th percentile min L _{A90} 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)	<p>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 10⁻⁵ Pa.</p> <p>The picture below indicates typical noise levels from common noise sources.</p>



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)*.

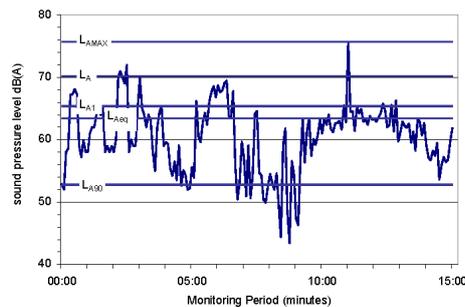
Sound Pressure Level (SPL)

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.

Statistic noise levels

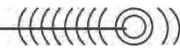
Noise levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

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.



	<p>LA10 Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.</p> <p>LAeq 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.</p> <p>LA90 Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).</p>
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 dB(A) penalty is typically applied to noise sources with tonal characteristics



Attachment E- IWLPP Resolution - REV/2021/0006 - Refusal



**ELECTRONIC DETERMINATION –
INNER WEST LOCAL PLANNING PANEL**

Site Address:	95 Ramsay Street, HABERFIELD NSW 2045
Application No.	REV/2021/0006
Type of Determination	Electronic
Date of Determination	27 October 2021
Panel Members	Ms Jan Murrell, Chair Ms Lisa Trueman Mr Brian Kirk
Declarations of Interest	Nil

BACKGROUND

This matter is a Review under Section 8.2 of the *Environmental Planning and Assessment Act 1979* of the Determination of Modification Application MOD/2020/0401. The modification application seeks to modify the original consent and includes:-

- to regularise various works carried out on the site; and
- other works, including a dog wash facility.

On 14 September 2021, as shown in the Minutes, the Panel decided:

“...to defer determination of the application and the Applicant is given the opportunity to submit a revised set of plans and documentation to address outstanding issues including the following:

- a) *deletion of the large, illuminated box sign and structure, ‘Crystal car wash cafe’, that is located for the most part above the roof. This may also require the air conditioning to be relocated so as not to be generally visible from the public domain. (This excessively large sign adversely impacts on the HCA and is unnecessary);*
- b) *all signage for the car wash and cafe to be rationalized and of a reduced size and not to protrude above the built form;*
- c) *the reduction of driveways for the site to allow for perimeter hedge planting as far as possible;*



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- d) *the provision of 8 car spaces on-site;*
- e) *relocation or removal of the vacuum and air pump on the corner;*
- f) *a landscape plan prepared by an appropriately qualified person in consultation with Council, to show perimeter hedging and a large evergreen canopy tree for the corner;*
- g) *an accurate and consistent set of revised plans drawn to scale;*
- h) *a revised Plan of Management to provide: a phone number and name clearly visible on the outside of the premises for neighbours to be able to contact in the event of the car wash operation creating unreasonable disturbance; and a complaints register to be maintained that also includes action taken by management to resolve issues (the register is to be made available for Council to inspect as required); and*
- i) *a revised acoustic report that has regard to the changes.*

The Applicant has until 12 October 2021 to submit the above. Council officers are then to prepare a supplementary report for the Panel to determine at its meeting on 9th November 2021.

In the event the applicant fails to submit revised plans and documentation by the required date then the application will be refused.”

CURRENT POSITION

Council informed the Panel that the applicant submitted additional information on 14 October 2021, and this was then circulated to each member of the Panel. The late submission is not a reason as to why the application fails.

The Panel considers both the absence of revised plans and the additional information submitted is unsatisfactory and fails to properly address matters listed above. The documentation submitted does not include, amongst other things, *f) a landscape plan prepared by an appropriately qualified person in consultation with Council, to show perimeter hedging.... and g) an accurate and consistent set of revised plans drawn to scale.* While the Applicant agrees to the preparation of revised plans, the deferral was on the basis that the revised plans be submitted by 12 October 2021.

The Panel convened audio-visual meetings on Monday 18 October and again on Friday 22 October 2021 to consider this application and the applicant's additional documentation of 14 October 2021.

The Panel notes the Applicant's comments with regard to a) in the Minutes and while the large structure with the sign, which is visible above the roof, is not illuminated, nonetheless, it is excessive in size, and unnecessary given the approved signage on the site, and inappropriate for the Haberfield Heritage Conservation Area. The original approval in 22 January 2018 specifically notes that the signage was designed and the landscaping was to ameliorate impacts to respect the HCA.



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The Panel reviewed the modification application and the additional information against the original consent and approved plans, and considers the proposed modified development to be not substantially the same as the development for which consent was originally granted.

Given the Applicant's failure to satisfy the Panel's necessary requirements, the Panel considers a supplementary report from the Officers of Council for the IWLPP meeting of 9 November 2021 is unwarranted. The Panel unanimously agreed that this application now be determined electronically.

The Panel resolved to confirm the earlier decision to refuse the modification application for the reasons set out in the Minutes of the IWLPP of 23 February 2021 and as amended below. The decision was unanimous.

DETERMINATION OF APPLICATION

That the Inner West Local Planning Panel, on behalf of Inner West Council as the consent authority, **confirms** the determination to refuse Modification Application MOD/2020/0401 following consideration of the amended proposal in REV/2021/0006 for modification of the approved development to regularise works and carry out other works including a dog wash facility at 95 Ramsay Street HABERFIELD NSW 2045 for the following **amended** reasons.

REASONS FOR DETERMINATION

1. Pursuant to the provisions of s. 4.55(2) of the Environmental Planning and Assessment Act, the Panel is not satisfied the development to which the consent as modified is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified. If the Panel is wrong on this reason for refusal, then the modification application also fails on a merits assessment in the context of the relevant planning framework.
2. The modification application will have a negative impact on the environmental heritage of the Inner-West Local Government Area and the heritage significance of the Haberfield Heritage Conservation Area as the works are incompatible with the objectives of clause 5.10 of the Ashfield Local Environmental Plan 2013.
3. The unauthorised works and proposed works in the modification application fail to respect the heritage significance or character of the historic suburb of Haberfield and detrimentally impact the heritage significance of Haberfield as a whole. The unauthorised works and proposed works are inconsistent with the objectives of Chapter E2 - *Haberfield Heritage Conservation Area* of the Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.



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4. The modification application fails to demonstrate that parking for staff and customers can be satisfactorily accommodated on the site. The proposed on-site car parking is both deficient in numbers and unsatisfactory in layout for further intensification and additional uses on the site, and this includes dog wash facilities.
5. The unauthorised works and proposed works result in unacceptable noise and visual impacts on the public domain and neighbouring properties in the Haberfield Heritage Conservation Area and the modification application is not in the public interest.

The decision of the panel was unanimous.

Date 27 October 2021



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Item No: 2	
Application No.	REV/2021/0006
Site Address:	95 Ramsay Street, HABERFIELD NSW 2045
Proposal	S8.2 Review Application to MOD/2020/0401 for modification of existing development to regularise works and inclusion of a dogwash facility.
Applicant	Mr Victor Sahade
Reason for Referral to IHAP	<ul style="list-style-type: none"> • Previous application refused by the Panel • Greater than 10 submissions
Material considered by the Panel	Assessment Officer's Report
Meeting	14 September 2021
Site Inspections	Conducted independently by the Panel
Recommendation	Approval

Attachment F- IWLPP Resolution – MOD/2020/0401 - Refusal

IWLPP968/20 Agenda Item 8	MOD/2020/0401
Address:	95 Ramsay Street, HABERFIELD
Description:	Modification to existing development to regularise works and inclusion of a dogwash facility.
Applicant:	M Victor Sahade

The following people addressed the meeting in relation to this item:

- Vincent Crow
- Hugh Loughrey
- Alex Donnelly
- John Cody, Planner
- Anthony Sahade, Applicant

DECISION OF THE PANEL

The Panel disagrees with the findings contained in the Assessment Report and resolves that the application be **refused** for the following reasons:

- A. The Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55 of the Environmental Planning and Assessment Act 1979, refuses Application No. MOD/2020/0401, for modification to existing development to regularise works and inclusion of a dogwash facility, for the following reasons:
1. The unauthorised structures and excessive signage are unsympathetic to, and not in keeping with, the Haberfield Heritage Conversation Area.
 2. The proposed eight car parking spaces are insufficient parking for staff and customers and cannot be satisfactorily be accommodated on the site.
 3. Unacceptable noise impacts on neighbouring properties.

Note: In light of continuing complaints by neighbouring landowners, the Panel notes that the existing conditions of consent need to be enforced to ensure that there is no ongoing adverse impact on the neighbourhood.

The decision of the panel was unanimous.