

STATEMENT OF ENVIRONMENTAL EFFECTS

ALTERATIONS TO CAR WASH FACILITY

345 HUME HIGHWAY
BANKSTOWN NSW 2200

FOR

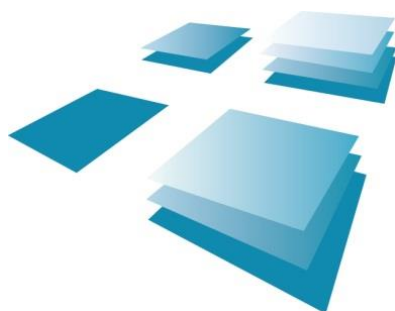
WAN BAO XING Pty Ltd

Project : **22 - 004**

Date : **30th March 2023**

Edition : i

PREPARED BY



R.J. SINCLAIR Pty Ltd
Building **Design**

PO Box 503
ROUND CORNER NSW 2158

Phone : 02 9654 2480
E-mail : designs@rjsinclair.com.au
Web : www.rjsinclair.com.au

Multi-Discipline Design + Project Management

01 TABLE OF CONTENTS

01	TABLE OF CONTENTS	2
02	EDITIONS + REVISIONS	3
03	DEVELOPMENT SUMMARY	4
04	SITE DETAILS	7
05	PROPOSED DEVELOPMENT	13
06	TRAFFIC MANAGEMENT	16
07	STATUTORY HEADS OF CONSIDERATION	17
08	LOCAL ENVIRONMENT PLAN	20
09	DEVELOPMENT CONTROL PLAN	23
10	CONCLUSION	24

02 EDITIONS + REVISIONS

1 TABLE OF EDITIONS + REVISIONS

1.1 GENERAL

This section lists the various editions in which this specification has been issued and provides a schedule of the changes to the relevant clauses.

1.2 EDITION / REVISION

- | | | |
|----|------------|-----------------------------------------------------------------------------------------|
| i | 2023-03-30 | First Edition - Draft Issue for comment and approval purposes only. Not for submission. |
| ii | 2023-05-18 | Second Edition - Issued for Development Application submission. |

03 DEVELOPMENT SUMMARY

1 INTRODUCTION

1.1 REPORT

This report has been prepared to accompany a Development Application to Bankstown City Council for the alterations to the existing car wash café facility.

This report has been prepared under instructions from the Applicant, Wan Bao Xing Pty Ltd and is based on the DA design drawings and associated reports enclosed in this application.

R.J. Sinclair Pty Ltd - Building Design, which has prepared the designs and this report for the proposed facility, is a specialist in the design and construction management of car wash facilities throughout Australia.

2 REPORT FORMAT

2.1 COUNCIL DOCUMENTS

Quotations

Throughout this report quotations from Council documents are shown in *grey italic text* and for simplicity and clarity, only those Chapters or clauses of the LEP or DCP that have specific relevance to this development have been discussed and assessed.

Where necessary for brevity and ease of reading, some clauses or text have been truncated or paraphrased.

3 SITE HISTORY

3.1 GIPA APPLICATION

A GIPA Application was submitted in mid 2022 and returned by Council on 18th July 2022.

The GIPA identified Development Consent Nos. DA-597/2007, DA-597/2022/1 were issued by Council, and Complying Development Certificate No. CF21181CD01 was issued by Advance Building Approvals Pty Ltd.

3.2 DA-597/2006 - USE AS CAR WASH

On 24th January 2007 Council approved :

Use of premises as a carwash café including associated fitout.

Of particular note is

Condition 61 : *The hours of operation of the use shall be limited to between 7.00am - 7.00pm Monday to Saturday and 8.00am - 7.00pm on Sundays. No work shall occur on public holidays unless additional approval is obtained from Council.*

3.3 DA-597/2006/1 - MODIFICATIONS TO CONDITIONS OF CONSENT

A Section 96(2) Application for modifications to the approved Conditions of Consent was approved by Council on 17th August 2012.

The approval appears to have included some building works, however, the GIPA didn't return any design drawings due to copyright issues, which we fully support.

In addition to approval of the implied building works, the modification included amended Conditions 57 and 61 relating to extended trading hours :

Condition 57 : *A suitably qualified Acoustic Engineer shall undertake a review of the site prior to commencing operation of the site from 6.00am to midnight to ratify if acoustic treatments as described within Section 2 of the acoustic report, prepared by Wilkinson Murray Pty Ltd, dated October 2006 and within Section 7 of the acoustic report, prepared by Acoustic Solutions P/L, dated 5 June 2012 comply with NSW Environment and Heritage Industrial Noise Policy.*

Operation of the site between the hours of 6.00am and midnight shall not commence until the noise control recommendations as provided within the acoustic report prepared by Acoustic Solutions P/L, dated 5 June 2012 have been satisfied.

Condition 61 : *The hours of operation for the café shall be limited to between 7.00am – 7.00pm Monday to Saturday and 8.00am – 7.00pm on Sundays.*

The hours of operation for the carwash shall be limited to between 6.00am – Midnight seven (7) days a week.

These approved hours for the carwash are approved for a period of 12 months. After the expiration of the 12-month period, the approved hours shall revert to those originally approved within Development Consent DA597/2006, (i.e. unless a further approval is granted by Council). Council shall be notified in writing at the commencement of the 12 month period.

As can be seen from the amended conditions did not approve extended hours for the café, however it is unknown if and extension to the café trading hours was sought.

What is clear is that the Section 96(2) provided conditional approval for extended trading hours for the car wash portion of the development.

The conditions attached to the extended hours required compliance with various acoustic measures specified in acoustic reports prepared by both Wilkinson Murray Pty Ltd and Acoustic Solutions Pty Ltd.

Summary

Council, in its response to the GIPA Application, has not provided any documentation showing that amended Conditions 57 and 61 have been complied with and therefore it is assumed that the trading hours specified in the original DA-597/2006 Conditions of Consent are currently in force.

4 PROPOSED DEVELOPMENT

4.1 EXISTING FACILITY

Wan Bao Xing Pty Ltd (WBX) currently operates a combined car wash café facility at the subject site, trading as Alwyn Car Wash Café.

The facility previously operated as various car sales yards until conversion to a car wash café.

Initially the facility enjoyed a very strong local customer base built on many years of service to the local community, however, in recent years the site has fallen into a state of disrepair and subsequent significant downturn in customer numbers and quality of service.

The proposed upgrade to the facility will ensure this continuity.

4.2 FACILITY UPGRADE

The proposed upgrade comprises :

- Erection of new acoustic protection fencing for neighbouring properties.
- Installation of new acoustic high speed acoustic doors to the car wash enclosure.
- Approval of the installation and use of an automatic car wash machine.
- Installation of two “pop-up” food caravans offering alternative hot food to customers.
- 24 hour operation of the facility.

The above acoustic improvements, 24 hour trading and use of the food caravans are supported by an acoustic investigation and report which accompany this report.

There are no changes proposed, internally or externally, to the café building or other ancillary structures except for those noted above.

04 SITE DETAILS

1 SITE LOCATION

1.1 LOCALITY + DESCRIPTION

General

The site, 345 Hume Highway, is located on the south-eastern corner of Hume Highway and Chapel Road, Bankstown.

The land description is Lot 1 in DP 430174 and has an area of 1,625m² as shown on the detail survey accompanying this application.

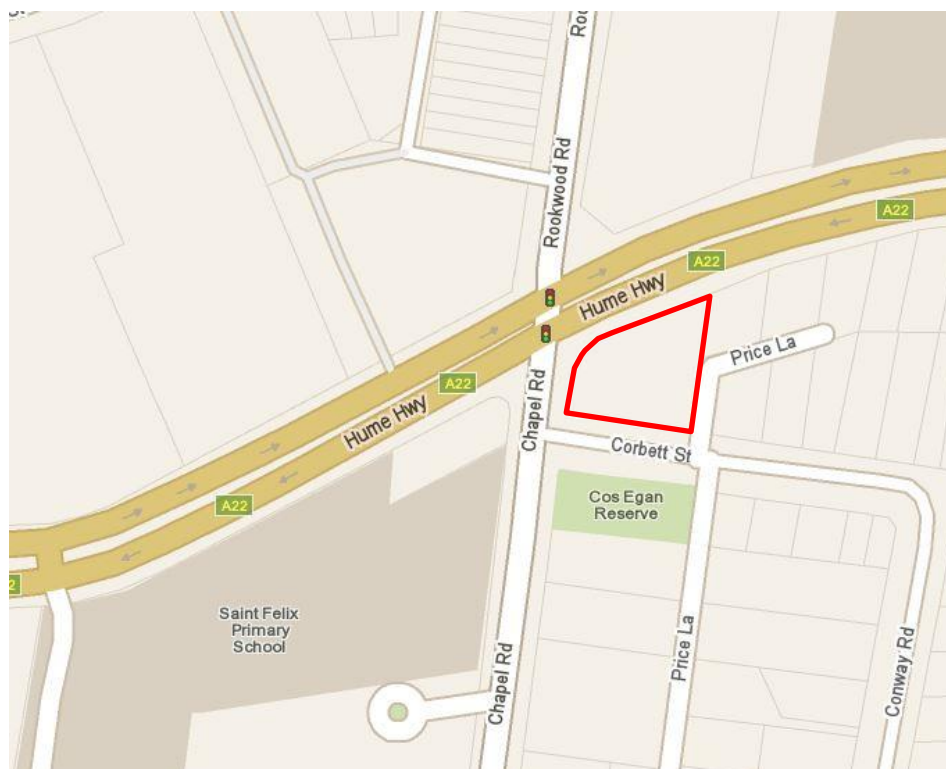
Local Government Area

The site is located within the City of Canterbury Bankstown LGA, and the relevant planning instruments are the Bankstown Local Environment Plan (2015) and the Bankstown Development Control Plan (2015)

Zoning

The Bankstown Local Environment Plan (2015) mapping designates the zoning of the subject site as :

B1 - Neighbourhood Centre.



SITE LOCATION PLAN

(Courtesy WhereIs®)

2 GENERAL

2.1 EXISTING SITE CONDITIONS

The site is bound by Hume Highway to the north, Chapel Road to the west, Corbett Street to the south, and a residence and Price Lane to the east

The site is currently occupied by the car wash café facility comprising a dedicated car wash structure, vacuuming bays, the café facility and car parking.



AERIAL SITE VIEW

Courtesy SixMaps® (approx. 2015)

2.2 PHOTOGRAPHS OF SITE CONDITIONS

The following photographs visually describe the existing site features for the ease of reading this report.

Refer also to Drawing No. PL - 01 for locations of all photographs.



Photograph No. 01
Site Entry from Corbett Street.



Photograph No. 02
Site Entry crossover.



Photograph No. 03
Café building from site Entry - Showing
shade structure over rear vacuuming area



Photograph No. 04
Café building from north-western corner of
the site



Photograph No. 05
Café building from north-western corner of
the site showing part of shade structure
over rear vacuuming area



Photograph No. 06
Front of café building showing covered
outdoor seating area and part of shade
structure over wash Entry and parking area



Photograph No. 07
Outdoor seating area + part of shade structure over carwash parking area



Photograph No. 08
Shade structure over carwash parking area



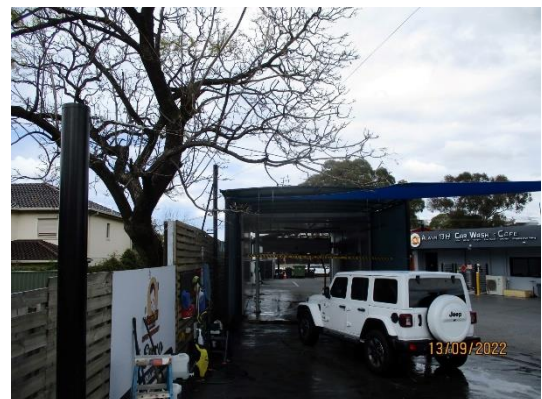
Photograph No. 09
Shade structure over carwash Entry + parking area



Photograph No. 10
Shade structure over carwash parking area



Photograph No. 11
Shade structure over carwash Entry
Dilapidated timber fence at Entry



Photograph No. 12
Shade structure over carwash Entry



Photograph No. 13
Internal view of carwash Entry



Photograph No. 14
Western elevation of car wash enclosure



Photograph No. 15
Carwash enclosure Exit



Photograph No. 16
Shade structure + vacuum area



Photograph No. 17
Vacuum area view of carwash enclosure
Exit



Photograph No. 18
Shade structure + vacuum area
Dilapidated timber fence



Photograph No. 19

Shade structure + vacuum area at rear of
café building



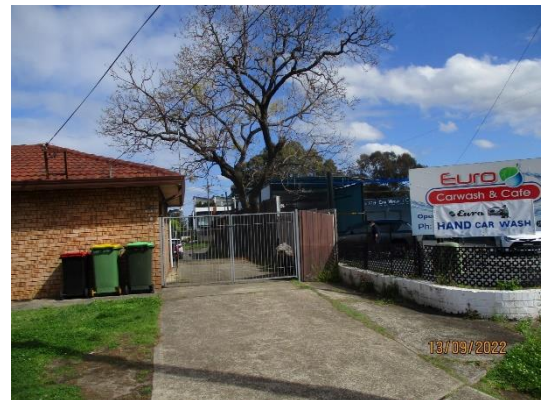
Photograph No. 20

Shade structure + vacuum area at rear of
café building



Photograph No. 21

View of Hume Highway + car wash facility
looking east



Photograph No. 22

View of driveway to adjacent house from
Hume Highway

05 PROPOSED DEVELOPMENT

1 CAR WASH CAFÉ FACILITY

1.1 GENERAL

As noted in Section 03.4.2 above the upgrade to the site is multi-faceted to revitalise the economic performance of the site.

Whilst the site has recently undergone a significant upgrade to the main café area in accordance with CDC No. CF21181CD01, the facility is not providing the positive economic outcome necessary for the operator to justify the recent investment.

Instead of abandoning the site, the operator believes the proposed modifications will assist in providing the final link in the chain to commercial success.

1.2 24 HOUR TRADING

Twenty four hour trading will provide the potential for additional car wash and café patrons to utilise the site.

Additionally, the provision of the pop up food caravans will benefit substantially from 24 hour trading as this market segment flourishes during night hours for shift workers, taxi drivers, etc.

To ensure neighbouring properties are unaffected by noise generated on the site a detailed acoustic investigation and report has been prepared by Koikas Acoustics and that report is included with this submission.

1.3 NEW AUTOMATIC CAR WASH MACHINE

An automatic car wash machine has been recently installed to provide a more consistent level of service to customers, and this application seeks approval for the use of the machine.

1.4 MODIFICATIONS TO WASH FACILITY

The Koikas Acoustics report highlights two areas of the existing wash facility that need to be addressed, as follows :

Automatically operated acoustic doors

In order to achieve the necessary noise level reductions to comply with NSW noise regulations, the acoustic report requires the installation of high speed acoustic doors at both the Entry and Exit end of the wash facility.

The new doors will be provided as required.

Sealing of apertures in internal fabric structure

The acoustic consultant has identified a number of locations where noise could leak out of the internal fabric structure, and requires these apertures are to be closed off to maintain the acoustic envelope.

1.5 NEW BOUNDARY FENCING

The acoustic consultant has identified the dilapidated timber fencing on the eastern side of the site to be deficient in attenuating miscellaneous noise from the facility and requires the fencing to be replaced in strict accordance with the fence specifications contained in the report.

Details of the fencing are provided in the Acoustic Report and are shown on Drawing No. A - 03 for simple instruction to a fencing contractor.

1.6 “POP-UP” FOOD CARAVANS

Casual food vendors provide a significant service for the public, especially outside normal trading hours.

It is proposed to install two “pop-up” food caravans on the site, in the locations shown on Drawing No. A - 02.

The specific location for the vans on the western boundary has been chosen to ensure the additional site activity is located as far from the residential properties on the eastern side of the site as practically possible.

The Acoustic Report has taken these activities into account in its analysis and has determined there will be no adverse affects on the residents, due to the distance from the noise source and additional protection provided by the new acoustic fence.

2 ENVIRONMENTAL FEATURES

2.1 TRADE WASTE SYSTEMS

Existing Car Wash

The existing car wash area is bunded and drains to a collection pit in which a submersible pump delivers waste water to a coalescing plate separator (CPS unit) located in the wash equipment room.

The coalescing plate separator discharges aqueous waste to the sewer and skims oil and grease off to a waste oil drum.

The existing trade waste system is approved and licenced by Sydney Water. Refer to Photograph Nos. 23, 24.



Photograph No. 23

Pressure pipe from submersible pump
feeding wash water into CPS unit



Photograph No. 24

View of CPS unit and discharge of aqueous
waste to sewer

06 TRAFFIC MANAGEMENT

1 SITE ACCESS + EGRESS ---

1.1 NO CHANGE TO EXISTING

There are no changes to the access and egress points to and from Corbett Street Road to the site.

2 PARKING ---

2.1 NEW “POP-UP” FOOD CARAVANS

The existing car parking arrangements will remain during normal business hours, however, the parking will be more restricted after hours by the arrival of the “pop-up” food caravans.

The “pop-up” food caravans are fully self-contained and are anticipated to arrive on site at approx. 4.00pm each day and set up adjacent the western site boundary.

Whilst the caravans will occupy 5-6 car parking spaces there will be a reduction in the number of parking spaces necessary for the car wash operations as, based on our industry experience, there are generally fewer car wash customers at night.

There will remain 6 car wash spaces following installation of the food caravans.

07 STATUTORY HEADS OF CONSIDERATION

1 EPA + ACT, LEP, DCP, SEPPs

1.1 GENERAL

In preparing this document, consideration has been given to the following:

- *Environmental Planning & Assessment Act (1979)*
- *Environmental Planning & Assessment Regulation (2000)*
- *Protection of the Environment Operations Act (1997)*
- *Bankstown Council Local Environment Plan (2015)*
- *Bankstown Development Control Plan (2015)*
- *Roads Act (1993)*
- *State Environmental Planning Policy (SEPP) No. 33 - Hazardous & Offensive Development*
- *State Environmental Planning Policy (SEPP) No. 55 - Remediation of Land*
- *State Environmental Planning Policy (SEPP) No. 64 - Advertising & Signage*

2 TYPE OF APPLICATION

2.1 IS THE PROPOSAL INTEGRATED DEVELOPMENT ?

Environmental Planning & Assessment Act (1979)

Under the provisions of the Environmental Planning & Assessment Act (1979), a development is considered integrated development if it requires development consent and approval under the provisions of one or more of the following :

- *Sections 144, 201, 205 or 219 of the Fisheries Management Act (1994)*
- *Section 58 of the Heritage Act (1977)*
- *Section 15 of the Mine Subsidence Compensation Act (1961)*
- *Sections 63 or 64 of the Mining Act (1992)*
- *Section 90 of the National Parks and Wildlife Act (1974)*
- *Section 16 of the Petroleum (Onshore) Act (1991)*
- *Sections 43, 47, 55 or 122 of the Protection of the Environment Operations Act (1997)*
- *Section 138 of the Roads Act (1993) for RMS controlled roads.*
- *Section 100B of the Rural Fires Act (1997)*
- *Sections 89, 90 or 91 of the Water Management Act (2000)*

The proposed development does not require referral to any other authority required by the above specified Acts and is therefore not classified as integrated development.

2.2 IS THE PROPOSAL DESIGNATED DEVELOPMENT ?

Environmental Planning + Assessment Act 1979 No. 203

The Act defines designated development as :

77A *Designated development*

- (1) *Designated development is development that is declared to be designated development by an environmental planning instrument or the regulations.*
- (2) *Designated development does not include State significant development despite any such declaration.*

Environmental Planning & Assessment Regulation (2000)

Schedule 3 of the Environmental Planning & Assessment Regulation (2000) outlines the types of development and criteria pertaining to these developments that would qualify as Designated Development.

Schedule 3 - types of development that trigger Designated Development

- | | |
|--------------------------------------------------|------------------------------------------------------------------------|
| 1 <i>Agricultural produce industries</i> | 19 <i>Extractive industries</i> |
| 2 <i>Aircraft facilities</i> | 20 <i>Limestone mines and works</i> |
| 3 <i>Aquaculture</i> | 21 <i>Livestock intensive industries</i> |
| 4 <i>Artificial waterbodies</i> | 22 <i>Livestock processing industries</i> |
| 5 <i>Bitumen pre-mix and hot-mix industries</i> | 23 <i>Marinas or other related land and water shoreline facilities</i> |
| 6 <i>Breweries and distilleries</i> | 24 <i>Mineral processing or metallurgical works</i> |
| 7 <i>Cement works</i> | 25 <i>Mines</i> |
| 8 <i>Ceramic and glass industries</i> | 26 <i>Paper pulp or pulp products industries</i> |
| 9 <i>Chemical industries and works</i> | 27 <i>Petroleum works</i> |
| 10 <i>Chemical storage facilities</i> | 28 <i>Railway freight terminals</i> |
| 11 <i>Coal mines</i> | 29 <i>Sewerage systems and sewer mining systems</i> |
| 12 <i>Coal works</i> | 30 <i>Shipping facilities</i> |
| 13 <i>Composting facilities or works</i> | 31 <i>Turf farms</i> |
| 14 <i>Concrete works</i> | 32 <i>Waste management facilities or works</i> |
| 15 <i>Contaminated soil treatment works</i> | 33 <i>Wood or timber milling or processing works</i> |
| 16 <i>Crushing, grinding or separating works</i> | 34 <i>Wood preservation works</i> |
| 17 <i>Drum or container reconditioning works</i> | |
| 18 <i>Electricity generating stations</i> | |

Proposal is Not Designated Development

A review of these provisions indicates that the proposed upgrade does not meet any definition or criteria of the developments that are listed within Schedule 3 of the Regulation.

For the above reason, the proposed development is not considered to be Designated Development.

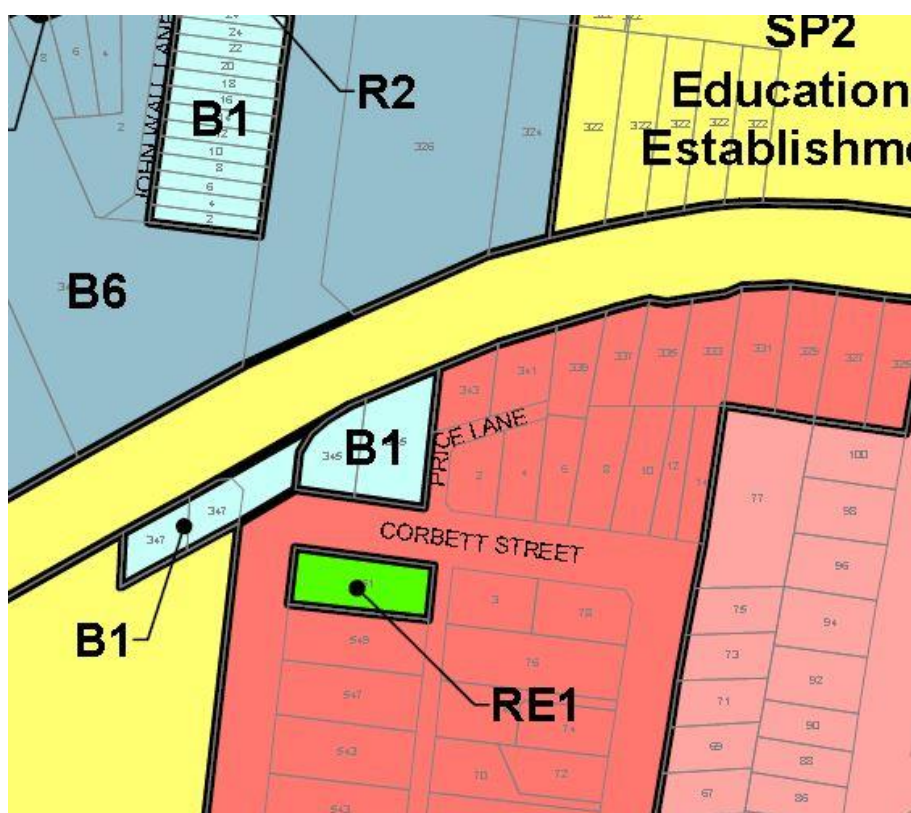
08 LOCAL ENVIRONMENT PLAN

1 BANKSTOWN LOCAL ENVIRONMENT PLAN (2015)

1.1 LAND ZONING

Council Mapping

The Bankstown Local Environment Plan (2015) designates the zoning of the subject site as **B1 – Neighbourhood Centre**.



SITE ZONING MAP

Bankstown Local Environment Plan (2015)

1.2 ZONE OBJECTIVES

Zone B1 - Neighbourhood Centre

The Zone objectives, as identified in the LEP, have been assessed and addressed as shown in the following table :

CONTROL	RESPONSE
1 Objectives of zone	
<i>To provide a range of small scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.</i>	Complies. The proposed minor alterations comprising additional acoustic attenuation for the automatic car wash and new “pop-up” food caravans, will provide improvements to the services provided to the local community.
<i>To provide for certain residential uses that are compatible with the mix of uses in the neighbourhood centres.</i>	Not Applicable. The facility is not residential in nature.
3 Permitted with consent	
<i>Business premises; ... Specialised retail premises; ... Take away food and drink premises ... Vehicle repair stations;</i>	Compliant. The existing car wash café facility could reasonably fall into any of the uses listed and therefore is considered compliant. The proposed “pop-up” food caravans could also be described as take away food premises and therefore considered compliant.
4 Prohibited	
<i>Pond-based aquaculture; Any other development not specified in item 2 or 3</i>	Compliant. The proposed development does not provide any of the listed prohibitions.

Summary

The proposed development meets all relevant Zone objectives.

1.3 OTHER LEP MAPPING

A review of the following mapping shows no other controls have effect on the proposed works / development :

- Additional Permitted Uses
- Acid Sulphate Soils
- Terrestrial Biodiversity
- Floor Space Ration
- Heritage
- Height of Buildings
- Land Acquisition
- Land Size
- Sun Access Protection
- Special Provisions

Therefore, since the work is limited to acoustic protection for neighbouring properties, and provision of the food caravans, we believe the proposed works / development are in full accordance with the requirements of the LEP.

09 DEVELOPMENT CONTROL PLAN

1 RELEVANT DCP

1.1 BANKSTOWN

The Bankstown Development Control Plan (2015) is the relevant DCP and the relevant sections of it are considered in this section.

The above review of the Bankstown LEP highlights compliance with specific elements of the LEP which also have mention in the DCP, and as such are not replicated here for brevity and simplicity of reading.

1.2 DCP OBJECTIVES

The objectives are:

- (a) To have development that is compatible with the desired character and role of the particular centre.*
- (b) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.*
- (c) To have development that provides adequate amenity to people who live in, work in and visit the neighbourhood centres.*
- (d) To ensure the building form and building design of development provide appropriate amenity to neighbouring residential development in terms of access to sunlight and privacy.*
- (e) To provide storey limits for the neighbourhood centres.*

Again, as noted above, since the work is limited to acoustic protection for neighbouring properties, and provision of the food caravans, we believe the proposed works / development are in full accordance with the requirements of the DCP.

10 CONCLUSION

1 CANTERBURY-BANKSTOWN COUNCIL

1.1 BANKSTOWN LEP (2015)

General

In preparing this report we have considered the relevant planning requirements of the Bankstown Local Environment Plan and Bankstown DCP together with other pertinent planning and design requirements.

Compliance with Planning Instruments

We believe that the proposed development meets the relevant requirements of the planning controls as assessed in this report.

2 RECOMMENDATION

2.1 APPROVAL

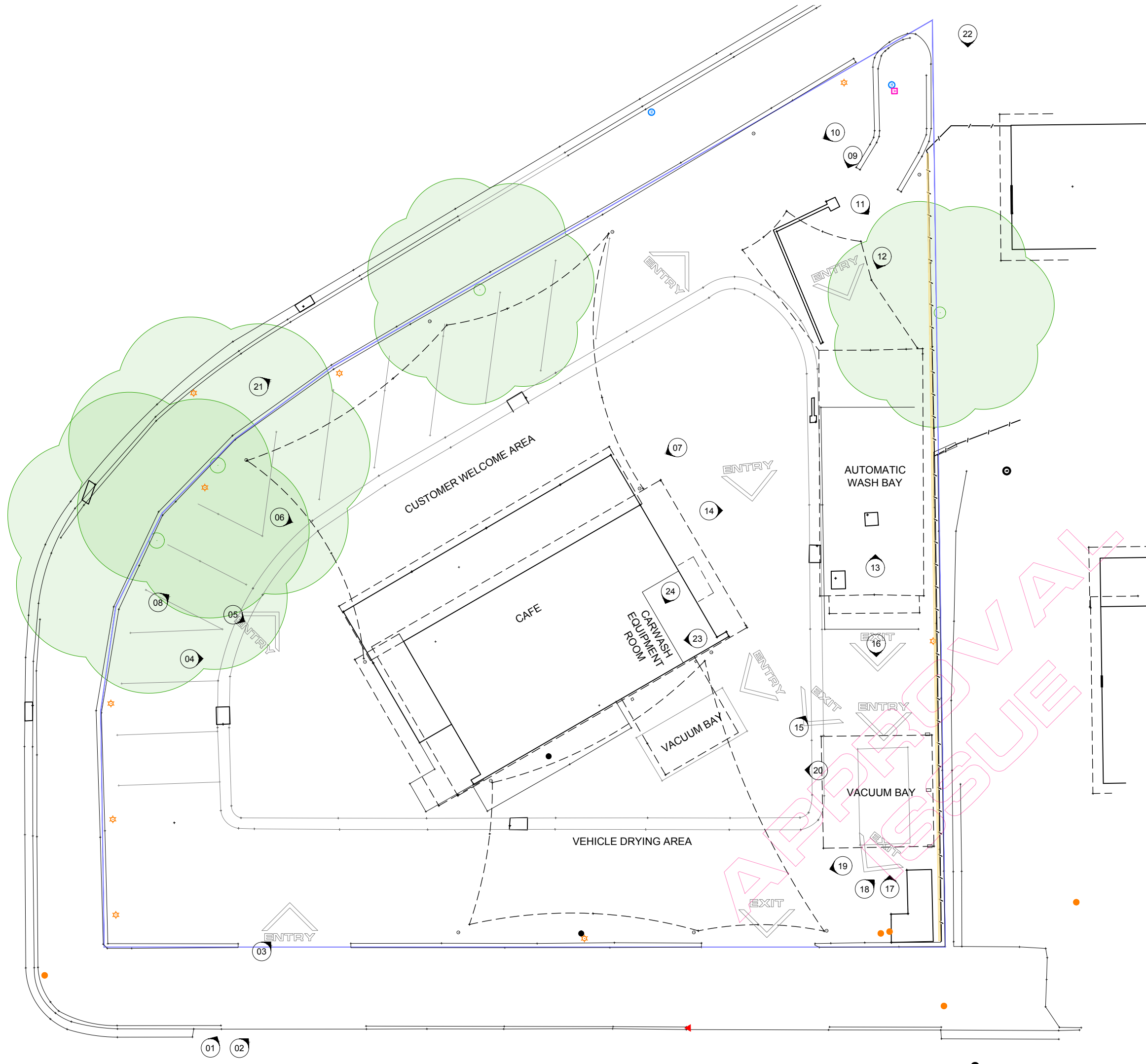
Based on the assessments carried out by this office, we believe that this application should be considered by Council on its merits and approval be granted.

Report prepared by :



Dick Sinclair

R.J. SINCLAIR Pty Ltd



© 2023 R.J. SINCLAIR Pty Ltd

COPYRIGHT IN THESE DESIGNS AND DRAWINGS IS VESTED IN R.J. SINCLAIR Pty Ltd. THE DESIGN AND DETAILS SHOWN ON THIS DRAWING ARE SPECIFIC TO THIS PROJECT ONLY AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART BY ANY MEANS OR BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT THE WRITTEN CONSENT OF R.J. SINCLAIR Pty Ltd. THIS DRAWING SHALL NOT BE CHANGED, ALTERED OR AMENDED BY ANY PARTY FOR ANY PURPOSE OTHER THAN BY R.J. SINCLAIR Pty Ltd.

No.	Amendment	By	Date
DA-1	ISSUED FOR DEVELOPMENT APPROVAL ONLY. NOT FOR CONSTRUCTION.	RJS	31.03.2023

NOTE :

01 DENOTES PHOTOGRAPH NUMBER FOR ALL PHOTOGRAPHS SHOWN THE THE STATEMENT OF ENVIRONMENTAL EFFECTS FOR THIS PROJECT.

THIS DRAWING IS TO BE PRINTED AND DISTRIBUTED IN COLOUR

ISSUED FOR DEVELOPMENT APPROVAL ONLY
NOT FOR CONSTRUCTION

SCALE 1 : 1 On A1 Size Original

SCALE 1 : 2 On A3 Size Reduction

Chris Ward
Principal
Accredited Building Designer (3118)
Tasmania L.C. No. DP-AD 15379

R.J. SINCLAIR Pty Ltd
Building Design

Postal: PO Box 503
ROUND CORNER NSW 2158
Phone: 02 9634 2460
Email: design@sinclair.com.au
Web: www.sinclair.com.au
Multi-Discipline Design | Project Management

Project

CAR WASH CAFE

345 HUME HIGHWAY
BANKSTOWN NSW 2200

Client

WAH BAO XING Pty Ltd
t/a ALWYN CAR WASH CAFE

Drawing Title

SITE :
PHOTOGRAPH LOCATIONS PLAN

Drawn	Designed	
RJS	RJS	
Scale	Approved	
1 : 100 @ A1 1 : 200 @ A3		
Date	Checked	
30th March 2023		
Project No.	Drawing No.	Rev.
22 - 004	PL - 01	DA-1