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**Sent:** 29/03/2016 6:10:26 PM  
**Subject:** MOD2016/0041 / S96(1a) Application to amend condition 3 of DA2014/0805 to amend construction noise levels  
**Attachments:** 20160329-LO-Warringah Council (DA Amendment).pdf;

**For: Ms Lashta HIDARI**

Dear Lashta

Please see attached Submission for your acknowledgement, consideration and reply please.

Regards

**Steve Smith | Group Property Administrator**



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29 March 2016

The General Manager  
Warringah Council  
**ATT: Ms Lashta Haidari**  
Civic Drive  
725 Pittwater Road  
**DEE WHY NSW 2099**

Email [council@warringah.nsw.gov.au](mailto:council@warringah.nsw.gov.au)

Dear Ms Haidari

**MOD2016/0041**

**S96(1a) Application to amend condition 3 of DA2014/0805 to amend construction noise levels**

I write with regard to this amendment application to, inter-alia, allow a doubling of permissible noise levels from not more than 5dB(A) to not more than 10dB(A) above the background level.

This application, if granted, gives rise to an apprehension of substantial effects on our AudioClinic business trading since mid-2012 at Shop 5 Dee Why Shopping Plaza at 24-26 Howard Avenue, Dee Why.

Our business is the *'undertaking of diagnostic Hearing assessments, the prescribing of hearing devices to our hearing impaired community together with the servicing, repair, maintenance of hearing aids'*.

It is noted that

- demolition and excavation works are restricted to 8.00 am to 5.00pm Monday to Friday;
- building construction and delivery of materials are restricted to 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturday



The AudioClinic business trades Monday – Friday 8.30am to 4.30pm.

The 'Construction Noise and Vibration Management Plan' refers to the 'DECCW – interim construction noise guideline' which merely provides that the proponent should (my emphasis) undertake certain activities such as updating occupants of noise levels and hours of work.

The proponent's not being required to update and/or pro-actively notify AudioClinic of its activities, with its associated noise, vibration and harshness 'NVH' " will inevitably have detrimental effects on AudioClinic's business. Of necessity, those effects include interruptions to audiological testing and the lack of proactive notice means an inability to reschedule clients to times when NVH activities are not taking place. AudioClinic's appointment book is commonly full up to 4-5 weeks in advance.

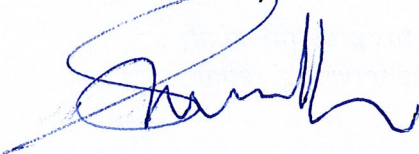
It is respectfully submitted that

- The proponent be required to pro-actively notify AudioClinic in advance of demolition, vibration and excavation activities;
- Such notification is to be a minimum of 12 business-hours in advance;

Please be assured AudioClinic seeks to work collaboratively with the Proponent to ensure impacts are minimised for both parties.

Moving forward, would you please consider the contents of this communication and advise the writer of the outcome of this Submission process.

Yours sincerely,



Steven Smith  
**Group Property Administrator**

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