

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	REV2022/0004
<b>Date:</b>	30/05/2022
<b>To:</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 111 DP 11936 , 16 Bangaroo Street NORTH BALGOWLAH NSW 2093

### Reasons for referral

This application seeks consent for large/and or industrial development.

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

### Officer comments

#### General Comments

On 27 April 2022 the applicant was requested to respond to findings of an acoustic report review nss23446 by Wilkinson Murray, dated April 2022. An updated version (D) of the applicant's acoustic report has since been provided to Council but does not address the discrepancies identified in the review.

To facilitate a fair assessment of all available information, Council seeks a response to each of the points raised in Section 2 and 3 of the acoustic report review "nss23446 – Final - Rev A". The response will help determine the validity of acoustic data regarding noise amenity impacts of the proposed childcare centre on the surrounding sensitive residential receivers.

Until such a time, Environmental health cannot make a determination on the suitability of the development proposal.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### Recommended Environmental Investigations Conditions:

## DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

### Compliance with Plan of Management

The requirements of the Operation Plan of Management are to be fully implemented in perpetuity from the issue of any interim / final occupation certificate.

Reason: To maintain a reasonable level of amenity to the area. (DACHPBOC5)

### **Use of Outdoor Play Area**

The use of the outdoor play area is to be restricted to a maximum of 8 children at any one time.

Reason: To maintain amenity of the surrounding area. (DACHPBOC6)

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **Acoustic Report Recommendations**

Prior to the issuing of any Construction Certificate, documentation is to be submitted to the satisfaction of the Principal Certifier that recommendations within the Acoustic Report by Wilkinson Murray Pty Limited dated 17 May 2021 (reference: Report No. 20194 Version C) have been implemented/incorporated into the design of the premises.

Reason: To protect acoustic amenity of surrounding premises.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Acoustic Report Certification**

Prior to any occupation certificate being issued, a further acoustic assessment is to be undertaken by a qualified and experienced person(s) to confirm compliance with recommendations within the Acoustic Report by Wilkinson Murray Pty Limited dated 17 May 2021 (reference: Report No. 20194 Version C), including but not limited to:

- Noise Barrier requirements;
- Mechanical Plant requirements; and
- Indoor Playrooms requirements.

Any recommendations made by the consultant must be implemented prior to issuing the Occupation Certificate in order to achieve compliance with noted conditions of this consent.

The updated acoustic assessment is to be submitted to the satisfaction of the Principal Certifier.

Reason: To protect acoustic amenity of surrounding premises.  
(DACHPFPOC6)