

## Environmental Health Referral Response - industrial use

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|---------------------------------|---|
| Application Number:             | DA2020/0205   |
| Date:                           | 19/03/2020  |
| To:                             | Renee Ezzy  |
| Land to be developed (Address): | Lot 9 DP 6984 , 18 Alexander Street COLLAROY NSW 2097 |

### 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

Proposal for part demolition of existing dwelling and construction of an 11 unit boarding house. Environmental Health has assessed the development by addressing typical matters that are known to impact surrounding residences. Noise from mechanical exhaust, communal areas and waste collection, external lighting, and Acid Sulphate Soils are discussed below.

#### Noise

Communal and outdoor areas – proposed use until 10:30 pm. Generally, NSW guidelines and laws state 10 pm as a time cut-off for residential noise.

Waste collection – standard residential, no need for exemplary conditions.

Mechanical plant – it is unclear as to if/what cooling/heating systems will be used and where they will be placed. Externally located air-conditioners in close proximity to neighbouring residences are prone to creating 'noise nuisance' as defined in the *Protection of Environment Operations Act 1997*. Carpark exhaust system will fall into this same category with regard to conditions to be recommended.

Rock-breaking – the geotech report showed sand and clay to 2.4 m at DCP6, excavation to approximately 2.2 m. Unlikely that rock-breaking required to install footings, if needed, notification to neighbours one week prior to the works is recommended.

#### External Lighting

Any external lighting (e.g. in the outdoor communal area) should be directed away from surrounding residences.

### Acid Sulphate Soil

Class 5 Acid Sulphate Soil on the north-western corner of the property. Excavation on this lower part of the property is unlikely to disturb acidic soils in a harmful way, no conditions or further information will be required of the applicant.

### **Recommendation**

APPROVAL - subject to conditions

The proposal is therefore supported.

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**

##### **Noise from mechanical plant**

Any mechanical plant on the site must be installed and operated at all times so as not to cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.

In accordance with the Protection of the Environment Operations (Noise Control) Regulation 2008, domestic air-conditioners must not be audible within nearby dwellings a habitable room in any other residential premises:

- between 10:00PM to 7:00AM Monday to Friday, and 10:00PM to 8:00AM on Saturdays, Sundays and public holidays before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday, or
- before 7:00am or after 10:00pm on any other day.

Reason: To ensure compliance with legislation and protect the acoustic amenity of neighbouring properties. (DACHPBOC6)

#### **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

##### **Rock-breaking**

The activity of rock-breaking associated with the development of the site, must only occur between the hours of:

9:00 AM – 5.00 PM on weekdays (Monday – Friday).

Rock-breaking activities must not occur on weekends or public holidays.

Adjoining properties must be notified in writing of the times and days in which rock-breaking activities will be carried out. Notices must be distributed at least seven (7) days before the activity is to occur.

Reason: To protect acoustic amenity of surrounding properties and the public.(DACHPEDW5)

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **Outdoor lighting**

All outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and must comply with where relevant, Australia Standard AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance and design requirements and Australian Standard AS 4282:1997 Control of the obtrusive effects of outdoor lighting. All lights used to illuminate the exterior of buildings onsite must be positioned so as to prevent the emission of direct light onto adjoining roadways, adjoining land and dwellings.

Reason: To protect the amenity of adjoining properties. (DACHPGOG5)

### **Compliance with the Boarding House Plan of Management**

The ongoing operation of the boarding house must be in accordance with the Plan of Management.

Reason: To maintain a reasonable level of amenity to the area. (DACHPGOG5)