

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2019/1195
<b>Date:</b>	04/03/2020
<b>To:</b>	Phil Lane
<b>Land to be developed (Address):</b>	Lot 10 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 11 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 12 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 13 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 14 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 15 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 16 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 18 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 8 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 9 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 19 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 20 DP 1177 , 0 Pittwater Road MANLY NSW 2095 Lot 1 DP 535058 , 0 Pittwater Road MANLY NSW 2095 Lot 17 DP 1177 , 0 Pittwater Road MANLY NSW 2095

### 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

#### Updated comments 04/03/2020

Lighting conditions removed as temporary lighting needs to be applied for patron safety and some disturbance to residents may not be avoidable. EHO's will be on-site to monitor lighting, noise, sanitary facilities and food.

Noise condition added with noise limitations in addition to the conditions to comply with Acoustic Assessment and Noise Management Plan by Noise Consulting & Management Pty Ltd ref 3520 21 Jan 2019 and the Statement of Environmental Effects (SEE).

Noise limits are set for outdoor concerts to give EHO's on-site a trigger to intervene. Capped noise levels are set above the intended noise levels set by the applicant's Noise Management Plan as noise will not behave consistently with what is set on the sound desk. The levels set are consistent with best practice for outdoor concerts such as Brisbane City's Riverstage.

### General Comments

1. Environmental Health believes the DA can be favourably considered with conditions; noting that low frequency music noise may need reducing during the event.
2. The event is for only a limited time 1pm to 10.30pm performance ceasing 10pm ( previously 3pm to 10pm) on a Saturday and is a "one off- potentially annually " . A 2 hour increase in performance time for this event, and will offer entertainment for an expected local teen audience.

3. It is noted that a warm up/sound tests at reduced sound levels will be carried out on the same day from 10am to 1pm (previously -preceding day over 4 hours).
4. The location is away from the beach front residential area which has been subject to many noisy events.
5. Noise generation has been taken into consideration and the location appears to be a best fit for the area compared with the beach area potentially as an alternative.
6. Stage and amplification has been proposed to minimise impact on residents.

7. **Offensive noise is most likely to be generated**, but generally will be limited to the maximum of 75dB(A) as suggested by the Noise Guide for Local Government for a one off event at the nearest residences. Normal ongoing noise restrictions for licensed venues are not normally applied to special events. At 75dB(A) to noise will be similar to having a vacuum cleaner operating in the resident's room, so some discomfort to some residents will result.

Intrusive bass over a slightly longer event needs to be acknowledged - Lmax 95 dB(C) this may need reducing on the day/night if complaints are received.

The promoter will provide a dedicated member of staff to control the music levels on the stages. This staff member will have the automatic authority and technical ability to reduce the music levels at the desk for all acts where required.

The noise limit at affected residences will be L<sub>Amax</sub> 75 dB(A), when measured with the meter set to fast response over any 15 minute period during the concert or sound test.

An upper guideline level of L<sub>max</sub> 95 dB(C) at residents will be adopted to control low frequency noise.

Therefore it is critical that the general neighbourhood be notified in advance and onsite monitoring occur and adjustments be made as necessary.

For the previous 2019 Event only 8 formal complaints are documented (trim 2019/175194) which is considered very low.

8. Conditions can be added to minimise the noise nuisance along lines proposed by the applicant.
9. **It is recommended that all residents within 500m** of the location be letter box dropped at least 48 hours in advance of the Event advising of the event and hours, a contact phone number should be provided for enquiries/complaints. (the applicant is proposing something similar **but states in the Noise assessment that Council do this .This is not acceptable to Council )**
10. A Council officer (Event staff or Health Officer) with or without a noise level meter and mobile phone should be available on site/adjoining residences during the event to liaise with organisers/noise consultant to ensure compliance with proposed noise management.
11. Food venders will require Temporary Food Stall approvals from Council in advance of the event.
12. Toilet facilities proposed 1:60 patrons (previously 1:70) utilising toilet blocks instead of the previous porto-loo toilets.
13. Water supplies must be town water -unless supplied by a licensed water carter and then a Quality Assurance Plan is provided to ensure risks are managed.

14. Comments from the Dept of Health NSW Public Health Unit need to be incorporated and **it is expected they will receive notification of this Major event.** Their comments may

include the previous or similar comments for the 2019 event reproduced below to ensure the issues are taken into consideration:

### **Drinking Water**

- All water for drinking purposes at the event must be potable.
- There must be an adequate drinking water supply available.
- Water stations must be connected to Sydney Water by a licensed plumber.
- The Management Plan Checklist advised that large IBC water storage tanks will be used in locations not in vicinity of tap. If this is used, the water must be supplied from Sydney Water and all plumbing connections must be completed by licenced plumber.
- The Management Plan Checklist states bar staff will replenish free water tanks on the bar service points. Further information may need to be provided to demonstrate there is no risk of contamination.

### **Toilet Facilities and Sanitation**

- The number of toilets must be adequate. The NSW Dept Premier & Cabinet document provides recommended numbers of toilets for events of <5000. As this event is anticipated to be 10 000 the number of toilets should be doubled. ie. Males 16WC + 50 urinals and females 60 WC. Therefore 126 toilets should be provided. If there are more than 10 000 attendees the number of toilets may need to be increased.
- The Site plan states 140 port a loos + 2 accessible however the plan only shows 104 toilets.
- It is recommended that there be separate toilets for males and females.
- Separate toilets with hand wash facilities should be available for food handlers. The Site plan does not show separate toilets are available for food handlers.
- There must be hand washing facilities with soap in close proximity to the toilets.
- There must be adequate sanitary disposal facilities.
- Toilets must be monitored, kept clean and provided with toilet paper.
- Further details should be provided regarding response protocol detailing what actions should be undertaken in the event that a Portaloo becomes full of effluent.
- Further detail should be provided how the liquid waste from Portaloo's will be managed at the end of the event.

### **Shade/Weather Protection**

- The event will be held in the afternoon/evening from 3.00pm until 10.00pm – therefore there will be

reduced exposure to UV.

- The site plan shows limited areas are provided with seating and umbrellas.

### 13. Conditions Proposed by EH:

#### 1. Cleaning and maintenance of toilets during the event

A dedicated cleaner shall be allocated to ensure continual service, cleaning and maintenance of the event toilets to minimise, blockages and spills, and ensure adequate water supply, toilet paper and liquid soap at all times.

Reason: To provide hygienic sanitary services and protect public health.

#### 2. Noise Management

1. Compliance with all recommendations contained within the Acoustic Assessment and Noise Management Plan by Noise Consulting & Management Pty Ltd ref 3520 21 Jan 2019 and the Statement of Environmental Effects (SEE) undated submitted with the DA.
2. A Council allocated officer is to be provided with a contact name phone number to the sound management staff/contractor on the day to ensure direct communication to deal with any complaints or issues that may arise during the event and after the event until 12 midnight.
3. A report containing the results of the noise monitoring, any complaints, the effectiveness of the noise control measures is to be presented to Council within 30 days of the event.

Reason: To minimise the noise impact on residential receivers.

#### 3. Lighting- glare

Lighting is to be used so as to minimise glare to neighbouring residential premises.

Reason: To maintain amenity of surrounding residential properties.

#### 4. Sale of food and drink --see separate referral

All food vendors of any food and drink for sale (or given away as promotion) shall apply in advance (14 days' min) of the event for food vending approval from Councils Environmental Health Team. Application forms are available on line at Councils Web site. "Temporary Food Stalls" Any packaged foods must be appropriately labelled- see NSW Food Authority web site for requirements.

Reason: To comply with Food Legislation

#### 5. Sale of food and drink

All Temporary and Mobile Food premises are to comply with the Food Act 2003 and NSW food Authority Guidelines for Mobile and Temporary food stalls.

Reason: To maintain Food standards

### **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:**

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

#### **Noise Management**

1. Compliance with all recommendations contained within the Acoustic Assessment and Noise Management Plan by Noise Consulting & Management Pty Ltd ref 3618 20 Sept 2019 and the Statement of Environmental Effects (SEE) submitted with the DA.
  2. All residential premises within 500m of the location be informed by letter box drop at least 48 hours in advance of the Event by the organiser advising of the event and hours, a contact phone number should be provided for enquiries/complaints.
  2. A Council allocated officer is to be provided with a contact name phone number to the sound management staff/contractor on the day to ensure direct communication to deal with any complaints or issues that may arise during the event and after the event until 11 pm.
  3. A report containing the results of the noise monitoring, any complaints, the effectiveness of the noise control measures and recommendations is to be presented to Council within 30 days of the event.
- Reason: To minimise the noise impact on residential receivers.

#### **Cleaning and maintenance of toilets during the event**

- A dedicated cleaner shall be allocated to ensure continual service, cleaning and maintenance of the event toilets to minimise, blockages and spills, and ensure adequate water supply, toilet paper and liquid soap at all times.
- Toilets are to be provided on the minimum basis of 1:60 patrons.
- Should a toilet block leak/fail a contingency plan shall be in place to ensure land and or water pollution is avoided and adequacy of toilet numbers is maintained .

Reason: To provide hygienic sanitary services and protect public health and environment.

#### **Noise limits**

Noise emitted by the live music performances is not to exceed 100dBA or 110 dBC at the sound and lighting desk or between 25 and 30 metres from stage.

Reason: To maintain amenity of surrounding residential properties.

**NSW Public Health Requirements**

The recommendations of NSW PUBLIC HEALTH for Major Events shall be complied with as specified for the event.

Reason: To ensure Public Health is is compromised by the event and activities.