

Environmental Health Referral Response - industrial use

Application Number:	DA2020/0264
Date:	07/09/2020
To:	Maxwell Duncan
Land to be developed (Address):	Lot 2 DP 530175 , 57 Myoora Road TERREY HILLS NSW 2084

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

Environmental Health has been requested to provide comment on the proposed development of the use of an existing industrial building as a building and hardware supply store. As part of this referral noise has been considered.

The site is located in IN2 Light industrial zoning bordering R2 low density residential. The site also has residential receivers directly across Myoora Rd.

The SEE lists the proposed hours of operation as "6.00 am and 6.00 pm Monday to Friday and 7.00 am to 4.00 pm Saturday." The existing consent under DA2006/1086 lists the hours of operation as 7am to 5pm Monday to Friday and 7am to 1pm Saturday and no operation on Sunday.

No acoustic report has been provided with the development application to address the increase in hours of operation. The effect of noise from this site has the potential to be significant due to the presence of predominantly hard surfaces and direct residential receivers.

Should the applicant choose to retain the existing hours of operation from the previous consent Environmental Health would have no objections to the development. The proposed hours of operation are not in line with the Industrial noise policy section A3 "Dealing with 'shoulder' periods". The noise guide for industry further states that daytime hours are from 7am to 6pm.

At this time without an acoustic report Environmental Health are unable to make a determination on the effect of noise and as such recommend refusal.

Amended comments 19/08/2020

An acoustic report was submitted to Council in support of the development application of a Building Supplies warehouse at 57-59 Myoora Road, Terry hills. The acoustic report is referenced as 20110 – 57-59 Myoora Road, Terrey Hills – DA Acoustic Report – Revision 2 by Pulse Acoustic Consultancy dated 14 July 2020.

The acoustic report has provided a number of administrative acoustic controls coupled with physical engineered controls and some elimination of noise sources. The controls proposed will be included as proposed conditions of consent.

Environmental health recommend approval subject to a number of conditions being imposed on the development to ensure the operation of the business adhere to the recommendations in the acoustic report and do not cause a disturbance of amenity to neighboring residence.

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:

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Compliance with the operational plan of management

The requirements of the operational plan of management required by this consent is to be fully implemented in perpetuity from the issue of any interim / final occupation certificate.

Reason: To ensure the premises a maintained in an appropriate manner in perpetuity. (DACHPEDW2)

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

Outdoor light

Prior to the issue of an Occupation Certificate, the Certifying Authority must be satisfied that all outdoor lighting is designed and positioned to minimise any detrimental impact upon the amenity of other premises and adjacent dwellings and that the outdoor lighting complies with the relevant provisions of and *Australian Standard 4282:1997 Control of the obtrusive effects of outdoor lighting*. (DACHPFPOC5)

Reason: To protect public health and amenity.

Trade waste

The applicant must contact Sydney Water to determine whether a Trade Waste Permit is required before discharging any waste waters to the sewerage system. (DACHPFPOC6)

Reason: To comply with legislation.

Development of an operational plan of management

An operational plan management plan shall be developed and submitted to the Environmental Health

Department at Northern Beaches Council for their review and a recommendation of approval or refusal.

The operational plan of management must address;

- Noise control measures referenced in the acoustic report developed by Pulse Acoustic consultancy "Building Supplies Warehouse – 57-59 Myoora Road, Terrey Hills - DA Acoustic Assessment" referenced as 20110 – 57-59 Myoora Road, Terrey Hills – DA Acoustic Report – Revision 2 and dated 14 July 2020,
- Hazardous chemicals - storage, transport, disposal, spill management etc.
- Waste oil from the servicing of vehicles and equipment - storage, disposal, spill management etc.
- Wash-down facilities for vehicles and equipment – stormwater protection.
- Dust from the cutting or processing of any materials.
- Light pollution.

The operational plan of management and the recommendation response from Environmental Health is then to be submitted to Principle certifying authority and be to their satisfaction prior to the issuing of any occupation certificate.

Reason: To ensure the site is managed in a manner that does not disturb the amenity of surrounding residence.

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

Hours of operation

Hours of operation must only occur during the following hours:

- Monday to Friday – 6:00am – 6:00pm
- Saturday – 7:00am – 4:00pm
- Sunday and public holidays - Closed

No public access to the premise is permitted during the following hours:

- Monday to Friday - 6:00am - 7:00am
- Monday to Friday - 5:00pm - 6:00pm

Reason: To minimise disruption to neighboring properties. (DACHPGOG5)

Acoustic conditions

The following acoustic requirements shall be complied with for the life of the development, including:

- No truck movements between 6:00am and 7:00am. Trucks parked inside the warehouse may be packed between 6:00am and 7:00am.;
- No onsite customer parking before 7:00am;
- No more than 10 passenger vehicles < 4.5T Gross Vehicle Mass (GVM), in any 15-minute interval for 57 Myoora Road between;
- No more than 1 Rigid Flat Tray Truck in any 15-minute interval for 57 Myoora Road;
- Reversing alarms for all trucks associated with the business must include a “quacker” type reversing alarm;
- A site management plan must include all noise related conditions;
- All staff operating the forklifts must be trained and made aware of the sensitive noise conditions;
- The owner/operator of the site shall make arrangements with delivery providers to ensure that delivery vehicles do not queue on Myoora Road prior to 7:00am Monday to Friday.

- No waste collection or deliveries are to occur between the hours of 6:00pm and 7:00am Monday to Saturday and no deliveries or waste collection on Sunday.
- The use of amplified sound equipment and public address systems is not permitted, unless located entirely within the shop and used in such a manner that the noise cannot be heard in any habitable room of any residential premises.

Reason: To protect the amenity of surrounding residents (DACHPGOG5)