

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	Mod2023/0315
<b>Proposed Development:</b>	Modification of Development Consent DA2020/1453 granted for Demolition works and construction of a shop-top housing development
<b>Date:</b>	28/06/2023
<b>To:</b>	Thomas Prosser
<b>Land to be developed (Address):</b>	Lot 1 DP 1283322 , 4 Collaroy 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

Proposed modifications to a Court approved DA.

Applicant advises:

Architectural modifications

The proposed modifications are shown clouded on plans DA000(3) and DA002(3) to DA005(3), DA006 (4) and DA007(3) to DA0015(3) prepared by Walsh Architects. The modifications can be summarised as follows:

Basement

- Relocation of the pump room to ground floor.
- Removal of stair from basement to Collaroy Street.
- Alterations of car aisles due to the above two changes.
- Introduction of a Supply Air Fan Room at north-east corner of the plan.
- Two additional garages created.
- One new car space added.
- New storage area created where fire pump was previously.
- Reduction in size of Piling Zone, therefore small increases to storage areas.

Ground Floor

- Relocation of Main Switch Room due to Ausgrid requirement.
- Removal of basement stair now means the two small car spaces can be regular sized now.
- Adjustment of service rooms in south-west corner to accommodate the relocated pump room.
- Removal of pathway outside of building on western side of service rooms. This creates additional deep soil landscaping adjacent to 7 Alexander Street.
- Relocation of bikes due to fire hazard and their proximity to boundary.
- Adjustment of Community Room, Gym and Surfboard Store to remove corridor therefore making these spaces bigger.

3

- Adjustments to Stair 7 adjacent to surfboard room to remove floor gate (landing is higher than Flood Planning Level)
- Air Intake added adjacent to Stair 7.
- Removal of Stair to the north of Retail 4.
- Removal of ramp to south of Retail 4 as access is at grade outside retail 3.
- New raised planter adjacent to laneway to add more landscaping buffer to lane.

- Adjustment to Façade of Retail 4
- Carpark Exhaust Relocated. This is still 6m from neighbouring building.

#### Level 1

- New planter over stair 7 (west of B102).
- New planter to north of C104 and D101 for enhanced landscaping.
- Small change to bathroom of D103.
- All window sills and balustrades that were 760mm are now lifted to 900mm to allow for better operability.

#### Level 2

- Small change to bathroom of D203.
- All window sills and balustrades that were 760mm are now lifted to 900mm to allow for better operability.

#### Level 3

- Adjustments to unit A301 due to purchaser variations. Small window changes to accommodate new layouts.
- Adjustments to unit B301 due to purchaser variations. Small window changes to accommodate new layouts.
- Small change to bed 3 of D302.
- All window sills and balustrades that were 760mm are now lifted to 900mm to allow for better operability.

#### Roof

- Additional skylight as western window removed on Level 3.

#### Elevations, Sections, Shadows, Height plane

- All updated as per the above items.
- All window sills and balustrades that were 760mm are now lifted to 900mm to allow for better operability.
- Removal of small awning above C104 and D101 (northern face).

The accompanying landscape plans prepared by Sym Studio have been modified to reflect the amended architectural detailing with the overall landscape quality of the development not compromised as consequence of the modifications sought.

#### Modification to conditions

##### ***Bold to be removed***

The application also seeks the modification of the following conditions:

##### Condition 1 - Approved Plans and Supporting Documentation

This condition is to be amended to reflect the modified plans and supporting documentation including, but not limited to, the Noise Impact Assessment, dated 11th of May 2023, prepared by RWDI Australia Pty Limited. We request that the amendments to Condition 1 be settled with the applicant prior to determination to ensure its accuracy and to prevent construction delays.

##### Condition 3 - Noise of operations

This submission is accompanied by a Noise Impact Assessment and memorandum, dated 11th of May 2023, prepared by RWDI Australia Pty Limited in the acoustic report referenced within the existing condition whereby the night-time project noise emissions limit of 35 dBA was derived from an incorrect Rating background noise level. This application seeks to rectify this error by way of reference to the RWDI Australia Report and to that extent we request that the condition be modified as follows:

Noise emissions must not exceed the "Summary dBA Leq,15min" values in table 5-3 of the ***noise report "20356A" by Wilkinson Murray Pty Noise Impact Assessment, dated 11th of May 2023***, prepared by RWDI Australia Pty Limited.

Reason: To protect amenity in-line with Protection of Environment Operations Act 1997, Noise Policy for Industry, and local DCP.

5

##### Condition 35 - Detailed review of noise

For the same reason as outlined above we request that this condition be modified as follows:

A detailed review of noise emissions is to be conducted as per the recommendations in section 5.2 of the **noise report "20356A" by Wilkinson Murray Pty Noise Impact Assessment, dated 11th of May 2023**, prepared by RWDI Australia Pty Limited. Total noise emissions must not exceed the "Summary dBA Leq, 15min" values in table 5-3.

Reason: To protect amenity in-line with Protection of Environment Operations Act 1997, Noise Policy for Industry, and local DCP.

Environmental Health advise that night time potential noise issues remain our focus and as the development is yet to be completed and that assessments and calculations, including those at CC stage, can only really be verified upon actual completion of all works.

We therefore support the proposed changes applied for in the mod application but will add an additional condition.

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

#### **Noise assessment prior to issue of (OC) Occupation Certificate**

Prior to the issue of an (OC) Occupation Certificate an acoustic assessment report shall be carried out by a suitably qualified person stating that noise levels from the development comply with anticipated design requirements and the revised acoustic assessment by RWDI Australia Pty Ltd 3 August 2022 RWDI REFERENCE #: 2204455, Also that any necessary modifications to achieve compliance are completed and avoid any nuisance to any residential receivers.

Reason: To ensure that a noise nuisance will not be created by the completed development.