

Environmental Health Referral Response - industrial use

Application Number:	DA2018/1800
To:	Daniel Milliken
Land to be developed (Address):	Lot 101 DP 868560 , 93 McIntosh Road NARRAWEENA NSW 2099

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

This matter has been referred to Environmental Health for comment .

Environmental Health generally support the proposal and make the following comments only in regard to noise.

Due to the increased intensity of site use, noise implications to adjoining residences needs to be taken into consideration.

No acoustic report has been submitted.

This issue relates to mechanic mechanical ventilation particularly from the commercial occupancies, car park area ventilation and the proximity of the driveway to number 89 McIntosh Road where potentially increased vehicle numbers will be accelerating to leave up hill beside a dwelling. Historically the site originally operated 9-5pm and vehicle access will now be potentially 24 hours.

It is clear that intended use of some of the commercial occupancies will be for food businesses which will require cooking and mechanical ventilation and a separate DA will be required, but these noise issues need addressing generally at the building approval stage.

It is recommended before approval is given that the applicant submit an acoustic engineers report assessing the likely effect on adjoining residential occupancies of the driveway access; mechanical ventilation, and noise transmission/vibration to the residential components of the building.

No other objections are raised but these matters should be resolved prior to approval as design implications may be involved.

Recommendation

REFUSAL

Additional Information to Hand 16.4.2019

Environmental Health has asked to review additional information received.

Mechanical ventilation; noise odour etc and similar issues can be delta with as conditions of approval.

However significantly the proposed impact of the driveway to be 24 hrs a day, beside the neighbouring dwelling cannot be accepted.

The applicant is proposing that the neighbouring window (at 89 McIntosh Road) be replaced with a suitable acoustic barrier. This property is not on the applicants title for the development site and Council nor the applicant has any powers to require a neighbour to allow or to carry out works as a result of the proposed development. The Development must "stand alone" in it compliance.

Additionally vibration and acoustic measures assessed in theory, may not once constructed, be adequate to prevent noise penetrating the actual building through the building fabric or habitable windows which must be capable of being opened for ventilation for the inhabitants.

Again this is most relevant in the 24 hour use of the driveway.

Therefore proposed acoustic measures are outside the scope of the applicants entitlement and are inadequate in regard to the neighbours right to reasonable enjoyment of their property, due to 24 hour use, of undetermined driveway vehicle noise, particularly low frequency penetrating noise.

Further Recommendation

REFUSAL

Recommended Environmental Investigations Conditions:

Nil.