

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2021/2480
<b>Date:</b>	23/12/2021
<b>To:</b>	Stephanie Gelder
<b>Land to be developed (Address):</b>	Lot 1 DP 5749 , 2 Wattle Road BROOKVALE NSW 2100

### 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

The development proposes a change of use at Unit 2/2 Wattle Street into a recreation facility including the use of weights, group classes, kick boxing and personal training. An assessment of the Acoustic Report prepared by Koikas Acoustics dated 24 November 2021 has identified a number of recommendations to control noise impacts from the facilities operations. Some (not all) of these recommendations rely on human behaviour and management which has shown not to be a reliable or consistent way of controlling noise impacts.

Given that residential receivers are located approximately 30m (160 Harbord Road, North Manly) and 35m (1 Wattle Road, North Manly) from the proposal, Council is of the opinion that a 5:00am start time for the use of the recreation facility would be unreasonable. Environmental Health have experience with similar recreation facilities (gymnasiums) where noise from weight dropping and music interferes negatively with nearby residential receivers despite management controls in place. In addition, no final floor plan has been provided identifying the location of where the weights/weight classes are to be conducted and what controls are to be implemented to minimise noise impacts .

Council's Environmental Health team suggest a 7:00am start time for the use of the recreation facility 7 days a week. Music should not be played before 7:00am any day of the week.

Conditions will be applied regarding the above including a condition on floor coverings and complaints handling.

### Recommendation

#### **SUPPORTED - 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**

### **Complaints Handling**

A complaints handling plan is to development and implemented into the life of the business which clearly identifies how complaints relating to the operation of the recreation facility will be managed. The plan is to also include what action is to be taken, timeframes for action, contact person and staff training protocols.

Reason: To protect the noise amenity of the area (DACHPBOC5)

### **Hours of Operation**

The recreation facility including group classes, person training, the use of weights and the playing of music must not occur before 7:00am seven days a week.

Reason: To protect the noise amenity of the area (DACHPBOC6)

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **Noise Control Measures - Floor Coverings**

All weight lifting zones and light exercise class zones within the recreation facility where the use of weights is expected to be used, are to be constructed with one layer of 15mm impact tile (A1 rubber), over one layer of 30mm Olympact (A1 Rubber).

Reason: To protect the noise amenity of the area.