

Environmental Health Referral Response - industrial use

Application Number:	DA2025/0132
Proposed Development:	Demolition works and construction of a restaurant (McDonalds) including signage
Date:	16/05/2025
To:	Claire Ryan
Land to be developed (Address):	Lot 100 DP 1199949 , 37 Roseberry Street BALGOWLAH NSW 2093

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 proposal is supported by and acoustic report and odour assessment which are deemed appropriate. The proposal is supported with the recommendation of a number of conditions of consent

Updated Comments - 16/05/2025

In response to a request for further information, the applicant has advised amended the proposal as follows:

- an additional acoustic screen has been added to the roof to further minimise any potential noise impacts on surrounding receivers
- the hours of operation are now proposed to be reduced from 24/7 to 5:00am-12:00am (Mon-Sun) to further minimise any potential acoustic and associated amenity impacts on residential receivers

Accordingly, Environmental Health supports the proposal with no changes to recommended conditions.

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:**DEVELOPMENT CONSENT OPERATIONAL CONDITIONS****Acoustic Review**

Within 30 days from the operations commencing under the terms of this consent, an acoustic review of the findings and recommendations of the acoustic report dated December 2024 reference MAC242248-01RP1V1 by Muller Acoustic Consulting and any additional requirements at OC acoustic review stage; shall be carried out on site (during a busy period of trading).

The report associated with the compliance testing is to be furnished to Council for its records.

Should physical works that would require approval be necessary action to achieve acoustic compliance, a modification application to modify this consent accordingly shall be lodged within 30 days of the review for assessment and must be approved prior to any works being carried out.

Reason: To ensure acoustic compliance in an operational situation.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**Acoustic Design Recommendations**

Prior to the issuing of any Construction Certificate, documentation is to be submitted to the satisfaction of the Principal Certifier that design recommendations within the acoustic report dated December 2024 reference MAC242248-01RP1V1 by Muller Acoustic Consulting have been implemented / incorporated into the design of the premises.

Reason: To prevent noise nuisance by using mitigation measures in design.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**Mechanical Ventilation certification**

Prior to the issuing of an Occupation Certificate, certification is to be provided from the installer of the mechanical ventilation system that the design, construction and installation of the mechanical ventilation system is compliant with the requirements of AS1668 The use of mechanical ventilation.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To ensure that the mechanical ventilation system complies with the design requirements.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**Odour Control Measures**

The requirements as described in report titled "Odour Amenity Assessment" by SLR Consulting Australia SLR Project No.: 610.032293.00001 dated 16 December 2024 shall be complied with at all times of the development.

Reason: To ensure odour emissions do not create adverse impact to surrounding properties.

Plan of Management

The Plan of Management dated 5th December 2024 by SLR is to be complied with at all times on an ongoing basis.

Reason: To assist with preserving the amenity of surrounding properties