

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2020/0263
<b>Date:</b>	16/04/2020
<b>To:</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 4 DP 547022 , 59 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

Environmental Health has reviewed the development application for 59 Myoora Road TERREY HILLS, which proposes to use an existing industrial building for the storage and distribution of building and hardware supplies.

Refusal is recommended at this time as the applicant has not provided sufficient information.

### Noise

One of the objectives of the Warringah Development Control Plan 2011 is: "To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors". Whilst the Statement of Environmental Effects (SEE) mentions that the development "will not have any direct or unreasonable impact on the nearby residential properties", no reliable evidence was submitted with the application to support this claim (e.g. an acoustic assessment completed by a suitably-qualified acoustic engineer/consultant).

Environmental Health has concerns regarding several aspects of the proposal in relation to noise:

- Operational hours – Previous development approvals for the property have not permitted operational activities to commence prior to 7am. The applicant is seeking to commence operations at 6am Monday - Saturday. The NSW Industrial Noise Policy (NSW EPA, 2000), classifies the period between 6am and 7am as 'night' or 'shoulder' due to the potential for less background noise. During periods of lower background noise, operational activities will have greater impact on the amenity of the area and must be appropriately assessed.

The SEE states that the premises will be 'closed to the public' on Sundays and Public Holidays. This statement implies that the premises may be operational in a restricted manner on Sundays and Public Holidays. Further clarification is required as to what activities will be occurring on the premises on Sundays and Public Holidays.

- Adjoining Site – 57 Myoora Road - The applicant has submitted a separate proposal for the adjoining site at No. 57 Myoora Road, which will also be used as warehouse facility for building and hardware products. Whilst these proposals are presented independently, the SEE for each site lists the same business function, operational hours and primary products and acknowledges that some cross over between properties will be required for 'access etc.'.

Environmental Health believes that the two sites should be considered as one development when assessing the impact of noise on nearby properties.

- Site Plan - The site plan indicates that racks will be erected outside the building adjacent to 3 of the 4 property boundaries. There is only 12 metres between the racks on the boundary with Council's reserve and the nearest residential building. Noise created by stocking and accessing items on outdoor racks must be considered in an acoustic assessment. Previous approvals restricted the storage of goods to the confines of the building.

#### Stormwater and Environmental Pollution

The SEE states that a "regular ongoing maintenance program will be implemented" for the stormwater system, however fails to outline what this program will entail.

Environmental Health requires additional information about the environmental controls that will be implemented to prevent water, air and land pollution on site.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

#### **Recommended Environmental Investigations Conditions:**

Nil.