

Environmental Health Referral Response - industrial use

Application Number:	DA2020/0514
Date:	09/06/2020
To:	Anne-Marie Young
Land to be developed (Address):	Lot 2699 DP 752038 , 1 B Bolingbroke Parade FAIRLIGHT NSW 2094

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 Hours:

General boat shed/marina, including tender services

6am to 10pm (Mon to Sat), 7am to 10pm (Sun and public holidays)

- Access by customers (unsupervised) to passive craft storage and swing moorings not restricted (i.e. allowed 24 hours, 7 days a week).

Workshop and shipwright activities

7am to 6pm (Mon to Fri), 8am to 6pm (Sat, Sun and public holidays)

- Doors and windows to workshop to be closed during noise-generating works.

Kiosk 5am to 10pm (Mon to Sun and public holidays)

- Doors and windows to kiosk and adjoining internal seating area to be closed (except to allow for patron ingress and egress):

- prior to 7am (Monday to Saturday);
- prior to 8am (Sunday and public holidays); and
- after 6pm (daily).

- Outdoor seating area to only be used 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and public holidays.

- No more than 50 patrons shall be permitted in the outdoor seating area.

NOISE

The acoustic assessment considers;

" Noise sources

Noise emission from the premises, as is assessable against the established noise goals, includes:

Noise breakout from indoor kiosk area;

Patron noise associated with outdoor seated area;

Noise breakout from maintenance activities in the internal workshop area;

Motor noise generated during tender services;

Noise associated with tender patrons entering and exiting the site;

Hand tools used by boat owners at the end of the gangway."

It does not consider noise from motor vehicles parking in the restricted street adjacent to the development when patrons arrive/ vacate (5am to 10pm) and car doors slamming if hours of operation are extended into sleep time. Similarly any taxi/uber pick up.

Likewise pack up/ cleaning and waste services are not included (but can be included in the Plan of

Management).

The 24 access to mornings and the tender services are assessed as acceptable but does not include unsupervised offensive noise.

Also the report advises:

"Acoustic assessment of mechanical services equipment should be undertaken during the detailed design phase of the development to ensure that the cumulative noise of all equipment does not exceed the applicable noise criteria. Development Consent Conditions typically require detailed assessment of mechanical plant and equipment prior to issue of the Construction Certificate.

Noise control treatment can affect the operation of the mechanical services system. An acoustic engineer should be consulted during the initial design phase of mechanical services system to reduce potential redesign of the mechanical system.

Mechanical plant noise emission can be controlled by appropriate mechanical system design and implementation of common engineering methods, which may include:

- procurement of 'quiet' plant
- strategic positioning of plant away from sensitive neighbouring premises to maximise intervening acoustic shielding between the plant and sensitive neighbouring premises
- commercially available acoustic attenuators for air discharge and air intakes of plant
- acoustically lined and lagged ductwork
- acoustic barriers between plant and sensitive neighbouring premises
- partial or complete acoustic enclosures over plant

The specification and location of mechanical plant should be confirmed prior to installation on site, and

Fans shall be mounted on vibration isolators and balanced in accordance with Australian Standard 2625 'Rotating and Reciprocating Machinery - Mechanical Vibration "

Environmental Health accepts that plant and equipment can be assessed at design/construction stage and does not present any unsolvable issues.

"The outdoor kiosk area shall only operate 7:00am to 6:00pm Monday to Saturday and 8:00am to 6:00pm Sundays and public holidays. No more than 50 patrons shall be permitted in the outdoor seating area. The indoor kiosk area may operate outside these times provided the doors and windows of the premises remain closed."

The hours proposed for the external deck area are acceptable to Environmental Health.

Hours for the internal operation need to be commented on further.

Patrons entering and leaving the internal area can clearly allow offensive noise to leave the site and the permitted operational hours and Management Plan need to reflect this.

Likewise an airlock arrangement could solve this issue.

There are no other immediate commercial activities in this area. This is not an entertainment precinct but a residential area and a cafe Restaurant if proposed would need to be reconsidered.

Delivery vehicle and waste collection hours need to be restricted.

Planning will also need to address whether the kiosk is a shop and or cafe/Restaurant and implication\ for the latter use.

Seating is approx 50 outside and some 20 inside total approx 70 - A kiosk is usually associated with items to takeaway from the premises.

Kitchen design for a restaurant if proposed is more extensive than a kiosk, this matter will be dealt with in the Food Premises referral and other matters like provision of a grease trap will need to be taken into account.

Kiosk fit-out detail is not supplied.

Pollution

The changes ,whilst reducing boat slippage use related environmental issues, raises some other matters.

Paper serviettes , drinking straws, packaging from ice creams,sweets , litter generally and cigarettes and the like from structures located directly over water bodies raises the issue of wind action resulting in materials being blown into the water.

Similarly the washing of the deck with detergents and cleaners is a potential issue .The paint room and particularly areas where painting and or defouling need addressing.

No reference to removal of solid or liquid wastes from vessels is made.

Sewer access may need upgrading eg if maceration equipment is needed to pump to sewer. Plans would need to be submitted to Sydney Water. Likewise if cooking and reusable crockery/cutlery and dishwasher is to be installed, a grease trap may be required by Sydney Water . Servicing of any grease trap without the risk of water pollution may need addressing.

Any new piles/piers may impact on acid sulfate soils and would require management. (Class 5 area) Conditions can be possibly included in any approval but the above issues need to be addressed now.

Recommendation

Additional information be requested from the applicant.

In summary Environmental Health would like to clarify the following:

- Type of food (including drink/alcohol) and service to be provided from the" kiosk" (which appears to be potentially more of a cafe/restaurant type operation) any cooking and/or table service. Confirm total customer seating to be provided as it appears for approximately 70 at a minimum.
- Management of windblown ; litter, serviettes, cigarettes, packaging and the like on any part of the structure located directly over the water.(seating 50)
- Method of cleaning the deck area without use of detergent or other chemicals that may fall into the waterway.
- Is any grease trap, macerator or other equipment to be installed to pump to sewer or is a gravity access point available.
- Is disposal of solid and or liquid waste from boats moored or docked proposed
- How is noise from customers parking in neighbouring residential streets as a result of this development and increased patronage and 5am opening hours is to be addressed.
- Exactly what services are to be provided from 5 am on site.
- Frequency of waste services collection and hours proposed for collection from the whole site.
- Details of the use of the "paint store" that is proposed and any operations in regard to protection of the environment from these activities eg scraping and removal of old paint from boats.
- Comment on any impact of new or replacement piers/piles on designated Class 5 Acid Sulfate Soil area.

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.