

Environmental Health Referral Response - industrial use

Application Number:	DA2019/1396
To:	Kevin Short
Land to be developed (Address):	Lot B DP 369685 , 16 William Street 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

Proposed number of customers is not stated in regard to parking and sanitary facilities.

Proposed Hours of Operation

Monday – Friday: 5am-8pm

Saturday – Sunday: 7am-12:30pm

The issue with this proposal is the 5 am commencement of operations. This is out of step with the adjoining commercial and industrial developments with a 6:30 am start i.e. concrete batching plant at number 18 William Street.

The proposal is opposite residential premises being on the interface between commercial and residential use.

Potential noise issues with music etc internally can be dealt with by way of closed windows etc however the parking of multiple vehicles on the property and surrounding Street at 5 am in the morning may impact on residents who are sleeping.

Environmental Health is satisfied with a 6.30 am weekdays commencement, not 5 am due to the potential noise impact to sleeping residential occupiers.

And acoustic report has not been submitted however the issue is not one generally to be assessed for internal issues but more with the motor vehicles and participants arriving, closing car doors and boots (removing gear), as well as talking, both on the roof car parking area and especially the street.

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

NOISE GENERAL

The use of the premise including any amplified music must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as

defined in the Protection of the Environment Operations Act 1997 to any affected receiver and compliance with guidelines The Noise Policy for Industry NSW EPA, 2017.

Reason: To ensure that any noise generated does not cause a nuisance to neighbouring premises

Commencement of operations time.

The business is not to commence operations:

- a) before 6.30am or after 8pm weekdays; and
- b) before 7am or after 12pm Saturday and Sunday.

Reason: To minimise early morning noise to neighbouring residential receivers (DACHPBOC6)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Existing Kitchen

The existing Kitchen is not be used for food for sale as defined under Food Act 2003 without appropriate development consent.

Reason: To ensure compliance with legislation and to protect public health and safety.

Occupant numbers

The use of the premises shall be restricted to numbers of occupants compliant with the sanitary facilities requirements of the BCA (Building Code of Australia).

Reason: To ensure adequate sanitary facilities are provided (DACHPGOG6)