

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2021/2629
<b>Date:</b>	04/05/2022
<b>To:</b>	Megan Surtees
<b>Land to be developed (Address):</b>	Lot 19 DP 204107 , 28 Cross 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

Proposal for a gym in an industrial/residential interface includes an acoustic report as justification for compliance with noise standards. Review of the acoustic report revealed the below key points for consideration. We require a response to all questions in order to make a final decision on the suitability of this gym and operational times.

#### Location and noise assessments

#### Points:

1. Noise logging was done from a tree in Funda place.
2. Attended noise testing was done from vacant commercial tenancy above the gym.
3. Neither position has a direct line of sight between residential and gym operations.
4. Roller doors are shown on architectural drawings -northern wall, facing residential; and
5. the acoustic report states that it is a "proposed gymnasium"; however,
6. the company website photos show a gym that is operational, with roller doors on the northern aspect of the building closed-off / sealed.

#### Questions:

1. Is the gym currently operating?
2. Is there a direct line of sight between gym and Funda place residents, thereby maximising noise impacts while operational?
3. Have the roller doors been sealed acoustically?
4. Why was the 'attended noise assessment' not done between the gym and the residences to give the most accurate depiction of operational noise levels?
5. Why was the commercial tenancy used for attended noise assessment if there are more appropriate locations (e.g. the carpark between the gym and residences) to assess the impact on the most sensitive (residential) receivers?
6. Section 5.1 states, "*Noise level measurements of the following activities were undertaken to the residential premise directly above the subject site and the adjacent commercial premise*" - can you please re-write or explain what is meant by this?

### Operational outcomes

#### Points:

7. A recommendation is made for acoustic control measures of 'signage and trainer diligence' to prevent clients from dropping weights'. In a practical sense, those measures will not prevent a fatigued weightlifter from dropping weights.
8. Amplified music was assessed during daytime hours.

#### Questions:

7. How do trainers and signage prevent the dropping of weights in a practical sense, as a real-time scenario?
8. From what height will the dropping of weights become a noise issue?
9. How often will this issue / potential non-compliance occur?
10. Will amplified music be played between 5:30 am and 7 am?
11. Will it be audible to residents at night-time, and therefore not comply with *NPfI* recommendations?
12. What is the maximum noise level amplified music can be played-at and also be inaudible to residents during night-time hours?

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.