

Environmental Health Referral Response - industrial use

Application Number:	Mod2023/0474
Proposed Development:	Modification of Development Consent Land and Environment Court for DA2020/1351 granted by the Land and Environment Court for Demolition of all existing structures and the construction of a 3 storey shop top housing development.
Date:	21/02/2024
To:	Adam Croft
Land to be developed (Address):	Lot 5 DP 229309 , 1 Bilambee Lane BILGOLA PLATEAU NSW 2107

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

This application is seeking consent to modify development consent DA2020/1351 for demolition works and construction of shop-top housing at 1 Bilambee Lane, Bilgola Plateau.

The modification primarily includes the reduction of the proposed retail floor area and the removal of one basement parking level: deletion of condition number 17 and modification of Condition number 63 (Mechanical Plant)

The amended architectural drawings dated 18 July 2023, identify the mechanical and electrical service rooms, the diesel pump room, switch room and plant room have been relocated to the ground floor. These were originally approved through DA2020/1351 in the basement level 1 and 2. The acoustic report submitted with DA2020/1351 assessed potential noise impacts from the development based on these mechanical and electrical rooms being located in the basement.

Given they have now been proposed for the Ground Level with bedrooms above on Level 1, an acoustic review was undertaken by a suitably qualified person to assess whether there is a potential noise impact based on the relocation of these services. The report has stated there will be noise impact from the plant relocation.

This application has also requested modification to Condition 63 of DA2020/1351 - Mechanical Plant. Environmental Health supports the requested modification to remove the following line *'No noise from the mechanical plant shall be audible outside of the boundaries of the site.'* The condition will be amended.

Environmental Health recommends 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

Diesel Fire Pump

The diesel fire pumpset testing must not be carried out before 8 am or after 8 pm on any Saturday, Sunday, or public holiday, or before 7 am or after 8 pm on any other day.

Reason: To ensure acoustic compliance in an operational situation.

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

Mechanical Plant

At all times, mechanical plant noise emissions must comply with the recommendations in section 5 of the acoustic report "Mechanical Plant Noise Assessment" number "nss23254 – Final" prepared by Noise and Sound Services and dated September 2020.

All rooftop plant is to remain screened, as shown on the approved plans, so that the plant itself is not visible outside of the site.

Reason: To protect residential amenity, comply with Protection of Environment Operations Act 1997 and Noise Policy for Industry 2017.

Management Action Plan - Diesel Fire Pumpset

A management action plan is put in place and updated accordingly to ensure that all residents of the residential units and employees of the commercial areas are fully informed of the dates and times of the diesel fire pumpset testing.

Reason: To ensure potential impacts from noise are reduced as much as possible.