

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2022/0643
<b>Date:</b>	09/06/2022
<b>To:</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 2 DP 877793 , 25 The Corso MANLY NSW 2095 Lot 1 DP 877793 , 27 The Corso MANLY NSW 2095 Lot CP SP 12989 , 19 - 23 The Corso MANLY NSW 2095

### 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

Application is for alterations and additions to the existing building to allow for shop-top housing and a pub.

The applicant has provided an acoustic report by Renzo Tonin & Associates dated 6 April 2022 (TM424-01D02 Acoustic Report for DA Apartments (r3)).

Environmental Health have no objections subject to conditions regarding further acoustic assessment of mechanical plant for the building at the detailed design phase of the development and acoustic certification prior to OC.

A potential concern with shop top housing is that retail tenancies often end up being food premises. During the building design stage there tends to be little thought given to any future mechanical ventilation that might need to be installed, subsequently creating potential future noise and odour issues. Despite food premises usually being assessed via individual DAs, the planning for mechanical ventilation generally needs to be addressed at the building approval stage.

As such, Environmental Health recommend that the buildings design allows for adequate provisions for mechanical ventilation to be installed for any future food premises that may require mechanical ventilation.

### Recommendation

Supported - 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:

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### **Mechanical Ventilation Provisions for Retail Tenancies**

Prior to the issuing of any Construction Certificate, certification is to be provided from a suitably qualified professional that the building's design and construction will provide adequate provisions to the retail tenancy for mechanical ventilation to be installed for any future uses that require mechanical ventilation e.g. food premises. The certification is to consider that the buildings provisions for mechanical ventilation are satisfactory to:

- Prevent potential amenity issues including noise and odour for occupants of the building and surrounding premises; and
- Allow compliance with relevant legislation and standards including Building Code of Australia, AS1668.1 "The use of ventilation and air conditioning in buildings Fire and smoke control in buildings" and AS1668.2 "The use of ventilation and airconditioning in buildings Mechanical ventilation in buildings".

Certification is to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To protect the amenity of building occupants and neighbouring properties.

### **Noise - Design of Mechanical Plant**

Prior to the issue of a Construction Certificate, the design and location of the mechanical ventilation is to be provided to the Principal Certifying Authority. An acoustic assessment is to be undertaken by a suitably qualified professional such as an acoustic engineer to determine acoustic treatments to control noise emissions from all mechanical plant noise in accordance with recommendations in Acoustic Report prepared by Renzo Tonin & Associates dated 6 April 2022 (TM424-01D02 Acoustic Report for DA Apartments (r3)).

Any design recommendations made by the consultant must be implemented into the plans prior to issuing the Construction Certificate in order to achieve compliance with noted conditions of this consent.

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To protect surrounding premises from any noise generated by the operation of the development.

### **Acoustic Report Recommendations**

Prior to the issuing of any Construction Certificate, documentation is to be submitted to the satisfaction of the Principal Certifying Authority that recommendations within the acoustic report by Renzo Tonin & Associates dated 6 April 2022 (TM424-01D02 Acoustic Report for DA Apartments (r3)) have been implemented/incorporated into the design of the premises.

Reason: To protect acoustic amenity of building occupants and surrounding premises.

## CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

### **Acoustic Report Certification**

Prior to any occupation certificate being issued, a further acoustic assessment is to be undertaken by a

suitably qualified professional such as an acoustic engineer to confirm compliance with recommendations within the Acoustic Report by Renzo Tonin & Associates dated 6 April 2022 (TM424-01D02 Acoustic Report for DA Apartments (r3)).

Any recommendations made by the consultant must be implemented prior to issuing the Occupation Certificate in order to achieve compliance with noted conditions of this consent.

The updated acoustic assessment is to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To protect acoustic amenity of building occupants and surrounding premises.