

Environmental Health Referral Response - industrial use

Application Number:	DA2020/0110
Date:	17/07/2020
To:	Penny Wood
Land to be developed (Address):	Lot 12 SP 39226 , 12 / 20 - 22 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

Environmental Health has reviewed the acoustic report and plan of management associated with the proposed development. Noise assessment outcomes for equipment, weights, patron voices, etc. have been calculated for a maximum of 20 patrons at any one time. Structural vibration noise was also taken into account for the proposed use during assessment.

While much of the application is acceptable, the recommendations made by Rodney Stevens Acoustics (R190629R0) are essential in ensuring the use does not adversely impact industrial and residential receivers. Most importantly, for sound attenuating window recommendations to be effective, the windows would need to remain closed and the development is likely to require mechanical ventilation in accordance with AS1668.

The application has not proposed any mechanical ventilation and therefore, has not been considered in the acoustic assessment other than a recommendation to review prior to CC.

Council is in receipt of noise and building complaints alleging that the use commenced before development consent was obtained and has received several submissions regarding noise impacts on industrial and residential receivers since the application was submitted.

To appropriately condition the development, Council's Environmental Health Team would require an amended acoustic report that includes, but is not limited to the following:

- Assessment of vehicle noise associated with use of roof top parking
- A reviewed assessment of music, equipment and weights taking into consideration sound sensitive time periods (night-time 10pm-7am)
- Revised operational hours
- Assessment of mechanical ventilation.

A detailed proposal for mechanical ventilation should also be included unless more stringent operational or physical noise attenuation can be implemented.

17/07/2020 - amended comments.

PoM.

The amended acoustic report still does not address noise during the night-time period (10pm-7am) or evening (6pm-10pm). The acoustic consultants have selected an amenity criteria for Day-time periods (60dB) and have not considered more sensitive time periods for during the night and evening (45dB and 50dB).

We also find that it does not adequately address noise attenuation recommendations e.g. by providing necessary Rw ratings for windows/blind and doors, calibrated noise limiter.

The Plan of Management is a administrative control only and a more comprehensive assessment of noise from the proposed use is necessary for Council to make a determination. This should include modelling on how the noise will impact receivers with and without noise attenuation measures in place.

Recommendation

Refusal

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.