

## Environmental Health Referral Response - commercial use

<b>Application Number:</b>	DA2019/1234
<b>To:</b>	Kent Bull
<b>Land to be developed (Address):</b>	Lot 1 DP 1170245 , 0 Wharves And Jetties MANLY NSW 2095

### Reasons for referral

This application seeks consent for one or more of the following:

- Food premises, or
- Backpackers/Boarding house, or
- Mortuary, or
- Skin penetration, accupuncture, tattoo, beauty salon, or
- Public pool

And as such, Council's Environmental Health and Protection officers are required to consider the likely impacts.

### Officer comments General Comments

The statement of environmental effects and associated reports have been considered in regard to this referral.

### Recommendation

APPROVAL - subject to conditions

### Recommended Environmental Health and Protection Conditions:

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

#### Noise - General

The ongoing use of the premises/property must not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.

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

#### No External Sound Amplification

External sound amplification equipment or loud speakers must not be used for the announcement, broadcast, playing of music (including live music) or similar purposes.

Reason: To protect the acoustic amenity of neighbouring properties and the public.

**Patron Noise**

Patron noise must be controlled so as not to disturb or intrude upon the surrounding residential community. Noise arising from patrons located within the grounds of the premises whether indoors, in the courtyard or within any approved outdoor dining area must not be audible within any residential habitable room at any time.

Reason: To minimise noise disturbance to neighbouring residential properties.

**Noise from Entertainment**

Noise associated with any entertainment within the premises including but not limited to live music, amplified music, background acoustic music, recording, comedy, dance, artistic expression or otherwise must not be audible within any residential habitable room at any time.

Reason: To minimise noise disturbance to neighbouring residential properties

**Lighting Spill**

Lighting is to be of such a level as to not cause a nuisance to surrounding properties

Reason: To preserve amenity of surrounding properties

**Acoustic Report**

Implement recommendations included in acoustic report revision 1 dated 27/08/2010 and titled "Manly Wharf Upper Level DA Noise Assessment" by Acoustic Logic

Reason: To limit noise impact to surrounding properties