

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2019/0108
<b>To:</b>	Nick England
<b>Land to be developed (Address):</b>	Lot 100 DP 615225 , 11 - 13 Cook Street FORESTVILLE NSW 2087

### 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

New information to hand 9.4.2019 to EH

Applicant is agreeable to hours to 10pm in line with acoustic measures in the assessment.

The on-line submissions correctly the identify the lack of any buffer zones between the the industrial site and affected residents.

One has to acknowledge the historic nature of the industrial site and foreseeable reasonable development, and buying/ owning a residential property nearby would expect some impacts.

Likewise residential receivers should be entitled to reasonable enjoyment (especially sleep).

Accordingly it is appropriate that compromises be made.

The applicant has agreed to amend proposed operating hours to 10pm from 24/7. This is in line with the current acoustic assessment, however this is a theoretical forecast only and actual noise as a result of unforeseen issues eg reflection from hard surfaces, talking/yelling motor vehicle type made lead to "offensive noise".

The professional assessment is confident of compliance.

In the "The Noise Policy for Industry NSW EPA, 2017 " night time assessment commences from 10pm.

The current operation it appears is :

Mon-Fri 6.30am-5.30pm, Saturday 7.30am-4pm, Sun 9.00am-3pm and public holidays 9am-2pm

The proposed increase is considerable; however if compliance can be obtained this should not be an issue.

Traditionally Sundays are seen as "rest days " and operations to 10pm are considered a greater disturbance risk to residents.

On this basis Environmental Health recommend (among other conditions) :

Operating Hours being:

7am to 10pm Monday to Saturday and 8am to 8pm Sundays and Public Holidays.

### Final Recommendation

APPROVAL subject to conditions

### Recommended Environmental Investigations Conditions:

## DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

### Management plan -Noise

The applicant and/or operator is to produce a Noise Management Plan addressing the following:

- a. Measures to minimise noise to nearby residential properties by general operations, equipment and patrons including opening and closing hours.
- b. Provide details on the Business Website or Reception Area or Notice Board of the contact person who is responsible for addressing noise complaints.
- c. Keep a log of any complaints received and what actions were taken to address the complaint.(log being made available to Council on verbal request)
- d. An outline of the methods to manage any noise complaints received.
- e. Compliance with The Noise Policy for Industry NSW EPA, 2017.

Reason: To ensure that the activity maintains the amenity of nearby residential properties.

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

### Prior to occupation certificate - Noise Matters

Prior to occupation an assessment shall be carried out by a suitably qualified person demonstrating that all acoustic recommendations have been carried out and are functioning as designed, as per the report " NG Child & Associates CA/19/85-6001 Acoustic Assessment: Proposed Self-Storage Facility 9-13 Cook Street Forestville NSW (Version 4; February 1st, 2019)"

Reason: To ensure that noise reduction measures have been implemented (DACHPFPOC6)

### External lighting

Prior to occupation a suitably qualified person shall provide an assessment report confirming that external lighting and glare is not causing a potential nuisance to adjoining residential occupiers. All outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and must comply with where relevant, Australia Standard AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance and design requirements and Australian Standard AS 4282:1997 Control of the obtrusive effects of outdoor lighting. All lights used to illuminate the exterior of buildings onsite must be positioned so as to prevent the emission of direct light onto adjoining roadways, adjoining land, dwellings and waterways.

Reason: To protect the amenity of adjoining properties.

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

### Hours of operation

Operating Hours being:

7am to 10pm Monday to Saturday and 8am to 8pm Sundays and Public Holidays including any



mechanical cleaning and waste management services.

Reason: To minimise noise to residential receivers (DACHPGOG6)