

Environmental Health Referral Response - industrial use

Application Number:	DA2018/0865
To:	Phil Lane
Land to be developed (Address):	Lot 1039 DP 752038 , 1039 / 0 Oxford Falls Road OXFORD FALLS 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

Is the proposal for an industrial use?	Childcare
Was sufficient documentation provided appropriate for referral?	YES
Are the reports undertaken by a suitably qualified consultant?	YES
Have you reviewed the Statement of Environmental Effects, and consider ongoing use, such as: - Processes with emphasis on potential pollution (air, noise, water and land) - Hazardous Materials, liquids stored on site - Waste storage, disposal. - Mechanical ventilation	YES
Have you Consider impact of noise, hours of operation, location to nearest residential, location of equipment, times of deliveries, noise management plans, acoustic reports etc.	YES
If the proposal is a scheduled premises have you recommended that the DAO refer the proposal to OEH?	N/A

General Comments

Environmental Health have been requested to comment on a DA to increase the number of child care facility numbers by 48 to a maximum of 108.

No Noise issues are expected due to location and no previous complaints.

The property is not connected to Sydney Water sewer.

There appear to be two systems on site; a dwelling house and one for the child care facility.

The reference number for the child care waste water system is WW00759.

There is a very long history on this existing development but what appears to be the case is:

An inspection by council for this system was carried out 22 November 2013 for an Approval to Operate only, but due to inadequate information and delays in receiving required documentation an approval was not issued until 4 September 2014 and has since expired. There appears to be no approval to Install issued previously.

There is no "current" approval to operate the system. The required quarterly waste water service reports (approx. 8 missing reports) have not been submitted with the most recent being back on 3.9.2014.

It was further noted that a Occupation Certificate was never issued for the Child Care Facility ? (Council may wish to consider an Building Compliance Investigation)

The system is considered high-risk due to a number of factors including proximity to a watercourse and servicing a child care facility.

The on-site waste water management report by SEEC dated 7 May 2018 makes a number of assumptions and it acknowledges that their consultant did not carry out a site inspection and are relying on councils approval to operate (which is not current) as proof of compliance.

Assumptions are made with usage calculations and also the assumption that 35% of the children are wearing disposable nappies ; how this will be "policed" in the future given a total number of 108 children (plus staff - not mentioned in the report) , is not acceptable on an ongoing basis, as child ages and needs may vary. Council will only except calculations based on NSW Health Guidlines of 23litres/per day per person.(including staff - yet to be factored in).

Environmental Health therefore recommends refusal of the application at this time as there is a high risk of potentilly unhealthy conditions and water pollution if appropriate high standards are not maintained and it is recommended that a new waste water report be undertaken using calculations based on the above comments and including an on-site inspection and investigation be carried out to determine the ability of the total system as actually built on site , to comply and any modifications that may be deamed necessary. NB. Borehole/soil testing/dye testing etc may be necessary to confirm assummtions of site adequacy.

Recommendation	REFUSAL
Comments completed by: Anthony Foy EHO	
Date:7.6.2018	

Recommended Environmental Investigations Conditions:

Nil.