

Environmental Health Referral Response - industrial use

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| Application Number: | DA2020/0118 |
| Date: | 10/03/2020 |
| To: | Nick Keeler |
| Land to be developed (Address): | Lot 23 DP 5342 , 380 Pittwater Road NORTH MANLY 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 have examined this application with regards to specifically Noise and Odour implications.

The location of the development is appropriate with regards to the potential impact on the general community.

Proposed Operational hours:

- Sunday to Wednesday
 - 6:00 am to 10:00 pm
 - Premises to be used as a café between 6:00 am to 12:00 pm
 - Premises to be used as a wine bar between 12:00 pm to 10:00 pm
 - Outdoor area fronting Pittwater Road used between 6:00 am to 10:00 pm
- Thursday to Saturday
 - 6:00 am to 11:00 pm
 - Premises to be used as a café between 6:00 am to 12:00 pm
 - Premises to be used as a wine bar between 12:00 pm to 11:00 pm
 - Outdoor area fronting Pittwater Road used between 6:00 am to 10:00 pm

Experience with similar developments indicates that noise and odour are not likely to be an issue if adequately managed. It is noted that an acoustic assessment has been carried out by GHD February 2020(no details of qualifications to carry out the assessment , or what GHD stands for or if its a company or sole trader etc although a postal address in Sydney is supplied) which finds in conclusion " that noise emission from the use and operation of the site is predicted to comply with the relevant noise emission criteria" (Further noted that reference to Warringah Council is assumed to mean Northern Beaches Council)

Critically this is a site to be properly managed and conditions will be placed accordingly. Our only concern is the proposed general 6 am to 11 pm trading and and delivery hours with implications on surrounding residential premises for :

1. Trucks waiting for access ,turning around and reversing
2. Staff and customers parking and returning to vehicles post 11pm which exceeds previous expected use of the site however this is more likely Fridays and Saturday nights where the community is more accepting of activity..

Hours should be restricted to :

Deliveries not to be carried out prior to 6.30 am any day or after 9pm any day.

Reason; To minimise to noise impact on neighbouring residential premises.

Recommendation

APPROVAL - 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:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Odour

Odour from manufacturing activity and kitchen cooking shall be controlled(odour control equipment being installed if considered necessary) and managed to ensure offensive odour is not created at any time.

Reason: To ensure odour does not impact on neighbouring businesses and residents.

Noise

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 in any residential habitable room at any time.

Reason: To maintain amenity in neighbouring residential premises

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

Acoustic review

Prior to any occupation certificate being issued, a review by a suitably qualified person is to be carried out to confirm predictions and recommendations based on the acoustic assessment carried out by GHD February 2020 to ensure the development does not cause offensive noise at any residential or commercial premises.

Reason: To ensure predicted compliant noise levels are not exceeded.

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

Delivery Hours

Deliveries to the premises shall not be carried out before 7 am or after 6 pm Monday to Saturday and not before 8 am or after 6 pm on Sundays and Public Holidays.

Reason: To maintain amenity to neighbouring residential premises.