

Environmental Health Referral Response - industrial use

Application Number:	DA2020/1397
Date:	04/12/2020
To:	Penny Wood
Land to be developed (Address):	Lot 111 DP 11936 , 16 Bangaroo Street NORTH BALGOWLAH NSW 2093

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

Application is for alterations and additions to an existing dwelling and change of use to a childcare centre.

The applicant has provided an Acoustic Report by Wilkinson Murray Pty Limited dated 27 July 2020 (reference: Report No. 20194 Version B) that includes a number of recommendations.

The applicant has provided a Plan of Management for the centre that includes a Noise Management Policy Section. The Plan of Management however, will require updates to better protect amenity including:

- Incorporating recommendations from the Acoustic Report such as:
 - Allowing a maximum of eight children to play outside in the play area.
 - Contact phone number of the centre's director to be made available to neighbours
- The Plan of management states that the childcare centre is designed to cater for 54 children this will need to be updated to the approved capacity.

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:

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION
CERTIFICATE**

Plan of Management Update

An updated Plan of Management is to be prepared to the satisfaction of Councils Environmental Health Team and the Principal Certifying Authority. Updates to the Plan of Management are to include:

- Childcare capacity to be updated in the management plan to reflect approved capacity; and
- Incorporating recommendations from the Acoustic Report by Wilkinson Murray Pty Limited dated 27 July 2020 (reference: Report No. 20194 Version B), including but not limited to:
 - Restricting the outside play area to a maximum of eight children at a time; and
 - Contact phone number of the centre's director to be made available to neighbours

The updated Plan of Management is to be submitted to Council for review by Councils Environmental Health Team.

Reason: To maintain amenity of the surrounding area.

Acoustic Report Recommendations

Prior to the issuing of any Construction Certificate, documentation is to be submitted to the satisfaction of the Principal Certifying Authority that recommendations within the Acoustic Report by Wilkinson Murray Pty Limited dated 27 July 2020 (reference: Report No. 20194 Version B) have been implemented/incorporated into the design of the premises.

Reason: To protect acoustic amenity of surrounding premises. (DACHPCPC6)

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

Acoustic Report Certification

Prior to any occupation certificate being issued, a further acoustic assessment is to be undertaken by a qualified and experienced person(s) to confirm compliance with recommendations within the Acoustic Report by Wilkinson Murray Pty Limited dated 27 July 2020 (reference: Report No. 20194 Version B), including but not limited to:

- Noise Barrier requirements;
- Mechanical Plant requirements; and
- Indoor Playrooms Requirements.

Any recommendations made by the consultant must be implemented prior to issuing the Occupation Certificate in order to achieve compliance with noted conditions of this consent.

The updated acoustic assessment is to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To protect acoustic amenity of surrounding premises. (DACHPFPOC6)

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

Use of Outdoor Play Area

The use of the outdoor play area is to be restricted to a maximum of 8 children at any one time.

Reason: To maintain amenity of the surrounding area. (DACHPGOG5)

Compliance with Plan of Management

During the ongoing use of the development, the use of the premises must be carried out in accordance with the Plan of Management.

Reason: To maintain a reasonable level of amenity to the area. (DACHPGOG5)