

## Environmental Health Referral Response - industrial use

Application Number:	DA2020/0160
Date:	24/04/2020
To:	Gareth David
Land to be developed (Address):	Lot A DP 413126 , 26 Orchard Road BROOKVALE 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

The Environmental Health Team has considered the merits of this application in relation to a new use at these premises and considers the proposal to be acceptable subject to compliance with relevant conditions relating to waste management and noise emissions.

Prior to making this determination, further information was sought from the acoustic consultant who advised that the relevant criteria of the Noise Policy For Industry was applied in relation to low frequency noise levels which are known to travel over longer distances.

This is considered important as the nearest residential receiver for noise is approximately 200 metres from the site of the development which proposes music as part of the entertainment at the premises. The consultant has also used typical data from similar establishments (breweries with live music) as well as noise measurements from other controlled environments which allows to calculation of typical patron noise.

Accordingly it is considered the development is appropriate for the site based on the provision that noise levels nominated in the acoustic report are not exceeded.

Appropriate conditions are also recommended to control noise emissions from any external or rooftop plant and equipment.

### 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:

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

**External Sound equipment**

No sound equipment is to be used for the amplification of recorded or live music or any other purposes in the outdoor area of the premises. (DACHPGOG5)

External Sound equipment

**Deliveries and Waste Collection**

Deliveries and waste collection services (including trade waste) must only occur during the following hours:

- Weekdays – 7:00am – 8:00pm
- Weekends and Public Holidays – 6:00am – 10:00pm

Reason: To minimise disruption to neighbouring properties.

**Compliance with Acoustic Report**

Full compliance with acoustic report by titled "Operational Noise Emission Assessment" dated 10 February 2020 by Acoustic Dynamics, including, but not limited to, maximum decibels levels for noise emissions from the site is required for the life of the development.

Reason: To comply with legislation and to preserve the amenity of the surrounding neighbourhood (DACHPGOG6)