

Environmental Health Referral Response - industrial use

Application Number:	DA2023/1658
Proposed Development:	Alterations and additions to a dwelling house including the replacement and extension of an Inclined Passenger Lift
Date:	23/04/2024
To:	Nick England
Land to be developed (Address):	Lot 1 DP 13686 , 948 Barrenjoey Road PALM BEACH NSW 2108

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

This application is seeking consent to replace the existing inclinator, tracks and provide a further extension from landing two to landing three. An acoustic fence has been proposed from landing two to landing three.

An acoustic report has been provided which recommends an acoustic fence be provided from landing two to landing three. The winch motor is to be acoustically treated. Given the close proximity to the neighboring property, the inclinator must not cause offensive noise to the neighboring resident/s while they are inside their home in a habitable room (bedroom ,living room), as per the *Protection of the Environment Operations Act 1997*. Please note, noise can be considered as offensive in three ways according to its audibility, duration and inherently offensive characteristics.

It would be unreasonable to condition the use of the inclinator to a set number of movements per day as emergencies may occur and/or other reasons for high use that may not necessarily be considered Offensive Noise.

Given the inclinator motor will be new, it is reasonable to assume there will not be offensive noise characteristics coming from the inclinator however a condition to ensure it is managed and serviced as per manufacturer's warranty will be provided.

Environmental Health recommends 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 WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Acoustic Report Requirements

Certification shall be provided from a suitably qualified professional that the acoustic noise requirements have been implemented into the development to ensure compliance with noise requirements.

Acoustic Report prepared by Noise and Sound Services dated February 2024, Report No. nss24154 – Final.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure noise control measures have been implemented.

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

Acoustic Requirements - On-going

Compliance with the recommendations within the Acoustic Assessment by Noise and Sound Services dated February 2024 Report No. nss24154 – Final and any additional requirements at OC review stage.

Reason: To prevent a noise nuisance to any neighbouring residential receiver.

Inclinor Management

The inclinor and all its associated parts are to be serviced and maintained as per manufacturers requirements.

Reason: To ensure potential offensive noise sources are managed.