

Environmental Health Referral Response - industrial use

Application Number:	DA2022/1164
Date:	16/08/2022
To:	Alex Keller
Land to be developed (Address):	Lot B DP 102407 , 34 - 35 South Steyne MANLY NSW 2095 Lot 2 DP 861591 , 34 - 35 South Steyne MANLY NSW 2095

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 acoustic review states that the future noise implications from the development and to the currently undesignated occupants will need to be assessed the time of tenancy.

Likewise, air conditioning and ventilation motors, pool pump equipment and the like will need to be assessed at the time of purchase and installation taking into consideration requirements of the acoustic report.

On this basis potential noise and environmental impacts from and too the development can be reasonably expected to be resolved prior to occupation of the development and therefore Environmental Health supports the application

Excavation and Construction noise will have a significant impact on adjoining businesses and particularly residences during daytime occupation.

The main area to be impacted with be the area adjoining Rialto Lane.

Although no realistic alternatives are possible and it is noted that a construction management plan has been provided, whereby trucks for excavation will be required to wait offsite until needed.

It is important that this system be maintained for concrete pours, concrete structural components as well , concrete delivery vehicles will need to idle during wait times.

Residents in Rialto Lane have been impacted previously by vehicles idling in the laneway with exhaust stack , exhaust fumes and noise near balcony and window levels.

It is critical that affected neighboring occupiers are advised well in advance of noisy activity periods as some may wish to relocate or business close down during this times.

On this basis potential noise and environmental impacts from and too the development can be reasonably expected to be resolved prior to occupation of the development and therefore Environmental Health supports the application.

Environmental Health recommend conditions be applied for certification of the pool design and registration prior to OC.

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**

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 IGS referenced as VE-N22_017 and dated 29 June 2022 have been implemented/incorporated into the design of the premises.

Reason: To protect acoustic amenity of building occupants and surrounding premises.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Noise during works -mitigation measures

Community notification is to take place at least seven (7) days before demolition or excavation and all day concrete pours commences; notification advice to any likely affected residential or commercial neighbors shall be given.

The affected neighbors shall be supplied with a 24-phone contact number and email address for any enquiries or complaints.

Concrete Pumps, generators and similar mechanical equipment shall be acoustically attenuated where the technology is available to reduce noise impact on neighboring businesses and residents.

The construction management plan shall be amended to incorporate that all heavy vehicles are not to queue in Rialto line with engines idling while not in use and must remain off site until required.

Reason: To minimise the disturbance to the amenity of neighbors

**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 the acoustic assessment by IGS referenced as VE-N22_017 and dated 29 June 2022.

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.

Reason: To verify acoustic compliance.

Public Pool registration

The public pool must be registered with the Appropriate Regulatory Authority prior to an Occupation Certificate being issued.

Reason: Public Pools are required to be registered with the Appropriate Regulatory Authority.

Public pool design certification

The design of the public pool aquatic facility including the pool deck, filtration and dosing systems must be compliant with Chapter 7 of the NSW Health Public pool and Spa advisory guidelines. A report detailing compliance must be demonstrating compliance must be completed by a suitably qualified person and details provided to the certifier prior to the release of the occupation certificate.

Reason: To maintain public health

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

Future use Food Premises

The final use of the commercial tenancies for Food Premises shall not be approved until such times as a Development Application is lodged with Council.

The application shall make reference to, but not be limited to :

- Noise implications (plant ,equipment, motors exhaust , customer noise, internal building vibration, hours of operation)
- Any fumes/smoke/odour
- Compliance with :
Australian Standard 4764-2004 (Design, Construction and Fit-out of a Food Premises),
Australian Standard 1668.2-2012 (Mechanical Ventilation in Buildings),
Food Safety Standard 3.2.2 (Food Safety Practices and General Requirements), and
Food Safety Standard 3.2.3 (Food Premises and Equipment).

Reason: To ensure any food premises will comply with Legislation and Standards