

Environmental Health Referral Response - industrial use

Application Number:	DA2019/0239
To:	Lashta Haidari
Land to be developed (Address):	Lot 1 DP 1001963 , 638 Pittwater 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 proposal is for mixed development including residential units.

This site and surrounding sites are light industrial where zoning is to allow activities that would likely create noise, in some cases 24/7, and not impact on a residential receiver. There are no buffer zones. The significant neighbouring bus depot operates 24/7.

If residential premises are permitted to be introduced without noise consideration, then placing noise limits on future use of surrounding sites may not be possible and be considered unreasonable, following introducing residential use immediately adjacent.

As stated in the submission:

" An acoustic assessment has been undertaken for the Development Application by Wilkinson Murray Pty for the proposed mixed use development at 638 Pittwater Road, Brookvale.

The following findings have been determined by this assessment:

- Site-specific noise emission criteria have been established for surrounding receivers. It is noted that mechanical services and plant have not been selected; however, it is envisaged that compliance with criteria can be achieved. Whilst unlikely to be needed, standard engineering noise controls can be implemented at design stage to meet established noise criteria if required.
- Traffic associated the development will not adversely impact on the acoustic amenity of surrounding residences.
- Apartments facing Pittwater Road will require improved glazing to ensure that the acoustic amenity of future residences is protected. Preliminary recommendations provide options for glazing.
- Improved glazing is recommended for apartments facing Charlton Lane to control noise emissions from the light industrial area.
- No special glazing is required on all other apartments.
- Internal noise isolation requirements in accordance with the NCC will be achieved by adopting appropriate constructions."

Environmental Health believe despite the comments above **that acoustic treatments should be provided to all external residential habitable rooms** due to future, reasonably anticipated, light industrial noise and lack of buffer zones (otherwise refusal recommended).

Additionally windows may need to be closed at night, in particular to reduce noise for sleeping. Therefore **provision of air conditioning and adequate ventilation to residential apartments should also be required.**

On this basis then the proposal can be positively reviewed.

Recommendation

APPROVAL - subject to conditions

Recommended Environmental Investigations Conditions:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Future commercial Occupants

If a DA is not required, for any reason, for the non residential units, then the owner shall arrange to carry out an acoustic review of the use to ensure that:

1. Hours of operations
2. Noise
3. Vibration

Shall not cause a nuisance to the residential occupiers of the Development.

Reason: To maintain residential amenity ongoing (DACHPBOC6)

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

Noise reduction measures - design

In addition to the recommendations in the Acoustic Assessment by Wilkinson Murray Pty that prior to commencement,

A further review be carried out by an acoustic engineer to require:

1. Windows to all habitable rooms be upgraded to reduce noise to residents from potential future light industrial uses on neighbouring premises and reflected noise from hard surfaces within the Development.
2. Air conditioning (or alternative air supply to National Building Code requirements) being provided to habitable rooms to allow for adequate ventilation when windows are closed.
3. Review proposed mechanical plant and equipment, fans, and air conditioning before installation to ensure noise compliance with assessment by Wilkinson Murray Pty Ltd.

Reason: To provide acoustic amenity for residential residents from surrounding light industry and main road. (DACHPCPC5)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Excavation, de-watering and construction noise

Noise from excavation, de-watering and construction shall be kept to a minimum to neighbouring businesses through use of best practice methods and equipment.

Should Council receive complaints(which it considers valid) then the immediate services of an acoustic engineer are to be engaged by the site controller and any recommendations implemented before work continues.

Where de-watering pumps are to be used overnight noise is not to be audible in any residential premises at night.

Reason: To minimise the noise impact of site works and comply with legislation (DACHPEDW5)

De-watering of excavation

A system is to be utilised to ensure that all sediment ,colour and pollutants are removed from all ground water before disposal to any storm water drainage .

Reason: To eliminate potential water pollution (DACHPEDW6)

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

Prior to occupation certificate - Noise compliance

Prior to final occupation a review of noise compliance conditions of approval and referencing the Acoustic Assessment by Wilkinson Murray REPORT NO. 19035 VERSION A shall be carried out by a suitably qualified person to ensure compliance with noise criteria.

Reason: To ensure noise reduction measures are compliant prior to occupation (DACHPFPOC6)