

## Environmental Health Referral Response - industrial use

<b>Application Number:</b>	DA2021/0289
<b>Date:</b>	12/04/2021
<b>To:</b>	David Auster
<b>Land to be developed (Address):</b>	Lot 1 SP 94554 , 2 / 374 - 378 Sydney Road 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

Environmental Health have been requested to provide comment on the proposed Martial Arts studio at 2/374-378 Sydney Rd, Balgowlah, NSW. As part of this assessment acoustics and how the use of the site will affect the amenity of the surrounding area.

The development proposal is accompanied by an Acoustic report by Acoustic dynamics referenced as 5146R001.NW.210225 and dated 8 March 2021.

The development proposal advises that the business will operate from 6am to 8pm Mondays to Fridays & 8am to 12pm Saturdays to Sunday. The EPA noise policy for industry defines daytime as 7am-6pm Monday to Saturday and 8am-6pm on a Sunday. Meaning the proposed use of the site sits in the shoulder periods between night and evening. As background noise is increasing in the morning during this time and decreasing in the evenings the use of the site is expected to maintain acoustic amenity. Given an acoustic report has been submitted with recommendations, conditions have been imposed to protect surrounding residents during these time periods and during the use of the site.

Environmental Health have no objections subject to conditions being imposed.

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

**Acoustic certification**

Prior to any occupation certificate being issued, The principle certifying authority is to confirm compliance with the recommended management plan within the acoustic report by Acoustic dynamics referenced as 5146R001.NW.210225 and dated 8 March 2021.

Reason: To protect residential amenity

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

All recommendations of the acoustic report by acoustic dynamics referenced as 5146R001.NW.210225 and dated 8 March 2021 are to be maintained for the life of the development.

Reason: To protect residential amenity (DACHPGOG5)