

Environmental Health Referral Response - industrial use

Application Number:	DA2023/0038
Proposed Development:	Use of an existing building as a yoga studio and associated alterations and additions
Date:	05/04/2023
To:	Kye Miles
Land to be developed (Address):	Lot 1 DP 502152 , 102 Old 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 applicant advises :

The development application seeks consent for the use of the former canteen building as a yoga studio and café. Alterations and additions are required to make the building fit for purpose. The proposed works include a new deck, office, bathroom and counter space. New bifold doors will be installed on the south and west elevations. Foot traffic will enter from Old Pittwater Road via a new accessible ramp.

Noise

The purpose of this control is to ensure that noise emissions do not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors. Uses such as recreational facilities have potential for acoustic impacts unless properly fitted out and managed. In this case, the premises are located within an industrial zone far from the vicinity of any residential uses. The subject building is also well separated from nearby industrial buildings. Lastly, given the low intensity scale of the proposed use, an acoustic assessment is not considered warranted in this instance.

It our view that the application may be approved with acceptable environmental acoustic impacts.

Environmental Health agrees with these comments and supports the proposal with 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:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Food Business Notification

Prior to the issue of the Occupation Certificate or commencement , the proprietor of the food business must notify of their business operations to Council.

Reason: To comply with the Food Act 2003

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

Food business- existing and any further fit-out - compliance

The construction and fit-out of the food premises, before any commencement of trading, must comply with the following:-

- Food Act 2003,
- Food Regulations 2004,
- Australian Standard AS 4674-2004: Construction and fit out of food premises,
- Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements, and
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment.

Reason: To ensure compliance with legislation and to protect public health and safety.

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

Noise

Noise shall be managed to avoid any nuisance to any residual receiver.

Issues to be managed include:

- café use
- opening windows
- mechanical ventilation to café
- customers gathering in carpark
- any background music which must not be audible in any neighbouring habitable room

Reason: To maintain residential amenity for the neighbouring residential area