

Environmental Health Referral Response - industrial use

Application Number:	DA2021/1421
Date:	22/10/2021
To:	David Auster
Land to be developed (Address):	Lot 37 DP 1087189 , 37 The Corso 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

Application is for a Food and Drink Premises - Fishbowl.

Northern Beaches Council has had previous acoustic concerns regarding amplified music at Fishbowl's current premises located at Lot 8 SP 18046, 8 / 38 - 42 The Corso, MANLY NSW 2095.

The SEE advises the following with regards to Noise:

Proposed noise sources Ambient music

Proposed noise reduction measures Will be limited in volume to ensure it does not disrupt neighbouring sites or the public domain.

The applicant does not advise how the music will be limited in volume to ensure that it does not disrupt neighbouring sites or the public domain.

Given the previous concerns with music from Fishbowl it is considered appropriate that the applicant demonstrate to Council how the premises will not cause any amenity concerns on the surrounding area. Environmental Health therefore requests further information from the applicant on how music will be limited in volume to ensure it does not disrupt neighbouring sites or the public domain. This could be achieved through a partial acoustic assessment on amplified music from the premises by a suitably qualified and experienced acoustic consultant with recommendations to ensure that the music does not cause offensive noise or amenity impacts on the surrounding environment.

Amended Comments 22/10/2021

The acoustic report provided has been reviewed and relevant conditions provided to be imposed to meet the recommendations of the report. There are no other acoustic concerns for the site given its location within the center of Manly and hours proposed.

Recommendation

Supported - 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 the issuing of any interim / final occupation certificate, certification is to be provided from a suitably qualified acoustic consultant that the electronic limiter for the speaker system has been installed and meets the requirements set out in section 4.0 of the acoustic report by Acoustic Consulting Engineers referenced as 191078-02-01L-DD and dated 20 October 2021. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that the electronic limiter complies with the design requirements. (DACHPFPOC4)

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

Amplified Music

All speakers or any sound equipment used as part of the development, must not exceed an output of 70dB(A) at 3m from any speaker when measured for 1 minute or 65dB(A) when measured at the entrance. An electronic limiter with a maximum output of 70 dB(A) must be installed at all times. The limiter is to be installed in a tamper proof enclosure (or in the case of a DSP based limiter) with no access to the limiter controls by staff.

Reason: To protect surrounding residence from any noise generated by the operation of the development. (DACHPGOG5)