

Environmental Health Referral Response - industrial use

Application Number:	DA2020/1310
Date:	03/02/2021
To:	Penny Wood
Land to be developed (Address):	Lot A DP 163283 , 39 East Esplanade MANLY NSW 2095 Lot B DP 163283 , 39 East Esplanade 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

Environmental Health have been requested to consider this proposal which relates to the change of use from commercial premises to a recreation facility (indoor).

It is considered reasonable to expect that some noise may be generated with the proposed activity, which may have the potential to impact direct residential receivers.

The initial documentation supplied with the proposal did not contain an acoustic report, which Environmental Health considers essential to accompany any proposal involving an activity that has the potential to generate noise.

As a result of this, Environmental Health recommended refusal of the application.

In response to this recommendation, an acoustic report, which now forms part of the documentation for the proposal, has been lodged with Council.

Environmental Health supports the proposal based on the inclusion of appropriate conditions as recommended by the acoustic report.

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

Mechanical Plant Certification

Prior to the issuing of a final occupation certificate, certification is to be provided to the Principal Certifying Authority from the installer of mechanical plant that the design, construction and installation of the mechanical plant is compliant with the requirements of the acoustic report titled "Gym Noise Impact

Assessment" by Acoustic Logic dated 14/12/2020, in particular, sections 5.2.3 and 5.3.

Reason: To ensure that the mechanical plant does not have any adverse amenity impact.
(DACHPFPOC4)

Compliance with Recommendations of Acoustic Report.

Prior to the issuing of a Final Occupation Certificate, the Principal Certifying Authority that the following recommendations (in accordance with the acoustic report titled "Gym Noise Impact Assessment" by Acoustic Logic dated 14/12/2020) have been complied with:

- Install minimum 1 layer Regupol FX58 on top of the concrete slab within the free weights area
- Rubber sleeves/jackets shall be installed on the metal arms holding weights to minimise noise from the return of equipment
- Prominent signage should be installed encouraging members of the gym to avoid dropping weights from any height
- Weight machines outside the free weights area shall have a floor finish of 15 thick rubber tile as a minimum
- Weight machines outside the free weights area shall be vibration isolated by Embelton Springs as detailed in part 8.2 and figure 4 of acoustic report titled "Gym Noise Impact Assessment" by Acoustic Logic dated 14/12/2020
- Stationary cardiovascular exercise equipment is to be placed on top of 15mm thick rubber tiles.
- Treadmills are to be isolated with Embleton NRD mounts
- Acoustic rubber perimeter and drop seals are to be installed in all entry doors
- Signs are to be displayed at the entrance to the gym reminding patrons to minimise noise when entering/departing the premises
- Any installed speakers are to be vibration isolated by NRD mounts, or otherwise treated such that the structure borne noise to adjoining tenancies does not exceed the noise emission requirements as detailed in section 7.1 of the acoustic report titled "Gym Noise Impact Assessment" by Acoustic Logic dated 14/12/2020
- Any penetrations through the base building walls as part of the tenancy fitout are to be acoustically sealed so as not to reduce the rating of the system
- The existing ceiling within the space is to be retained, with no additional penetrations included - Currently this is limited to return air grilles. In the event that it is replaced as part of the tenancy fitout, it should be replaced by either 13mm plasterboard with insulation or CAC35 ceiling tiles.

Reason: To preserve the amenity of surrounding properties (DACHPFPOC6)

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

Compliance with Ongoing Recommendations of Acoustic Report.

The following recommendations of the acoustic report titled "Gym Noise Impact Assessment" by Acoustic Logic dated 14/12/2020 must be complied with on an ongoing basis for the life of the development:

- Free weights should be generally limited to 25kg and should only be located/used within areas which have been treated with minimum 1 layer Regupol FX58 flooring.
- Activities which require regular impact of the floor (kettle bell squats for example) shall only be undertaken within the free weights areas, or where Regupol FX58 has been installed
- A condition of membership should be included which is able to restrict use of the gym in the event that excessive noise is caused by a member, or repeated failure to abide by the management controls of the centre
- All doors to the gym are to remain closed except for patron ingress/egress

- Any personal training or similar instruction is not to use amplified or raised voice shouting
- Music shall not exceed 65dB(A)Leq at anytime within the gym premises

Reason: To preserve the amenity of surrounding properties (DACHPGOG5)