

Environmental Health Referral Response - industrial use

Application Number:	Mod2019/0050
To:	Nick Keeler
Land to be developed (Address):	Lot 11 DP 1146661 , 138 - 140 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

This matter is essentially in regard to reconfiguration of industrial units to a previous court approved DA2012/1377

Limited conditions were applied and those of interest are only the waste and general noise (see extract below).

It is noted that the site has been subject to a recent number of pollution related complaints as a result of excavation activities.(see condition)

It is understood no prevailing hours of approval for operations were required however importantly it is understood that uses of all individual units will require separate DA's.

The site is located below residential premises in a natural amphitheater. No acoustic assessment has been undertaken to verify assumptions in the SEE.

Our issues are really only noise to residences/ hours of operation which can be dealt with the separate DA's to come in.

EXTRACT DA2012/1377

59. Waste Collection

Waste and recyclable material, generated by

- (a) before 6am or after 8pm on weekdays; and
- (b) before 8am or after 6pm on weekends and public holidays.

Reason: To protect the amenity of surrounding areas.

60. Offensive Noise

The use of any unit (at any time) within the liquor licence area shall not give rise to an 'offensive noise' as defined in the *Environment Operations Act 1997* (NSW).

Recommendation

APPROVAL - subject to conditions

Recommended Environmental Investigations Conditions:

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Erosion and Sediment Control Plan

Erosion and Sediment Control Plan

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including drawings and specifications must be submitted to Council/Accredited Certifier, which provide adequate measures for erosion and sediment control. The Sediment Control Plan must incorporate and disclose:

- 1) all details of drainage to protect and drain the site during the construction processes,
- 2) all sediment control devices, barriers and the like,
- 3) sedimentation tanks, ponds or the like,
- 4) covering materials and methods, and
- 5) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing these design requirements have been met must be submitted and approved by the Council/Accredited Certifier prior to issuing of the Construction Certificate.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

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

Prior to occupation

Before any occupation of the industrial/warehouse units :

Development Applications shall be lodged for each unit uses and shall be supported by the Statement of Environmental Effects and potentially an Acoustic Engineers Noise Assessment which shall include specific reference to -

1. Hours of operation including deliveries.
2. Impact on the nearest residential dwelling of the use of the industrial units and associated vehicle movements on site.
3. Recommendations on any exhaust fans, motors or other plant or equipment.

Reason: To avoid nuisance to residential receivers (DACHPFPOC6)