

Environmental Health Referral Response - commercial use

Application Number:	DA2025/0151
Proposed Development:	Use of a tenancy in approved mixed use and seniors housing development as a centre-based child care facility including internal fit-out and landscaping
Date:	15/07/2025
To:	Thomas Burns
Land to be developed (Address):	Lot 11 DP 1258355 , 5 Skyline Place FRENCHS FOREST NSW 2086

Reasons for referral

This application seeks consent for one or more of the following:

- Food premises, or
- Backpackers/Boarding house, or
- Mortuary, or
- Skin penetration, accupuncture, tattoo, beauty salon, or
- Public pool

And as such, Council's Environmental Health and Protection officers are required to consider the likely impacts.

Officer comments General Comments

The plan of management refers to a number of snack and meal times throughout the course of the day of the proposed child care center.

The plans supplied with the proposal indicate a 10m² kitchen, presumably to cook and prepare meals and snacks for the children.

Despite this, the proposal documentation does not include any further detail as the the proposed fit out of the kitchen and compliance with the relevant Australian Standard.

Until such time as further information is provided, the proposal is not supported.

Updated Comments - 15/07/2025

The applicant has provided updated plans which demonstrate basic compliance with the relevant standard. The development is supported with the recommendation of a number of conditions of consent.

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 Health and Protection Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Plans of Kitchen Design, construction and fit out

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises', must be submitted to and approved by the Principle certifier. These plans are to be prepared by a suitably qualified person.

The plans must detail adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

Reason: To ensure that the food premises complies with the design construction and fit-out requirements.

Preparation of mechanical ventilation plans

Before the issue of a construction certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person.

The detailed plans must be in accordance with the following and submitted to the certifier:

1. Australian Standard 1668: - The use of ventilation and airconditioning in buildings; and
2. ensure all generate heated air, smoke, fumes, steam or grease vapours do not:
 - cause a nuisance to persons within or nearby to the premises, or
 - cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997

Reason: To ensure that detailed professional plans of the approved mechanical ventilation system are submitted before the issue of a construction certificate.

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

Notice of food business

Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW Food Act 2003 and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.

Reason: To enable council to ensure compliance with the consent when the business is operating.

Kitchen Design, construction and fit out of food premises certification

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifier by a suitably qualified person demonstrating that that the design, construction and fit out of food premises kitchen is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Reason: To ensure that the kitchen complies with Australian Standard design requirements.