

## Environmental Health Referral Response - Solid Fuel Heaters

<b>Application Number:</b>	DA2025/0999
<b>Proposed Development:</b>	Alterations and additions to an existing restaurant tenancy
<b>Date:</b>	03/11/2025
<b>Responsible Officer</b>	Alex Keller
<b>Land to be developed (Address):</b>	Lot 1 DP 1170245 , 0 East Esplanade MANLY NSW 2095

### Reasons for referral

This application requires detailed consideration of solid fuel heaters. And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

### Officer comments

#### General Comments

The proposal includes internal alterations associated with the installation of a solid fuel heater and a solid fuel oven within the tenancy.

The equipment proposed to be installed will be the subject on a new installation

Accordingly, Environmental Health has concerns that as an appropriate plume assessment has not been provided with the proposal documentation, that the installation may result in unwarranted smoke nuisance to the large number of residential apartments in the vicinity.

3/11/2025 - Amended Referral Comment

The applicant has demonstrated that emission requirements for the development will conform to an acceptable standard.

The proposal is supported with a recommendation of a number of conditions of consent.

### Recommendation

SUPPORTED - 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

### Emissions complaints handling

In addition to the above, in the unlikely event that the proposal results in smoke impacts the applicant will manage public complaints in accordance with existing complaints management measures for surrounding venues.

This includes responding to relevant complaints from surrounding residents in a timely and appropriate manner. The following contact email/telephone number will be made available to the public and can be contacted for any such complaints.

The premises will keep and maintain a record of any complaints made with respect to heater operations within a Complaint Register. Upon receipt of a complaint, the applicant will respond in a courteous and efficient manner. Wherever possible, the appropriate remedial action will be implemented as a priority.

The Complaint Register will include:

- Name, contact and address details of person(s) making the complaint;
- Name of staff on duty;
- Action taken by the premises to resolve the complaint;
- Follow-up; and
- Outcome.

Reason: To ensure emissions complaints are handled appropriately

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

### **Installation and certification of solid/fuel burning heater**

The solid fuel heater must be certified to comply with Australian Standards 4012 and 4013.

Provide to the Principal Certifier certification that the solid fuel heater has been installed by an appropriately experienced and qualified person, in accordance with the relevant provisions of AS2918 – Domestic Solid Fuel Burning Appliances – Installation.

Reason: To ensure the installation is completed in a legislatively compliant manner.

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

### **Maintenance of solid fuel heaters**

The owner/occupier shall ensure servicing of the heater is maintained according to the manufacturer's specifications.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

### **Operation of solid fuel burning heaters**

The owner/operator must take all practicable measures to prevent the likelihood of causing smoke and/or odour nuisances. Such measures must include:

- Using dry seasoned hardwood
- Storing wood in a dry well-ventilated place
- Having a hot and well oxygenated fire
- Ensuring that the chimney flue is clean
- Checking the chimney at different stages of the fire to see if there is any smoke
- Maintenance according to the manufacturer's specifications

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.