

Environmental Health Referral Response - commercial use

Application Number:	DA2019/1084
To:	Benjamin Price
Land to be developed (Address):	Lot 910 DP 875567 , 31 The Corso MANLY NSW 2095

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

A proposal for a small-scale Woolworths supermarket to be constructed at 31 The Corso Manly - currently a Commonwealth Bank.

It is expected that internal day-to-day operations will not detrimentally impact the receiving environment, with standard opening hours and low-impact activities with regard to noise.

The external activities being waste collection and deliveries proposed for 5 am to 8 am 7 days a week, there is a potential for offensive noise to be created. We considered limiting delivery hours to within *Noise Policy for Industry* guidelines, but following discussions with the Traffic Engineering department of Council it was revealed that the bollards which conceal the roads from vehicle activity are only open between 5 am and 8 am -it is standard practice for deliveries and waste collection to occur at this time.

Environmental Health recommends approval subject to some noise restrictions/conditions.

Recommendation

APPROVAL - subject to conditions

Recommended Environmental Health and Protection Conditions:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Noise from waste collection and product deliveries

1) Product deliveries not to occur after 8 pm or before 6 am on any day.

2) Waste collection not to occur after 8 pm or before 6 am on any day.

3) Business operations must not cause *Offensive Noise* as defined by the *Protection of the Environment Operations Act 1997*.

Reason: Protect amenity of surrounding residents, noise from operations doesn't impact amenity.

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 Certifying Authority. 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 premise complies with the design construction and fit-out requirements.

Kitchen Design, construction and fit out of food premises

The construction fit-out and finishes of the food premises must comply 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'. Prior to any Occupation Certificate (OC) being issued certification is to be provided by a suitably qualified person that the fit-out complies with the above requirement.

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

Plans of Mechanical ventilation

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with the Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings", must be approved by the Certifying Authority for any cooking equipment with an individual or combined power rating level that triggers the requirement for mechanical ventilation under AS1668.2 including any deep frying equipment.

Reason: To ensure that the design, construction and installation requirement for mechanical ventilation complies with the Australian Standard 1668.2.

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

Registration of Food Business

The food business must be registered with the Appropriate Regulatory Authority, prior to Occupation Certificate being issued.

Reason: Food premises are required to be registered with the Appropriate Regulatory Authority.

Kitchen Design, construction and fit out of food premises certification

Prior to the issuing of any interim / final occupation certificate, certification is to be provided from a person who is eligible as a 'Member' of Environmental Health Australia (EHA) 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.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

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

Mechanical Ventilation certification

Prior to the issuing of any interim / final occupation certificate, certification is to be provided from the installer of the mechanical ventilation system that the design, construction and installation of the mechanical ventilation system is compliant with the requirements of AS1668 The use of mechanical ventilation.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that the mechanical ventilation system complies with the design requirements.