

Environmental Health Referral Response - commercial use

Application Number:	DA2020/0811
Date:	28/08/2020
To:	Thomas Prosser
Land to be developed (Address):	Lot 29 DP 240298 , 29 Truman Avenue CROMER NSW 2099 Lot 30 DP 240298 , 29 Truman Avenue CROMER NSW 2099

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, acupuncture, 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

Environmental Health has reviewed the Statement of Environmental Effects, the master plans and additional information submitted by the applicant under record number 2020/465340. Given the close proximity to residential receivers and the confirmation of the operations being conducted during the night, Environmental Health shall apply noise conditions that should control potential noise impacts to neighboring residential receivers.

Recommendation

APPROVED - with conditions

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Environmental Health and Protection Conditions:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Noise

Noise associated with the operation of the premises must not be audible inside a residential residence during the night time period (10pm - 7am).

Reason: To protect the noise amenity of the area

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.

Noise

Noise and vibration from the use of the mechanical plant associated with the operation of the business such as air conditioning, exhaust and/or ventilation system shall not exceed the background noise level at the nearest residential receiver by equal to or more than 5dB (A). Certification is to be provided to the certifying authority demonstrating the mechanical equipment complies with the above.

Reason: To protect the acoustic amenity of surrounding receivers.

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 suitably qualified person 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

Where Mechanical ventilation is required to be installed in the food premises it must comply with Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings" Prior to any Occupation Certificate (OC) being issued, certification is to be provided by a suitably qualified person that the mechanical ventilation complies with the above requirements.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2.

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

Delivery Hours

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

Reason: To protect the amenity of the surrounding residential receivers.

Commercial Waste Collection

Waste and recyclable material, generated by the premises must not be collected between the hours of 9pm and 8am on any day.

Reason: To protect the acoustic amenity of surrounding residential receivers.