

## Environmental Health Referral Response - commercial use

<b>Application Number:</b>	DA2024/1362
<b>Proposed Development:</b>	Demolition works and construction of mixed use hospitality venue with supporting car parking, servicing and landscaping works
<b>Date:</b>	14/04/2025
<b>To:</b>	Claire Ryan
<b>Land to be developed (Address):</b>	Lot 180 DP 752017 , 40 Myoora Road TERREY HILLS NSW 2084

### 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 proposal includes the provision of three restaurants within the premises as well as ancillary outdoor seating area. It is noted that the premises will also be utliising wood fired cooking methods. In accordance with the Air Quality Statement provided with the proposal documentation that wood-fired cooking will include a kitchen ventilation extraction system with ventilation hoods positioned above the wood-fired cooking points will have fume hoods over the cooking areas, treated appropriately and ducted through flues to minimise the potential for ground level impacts.

Environmental Health supports the proposal and recommends a number of consent conditions.

### Updated comments - 14/04/2025

The applicant has provided amended information in relation to various elements of the proposal.

Specifically relating to the proposed food premises within the development, the following amendments are proposed:

#### Basement Level

- Removal of basement private dining room under restaurant 1 and storage.

## Ground Floor

- Removal of restaurant 1 and private dining room.
- Consolidation of restaurant 2 and 3 into single building.
- Reduction in area of restaurant 3.
- Reduction in area of outdoor dining adjacent to restaurant 3.
- Reduction of seats from 794 to 594.

Environmental Health raises no objection to these amendments and recommends no further conditions in addition to those already recommended.

## 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.

#### **Mechanical ventilation Plans**

Where Mechanical ventilation is required to be installed in the food premises ,prior to any Construction Certificate (CC) being issued, detailed plans must be submitted to and approved by the Principle certifier that demonstrate compliance with the following:

- Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings"; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

These plans are to be prepared by a suitably qualified person.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the

Australian Standard 1668.2 and to prevent amenity impacts.

## **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 the Occupation Certificate being issued.

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

### **Mechanical Ventilation certification**

Where Mechanical ventilation is required to be installed in the food premises it must comply with the following:

- Australian Standard (AS) 1668.2 “The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings”; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

Certification is to be provided to the Principal Certifier prepared by a suitably qualified person to demonstrate 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 and to prevent amenity impacts.