

Environmental Health Referral Response - commercial use

Application Number:	DA2020/0043
To:	Renee Ezzy
Land to be developed (Address):	Lot 102 DP 868560 , 91 McIntosh Road NARRAWEENA 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, 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

Proposal to construct a food premise in Unit 4 of 91-93 McIntosh Road Narraweena.

Proposed operational hours are from 7 am to 11 pm everyday. Environmental Health finds this to be an acceptable use of the unit considering noise conditions for amplified music after 10 pm and other standard conditions relating to food premises fit-out and approvals.

According to the requirements for Class 2-9 buildings in the Health and Amenity 'sanitary requirements' section (page 308) of the Building Code of Australia, restaurants are required to have separate facilities for men (1 urinal, 1 hand wash basin and 1 toilet pan) and women (1 toilet pan and one hand wash basin) if the number of patrons are more than 20. The application states 25 seats, plus 5 workers, thus recommend the restaurant provide adequate toilet facilities.

Recommendation

APPROVAL - subject to 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

Odour from use of mechanical exhaust system

Any discharge to the atmosphere from the use of mechanical exhaust shall not result in any odour or other air impurity causing offensive odour outside the boundaries of the property.

Reason: protect the neighbouring residences from cooking odour and smoke.

Registration of food business

The food business must be registered with the Appropriate Regulatory Authority.

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

Noise from mechanical plant

Noise created by mechanical plant used by the premises must not be audible in a residential premise before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or before 7 am or after 10 pm on any other day. At all other times, use of mechanical plant must not result in noise that exceeds 5 dB(A) above background at the boundary of the nearest residential premise.

Reason: To protect the acoustic amenity of neighbouring properties.

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.

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

Sanitary facilities to comply with BCA

Prior to the issuing of any interim / final occupation certificate, the business must comply with the requirements for sanitary facilities in the Building Code of Australia.

Reason: To ensure the premises has adequate number of toilets.

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 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.