

Environmental Health Referral Response - commercial use

Application Number:	DA2023/0489
Proposed Development:	Use of part of the dwelling house as a home business
Date:	30/05/2023
To:	Gareth David
Land to be developed (Address):	Lot 11 DP 15318 , 29 Bix Road DEE WHY 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

Extracts from SEE:

I am proposing to use a small portion of building 1, as indicated in the floor plan, for a home food business. The proposal is a small food venture that I created to showcase my inherited talent and passion for cooking, which I learned from my mother in Italy. This business can be conveniently operated from my home, with an average of 2 to 3 deliveries per day.

The proposed home food business is an excellent opportunity to share my passion for cooking with others. It is a small-scale enterprise that can be easily managed from home. The business will provide a unique and personalized culinary experience to my customers, with a focus on quality and home authenticity.

3.1 Proposed works

The kitchen areas is identified to be the workspace. The total estimated floor space is 12 sqm. Figure 2 below is an extract from the floor plan showing the workspace highlighted in green. Refer to the Master Plan for more details.

The business is a one-person operation, with one of the owners (myself) being the sole employee and resident of the house. All necessary ingredients will be transported to the premise using a private vehicle.

The business operates at the following hours.

- Monday to Friday: 10:00 am to 5:00 pm.
- Saturday: 9:00 am to 1:00 pm.

Waste Management

The proposal is to use a small portion of the internal floor area for a home business. The waste generated from this proposed use will not exceed the current waste generated by the property. The designated bins for waste recycling and vegetation are located outside the building, as shown in Figure 3. The designated waste and recycling collection areas inside the building are also displayed in Figure 4. Both areas are depicted in attached master plan. A waste management plan is also

completed and attached as a supporting document.

Environmental Health has previously carried out an advice inspection and is satisfied the low intensity proposal can be supported, 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 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.

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

Food preparation equipment

All individual apparatuses used for cooking or re-heating of food must not exceed 8kW electrical power input or 29MJ/h gas power input.

Collectively the total power input of all cooking or re-heating apparatuses within the food premises must not exceed:

- 0.5 kW electrical power; or
- 1.8 MJ gas,

per m² of floor area of the room or enclosure.

Deep frying is not permitted without externally exhausted mechanical ventilation in accordance with AS1668.2.

Reason: To protect the health, safety and well-being of patrons and staff in addition to the odour amenity of neighbouring properties, prevent breaches of the Food Standards Code and comply with the National Construction Code.

Home Occupation Food Business

1. The food business remaining a one person minimum intensity operation and hours as stated in the Environmental Impact Statement
2. Cooking odours not to cause a nuisance to neighbouring residential occupiers
3. Compliance with the Food Act and Food Safety Standards including:

Standard 3.2.2 - Food Safety Practices and General Requirements

Standard 3.2.3 Food Premises and Equipment

Part 1.2 - Labelling and Other Information Requirements

Reason: To ensure compliance with Food Standards and avoid any nuisance to neighbours