

Environmental Health Referral Response - industrial use

Application Number:	DA2020/0648
Date:	20/08/2020
To:	Rhiannon McLardy
Land to be developed (Address):	Lot 3 DP 519006 , 25 Hudson Parade AVALON BEACH NSW 2107

Reasons for referral

This application seeks consent for large/and or industrial development.

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments

Environmental Health has considered the development application based upon information contained with the 'Statement of Environmental Effects' (SEE) by Corona Projects, dated April 2020.

The applicant proposes to partially demolish and rebuild a toilet block without increasing the current building footprint. These sanitary facilities will be utilised by food businesses at 25 Hudson Parade, Clareville.

The SEE does not address presence/absence of asbestos in relation to partial demolition of the toilet block.

Environmental Health considers the potential impact of this proposal to be minimal and recommends approval with 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 Investigations Conditions:

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Hours of Work

In order to maintain the amenity of adjoining properties, audible site works must be restricted to the hours between 7.00am and 6.00pm, Monday to Friday and 7.00am to 1.00pm Saturday (including works undertaken by external contractors). No site works are permitted on Sundays or public holidays.

Unless otherwise approved within a Construction Traffic Management Plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Reason: To prevent disturbance to the surrounding community. (DACHPEDW1)

Requirement to notify about new contamination evidence

Any new information revealed during demolition works that has the potential to alter previous conclusions about site contamination or hazardous materials (e.g. asbestos) shall be immediately notified to the Council and the Principal Certifying Authority.

Reason: To protect human health and the environment. (DACHPEDW5)

Demolition and Construction Requirements

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- 1) All demolition is to be carried out in accordance with *Australian Standard AS 2601-2001*.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- 4) No blasting is to be carried out at any time during construction of the building.
- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
- 9) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*. All excavated material should be removed from the site in an approved manner and be disposed of lawfully in accordance with NSW Environment Protection Agency (EPA) *Waste Classification Guidelines*.
- 10) All waste must be contained entirely within the site.
- 11) Section 143 of the *Protection of the Environment Operations Act 1997* requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- 12) All materials on site or being delivered to the site must be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- 13) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.

- 14) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- 15) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- 16) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar must not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- 17) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- 18) Any work must not prohibit or divert any natural overland flow of water.

Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area. (DACHPEDW6)

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

Construction and fit out of sanitary facilities for food businesses

The construction and fit-out of the sanitary facilities must comply with the following:-

- Food Act 2003,
- Food Regulations 2004,
- Australian Standard AS 4674-2004: Construction and fit out of food premises,
- Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements, and
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment.

Reason: To ensure compliance with legislation and to protect public health and safety. (DACHPFPOC3)

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

Maintenance of Food Premises Sanitary Facilities

The ongoing operation of the sanitary facilities must be maintained in accordance with:

- Food Act 2003
- Food Regulations 2004
- Australian Standard AS4674-2004: Construction and fit out of food premises
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment
- Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements

Reason: To ensure compliance with legislation and to protect public health and safety. (DACHPGOG5)