

Environmental Health Referral Response - commercial use

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| Application Number: | DA2024/0622 |
| Proposed Development: | Use of part of the building as a restaurant |
| Date: | 05/06/2024 |
| To: | Maxwell Duncan |
| Land to be developed (Address): | Lot 2742 DP 752038 , 292 Condamine Street NORTH MANLY NSW 2100 Lot 3 DP 829465 , 433 Pittwater Road NORTH MANLY NSW 2100 |

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

This application is seeking consent for a proposed restaurant at 433 Pittwater Road, North Manly.

The proposed development seeks to use designated areas within the approved clubhouse building for the purpose of a restaurant. The areas to which the restaurant use would relate are as follows:

Ground Floor - Garden Lounge / Terrace and bar / kitchen for serving

First Floor – Dining/Function/ Function / Sports Bar / Terrace – Kitchen – Bar for serving

Hours of operation and number of patrons would remain consistent with that under DA2022/2081.

DA2022/2081 - Hours of Operation

The hours of operation are to be restricted to:

Pro Shop 6:00am to 7:00pm Monday to Sunday

Office 9:00am to 5:00pm Monday to Friday

Garden lounge 7:00am to 10:00pm Monday to Sunday

Dining and function rooms 12:00pm to 10:00pm Monday to Sunday

Bar 12:00 to 10:00pm Monday to Sunday

Maximum number of patrons as per DA2022/2081

The maximum number of patrons within:

The ground-floor outdoor seating area (Garden lounge) shall not exceed 50 at any time.

The first-floor dining/function area (including the terrace) shall not exceed 60 at any time.

The first-floor function area (including the terrace) shall not exceed 60 at any time.

The first-floor sports bar (including the terrace) shall not exceed 50 at any time.

Environmental Health recommends 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.

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.

Kitchen Design, construction and fit out of food premises certification

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifier by a suitably qualified person demonstrating that 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.

Reason: To ensure that the kitchen complies with Australian Standard design requirements.

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.

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

Deliveries and waste service collections

Deliveries and waste service collections shall only occur after 6am and prior to 10pm on any day.

Reason: Reason: To minimise the impacts of noise on neighbouring premises.