

## Environmental Health Referral Response - commercial use

<b>Application Number:</b>	DA2020/0514
<b>Date:</b>	09/06/2020
<b>To:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot 2699 DP 752038 , 1 B Bolingbroke Parade FAIRLIGHT NSW 2094

### 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

The applicant states:

"The proposed development involves alterations and additions to the existing boatshed building, including replacement of structural foundations as required, the provision of new timber decking and safe water access, outdoor passive craft shed, new gangway, floating pontoon and a new kiosk. Existing use rights are relied on for the alterations to the residential dwelling located on the first floor of the boatshed building.

The hours of operation are retained as existing, with the exception of the kiosk as a new facility. The overall kiosk hours extend to 10pm, however there will be no use of the outdoor seating after 6pm and doors and windows to the kiosk must also be closed after 6pm in order to mitigate any potential noise impacts. In terms of overall potential noise impact, it is expected there will be a net reduction in noise emissions from the premises due to the changing focus of the boat shed away from primarily shipwright, workshop and tender activities to provision of passive craft storage and kiosk services."

The Kiosk is more like a cafe or restaurant as it appears to have total seating for approximately 70 people.

The kiosk, in any definition, will still need to comply with food standards including fit-out. Noise and other issues will be dealt with in the Industrial referral comments.

### 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 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.

**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 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 (if proposed) certification**

Prior to the issuing of any interim / final occupation certificate, certification is to be provided from the installer of any mechanical ventilation system including exhaust 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.