

Environmental Health Referral Response - Solid Fuel Heaters

Application Number:	DA2024/1362
Proposed Development:	Demolition works and construction of mixed use hospitality venue with supporting car parking, servicing and landscaping works
Date:	14/04/2025
Responsible Officer	Claire Ryan
Land to be developed (Address):	Lot 180 DP 752017 , 40 Myoora Road TERREY HILLS NSW 2084

Reasons for referral

This application requires detailed consideration of solid fuel heaters. And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments

General Comments

In respect of the inclusion of solid fuel heating appliances, a number of indoor and outdoor heating appliance are proposed to be installed.

An Air Quality Statement has been included with the proposal documentation which supports the proposal and provides a number of control measures to be implemented to manage smoke emissions.

Given the size of the site and the proximity of direct receivers, the proposal is acceptable with a number of condition recommended.

It must be noted however, that the Statement of Environmental Effects also refers to "firepits".

The construction and use of open firepits without any type of flue system to control smoke emissions is not supported and will be appropriately conditioned.

Amended comments 14/04/2025

In response to a request for further information, the applicant has provided amended plans. Whilst the inclusion of solid fuel heaters was originally supported, the inclusion of fire pits was not, with appropriate conditions recommended.

The applicants response to Councils request for further information states (in part): *"...The architectural plans for the amended proposal illustrates flues to all outdoor fireplaces. Fire pits have been removed from the proposal...."*

Accordingly, Environmental Health supports the proposal with the original previously recommended conditions, with the exception of the previously recommended condition pertaining to the exclusion of fire pits.

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 Investigations Conditions:

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

Installation and certification of solid/fuel burning heater

All solid fuel heaters installed must be certified to comply with Australian Standards 4012 and 4013.

Provide to the Principal Certifier certification that all solid fuel heaters and associated flue equipment have been installed by an appropriately experienced and qualified person, in accordance with the relevant provisions of AS2918 – Domestic Solid Fuel Burning Appliances – Installation.

Reason: To ensure the installation is completed in a legislatively compliant manner.

Installation of solid/fuel burning heaters

Installation work must be carried out by an appropriately experienced and qualified person and in accordance with the relevant provisions of AS2918 – Domestic Solid Fuel Burning Appliances – Installation

Reason: To ensure the installation is completed in a legislatively compliant manner.

Certification of solid fuel burning heaters

A certificate from an appropriately qualified person indicating the system is compliant with all relevant legislation, Building Code of Australia, Australian Standards, Specifications and manufacturer requirements is to be submitted to Council prior to the operation of the solid fuel heater.

Reason: To ensure the system operates in a legislatively compliant manner.

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

Maintenance of solid fuel heaters

The owner/occupier shall ensure servicing of the heater is maintained according to the manufacturer's specifications.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

Compliance with Air Quality Statement

On an ongoing basis, all solid fuel heaters must be operated in accordance with Air Control Measures as defined by the report - Air Quality Statement by Todorski Air Sciences, reference number 24071748_40MyooraRoad_TerreyHills_AQ_240905.docx, dated 5 September 2024

Reason: To avoid smoke nuisance and promote public health

Operation of solid fuel burning heaters

The owner/operator must take all practicable measures to prevent the likelihood of causing smoke and/or odour nuisances. Such measures must include:

- Using dry seasoned hardwood
- Storing wood in a dry well-ventilated place
- Having a hot and well oxygenated fire
- Ensuring that the chimney flue is clean
- Checking the chimney at different stages of the fire to see if there is any smoke
- Maintenance according to the manufacturer's specifications

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.