

Environmental Health Referral Response - commercial use

Application Number:	DA2024/0946
Proposed Development:	Use of the premises as a restaurant including ancillary use as a function centre
Date:	23/08/2024
To:	Jordan Davies
Land to be developed (Address):	Lot B DP 329073 , 80 Undercliff Road FRESHWATER NSW 2096

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

The proposal seeks approval for the following operational changes to the existing approved operation:

- Use of the external pavilion for general dining or gatherings (see location below).
- Increase in the number of patrons permitted, currently 80 and seeking 130.
 - o A maximum of 100 patrons in the indoor areas of the main building.
 - o A maximum of 50 patrons in the indoor area of the pavilion.
 - o However, no more than 130 patrons at any one time.
- Use of live music inside and outside during an ancillary outdoor function.

The SEE and Plans do not appear to change the kitchen, kiosk or other food preparation areas

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:

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

Amenity

The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, ash, dust, waste water, waste products, grit, oil or other harmful products.

Reason: To ensure the surrounding area and people within the neighbourhood are not affected adversely and to ensure compliance with the Protection of the Environment Operations Act 1997.

Food Preparation

Food is to be prepared in the existing approved restaurant kitchen and kept under temperature control and protected from contamination during delivery/service to the Pavilion or any other area.

Reason: To ensure food safety standards are maintained at all times