

Environmental Health Referral Response - commercial use

Application Number:	DA2023/0021
Proposed Development:	Alterations and additions to an existing building and use of premises as a business premises (sports therapy and recovery services) including internal fit-out and signage
Date:	31/01/2023
To:	Jordan Howard
Land to be developed (Address):	Lot 2 SP 67886 , 29 Belgrave Street MANLY NSW 2095 Lot 1 SP 67886 , 29 Belgrave Street MANLY NSW 2095

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

Environmental Health has reviewed the development application which proposes a commercial premises for sports therapy and recovery services and associated internal fit-out

It is noted that the IV Therapy Area is listed as Skin Penetration in the plans, Council is of the opinion that this would be an area regulated by the Therapeutic Goods Administration (TGA) and The Australian Health Practitioner Regulatory Agency (Ahpra).

The plans appear to show two public pools as defined in the Public Health Act 2022.

Environmental Health recommend conditions be applied for certification of the pool design and registration prior to OC.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Skin penetration fit out certification

Prior to the issuing of any interim / final occupation certificate, certification is to be provided from a suitably qualified professional that the design, construction and fit out of the skin penetration and beauty salon premises is compliant with the relevant and current guidelines including:-

- Public Health Act 2010
- Public Health Regulation 2022
- Local Government (General) Regulations 2021
- Australian Standard: AS/NZS 4815:2006 Office-based health care facilities— Reprocessing of reusable medical and surgical instruments and equipment, and maintenance of the associated environment.

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

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

Registration with regulatory authority

The business must be registered with the Appropriate Regulatory Authority, prior to Occupation Certificate being issued.

Reason: Skin Penetration businesses are required to be registered with the Appropriate Regulatory Authority.

Public Pool registration

The public pool must be registered with the Appropriate Regulatory Authority prior to an Occupation Certificate being issued.

Reason: Public Pools are required to be registered with the Appropriate Regulatory Authority.

Public pool design certification

The design of the public pool aquatic facility including the pool deck, filtration and dosing systems must be compliant with Chapter 7 of the NSW Health Public pool and Spa advisory guidelines. A report detailing compliance must be demonstrating compliance must be completed by a suitably qualified person and details provided to the certifier prior to the release of the occupation certificate.

Reason: To maintain public health

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

Ongoing operation of skin penetration premises

The ongoing operation of the skin penetration and beauty salon premises including all associated equipment must be maintained in accordance with the relevant and current guidelines including:-

- Public Health Act 2010
- Public Health Regulation 2022
- Local Government (General) Regulations 2021
- Australian Standard: AS/NZS 4815:2006 Office-based health care facilities— Reprocessing of reusable medical and surgical instruments and equipment, and maintenance of the associated environment.

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

Sharps waste management

All commercial premises that require the use of sharps must provide adequate sharps waste disposal facilities. Such premises must be provided with sharps waste disposal containers on site that adequately contain all sharps waste produced and is compliant with AS 4031 – 1992 - Non-reusable containers for the collection of sharp medical items used in health care areas.

Reason: To ensure adequate provisions are made for the safe disposal, collection and transport of used sharp objects and to minimise to risk of infectious waste to public health.

Clinical Waste Contractor

All clinical waste produced by the premises is to be transported to and disposed of within an appropriately licenced waste facility through a contract with a suitably qualified waste contractor.

Reason: Responsible disposal management of clinical waste.