

Environmental Health Referral Response - commercial use

Application Number:	DA2020/1719
Date:	07/01/2021
To:	Clare Costanzo
Land to be developed (Address):	Lot 1 SP 19670 , 1 / 98 Old Pittwater Road BROOKVALE 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, 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 Development Application proposes to use part of unit 1, within the existing warehouse and distribution premises as a takeaway food and drink premises. The use will be in conjunction with the existing wine wholesale and distribution business and aims to provide an additional revenue stream.

The proposed take away food and drink premises is to occupy a total floor area 43sqm, containing 12 seats. No food is proposed to be made on the site with the café focusing on takeaway coffee, drinks and pre-made/pre-packaged food.

The proposed café business is to have 2 staff and proposed to operate seven days per week:

- 6am – 3pm Monday to Sunday

There is no currently registered food business(Food Standards Code) listed on Council Food Premises records. Although an exhaust hood is shown on plan the applicant advises no food preparation or cooking. The existing kitchen, to be extended may likely require additional work in addition to a hand wash basin and this can be dealt with by conditions.

Where food is unpackaged/reheated/served the requirements for food premises still apply (with the general exemption of filtered mechanical exhaust ventilation).

Apart from food premises standards there are no other concerns by Environmental Health and no neighbouring residential premises.

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 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 Certifying Authority. These plans are to be prepared by a suitably qualified person.

The plans must detail existing and proposed fit-out and adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings. Additionally kitchen cupboards and equipment in relation to leg heights or castors and no false bottoms to be documented.

Reason: To ensure that the Food premise 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 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 person who is suitably qualified that the design, construction and fit out of food premises kitchen(both existing as modified and additional area) 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 whole kitchen complies with the design requirements.

Mechanical Ventilation certification if installed

Should mechanical ventilation be installed then prior to the issuing of any interim / final occupation certificate, certification is to be provided from the installer of the mechanical ventilation system 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.