

## Environmental Health Referral Response - commercial use

|  |  |
|--|--|
| <b>Application Number:</b>             | DA2025/0457  |
| <b>Proposed Development:</b>           | Use of Premises as a artisan food and drink industry (coffee roasting and production facility) and cafe including fit-out and mechanical ventilation |
| <b>Date:</b>                           | 08/05/2025   |
| <b>To:</b>                             | Thomas Burns   |
| <b>Land to be developed (Address):</b> | Lot 1 SP 60821 , 1 / 1 Minna Close BELROSE NSW 2085  |

### 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

use of the premises as artisan food and drink industry, internal fit out and mechanical ventilation at 1/1 Minna Close

Environmental Health have reviewed

- Operational Noise Emission Assessment prepared by Acoustic Dynamics;
- Air Quality and Odour Assessment prepared by Northstar;

### 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 Principle certifier. These plans are to be prepared by a suitably qualified person.

The plans must detail adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

Reason: To ensure that the food premises complies with the design construction and fit-out requirements.

**Preparation of mechanical ventilation plans**

Before the issue of a construction certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person.

The detailed plans must be in accordance with the following and submitted to the certifier:

1. Australian Standard 1668: - The use of ventilation and airconditioning in buildings; and
2. ensure all generate heated air, smoke, fumes, steam or grease vapours do not:
  - cause a nuisance to persons within or nearby to the premises, or
  - cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997

Reason: To ensure that detailed professional plans of the approved mechanical ventilation system are submitted before the issue of a construction certificate.

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE  
OCCUPATION CERTIFICATE****Notice of Food Business**

Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW Food Act 2003 and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.

Reason: To enable council to ensure compliance with the consent when the business is operating.

**Kitchen Design, Construction and Fit Out of Food Premises Certification**

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifier by a suitably qualified person demonstrating that 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.

Reason: To ensure that the kitchen complies with Australian Standard design requirements.

**Mechanical Ventilation Certification**

Where Mechanical ventilation is required to be installed in the food premises it must comply with the following:

- Australian Standard (AS) 1668.2 “The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings”; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

Certification is to be provided to the Principal Certifier prepared by a suitably qualified person to demonstrate that the mechanical ventilation complies with the above requirements.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2 and to prevent amenity impacts.

## **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.

### **Deliveries and Waste Service Collections**

Deliveries and waste service collections shall only occur **during the approved operational hours OR after 6am and prior to 10pm on any day.**

Reason: Reason: To minimise the impacts of noise on neighbouring premises.

### **Managing Noise**

During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent.

Reason: To protect the amenity of the local area.

### **Compliance with Odour report**

During ongoing use of the premises, the premises must be operated in accordance with the Odour report approved under this consent.

Reason: To protect the amenity of the local area.