



Environmental Health Referral Response - commercial use

Application Number:	DA2018/1514
To:	Luke Perry
Land to be developed (Address):	Lot 100 DP 1015283 , 145 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, 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

Approval subject to conditions for food premises fit outs, skin penetration premises fit outs, any potential cooling towers, BCA requirements for sanitary facilities and mechanical ventilation.

Plans provided outline a number of food premises. Individual food premises might need separate DA's subject to requirements of SEPP.

Recommendation

APPROVAL - subject to conditions

Recommended Environmental Health and Protection Conditions:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Regulated air handling systems

All regulated air handling systems including cooling towers and warm water systems are to be operated and maintained in accordance with AS 3666.2 – 2011 Air-handling and water systems of buildings – Microbial control and Public Health Act 2010 and Regulation 2012.

Prior to operation of the regulated system the owner or occupier of the premises must register the system with Council in accordance with the Public Health Act 2010 and Regulation 2012.

Reason: To ensure effective microbial control, maintain public health and to fulfill the notification

requirements of the Public Health Act and Regulation. (DACHPBOC1)

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. (DACHPBOC4)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Food premises waste

A designated waste storage area(s) are to be provided to accommodate all food premises. The waste storage area must be of an appropriate size to adequately contain all waste produced from food premises.

The construction, fit-out and finishes of the designated food premises waste storage area must comply with Standard 3.2.3 of the Australia and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises' and Australian Standard AS1668.2.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure there is adequate storage and collection of waste from food premises and to minimise the risk of pest harbourage. (DACHPCPCC5)

Adequacy of Sanitary Facilities

Prior to release of the Construction Certificate the Certifier is to be supplied with documentation from suitably qualified and experienced persons detailing adequacy of sanitary facilities at the premises in accordance with the Building Code of Australia.

Reason: To ensure the provision of adequate sanitary facilities for the premises in accordance with legislative requirements. (DACHPCPCC6)

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 adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

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

Plans of Mechanical ventilation

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with the Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings -

Mechanical ventilation in buildings”, must be approved by the Certifying Authority for any cooking equipment with an individual or combined power rating level that triggers the requirement for mechanical ventilation under AS1668.2 including any deep frying equipment.

Reason: To ensure that the design, construction and installation requirement for mechanical ventilation complies with the Australian Standard 1668.2.

Grease Traps

Grease traps must be appropriately designed and installed to adequately treat all trade waste water waste produced from food premises. Grease traps must have a piped connection to the boundary and must be designed so it does not impede right of way or any pedestrian access. Any grease traps must not be located in any kitchen, food preparation area or food store area.

Approval for the systems must be granted by Sydney Water prior to its installation.

Reason: To ensure that provision for commercial trade waste provisions have been considered with the development. (DACHPCPC2)

Any Skin Penetration Premises Plans

Detailed plans and specifications are to be submitted to the Certifying Authority in accordance with the relevant and current guidelines including:

- Public Health Act 2010
- Public Health Regulation 2012
- Local Government (General) Regulations 2005
- Australian Standard: AS 2182 –1998 – Sterilizers – Steam – Bench top.
- Australian Standard, AS 2773.2 – 1999 Ultrasonic cleaners for health care facilities – Bench top.

Reason: To ensure compliance with legislation and to protect public health and safety.
(DACHPCPC2)

Cooling Tower Plans

Provide detailed plans and specifications of the design of the water cooling system(s), evaporative coolers and/pr hot/warm water systems within the premises prior to the issue of the Construction Certificate complying the relevant and current guidelines including:-

- Public Health Act 2010.
- Public Health Regulation 2012.
- Australian/New Zealand Standard AS/NZS 3666.1:2011 – Air-handling and water systems of buildings - Microbial control Design, installation and commissioning.
- Australian/New Zealand Standard AS/NZS 3666.3:2011 Air-handling and water systems of buildings - Microbial control Performance-based maintenance of cooling water systems.

The design of water cooling systems, evaporative coolers and hot/warm water systems must be approved by Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To ensure compliance with legislation and to protect public health and safety.
(DACHPCPC2)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Food Business Fit Out

The construction and fit-out of all food premises including kiosks must comply with the relevant and current guidelines including:-

- Food Act 2003,

- Food Regulations 2004,
- Australian Standard AS 4674-2004: Construction and fit out of food premises,
- Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements, and
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment.

Reason: To ensure compliance with legislation and to protect public health and safety. (DACHPEDW1)

Cooling Tower Installation

Water cooling systems, evaporative coolers and hot/warm water systems must be installed in accordance with the relevant and current guidelines including:-

- Public Health Act 2010.
- Public Health Regulation 2012.
- Australian/New Zealand Standard AS/NZS 3666.1:2011 – Air-handling and water systems of buildings - Microbial control Design, installation and commissioning.
- Australian/New Zealand Standard AS/NZS 3666.3:2011 Air-handling and water systems of buildings - Microbial control Performance-based maintenance of cooling water systems.

Reason: To comply with the provisions of the Public Health Act 2010 and to protect public health and safety (DACHPEDW1)

Any Skin Penetration Premises – Fit Out

The construction and fit-out of all skin penetration premises must comply with the relevant and current guidelines including:-

- Public Health Act 2010
- Public Health Regulation 2012
- Local Government (General) Regulations 2005
- Australian Standard: AS 2182 –1998 – Sterilizers – Steam – Bench top.
- Australian Standard, AS 2773.2 – 1999 Ultrasonic cleaners for health care facilities – Bench top.

Reason: To ensure compliance with legislation and to protect public health and safety. (DACHPEDW2)

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

Registration of Skin Penetration Businesses

All skin penetration businesses must be registered with the Appropriate Regulatory Authority prior to Occupation Certificate being issued.

Reason: Skin penetration premises are required to be registered with the Appropriate Regulatory Authority. (DACHPFPOC6)

Registration of Food Business

All food businesses 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.

Adequacy of Sanitary Facilities

Prior to the release of the Occupation Certificate the certifying authority is to be supplied with documented evidence from suitably qualified and experienced persons detailing adequacy of sanitary facilities at the premises in accordance with the Building Code of Australia.

Reason: To ensure the provision of adequate sanitary facilities for the site in accordance with legislative requirements (DACHPFPOC1)

Any Skin Penetration Premises 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 any skin penetration premises are compliant with the relevant and current guidelines.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that skin penetration premises compile with the design requirements. (DACHPFPOC1)

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 suitably qualified professional 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.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that the kitchen complies with the design requirements. (DACHPFPOC3)

Mechanical Ventilation certification

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. (DACHPFPOC4)