

Environmental Health Referral Response - commercial use

Application Number:	DA2024/1249
Proposed Development:	Alterations and additions including internal fit-out for use of premises as a pub and artisan food and drink industry
Date:	30/09/2024
To:	Claire Ryan
Land to be developed (Address):	Lot 1 DP 1170245 , 0 East Esplanade 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, 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 proposed development seeks alterations to the existing vacant retail tenancy at Manly Wharf for use as a pub and micro-brewery with ancillary dining and occasional live performance. Key features of the proposed development include:

- change of use of vacant supermarket tenancy to a pub and micro-brewery with ancillary dining and occasional live performance;
- demolition of existing external staircase, office spaces, storage spaces, cool rooms, freezers, supermarket staff toilets and basement public toilets and amenities;
- internal fit-out including two bars, ancillary kitchen, small staff office, new toilets and amenities servicing customers and staff;
- new publicly accessible toilets and amenities for the convenience of all members of the public who visit Manly Wharf, including ferry commuters;
- an internal connection to provide controlled, secondary access for patrons who wish to make their way between the new premises and the existing Manly Wharf Hotel;
- installation of micro-brewing equipment;
- internal fit out works including new wall linings, floor coverings, ceilings and acoustic treatments;
- a new vestibule to provide entry to the premises, with direct connections to the waterside wharf promenade, the basement via both lift and stair, and a secondary access link to the existing Manly Wharf Hotel;
- intermittent and occasional weekend markets inside the new premises, four Saturdays a year during daytime trading hours; and
- o hours of operation consistent with the Manly Wharf Hotel:

- o 7am to midnight, Monday to Wednesday and Sunday; and
- o 7am to 1am, Thursday to Saturday.

A separate liquor license application will seek an extension of the existing Manly Wharf Hotel license to provide for the service of alcohol within the new premises.

In relation to the establishing of food premises at the subject site, the proposal is acceptable subject to appropriate conditions of consent.

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.

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 the 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 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.