

## Environmental Health Referral Response - commercial use

<b>Application Number:</b>	DA2018/1924
<b>To:</b>	Luke Perry
<b>Land to be developed (Address):</b>	Lot 20 DP 1209801 , Forest Way FRENCHS FOREST NSW 2086

### 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

This referral had Environmental Health review the impact of new Food Premises to be installed at a re-constructed Frenches Forest mall. Fit-out details of food premises and operation details of the Child Care Facility are yet to be supplied, but generally we have no objection to the proposal subject to conditions. Each food premises (including childcare centre) must submit a Development Application as there are implications for noise, smoke and odour depending on the operation.

### Recommendation

APPROVAL - subject to conditions

### Recommended Environmental Health and Protection Conditions:

#### **DEVELOPMENT CONSENT OPERATIONAL CONDITIONS**

#### **Grease arrestors - food premises**

Grease arrestors shall not be located in areas where food, equipment or packaging materials are handled or stored. Access to grease arrestors for emptying shall not be through areas where exposed food is handled or stored or where food contact equipment and packaging materials are handled or stored.

**Reason:** *reduce risk of pests or vermin and contamination of food for sale.*(DACHPBOC3)

### **Mechanical Ventilation System - Amenity**

The implementation of Mechanical Ventilation System 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.

In the event of Council receiving complaints resulting from the mechanical exhaust system, the owner / occupier shall at their own cost provide a report from an Air Quality Consultant specifying the proposed methods for the control of odour and other air impurities discharging from the premises.

Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property; and

Reason: minimise the operational impact on the surrounding neighbourhood. (DACHPBOC2)

### **Operational noise - general**

Comply with findings and recommendations with the Acoustic assessment by Acoustic logic Forestway Shopping Centre Redevelopment Noise Impact Assessment 30.8.18.

Reason: minimise impact on surrounding sensitive receivers (DACHPBOC5)

### **Hours of operation**

#### **(a) General Hours of Use**

The hours of operation will be restricted as approved.

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

#### **(b) Hours of Use of the External Seating Area**

The use of the external seating area will be restricted as detailed in the acoustic report by Acoustic logic Forestway Shopping Centre Redevelopment Noise Impact Assessment 30.8.18.

Reason: minimise impact on surrounding residential area (DACHPBOC6)

### **Kitchen Design, construction and fit out of food premises**

The construction fit-out and finishes of the food premises must comply 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'. Prior to any Occupation Certificate (OC) being issued certification is to be provided by a suitably qualified person that the fit-out complies with the above requirement.

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

### **Odour Management Equipment and Plan**

Details of the Odour Management Equipment and an operational Plan for any premises grilling and or charcoal cooking.

Reason: to ensure an offensive odour is not created. (DACHPCPC2)

### **Mechanical Ventilation System**

a) plans of any proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to Council or the Principal Certifying Authority for approval prior to the issue of a Construction Certificate;

b) where BBQ or wood fire or charcoal tandoori cooking is to be carried out, the exhaust system will need to incorporate a smoke and odour elimination system and details are to be submitted to Council or Principal Certifier before construction commences.

Reason: to ensure compliance with the appropriate standards. (DACHPCPC2)

## **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.

### **Mechanical Ventilation certification**

At the completion of the installation of the mechanical exhaust system, a certificate from the installer shall be submitted to Council or the Principal Certifying Authority indicating the following:

- i) inspection, testing and commissioning details,
- ii) date of inspection testing and commissioning,

iii) the name and address of the individual who carried out the test, and

iv) a statement that the service has been designed, installed and is capable of operating to the above standard.

Reason: To ensure that the mechanical ventilation system complies with the design requirements.  
(DACHPFPOC4)

### **Mechanical ventilation**

Where Mechanical ventilation is required to be installed in the food premises it must comply with Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings" Prior to any Occupation Certificate (OC) being issued, certification is to be provided by a suitably qualified person 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.