

Environmental Health Referral Response - commercial use

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| Application Number: | DA2020/1317 |
| Date: | 09/11/2020 |
| To: | Jordan Davies |
| Land to be developed (Address): | Lot 2 DP 1066239 , 6 Palm Road NEWPORT NSW 2106 |

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

Environmental Health support the proposal, however food safety conditions are recommended to ensure that the pre-existing food premises fit-out complies with relevant food safety legislation. No noise-related issues were identified.

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:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Operational Hours

Operational hours for the kiosk must be restricted to:

6:00am to 6:00pm - Monday to Sunday

Reason: Prevent loss of amenity within surrounding neighborhood

Deliveries and waste service collections

Deliveries and waste service collections shall only occur:

- After 6am and prior to 10pm Monday to Saturday.
- After 8am and prior to 8pm Sundays and Public Holidays.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Requirement to notify about new Acid Sulfate Soils evidence

Any new information revealed during excavation works that has the potential to alter previous conclusions about Acid Sulfate Soils shall be immediately notified to the Council and the Principal Certifying Authority prior to further commencement.

Reason: protection of the environment

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

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.

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.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Ongoing Operation and Fit Out of Food Premises

The ongoing operation and fit out of the premises must be maintained in accordance with the following requirements:

- Food Act 2003
- Food Regulations 2004
- Australian Standard AS4674-2004: Construction and fit out of food premises
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment
- Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements

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

No cooking on the premises

No cooking of food requiring the use of a stove, oven, hot plate, grill, fryers or the like is permitted on the premises.

Reason: The application has provided no provision for mechanical ventilation or a grease trap.