

Environmental Health Referral Response - commercial use

Application Number:	DA2025/0540
Proposed Development:	Additional use of premises as a home business
Date:	19/06/2025
To:	Charlotte Asbridge
Land to be developed (Address):	Lot 10 DP 229129 , 47 Aranda Drive DAVIDSON 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

As the proposed use of the premises is low intensity/risk, the proposal is considered acceptable.

Environmental Health recommends a number of conditions of consent to preserve the amenity of the neighbourhood and to restrict further intensification of the use at the property

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:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

Limit of Intensity of Use - Home Business

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies as detailed on the approved plans for any land use of the site beyond the definition of a Home business, in accordance with the Dictionary of the Warringah Local Environmental Plan 2011, as follows:

Home business means a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

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.

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.

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

Food Handling

No cooking or food preparation, not applied for or covered in this current application, is approved. The food business on site serving the food shall ensure the external supplier of cooked/refrigerated potentially hazardous food (PHF) is registered with Council or NSW Food Authority and that food is kept at the required temperature and protected from contamination during delivery to the business.

Reason: To ensure ongoing compliance with food premises standards.

Storage of goods during ongoing use

During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval.

Reason: To ensure goods are stored wholly within the premises and protect the amenity of the local area.