



Hermmy Gao <hermmy.g@vigormaster.com.au>

DA2013/0587 - Condition 34 Food premises kitchen design enquiry

Steven Findlay <Steven.Findlay@northernbeaches.nsw.gov.au>

Thu, Apr 13, 2017 at 2:10 PM

To: Hermmy Gao <hermmy.g@vigormaster.com.au>

Cc: Alex Du <alex.d@vigormaster.com.au>, Mary Shimon <Mary.Shimon@northernbeaches.nsw.gov.au>

Hi Hermmy,

I can confirm that Condition 34 is not relevant and you should lodge a S96(1) application to delete it.

No fees and no notification are required.

Please see website for application form.

Thanks Steve

Steve Findlay

PLANNING ASSESSMENT MANAGER

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From: Hermmy Gao [mailto:hermmy.g@vigormaster.com.au]**Sent:** Wednesday, 12 April 2017 2:06 PM**To:** Steven Findlay**Cc:** Alex Du**Subject:** Fwd: DA2013/0587 - Condition 34 Food premises kitchen design enquiry

Good afternoon Mr Findlay,

How are you?

Mr Keller seems to be away for annual leave for another three weeks thus I have to write you to enquire about Condition 34 in DA 2013/0587 as the following:

"34. 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 person who is eligible as a 'Member' of Environmental Health Australia (EHA) 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."

As you may be aware, due to the irrelevancy of this particular condition to the nature of the project, we requested the deletion of this condition during the MOD2016/0302 application however it did not seem to be approved by Council.

The Belrose project is an **accommodation only** boarding house thus the kitchens of the project are not to be used for any sale of food. All kitchens (including kitchenettes for studio rooms and common kitchen for share) are for residents' own use to prepare their own food only.

In order to find out further information, I contacted (emailed and phoned) the Secretary of Environmental Health Australia (NSW) Inc Ms Lisa Huges and obtained her confirmation that this particular condition is not applicable for our Belrose project. She advised that only premises such as nursing homes, cafes and restaurants etc, who cook food to sell, would need to design their kitchens according to AS4674.

I also checked all relevant codes and standards as listed in the following as well as attached the files in this email with yellow high-lighted text as highly relevant context:

- 1) Environmental Health Australia Food business grading
- 2) Australia NZ Food standards code 3.1.1 definition of 'food business' & 'food premises'
- 3) AS4674 Design, construction and fit out of food premises Preface

All these above standards show the food produced need to be retailed/sold to qualify the premises as 'food premises'. In our Belrose project's case, as mentioned above the kitchens in Belrose project are only used for residents themselves to produce their own food thus we believe Condition 34 is redundant and irrelevant.

Please kindly confirm with us what we should do regarding this condition. Looking forward to hearing from you soon.

Kind Regards,

Hermmy Gao



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