

STANDARD DEVELOPMENT APPLICATION CONDITIONS FOR FOOD PREMISES (AS APPLICABLE)

1 The following conditions are applied to ensure compliance with the Food Act 2003 and to ensure public health and safety:

(General requirement – Details to be provided to Certifying Authority)

2 The premises is to be designed, constructed and operated in accordance with the Food Act 2003, Food Regulation 2004, Australia & New Zealand Food Standards Code and Australian Standard AS 4674-2004, Design, construction and fit-out of food premises.

Details of compliance are to be included in the documentation for the construction certificate to the satisfaction of the certifying authority.

(Food safety practices)

3 Food safety practices and operation of the food premises must be in accordance with the *Food Act 2003*, *Food Regulation 2004*, *Food Standards Code* and *Food Safety Standards* at all times, including the requirements and provisions relating to:

- Food handling – skills, knowledge and controls.
- Health and hygiene requirements.
- Requirements for food handlers and businesses.
- Cleaning, sanitising and maintenance.
- Design and construction of food premises, fixtures, fitting and equipment.

A failure to comply with the relevant food safety requirements is an offence and may result in legal proceedings, service of notices and/or the issuing of on-the-spot penalty infringement notices.

(Food business registration/notification)

4 The food premises must be registered with Council's Environmental Health section and the NSW Food Authority must also be notified of the food business in accordance with the *Food Safety Standards*, prior to commencement of food business operations.

(Inspection by Council's EHO prior to occupation)

5 Upon completion of the work and prior to the issuing of an occupation certificate, the premises must be inspected by Council's Environmental Health Officer to ascertain compliance with relevant *Food Safety Standards* and the written approval of Council (being the relevant Food Authority for this food business) must be obtained prior to the operation of the food business.

(Food safety practices)

6 The Proprietor of the food business and all staff carrying out food handling and food storage activities must have appropriate skills and knowledge in food safety and food hygiene matters, as required by the *Food Safety Standards*.

(Specific design & construction requirements)

7 The design and construction of food premises must comply with the following requirements, as applicable: -

- The floors of kitchens, food preparation areas and the like are to be constructed of materials which are impervious, non slip and non abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer.

- The intersection of walls with floor and plinths is to be coved, to facilitate cleaning.
- Walls of the kitchen preparation areas and the like are to be of suitable construction finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall adjacent to cooking and food preparation facilities or areas, to provide a smooth even surface.

The glazed tiling or other approved material is to extend up to the underside of any mechanical exhaust ventilation hoods and a minimum of 450mm above bench tops or other facilities and equipment.

- Walls where not tiled are to be cement rendered or be of rigid smooth faced non-absorbent material (i.e. fibrous cement sheeting, plasterboard or other approved material) and finished to a smooth even surface, painted with a washable paint of a light colour or sealed with other approved materials.
- The ceilings of kitchens, food preparation areas, storerooms and the like are to be of rigid smooth-faced, non absorbent material i.e., fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material.
- All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc.... to be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.
- Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particleboard or similar material is not permitted unless laminated on all surfaces.
- Adequate fly screens and doors with self-closing devices, (where applicable), are to be provided to all external door and window openings. An electronic insect control device must also be provided within the food premises.
- Garbage storage enclosures are to be fitted with a hose cock and the floor is to be graded and drained to an approved floor waste connected to the sewer.
- A mechanical ventilation exhaust system hood is to be installed where cooking or heating processes are carried out in the kitchen or in food preparation areas, in accordance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2.
- Wash hand basins must be provided in convenient positions, with hot and cold water, together with a sufficient supply of soap and clean towels. Such hot and cold water shall be supplied to the wash hand basins through an approved mixing device.
- Ceramic tiles being provided to a height of 450mm above bench tops, wash hand basins and similar fittings.
- A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated

food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance.

- All food that is to be kept hot should be heated within one (1) hour from the time when it was prepared or was last kept cold, to a temperature of not less than 60°C and keep this food hot at or above the temperature. Food that is to be kept cold should be cooled, within four (4) hours from the time when it was prepared or was last kept hot, to a temperature of not more than 5°C and keep this food cold at or below that temperature.

(Wash hand basins required)

- 8 A wash hand basin (and soap & towel dispenser) must be provided within the [i.e. kitchen, food preparation area, bar etc]. The basin is to be provided with hot and cold water via a suitable mixing device.

(Additional wash hand basins required – multiple food preparation areas)

- 9 Two wash hand basins (and soap & towel dispenser) must be provided to the food premises, located conveniently in the food preparation and food service areas, to the satisfaction of Council's Environmental Health Officer.

(Mechanical ventilation kitchen exhaust details required)

- 10 Details of proposed mechanical ventilation systems, detailing compliance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to and approved by the Certifying Authority with the construction certificate and a copy of relevant documentation is to be provided to Council.

(Odour/emission control)

- 11 Emission control equipment shall be provided in the mechanical exhaust system serving the cooking appliances, to effectively minimise the emission of odours, vapours and oils.

Details of the proposed emission control equipment must be provided in the documentation for the construction certificate and be approved by

- a) the certifying authority
- b) Council's Manager of Health, Building & Regulatory Services, in accordance with section 80A(2) of the Environmental Planning & Assessment Act 1979, prior to issuing the construction certificate.

(Food premises – cleaning program)

- 12 A comprehensive cleaning and maintenance program must be implemented for the operation of the mechanical ventilation exhaust system, to ensure that the system (including emission control devices and filters) are maintained and operate efficiently and effectively in an environmentally satisfactory manner at all times and the emissions do not cause a nuisance to nearby residents.

The program shall include a cleaning and maintenance schedule, prepared by the designing engineer/manufacturer or other suitably qualified person. This schedule is to detail the inspections and maintenance works to be undertaken and their timeframes, so as to ensure the mechanical ventilation system (including emission control device and filters) operates efficiently, effectively and in an environmentally satisfactory manner at all times.

A copy of the schedule is to be kept onsite at all times and a copy provided to Council prior to an occupation certificate being issued for the premises.

(Waste disposal – general requirements)

13 Adequate provisions are to be made within the premises for the storage, collection and disposal of trade/commercial waste and recyclable materials, to the satisfaction of Council.

(Liquid trade waste)

14 Liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be submitted to the certifying authority prior to the commencement of works.

(Trade waste)

15 Trade/commercial waste materials must not be disposed via council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are to be submitted to Council prior to occupation of the building.

(Pollution control – General)

16 There are to be no emissions or discharges from the premises which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.

(Meat processing premises)

17 The premises are required to comply with the Australia Standard AS4696:2002 for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption.

(Retail meat premises)

18 The premises are required to comply with NSW Standard for construction and hygienic operation of retail meat premises.

Note: The abovementioned conditions are of a general nature and the specific conditions imposed on a development consent may differ and additional site specific conditions may also be imposed on the consent.

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