

Referral Response - Environmental Health - Public Health

Application Number:	DA17/1092
Referral Officer	Teresa Dalton
Referral Unit	Environmental Health - Public Health
Date of referral	12 June 2018
Land to be developed (Address):	Lot 2 DP 1108408 13 - 15 Park Road WALLACIA NSW 2745
Proposed Development:	Staged Construction of Wallacia Memorial Park including Cemetery for 88,000 Burial Plots, Chapel & Related Crematorium & Function Rooms, Administration Building, Services Outbuilding, Parkland Areas, Internal Roads, Car Parking & Associated Landscaping & Site Servicing Works

Recommendation

No objections - subject to conditions

Detailed assessment

I have reviewed the additional information provided by the applicant reference SA6970 dated 21 May 2008. I have not undertaken an inspection of the site.

Confirmation received that the premises is not conducting body preparation and/or embalming. Conditions will be placed to state 'premises is not to conduct body preparation and/or embalming unless prior approval from council is obtained'.

Confirmation received item 4 is for the purpose of holding 12 deceased adult bodies encased in suitable coffins in a refrigerated body. Conditions will be placed to ensure that no more than 12 bodies are held at one time to ensure suitable refrigeration of bodies is maintained.

Body holding room

A statement has been received that bodies are to be kept for no longer than 48 hours. Conditions will be placed to ensure compliance with relevant legislation and regulations relating to holding of bodies

Body bags and clinical waste disposal not required as no body preparation occurring on site

Burial of bodies

A statement has been provided that should 'shallow burial' be carried out prior approval from NSW Department of Health will be obtained in accordance with compliance with NSW Health Policy Directive 'Shallow Burial' Document Number PD2013_045. Conditions will be placed to ensure approval is obtained prior to shallow burials are carried out.

Burial in Vaults

Confirmation received that no bodies will be placed in above-ground burial structures. Conditions will be placed to ensure that no above-ground burial structures are performed.

Body cremation

Confirmation received bodies brought to the crematorium will be placed in refrigeration therefore do not need to comply with the requirement where cremation is carried out within 4 hours of the delivery.

Registers

Confirmation received registers for all activities (cremation, mortuary) to be created and kept on site. Conditions will be placed to ensure compliance with requirements under the Public Health (Disposal of bodies) Regulation 2002.

Infectious Diseases

As no body preparation is occurring on site, complying with the guidelines specified in Part B of the Australian Guidelines for the Prevention and Control of Infection in Healthcare as published by the National Health and Medical Research Council is not required

Further information regarding the location of plant room for ventilation and refrigeration compressors/fans/equipment

Compliance with AS4674-2004 Design. Construction and Fit-out of a Food Premises. The response provided from the applicant is requesting enforcement of conditions relating to the Building Code of Australia.

BCA volume 1, footnote states that Footnote: OTHER LEGISLATION AFFECTING BUILDINGS In addition to any applicable provisions of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulation 2000 and this Code, there is a variety of other regulatory provisions, including legislation, regulation and departmental policies that impose requirements affecting the design, construction and/or performance of buildings in NSW specifically -

- 8. Dining Rooms and Bars 8.1 Administering Agency NSW Food Authority Relevant Legislation Food Regulation 2010
- 11. Food Premises 11.1 Administering Agency NSW Food Authority Relevant Legislation Food Regulation 2010

The Building Code specifically relates to the following areas of a restaurant/food premises

- Exits must be in accordance with the Building Code of Australia.
- Adequate space must be provided for patrons and staff to access dining and serving areas. These areas must be designed in accordance with the Building Code of Australia.
- Cold and Frozen Storage Rooms Doors must be able to be opened from the inside and an alarm fitted in accordance with the Building Code of Australia.
- Mechanical Exhaust The Building Code of Australia (BCA) requires a commercial kitchen to be provided with a mechanical ventilation system that complies with Australian Standard 1668.1-1991 (The use of ventilation and air conditioning in buildings – Part 1) and Australian Standard 1668.2-1991 (The use of ventilation and air conditioning in buildings – Part 2) where: any single apparatus has: - a total maximum electrical power input exceeding 8 kilowatts (kW), or - a total gas power input exceeding 29 mega joules per hour (MJ/h), or the total maximum power input to more than one apparatus exceeds: - 0.5kW electrical power for each 1m² of floor area of the room or enclosure, or - 1.8MJ gas for each 1m² of floor area of the room or enclosure dishwashers and other washing and sanitising equipment that vent steam into the area to the extent that there is, or is likely to be, condensation collecting on walls and ceilings equipment installed on the premises after the mechanical ventilation system has been designed and installed must not impair the efficiency of the system or the natural ventilation
- Toilet Facilities - including: number of toilets staff and public toilet facilities to be equipped with appropriate hand washing facilities toilet facilities to be clean and in good repair toilets located within the food premises are to be separated from areas where food is handled, displayed or stored by an air lock equipped with self-closing doors, or fitted with self-closing doors and provided with mechanical ventilation that operates when in use and thirty

(30) seconds after the cubicle is vacated

AS4674-2004 Design Construction and Fit out of a food premises provides criteria to ensure that food businesses are designed, constructed and fitted out in compliance with the requirements of the Australian Food Standards Code, Standard 3.2.3, Food Premises and Equipment. Therefore conditions will be placed to ensure the food premises proposed in the development application must comply with AS4674-2004 Design Construction and Fit out of a food premises.

Lower level floor plan catering:

The function of the 'kitchen on the lower level floor' is the kitchen used for full food preparation or plating up only of food for the conference rooms. Additional details on the kitchen to show compliance with the Australian Standards based on its function/use

Bar area specifically hand washing facilities; warm water common spout and hands free, slop sink for waste liquids, floor waste drainage or mop sink

Cool room connected to sewer for the waste water from the condenser

Ground floor plan

Further details requiring the following:

Compliance with AS4674-2004 Design Construction and Fit out of a food premises for the kitchen and bar area.

Details of the following are required:

Hand washing facilities warm water common spout and hands free

Staff toilets (including hand washing facilities)

Fixtures fittings and equipment locations in the bar and kitchen including materials to be used; smooth impervious and can be effectively cleaned

Floor waste drainage locations or mop sink

Exhaust system location and compliance with AS1668.1 & 1668.2

Wash up areas (double bowl sink or dishwasher that is capable for sanitizing of equipment)

Cool room connected to sewer for the waste water from the condenser

Garbage area

Must comply with AS4674-2004 Design Construction and Fit out of a Food Premises in relation structure being smooth impervious, fitted with a hose tap connected to a water supply, graded and drained to a waste disposal system.

The application has been referred to James Plant (James.Plant@health.nsw.gov.au) from NSW Health for review and comments in relation to compliance with the Public Health Act 2010 and Public Health Regulations 2012

Yours sincerely,

Teresa Dalton

Environmental Health

Recommended Conditions:

General

- 1 The proprietor of the food business shall ensure that the requirements of the NSW Food Act 2003, NSW Food Regulation 2010 and the Australian and New Zealand Food Standards Code are met at all times.
- 2 The development shall not be used or occupied until an Occupation Certificate has been issued.

A satisfactory inspection from an authorised officer of Council's Environmental Health Department is required prior to the issue of the Occupation Certificate. The occupier is to contact the Environmental Health Department to organise an appointment at least 72 hours prior to the requested inspection time.

- 3 The business is to be registered with Penrith City Council by completing the "Registration of Premises" form. This form is to be returned to Council prior to the issuing of the occupation certificate and operation of the business.
- 4 Premises is not to conduct body preparation and/or embalming unless prior approval from council is obtained.
- 5 A person who buries a body contained in a coffin must place the coffin so that its upper surface is not less than 900 millimeters below the natural surface level of the soil where it is buried as required under the Public Health Regulation 2012.

Above ground burial structures are not permitted to be used on the premises.

Should 'shallow burial' be carried out, prior approval from NSW Department of Health will be obtained in accordance with compliance with NSW Health Policy Directive 'Shallow Burial' Document Number PD2013_045. Conditions will be placed to ensure approval is obtained prior to shallow burials are carried out.

- 6 A person must not use a holding room for any purpose other than the storage of bodies.

Health Matters and OSSM installations

- 7 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, and AS4674-2004 *Design, Construction and Fitout of Food Premises*.
- 8 Cooking appliances which exceed a total maximum power input of 8kw for electrical, or a total gas input of 29MJ/h for a gas appliance are required to have a kitchen exhaust system installed in accordance with Clause F4.12 of the Building Code of Australia and Australian Standard AS1668 Parts 1 & 2.

Detailed plans together with calculations for the system must be provided as part of the development application or as part of the Construction Certificate application.

The exhaust hood must completely cover the equipment to be ventilation and extended at least 200mm beyond the perimeter of the equipment. The exhaust hood must be provided with a condensation gutter around its base. The gutter must be at least 50mm wide by 25mm deep. Where abutting walls are located the hood must be constructed so as to finish flat against the wall surface.

The low edge of a canopy type exhaust hood must be at least 2000 mm above floor level.

Prior to the issuing of an Occupational Certificate, and operation of the business, the exhaust system shall be certified by an appropriately qualified person to comply with the Building Code of Australia and Australian Standard AS1668 Parts 1 & 2. A copy of the certification and supporting documentation must be provided to Council's Environmental Health Department if Council is not the Principal Certifying Authority

- 9 A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by the business prior to commencement of the business.

- 10 Details of the kitchen, bar and food preparation and storage areas must be prepared by a suitably qualified person and certified in accordance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code and AS 4674-2004 *Design, Construction and Fitout of Food Premises* to the satisfaction of the Certifying Authority prior to a Construction Certificate being issued.

Lower level floor plan catering:

The function of the 'kitchen on the lower level floor' is the kitchen used for full food preparation or plating up only of food for the conference rooms. Additional details on the kitchen to show compliance with the Australian Standards based on its function/use

Bar area specifically (but not limited to):

Hand washing facilities; warm water common spout and hands free,

Slop sink for waste liquids,

Floor waste drainage or mop sink

Cool room and keg room (including location) connected to sewer for the waste water from the condenser

Details of the finish of the walls and ceiling (note acoustic panels not permitted in food preparation areas);

Details and location of coving to all floor wall joins

Construction material of shelving indicating lowest shelf at least 150mm above ground level

Details of materials used on benches in kitchen

Location of personal staff storage area

Any fluorescent light fittings being fitted with a smooth faced diffuser and identified on the plan;

Ground floor plan

Further details requiring the following (but not limited to):

Hand washing facilities warm water common spout and hands free

Staff toilets (including hand washing facilities)

Fixtures fittings and equipment locations in the bar and kitchen including materials to be used; smooth impervious and can be effectively cleaned

Floor waste drainage locations or mop sink

Exhaust system location and compliance with AS1668.1 & 1668.2

Wash up areas (double bowl sink or dishwasher that is capable for sanitizing of equipment)

Cool room connected to sewer for the waste water from the condenser

Garbage area

Must comply with AS4674-2004 Design Construction and Fit out of a Food Premises in relation structure being smooth impervious, fitted with a hose tap connected to a water supply, graded and drained to a waste disposal system.

No fit out works shall commence on the site will be granted until after the above plan has been supplied to Council and Council has advised the Certifying Authority in writing that it is satisfactory.

- 11 Hand basins must be serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are installed the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.
- 12 Staff toilets must be provided on the premises. Where a toilet adjoins a food preparation area it must be separated by an air lock and its doors must be fitted with self closing devices. Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored.
- 13 A hand basin must be located within the toilet cubicle. Hand basins must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are used the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

- 14 Hot water services must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be sized to meet the demands of the food business during peak operating and cleaning periods and be able to provide sufficient hot water throughout the working day. Discharge from the hot water system must enter the sewer through a tongue dish in accordance with Sydney Water's requirements.
- 15 The floor of the food premises must be finished in an approved non absorbent material, evenly laid, or graded and drained to a trapped floor waste. All floor wastes in the food preparation, service and scullery area must be fitted with a sump removable basket and grate, a minimum 200mm in diameter, and finished in all stainless steel.
- 16 Approved, recessed coving must be provided at all intersections of the floor with the walls within all food preparation, service, storage and scullery areas. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface.
- 17 The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other approved material to a height of 2 metres. The intersection of tiles and render must have a flush finish, or be splayed at a 45 degree angle to eliminate a ledge that would allow dust and grease to accumulate.
- 18 The walls at the rear of cooking appliances must be surfaced with an impervious material, such as stainless steel, which extends from the canopy to the floor. Where a cooking appliance is sealed to the wall, the material must be lapped over the top edge of the appliance to provide a grease and vermin proof seal. Cooking appliances must only be sealed to walls made of a non-combustible material.
- 19 The ceiling in the preparation, service and scullery areas must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight jointed, sealed and dust proofed. Drop-in panel style ceilings are not permitted.
- 20 Service pipes, electrical conduits, refrigeration condensate pipes shall be enclosed or chased into walls, floors or plinths. Where it can be demonstrated that this is not feasible pipes and conduits fixed on brackets, providing a minimum of 25 mm clearance from the adjacent wall and 100 mm from the floor or adjacent horizontal surface, can be used. All openings in walls, floors and ceilings, through which service pipes and conduits pass, must be vermin proof.
- 21 Appliances used to store potentially hazardous food must have a capacity to keep foods hotter than 60°C, refrigerated foods less than 5°C, and frozen foods less than 18°C and be provided with a digital thermometer, accurate to 1°C that can be easily observed from outside the appliance.
- 22 The meter box must be provided with an approved non-absorbent, smooth faced cover. The cover is to be splayed at an angle of 45 degrees to the wall at the top and made tight fitting to the wall surfaces.
- 23 All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for 2 minutes or 75°C for 10 minutes.
- 24 All wash sinks and food preparation sinks must be serviced with hot and cold water through a single outlet. Wash sinks must be supplied with water at a temperature of not less than 54 °C for washing.
- 25 The food preparation sink must be separated from all other sinks by a minimum distance of 2 metres or have an approved form of physical barrier that separates the sink.
- 26 The cleaners sink must be serviced with hot and cold water through taps fitted with hose connectors. Cleaner's sinks must be located outside of areas where open food is handled.
- 27 All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning.

All fittings and fixtures must be built into the wall and floor so as to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

- a. Plinths – plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- b. Wheels or castors – fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- c. Legs – fittings and fixtures can be supported on legs but must be constructed of a non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 200 mm.

NOTE: False bottoms under fittings are not permitted (AS4674-2004 – Section 4.2 and 4.3).

- 28 All food preparation benches must be constructed in stainless steel or finished in a smooth and non-absorbent approved material that is free of joints.
- 29 All storage cabinets (internal and external surfaces) must be finished in a smooth and non-absorbent approved material that is free of joints.
- 30 Light bulbs or tubes are to be shatterproof or fitted with approved light diffusers (covers or shields) to prevent contamination of food by glass from a broken light globe or tube. Light fittings must be free from any feature that would collect dirt or dust, harbour insects or make the fitting difficult to clean. Light fittings must be recessed into ceilings or equipment where possible. Heat lamps must be protected against breakage by a shield extending beyond the bulb.
- 31 Shelves must be smooth and impervious; free from joints, cracks and crevices; and able to be easily cleaned. The lowest shelf must be at least 200mm off the floor to allow easy cleaning underneath. Approved materials must be used, such as galvanised piping, stainless steel or laminated plastic. Shelves are to be sealed to the wall or kept clear of walls to allow easy access for cleaning (>40 mm).
- 32 The coolroom and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the coolroom and freezer adjacent to the door. All metal work in the coolroom and freezer room must be treated to resist corrosion.
- 33 Condensation from coolrooms and refrigeration motors must discharge to sewer via a tundish with air gap separation in accordance with Sydney Water requirements.
- 34 The coolroom and freezer room must be provided with:
 - A door which can at all times be opened from inside without a key and
 - An approved alarm device located outside the room, but controlled only from the inside.
- 35 Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings.
- 36 The storeroom must be constructed in accordance with AS4674-2004 by providing the following:
 - A smooth, even, non-slip floor surface.
 - Coving at all intersections of the floor and walls with approved, recessed coving to a minimum concave radius of 25mm, so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface. "Feather edge skirting" and non-rebated coving are not permitted.
 - Walls must be provided with a smooth even surface and painted with a light coloured washable paint to enable easy cleaning.
 - The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof. Drop in panel style ceilings are not permitted.
 - Shelving or storage racks must be designed and constructed to enable easy cleaning.
- 37 All garbage must be stored in accordance with the requirements of the Food Safety Standards of the Australian and New Zealand Food Standards Code and the *Protection of the Environment Operations Act 1997* to prevent the harbourage of vermin or generation of odours.
- 38 Smooth and impervious surfaces (walls and floors) must be provided to all waste storage areas and rooms. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. Waste storage rooms must be adequately ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.
- 39 Rubbish bins must be cleaned regularly to remove the food scraps stuck on the bin surface and to minimise the emission of odour that attracts insects and vermin. Bins may be cleaned either by the rubbish collecting contractors or inside a rubbish room constructed to the above specifications.

Bins, hoppers and other containers used for storing garbage or recyclable material shall be:

 - a) constructed of impervious material such as metal or plastic; and
 - b) have tight fitting lids
 - c) bins that cannot be lifted for draining after cleaning shall have drainage bungs at the base.
- 40 The grease arrestor must not be installed in any kitchen, food preparation or food storage area. The grease arrestor shall be installed in accordance with Sydney Water's requirements.

41 A person who operates a mortuary or crematory must notify the Director-General of the Ministry of Health of the following prior to the issuing of the Occupation Certificate:

- a) the name and location of the mortuary or crematory,
- b) the name and address of the person who operates the mortuary or crematory,
- c) the telephone number of the mortuary or crematory or of the person who operates the mortuary or crematory,
- d) in the case of a mortuary—the name and address of any funeral director that has access to the mortuary.

The person who operates the mortuary or crematory must notify the Director-General of any change in the particulars.

42 The construction and operation of the mortuary shall comply with the Public Health Act 2010, Public Health Regulation 2012, Clause 86 and Schedule 2 of Local Government (General) Regulation 2005, NSW Health Guidelines for the Funeral Industry and any other relevant standards, guidelines or codes of practice published or endorsed by the NSW Ministry of Health.

43 Refrigerated body storage facilities in a body preparation room or holding room shall not be used for any other purpose than to store bodies. No more than 12 deceased in suitable coffins are to be refrigerated in the body holding room. Deceased are not to be held in the room for no more than 48 hours from the time of being received. Deceased must be refrigerated immediately upon delivery or cremated within 4 hours if not refrigerated upon delivery.

44 An operational manual covering all processes associated with the cremation process which ensures compliance with all relevant legislation and guidelines needs to be assessed and approved by Council prior to the issuing of the Occupation Certificate. The operational manual shall also identify monitoring procedures and procedures for handling malfunctions and non-compliance with relevant legislation, guidelines and procedures.

45 A cemetery authority must maintain a register of all burials carried out at the cemetery. An entry relating to each burial must be made immediately after the burial has been carried out. Each entry must include the following:

- a) the name, age and last address of the person whose body or remains have been buried,
- b) the date of the person's death,
- c) the date of the burial,
- d) the section and allotment where the burial has been made,
- e) the name of the person (if any) who continues to hold any right of burial in that allotment,
- f) the name of the funeral director who transported the body to the cemetery,
- g) the fees paid to the cemetery authority for the burial.

The cemetery authority must keep a copy of the register at the cemetery and make it available for inspection on request by an authorised officer.

46 A cremation authority must maintain in the approved form a register of all cremations carried out at the crematory. A cremation authority must:

- a) make in the register an entry relating to each cremation immediately after the cremation has taken place, and
- b) make in the register an entry relating to the disposal of cremated remains as soon as they have been disposed of.