

Melbourne Market Relocation Project



Melbourne Wholesale Fruit & Vegetable Market

Tenancy Fit Out Guide – COMMERCIAL AND FOOD SERVICE TENANCIES

August 2014

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GLOSSARY OF TERMS

Approval to Commence Fit Out Works

Formal approval (in the form of a letter) issued to the Tenant by the Tenancy Coordinator which provides authorisation to commence Tenant fit out works

Authority to Trade Certification

Formal approval issued (in the form of a letter) to the Tenant by the Tenancy Coordinator allowing commencement of trade when Tenant has met all conditions set out by the Tenancy Coordinator and the MMA

Base Building Contractor

Principal contractor constructing the Melbourne Market at Epping and the Category A Works

BCA

The Building Code of Australia 2013

Building Permit

Permit issued by a Building Surveyor granting approval to the Tenant's proposed tenancy fit out design documentation

Building Surveyor

Building Practitioner who issues Building Permit and Occupancy Permit

Category A Works

Base building works undertaken by the Base Building Contractor

Category B Works

Works to be undertaken by the Tenant that require a modification to the Category A works at the expense of the Tenant.

Category C Works

Works undertaken by the Tenant for the fit out of its tenancy, including fixtures, fittings and furnishings.

Commercial Tenancy

Tenancy area at the Melbourne Market at Epping for the purpose of retail sale of goods other than fruit and vegetable produce.

Council

The local municipal Council being the City of Whittlesea.

Contractor

The contractor appointed by the Tenant to design and construct all or part of the tenancy fit out works

Defects Rectification Notice

A notice issued to the Tenant by the Tenancy Coordinator following a period tenancy works inspection, identifying defects in the tenancy fit out works which require rectification by the Tenant

Design Documentation

Tenancy drawings prepared by Tenant for approval by Tenancy Coordinator and Building Surveyor before commencement of fit out works.

Design Intent Approval

Formal advice issued by the Tenancy Coordinator to the Tenant approving the Design Intent component of the tenancy Design Submission

Food Safety Act

Relevant Victorian State legislation pertaining to sale and distribution of food produce in Victoria

Food Service Tenancy

Retail tenancy area at the Melbourne Market at Epping for the purpose of preparation and sale of food.

Handover Notice

Formal advice issued by the Tenancy Coordinator / MMA to the Tenant detailing the handover date of the Commercial or Food Service Tenancy for the commencement of the Tenant's fit out works

Head Contractor

A Contractor employed by the MMA to supervise the tenancy fit-out works

Lease

A legal document which outlines the Tenant's terms of occupancy of a Commercial or Food Service Tenancy at the Melbourne Market at Epping and is signed by both the Tenant and the MMA

Local Authority Health Department

City of Whittlesea

Melbourne Market at Epping ('the Market')

The site containing the Fruit and Vegetable Market, the National Flower Centre, the MMA Administration building and surrounding warehousing

Melbourne Market Authority (MMA)

The operator of the Melbourne Market at Epping

Occupancy Permit

Building Surveyor's certification the completed tenancy fit out works meet the requirements of the BCA

Pre-approved Contractor

A contractor nominated by the Tenant and approved by MMA to undertake the tenancy fit out works

Tenancy Coordinator

Representative from the MMA or an appointed delegate who assists in the coordination of all stakeholders, design compliance, fit out works and relevant approvals

Tenant

The person or entity that has entered into a Lease with the MMA

Tenancy Fit Out Guide

This document and its appendices

ABOUT THIS TENANCY FIT OUT GUIDE

“This Tenancy Fit Out Guide is provided as a reference for Tenants intending to fit out Commercial and Food Service Tenancies in the new Melbourne Wholesale Fruit and Vegetable Market”

Why should you read this Tenancy Fit Out Guide?

The Tenant is advised to read and understand the requirements of the Tenancy Fit Out Guide. The Tenancy Fit Out Guide outlines important steps and requirements for the fit out of all Commercial and Food Service Tenancies.

The Tenancy Fit Out Guide is intended to ensure consistent standards are maintained for all Tenants in line with the vision set out by the Melbourne Market Authority (MMA).

The Tenancy Fit Out Guide outlines a step-by-step process to assist a Tenant to complete the fit out of its Commercial or Food Service Tenancy, by explaining the fit out obligations, including the approvals required to commence trade. It provides a comprehensive guide to enable a Tenant to become fully operational.

If a Tenant does not understand any part of the Tenancy Fit Out Guide then the Tenant is encouraged to contact the Tenancy Coordinator for further clarification.

What should you do with the Tenancy Fit Out Guide?

This Tenancy Fit Out Guide should be read in conjunction with:

- the Tenant Fit Out Process Flow-chart (refer to Appendix 1);
- the Design & Construction Guide (Appendix 2);
- Council’s Food Premises Development Guide (Appendix 5) and Food Standards Code Australia; and
- the Tenant’s Lease which clearly outlines the legal rights and obligations to trade at the new Melbourne Market.

If there is an inconsistency between this Tenancy Fit Out Guide and Lease documentation, the Lease documentation will take precedence.

This Tenancy Fit Out Guide should be provided to any consultants and / or Contractors that the Tenant appoints or engages to undertake tenancy design and fit out works.

In this Tenancy Fit Out Guide works are classified into three categories:

- Base building works which are being provided by the MMA are referred to as Category A
- Base building modifications which are required as a result of the Tenant's fit out works are referred to as Category B
- Tenant's fit out works are referred to as Category C

The MMA reserves the right to update or amend this Tenancy Fit Out Guide.

Any queries relating to this Tenancy Fit Out Guide should be directed to the Tenancy Coordinator.

WELCOME TO THE MELBOURNE WHOLESALE FRUIT, VEGETABLE & FLOWER MARKET

“The Melbourne Market Authority welcomes you to the new Melbourne Wholesale Fruit, Vegetable & Flower Market”.

The Melbourne Market at Epping is the latest addition to a network of Australia’s central markets and will serve Victoria as a new central hub for the distribution of fresh produce.

Location

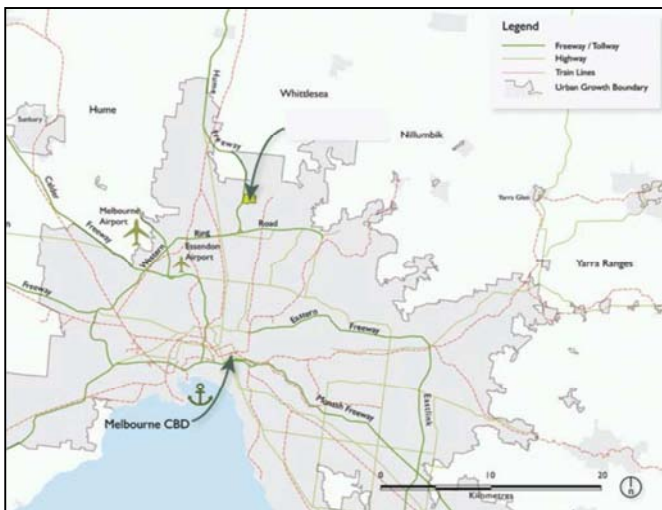


Figure 1: Melbourne Market | Location

Our Vision

The Melbourne Market at Epping will provide modern facilities and opportunities for buyers and sellers of fruit, vegetables and flowers.

The Melbourne Market at Epping complex will allow the fresh produce industry in Victoria to flourish and enhance efficiency.

Each Commercial and Food Service tenancy provides opportunity to design a fit out that suits individual operations and that will result in modern standards for all. Individuality and originality in design is encouraged.

The use of new, high quality finishes and fixtures is required. Joinery must be designed to be neat and presentable when viewed by the customer, and is to be purpose designed and built. Fixtures must be designed to allow for display and easy access by customers to goods.

It is expected that every tenancy fit out will reflect the state-of-the-art standards applied to the design, construction and finishes of the Market itself.

Introducing the Melbourne Wholesale Fruit, Vegetable & Flower Market

The Melbourne Market at Epping is located on a 77 hectare site at Epping, approximately 20km from the city with direct access to the freeway network.

The Melbourne Market at Epping accommodates 146 new trading stores (comprising 74 large, 28 medium and 44 small trading stores), as well as several cafes and commercial tenancies.

THE TENANCY FIT OUT PROCESS

“The Melbourne Market Authority provide a fit out process to assist you”

The main steps in the tenancy fit out process:

The tenancy fit out process has been developed by the MMA in order to provide Tenants with a straight forward and simplified guide to complete their tenancy design and fit out works.

The keys steps in the tenancy fit out process are:

1. Initial Briefing – Tenancy Coordinator
2. Appoint a Contractor
3. Design Submission: Design Intent Approval & Building Permit
4. Pre-construction Meeting
5. Tenant Fit out Period
6. Authority to Trade
7. Stocking & Trading

Who will interact with you during the fit out process?

The following people are available to assist you through each stage:

Melbourne Market Authority (MMA)

The MMA is the operator and manager of the Melbourne Market at Epping and will play a leading role in the tenancy design and fit out process.

Tenancy Coordinator

The Tenancy Coordinator is the main point of contact for both the Tenant and the Tenant's fit out Contractor. The Tenancy Coordinator will review Tenant's design approval submission, provide feedback

and coordinate the approval process. The Tenancy Coordinator is also the MMA's representative for the construction and Authority approval process.

Who will you need to engage during the tenancy fit out process?

Contractor

The Tenant will need to appoint a Contractor to assist with preparation of the tenancy fit out design documentation and to undertake the fit out works.

The Tenant must notify the Tenancy Coordinator of its preferred Contractor.

If the Tenant's preferred Contractor is not on the list of MMA pre-approved Contractors, the Tenant must submit an application to the Tenancy Coordinator to have its preferred Contractor approved by the MMA.

The documentation required to apply for approval includes but is not limited to:

- Relevant insurances (contractors all risk, public liability and workers compensation);
- Evidence of construction / fit out experience; and
- Evidence of current Victorian building licence registration.

If a Tenant makes an application to the Tenancy Coordinator to have its preferred Contractor approved by the MMA and the Tenant has provided all required documentation, the Tenancy Coordinator will determine whether the Tenant's preferred Contractor is approved to undertake the fit out design documentation and fit out works.

It is the responsibility of the Tenant to contact and negotiate commercial terms directly with its preferred Contractor.

City of Whittlesea Health Department (Environmental Health Officer)

Detailed plans and elevations are required to be submitted to Council's Health Department for approval prior to applying for a Building Permit.

Building Surveyor

Tenants must appoint a Building Surveyor to oversee the Building Permit certification process and to ensure compliance with the requirements of the Building Code of Australia (BCA).

The Building Surveyor will review the Tenant's design documentation for the tenancy fit out works and, if approved, issue the Building Permit prior to the Tenant being allowed to commence the tenancy fit out works.

The Building Surveyor will also issue the Occupancy Permit following a final inspection of the completed tenancy fit out works.

The Tenant is responsible for payment of the Building Surveyor's fees relating to tenant's works.

Simple steps to completing tenancy fit out works

The following pages outline each step that a Tenant and its Contractor will need to take, in order to complete a Commercial or Food Service Tenancy fit out at Melbourne Market at Epping.

Initial Briefing – Tenancy Coordinator

When the Tenant has:

- been allocated a Commercial or Food Service Tenancy; and,
- executed a Lease

an initial briefing meeting will take place between the Tenant and the Tenancy Coordinator.

What is discussed?

- Design and construction guidelines
- Base building works (including lease plans)
- Program / timeline milestones
- Design documentation requirements
- Tenancy services requirements
- Pre-Construction Checklist requirements
- Approval to Commence Fit Out Works
- Authority to Trade certification, including the process of connecting with essential services

It is important that during this meeting the Tenant understands all program milestones and design documentation requirements.

Appoint a Contractor

The Tenant engages the services of a Contractor to prepare design documentation and to undertake the fit out works to a tenancy. It is the sole responsibility of the Tenant to agree on commercial terms with the Contractor and to ensure that all procedures and requirements set out in this Tenancy Fit Out Guide are followed.

It is essential that the Contractor is approved by the Tenancy Coordinator prior to the Contractor being appointed by the Tenant. The Contractor must comply with all the Pre-Construction Checklist requirements.

Design Submission, Design Intent Approval & Building Approval

The Contractor (on behalf of the Tenant) must submit all design documentation for the tenancy fit out works to the Tenancy Coordinator for approval.

The fit out design for a Food Service Tenancy should provide a tenancy suitable for the safe storage, preparation and sale of food products. The design should include suitable facilities for customers to consume food sold in the Tenancy. The design must consider circulation requirements, refrigeration, air extraction, air conditioning, preparation and service areas. The design must meet the requirements of Council Food Premises Development Guide, Food Standards Code Australia and Food Act 1984.

The fit out design for a Commercial Tenancy should provide a tenancy suitable for the storage and sale of retail goods and/or services. The design must consider circulation requirements, storage, air conditioning, refrigeration if required, shelving and service areas. If applicable, the design must meet the requirements of Council Food Premises Development Guide, Food Standards Code Australia and Food Act 1984.

At this stage the Tenant and Contractor may be required to meet with a Building Surveyor to discuss the design, the installation of plant and equipment and any other issues that may impact on the ability to obtain a Building Permit.

What to submit?

The Tenant / Contractor must submit to the Tenancy Coordinator, design documentation in A3 hard copy and electronic PDF format.

The design documentation submitted must include:

- Floor plans, coloured elevations and sections
- Reflected ceiling plan
- Electrical Services design
- Mechanical Services design
- Hydraulic Services design
- Fire Services design
- Joinery design
- Signage design
- Schedule of Materials and Finishes

The Tenancy Coordinator will provide feedback following the initial review of the design documentation within ten (10) working days.

The outcome of the review process will be one of the following:

- Approval of design documentation (Notice of Design Intent Approval)
- Amendment required to design documentation
- Non approval of design documentation

The Tenancy Coordinator will review the design submission to identify possible Category B Works; where the proposed design is deemed to impact on the base building structure or essential services.

If no Category B Works are identified and the design complies with the requirements for the submission of design documentation, then the Tenancy Coordinator will issue a 'Notice of Design Intent Approval'.

If Category B Works are identified during the review process described above then the Tenancy Coordinator will advise the Tenant to seek specialist design advice prior to applying for a Building Permit.

What are these Category B Works?

Base Building modifications may be required if the Tenant's tenancy fit out design documentation substantially impacts on the base building structure and essential services. It is important to discuss these base building modifications with the Tenancy Coordinator and the Tenant's Contractor to understand the implications.

Design Intent Approval

Design Intent Approval will be provided when the design documentation is deemed to be satisfactory by the Tenancy Coordinator and the MMA.

Design Intent Approval consists of an approval letter from the Tenancy Coordinator.

Design Intent Approval will include the following conditions:

- Design documentation approval will be provided for 'DESIGN INTENT ONLY' and does not confirm compliance with any statutory requirements.
- Upon completion of the Tenant's fit out works, the Building Surveyor will inspect the tenancy to ensure compliance with the Building Permit Approvals. If any portion of the fit out has not been constructed as described in these approvals, the non-compliant elements will need to be rectified in accordance with the approved design - by the Tenant at their cost.
- In the event that any changes occur to the fit out design after receipt of the Design Intent Approval, the Tenant will need to resubmit revised documentation for the Tenancy Coordinator and where required, the Building Surveyor to review and await subsequent approval prior to the changes being implemented.
- It is the Tenant's responsibility, and that of contractors, to ensure works are completed in accordance with the Building Code of Australia (BCA) together with other applicable industry standards and other statutory requirements.
- It is the Tenant's responsibility to obtain the relevant approvals including service connections from the appropriate Authorities including the MMA.
- Meet all conditions detailed in the Food Act 1984 and Local Authority Health Department Guidelines (as required).
- Any other conditions specific to the Tenant's fit out as may be deemed necessary or applicable by the MMA.

The MMA has achieved a 4 star rating with the Green Building Council of Australia for the base building works. The Tenant should have regard to this rating in preparing its design documentation and seek to meet the requirements of this rating in the carrying out of the Tenant's fit out works. Refer to Section 4.17 of the Design & Construction Guidelines.

Once the Tenant/Contractor receives the Design Intent Approval they are able to proceed with submitting the design drawings to the Building Surveyor for building permit approval.

- If the design drawings are deemed to be satisfactory, the Building Surveyor will issue the building permit.
- If deemed to be unsatisfactory, the design drawings will require amendment and re-submission for an updated Design Intent Approval.

Pre-Construction Meeting

Before commencing any tenancy fit out works, the Tenant and Contractor must complete the Pre-Construction Checklist requirements and attend a pre-construction briefing at the Melbourne Market at Epping with the Tenancy Coordinator and the MMA.

Pre-Construction Checklist requirements

The Tenant and the Tenancy Coordinator must ensure the following:

- The Lease has been executed by the Tenant
- The Tenant has paid all amounts payable in accordance with the Lease.
- The Contractor and their subcontractors have provided and obtained approval from the Tenancy Coordinator - including but not limited to:
 - Proof of insurance - certificates of currency
 - ❖ Public Liability Insurance of A\$20,000,000
 - ❖ Workers Compensation
 - Evidence of current Victorian Building Licence registration
 - List of sub-contractors to attend site
 - Work Method Statements relevant to site activities
 - Plant and equipment register
 - Industry and Employer induction
 - Site inductions completed
- Contractor has supplied a construction program / timeline to the Tenancy Coordinator
 - Contractor / Tenant has confirmed the tenancy fit out works will be constructed to comply with the approved design documentation in the Design Intent Approval.
 - Supply a copy of all required Authority Approvals received by the Tenant or Contractor such as the Building Permit (including any relevant dispensations)
 - Supply a copy of the Engineer's certification (as required) in accordance with the Building Code of Australia (BCA) and Building Permit requirements.

Handover Notice

Upon completion and compliance with the Pre-Construction Checklist requirements, the Tenancy Coordinator will provide the Tenant with the Approval to Commence Fit out Works notice identifying the date when the Tenant's fit out works may commence.

Access to commence fit out works is granted in accordance with the terms of the Lease.

The Tenant will be granted a licence to commence fit out works, in accordance with the terms of the Lease. The Tenant/Contractor will be issued with an 'Approval to Commence Fit Out Works' once it has complied with all relevant statutory obligations and the Pre-Construction Checklist requirements.

Fit Out Period

Once all the relevant approvals are in place the Tenant / Contractor may commence the tenancy fit out works.

It is the responsibility of the Tenant / Contractor to maintain contact with the Tenancy Coordinator during the fit out period.

It is important that whilst at the Melbourne Market at Epping site, the Tenant and Contractor and their staff and representatives abide by all conditions set out in this Tenancy Fit Out Guide, the Lease and the MMA's By-laws.

The Tenancy Coordinator reserves the right to restrict the Tenant, the Contractor or any other Tenant's representatives from continuing works at the Melbourne Market at Epping site if any person or company does not comply with relevant requirements and conditions while on any part of the Melbourne Market at Epping site.

The Tenancy Coordinator or any MMA representative may visit the tenancy at any time without notice to conduct an inspection of the tenancy fit out works.

When the tenancy fit out works have been completed, the Tenant / Contractor must notify the Tenancy Coordinator who will conduct a final inspection to ensure compliance with the Design Intent Approval.

The Building Surveyor will also be required to conduct a final inspection of the tenancy fit out works to ensure compliance with the approved building permit documentation before issuing a Certificate of Occupancy to the Tenant.

Defects & Damage Rectification Notice

As a result of the final site inspection by the Tenancy Coordinator, the Tenant / Contractor may receive a 'Defects Rectification Notice' which will outline any specific defects - as well as the process to be followed to ensure rectification is completed in an appropriate and timely manner.

As an example, defects may include such items as:

- Damage to the concrete floor slab due to fit out works - including the buyers walk area;
- Damage to the Licensed Area asphalt due to fit out works;
- Damage to any of the base building fabric (e.g. columns, walls or doors);
- Tenant's (Category C) workmanship is deemed to be of a substandard nature by the Tenancy Coordinator, Building Surveyor or the MMA; or
- Incorrect application or placement of Tenant signage elements.

The assessment of defects is based on the following:

- Standard and quality of workmanship
- Compliance with approved Design Documentation
- Compliance with the general / specific requirements set out in this Tenancy Fit Out Guide

All defects must be rectified by the Tenant within 14 days from the issue date of the Defects Rectification Notice

Any damage caused to the MMA's buildings or property by the Tenant, the Contractor, subcontractors, or Tenants representatives, must also be repaired within this period and at the expense of the Tenant. If the damage involves any aspect of the base building, the MMA may elect to rectify the damage at the Tenant's expense.

If the Tenant fails to comply with the 'Defect Rectification Notice' by the required date then the works will be carried out by the MMA's contractors and invoiced directly to the Tenant for payment.

The Tenant's tenancy fit out works will only be regarded as complete once:

- All defects and damage have been rectified to the satisfaction of the Tenancy Coordinator; and
- All outstanding certification, insurances, or payments are received by the Tenancy Coordinator or the MMA

Authority to Trade

It is the Tenant's responsibility to obtain and pay for all relevant Authority approvals and essential services connections. The Tenant must ensure that all the required Authority approvals are in place prior to the commencement of trade.

Authority approvals include, but are not limited to:

Local Government Authority Requirements

- Notification of a Food Premises - Class 4 (If applicable)
- Application for Registration of a Food Premises – Class 2 (required for all Food Service Tenancies)

Essential Services Connections

- Electrical Supply
- Water Supply
- Telephone/data
- Gas Supply (Food Service Tenancies only)
- Trade Waste (Food Service Tenancies only)

The Tenant is responsible for submitting the relevant application forms correctly and for payment of all related application and connections fees when required.

Prior to Trading

Prior to the commencement of trading, the Tenant will need to comply with the requirements of the 'Authority to Trade' checklist (refer below).

The Tenant cannot trade until the Lease commences in accordance with the terms of the Lease.

If hoarding is erected at the front and / or rear of the tenancy, the authority to remove such hoarding will not be granted until the Authority to Trade checklist is completed.

Authority to Trade Checklist

The provision of an 'Authority to Trade' certification from the MMA requires the Tenant / Contractor to comply with, complete or submit the following:

- Conditions set out in the Lease documentation
- Tenant's Public Liability Insurances Certificate of Currency
- Rectification of defects or damage as required by the Tenancy Coordinator
- Supply evidence of Authority approvals and connection to essential services
- Occupancy Permit
- Supply compliance certification for installation of any works in accordance with the Building Code of Australia (BCA)
- Notification or certification required under the Food Act 1984
- Any other conditions that are required to be satisfied (to the extent such conditions are not satisfied, or Tenancy Coordinator have authorized for an extended period to satisfy those conditions)

When the Tenant has complied with the requirements of the Authority to Trade checklist, the Tenancy Coordinator will issue an Authority to Trade certification - allowing the Tenant to commence stocking and preparation of goods for the commencement of trading activities when the Melbourne Market at Epping opens.

Stocking / Trading**Stocking or other Site Visits**

After receiving the Authority to Trade certification from the Tenancy Coordinator and following the completion of site induction procedures for all staff, the Tenant and his / her representatives are able to access the Market for stocking and preparation of goods.

Any Questions?

For any questions please contact the Tenancy Coordinator

MELBOURNE MARKET RELOCATION PROJECT TENANCY FIT OUT WORKS

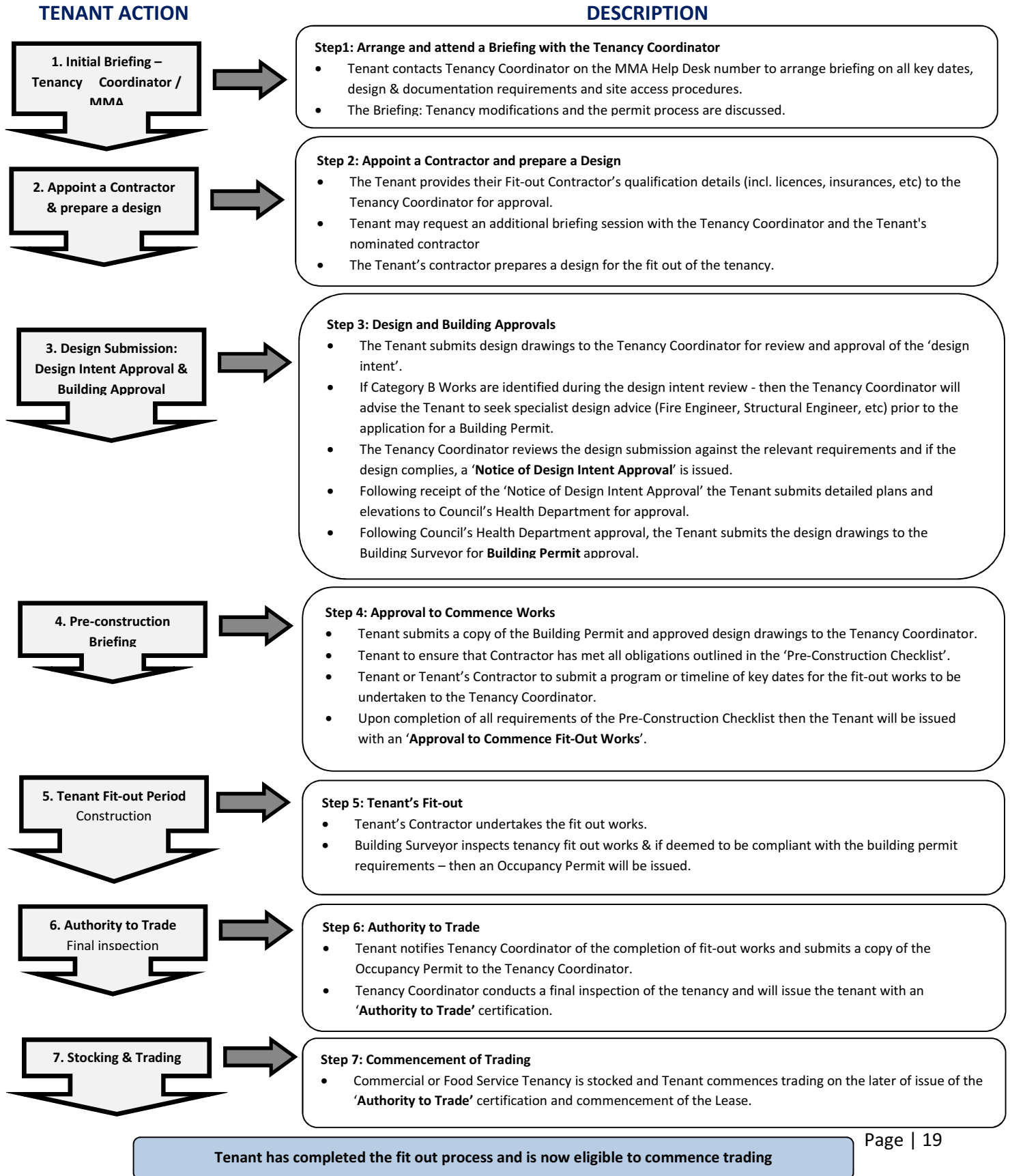
APPENDIX 1 | TENANCY FIT OUT PROCESS – FLOWCHART

Tenant has been allocated either a Commercial or Food Service Tenancy

Tenant has executed a Commercial or Food Service Tenancy Lease

Tenant has registered all relevant details with the MMA

Tenant may now commence the fit out process



MELBOURNE MARKET RELOCATION PROJECT TENANCY FIT OUT WORKS

APPENDIX 2 | DESIGN & CONSTRUCTION GUIDE

CONTENTS

- 1 INTRODUCTION
- 2 DEFINED TERMS & ABBREVIATIONS
- 3 GENERAL ITEMS
- 4 DESIGN GUIDELINES
- 5 CONSTRUCTION GUIDELINES

1 INTRODUCTION

This document has been prepared to assist Tenants and their representatives prepare for the opening of the new Melbourne Market at Epping with the requirements of design, materials, finishes, authorities, approvals, Tenant / Landlord obligations, services, design process, construction, fit out works and occupational health and safety (OH&S) procedures and obligations.

This document should be read in conjunction with the following;

- Tenant Fit out Guide (including all appendices)
- The Lease; and
- Relevant Building and Authority Codes.

Tenants Acknowledgement

The Tenant acknowledges that;

- Should there be any inconsistency between the Fit out Guide, this Design & Construction Guide and the Lease; the terms of the Lease will prevail;
- They recognise the Landlord's statutory obligations with respect to obtaining all necessary approvals, consent and permits prior to commencing fit out works on site;
- The Landlord may not allow the Tenant to open for trade from the premises until all pre-trade requirements specified under the Lease (or fit out guide) and outlined in (Section 5.21) of this document have been fulfilled and provided satisfactorily to the Landlord or the Landlord's representative;
- All documentation and communications shall be in the English language and with metric measurements.

2 DEFINED TERMS & ABBREVIATIONS

BCA	Building Code of Australia (2013)
CAD	Computer Aided Design (refers to design file type .dwg or similar)
CES	Certificate of Electrical Safety
DDA	Disability Discrimination Act (1992)
DCW	Domestic Cold Water
F&VM	Fruit & Vegetable Market building
JSA	Job Safety Analysis
OH&S	Occupational Health & Safety
MMA	Melbourne Market Authority, also referred to as the Landlord
PIR	Polyisocyanurate
REC	Registered Electrical Contractor
SWMS	Safe Work Method Statement
TFC	Trading floor complex
TRW	Treated Rain Water

Figures & Tables

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Figure 12	Indicative Food Service Tenancy ceiling

3 GENERAL ITEMS**COMMUNICATIONS**

All tenant queries relating to individual tenancy designs, design approvals or tenant's fit-out works should be directed to the Tenancy Coordinator using the contact information provided.

Tenants may also contact the MMA directly in relation to general queries or questions in relation to the tenancy design and fit out works.

CONTACT DETAILS

Landlord: Melbourne Market Authority
 Contact number: (03) 9258 6100
 Email address: David.Whitchelo@melbournemarkets.com.au

Tenancy Coordinator: Root Projects Australia
 Contact number: (03) 9654 0488
 Email address: tenancycoordinator@rootprojects.com.au

TENANT RESPONSIBILITIES

The Tenant is responsible for any other works not listed in the Lease Agreement that are required to be carried out to enable the Tenant to commence trading.

The Tenant and their Contractors must comply with the site induction process and the Site Conditions in all aspects of the Fit out Works.

The Tenant must provide space within the Premises for the holding or temporary storage of waste. Recyclable, compostable and other waste is to be held in separate containers when required by the authorities,

Staff amenities required other than those located within the Landlord's Common Area and shared with other Tenants must be provided by the Tenant at the Tenant's cost.

The Tenant shall reimburse the Landlord for all additional costs incurred as a result of the Tenant carrying on the Fit out Works.

Cleaning and rubbish removal are to be managed by the Tenant at the Tenant's cost. Temporary power shall be provided by the Landlord at the Tenant's cost.

TENANCY PLANS

The following drawings will be issued by the Landlord to the Tenant together with the Lease, to represent the Premises;

Tenancy Locality Plans

The Tenancy Locality Plans include:

- A ground floor plan of the overall Fruit & Vegetable Market (F&VM) building, indicating the location of the subject tenancy; and
- A first floor plan of the overall F&VM building, indicating the location of the subject tenancy.

Tenancy Plans

The Tenancy Plans include:

- Floor plan: indicating tenancy boundaries, key dimensions, column locations, wall types, floor type and finish, waste points and door locations;
- Reflected ceiling plans: indicating the ceiling layout with fire sprinkler and pipe locations, roof purlins / bracing members, cable trays and services connections points;
- Sections; indicating height dimensions, wall types, pipe and services locations, key building elements and services connection points; and
- Elevations: indicating the view immediately in front of each of the front, side and rear building facades, indicating signage types and locations, roller / sliding doors, concrete dado / kerb details, exposed structure and wall finishes.

The Tenant is responsible for development of the design of their Commercial or Food Service Tenancy using the tenancy plans described above as the base building scope (which reflects the Landlord's base building works only).

Electronic Computer Aided Design (CAD) versions of the Tenancy Plans will be available from the Tenancy Coordinator and / or the MMA upon execution of the Lease.

WORKS CATEGORIES

Those works related to tenant fit out are separated into three (3) main categories:

Category A – Base Building Works (Landlord's Works)

Category A Works are Base Building Works undertaken by the Base Building Contractor.

Category B – Base Building Modification Works (Lessee Works by a Contractor approved by the Landlord)

Category B Base Building Modification Works are those works that require a modification to the Category A works and are undertaken at the expense of the Tenant by a contractor/s nominated by the MMA, in order to preserve the building and services warranties associated with the Base Building Works undertaken by the Base Building Contractors.

Examples of Category B works include, but are not limited to the following:

- The upgrade or relocation of sub mains and meter above base building provision to suit the Tenant's design;
- The meter installation and connection through embedded network metering;
- The relocation of any electrical works after the base building works has been completed;
- Modifications to the base building structure;
- Floor, wall or roof penetrations, chasing or similar;
- Modifications to the fire sprinkler system including the extension of droppers and fitting off sprinkler heads;
- Upgrade or relocation of communications cables or frames.

Category C – Tenant Fit-out Works (Lessee Works)

Category C Tenant Fit-out Works are those works which are paid for by the tenant and undertaken by the tenant's contractor (either a MMA Pre-Approved Contractor or another fit-out contractor/s satisfying all the qualifications and requirements) for the fit out of its tenancy.

DESIGN APPROVAL PROCESS

As described in the Tenancy Fit out Guide, the design approval process for individual tenants includes the following key steps or milestones activities for the tenant to undertake:

1. Initial briefing -Tenancy Coordinator;
2. Appoint a contractor;
3. Design Submission, Design Intent Approval & Building Permit;
4. Pre-construction meeting;
5. Fit-out Period;
6. Authority to Trade; and
7. Stocking and trading.

Notice of Design Intent Approval

Tenants are issued with a Notice of Design Intent Approval when they have completed their tenancy fit-out design in accordance with the requirements of this Design & Construction Guide and to the satisfaction of the MMA and the Tenancy Coordinator. The tenant must submit the following documentation to the Tenancy Coordinator for approval of Design Intent, together with documentation outlined in the Tenancy Fit-out Guide (p.9):

- Floor layout plans;
- Coloured elevations of both exterior and interior;
- Electrical layout plans (including a reflected ceiling plan);
- Mechanical equipment layout plan (including kitchen exhaust and gas if required);
- Refrigeration equipment layout plan;
- Hydraulic layout plans;
- Fire services layout plan;
- Joinery layout plans and elevations;
- Signage elevations and material specifications;
- Tenant services questionnaire.

The Tenancy Coordinator will review each individual tenancy design submission and provide advice to the Tenant on the status of design approval within ten (10) business days from the date of submission.

If Category B works are identified then the Tenancy Coordinator will advise the Tenant that he / she must resolve the Category B works with their consultants and subcontractors.

As soon as the Tenant has resolved the Category B design to the satisfaction of the Tenancy Coordinator, then the Tenancy Coordinator will issue a Notice of Design Intent Approval.

Tenants are not permitted to formally lodge an application for Building Permit approval with the relevant Building Surveyor unless they have received the Notice of Design Intent Approval – failure to do so may result in the tenant incurring additional redesign, assessment and certification fees.

OTHER APPROVAL REQUIREMENTS

Building Permit Approval

The Tenant must apply for a Building Permit with the local Council or a private building surveyor for regulatory approval prior to commencement of works on site. Once issued, the Tenant must provide this Building Permit to the Landlord's representative, the Tenancy Coordinator.

The Tenant may consider engaging the State's building surveyor for the MMRP: PLP Building Surveyors and Consultants Pty Ltd to assist and co-ordinate the relevant documentation required to lodge for the necessary permit(s).

Alternatively, tenants may elect to use the City of Whittlesea's Building Surveyor or a private registered Building Surveyor to obtain the Building Permit.

Appendix 1 contains a comprehensive checklist of documentation required by the Tenant for the lodgement of a building permit.

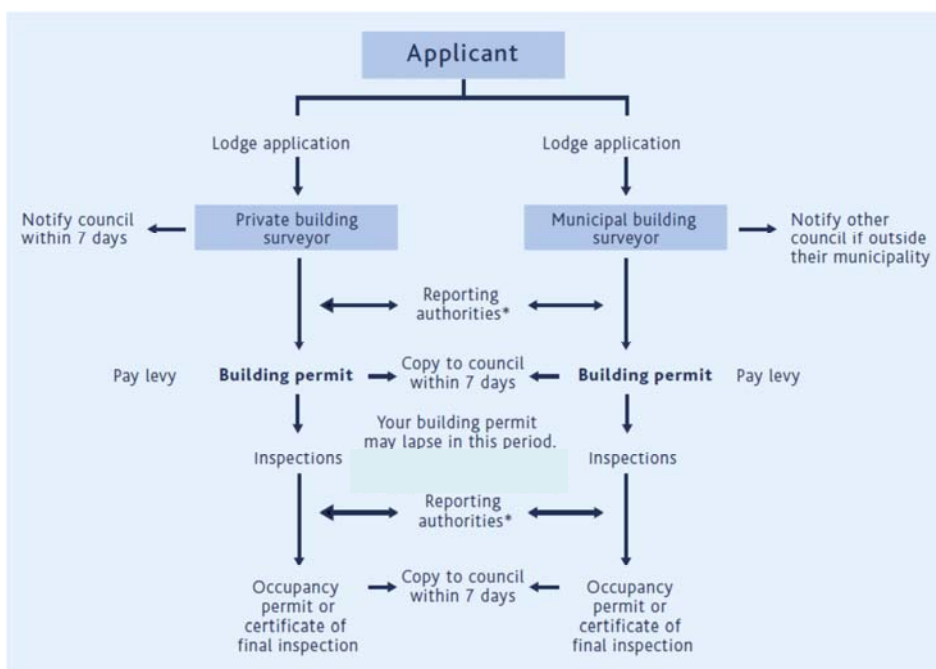


Figure 1: Process to obtain a Building Permit (Building Commission 2006)

The Tenant must ensure their principal contractors involved in the design and construction process are appropriately registered and licensed in order for the Building Permit to be obtained. Tenants are not permitted to undertake tenancy fit out works as an Owner Builder.

In order for the Tenant to open their premises for trade, the Tenant must contact the Council authority or private Building Surveyor to arrange for a final inspection of the building works and provide all trade

certifications demonstrating that all works comply with the prescriptive requirements of the building regulations and codes of practice.

Upon all requirements being met, the Council authority or private Building Surveyor will issue an Occupancy Permit or a Certificate of Final Inspection (as the case may be) to the Tenant – the Tenant will then be required to submit a copy to the Tenancy Coordinator.

(Please note: The Landlord will not be responsible for any delays incurred through the failure of meeting time frames, inaccurate and or missing information required in obtaining the building permit.)

The contact details for the project's Building Surveyor are as follows:

PLP Building Surveyors & Consultants P/L
 Level 4, 63 Exhibition Street
 Melbourne VIC 3000
 Tel (03) 9650 7999
 Fax (03) 9650 7890
 Email info@plpaust.com

Contact details for the local Council Building Surveyor are as follows:

City of Whittlesea
 Building Department
 25 Ferres Boulevard
 South Morang VIC 3752
 Tel (03) 9217 2259
 Fax (03) 9409 9861
 Email building@whittlesea.vic.gov.au

Council Health Approval

In accordance with the requirements of the changes to the Food Act (1984), which took effect on the 1st of July 2010, all Tenants are required to obtain all necessary and relevant health approvals from the City of Whittlesea Council's Health Department prior to the commencement of trading. For all Food Service Tenants, a full food safety program will need to be developed in accordance with Council Health Department guidelines, and the premises will need to be registered as a Class 2 food premises with the Council's Health Department.

For Commercial Tenants, Council's Health Department approval is required only if food is sold from the tenancy. The type of food sold will affect the level of approval required; Class 4 premises will only need to notify the Council Health Department, Class 2 and 3 premises will need to register their food premises with the Council Health Department. For further assistance, please contact the City of Whittlesea Council's Health Department on (03) 9217 2277.

Approval to Commence Fit-out Works

Upon completion of the design approval process and following compliance with the pre-construction checklist items, including a copy of the relevant Building Permit and Council's Health Department Plan approval letter, the Tenant will be issued with a Notice advising that they have permission to commence their fit-out works.

Refer to section 5.3 of the Construction Guidelines for further details.

Authority to Trade Certification

Upon completion of the fit-out works and subsequent to a final inspection by the Tenancy Coordinator; as long as the Tenant has rectified any defects and received an Occupancy Permit from the Building Surveyor and a Certificate of Registration of a Food Premises from Council under the Food Act 1984; then the Tenant will be issued with an Authority to Trade Certification, which will allow them to stock their stores in preparation for operational commencement.

Refer to section 5.22 of the Construction Guidelines for further information.

Authority Applications, Fees and Charges

It is the responsibility of the Tenant to make application to the authorities and pay all relevant fees and charges including, but not limited to, the following:

- Electricity supply and metering via the embedded electricity network;
- Telephone installation and connection;
- Heating and cooling connection;
- Kitchen exhaust testing and commissioning;
- Gas metering for food related premises (if required);
- Water metering for all Tenancy types;
- Environmental health and food registrations, permits, fees, approvals and inspections;
- Building surveyor permits, fees, approvals and inspections;
- National Broadband Network or other internet connection;
- Any other services required for the premises.

4 DESIGN GUIDELINES

4.1 INTRODUCTION

General

These Design Guidelines have been developed to ensure that a consistent approach is applied to the design of each individual tenancy within the new Melbourne Market facility.

Given the challenging Market operating environment, it has been a key design objective throughout the development of the design of the facility to improve operational efficiencies while ensuring that the new Market facility is also safe for all users.

The materials and finishes used in the construction of each tenancy shell are of a robust nature and quality expected and suited to this type of building. As such, it is expected that a similar approach to the use of good quality and robust materials is incorporated as part of the fit-out works undertaken in each individual tenancy.

The Vision

The following objectives have been developed to define and guide the trading store tenancy design outcomes for the new facility:

- To achieve a high quality and durable finish to all surface areas;
- To design, create and promote a safe workplace for all Market users; and
- To reflect the modern, state-of-the-art standards applied to the design, construction and finishes of the Market itself.

In support of this vision, the following additional objectives have been developed to guide retail tenancy design:

- To achieve greater efficiencies in supply of supplementary goods and services to Market users;
- To improve the quantity and quality of services available;
- To capture the atmosphere of a Market community; and
- To encourage and promote networking and interaction between Market users.

4.2 TENANCY TYPES

There are two (2) types of retail tenancies at the new Melbourne Market facility as follows:

- Commercial Tenancies; and
- Food Service Tenancies.

4.3 TENANCY AREAS

Commercial Tenancy Area

The Commercial Tenancy area is the ground floor area which is located within the 'Tenancy Boundary' as shown on Lease drawings. Each tenancy features 2700mm high glazing to the full frontage of the tenancy, with a pair of lockable glazed entrance doors. Large tenancies feature extended glazing along the side and to the rear of the store, with an additional pair of glazed doors at the rear of the tenancy for access to the Growers Floor. Each tenancy has a separate pair of solid doors at the rear of the tenancy for receiving of goods. All doors are key lockable from the outside. A set of services connections is provided, including the Electrical Distribution Board (EDB). In addition to the EDB, each tenancy is fitted with two fax / data points.

The design of a Commercial Tenancy is to consider and reflect the vision of the Market. The design concept for fit-out and signage should reflect the type of goods and services available from your business.

The use of new, high quality finishes and fixtures is expected. Joinery must be designed to be neat and presentable when viewed by the customer, and is to be purpose designed and built. Fixtures must be designed to allow for display and easy access by customers to goods.

Back-of-house areas, such as offices, kitchenettes and bathrooms, are not to be visible by the customer. Full height partition walls are to be located appropriately to conceal back-of-house from customer view.

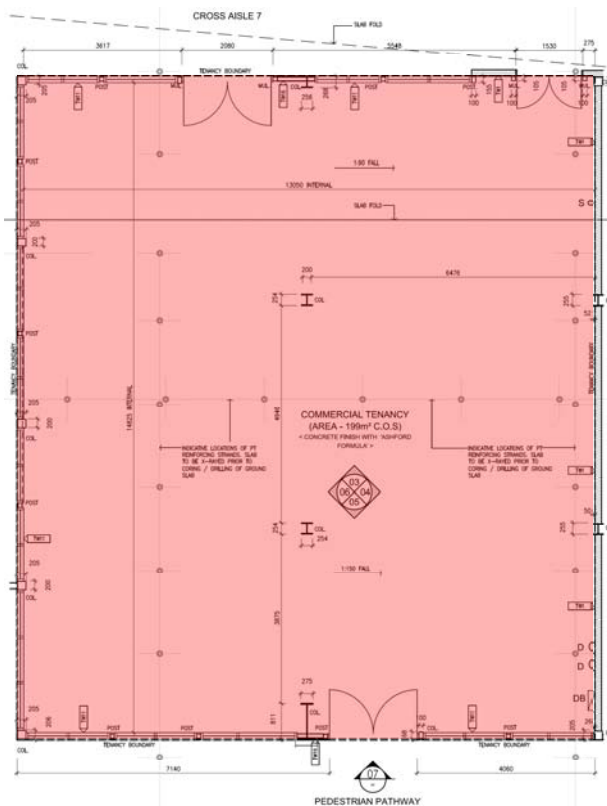


Figure 2: Indicative Large Commercial Tenancy Area

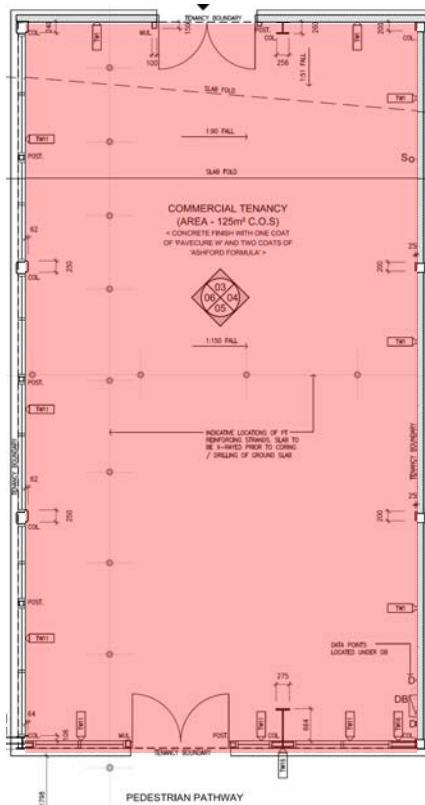


Figure 3: Indicative Medium Commercial Tenancy Area

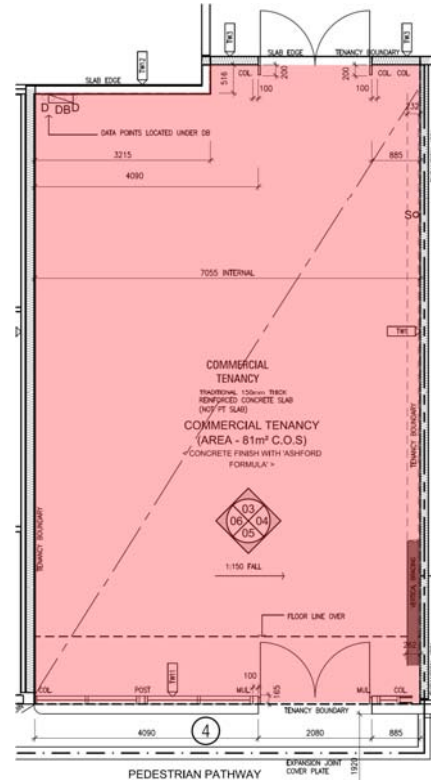


Figure 4: Indicative Small Commercial Tenancy Area

Food Service Tenancy Area

The food service tenancy area is the ground floor area which is located within the 'Tenancy Boundary' as shown on Lease drawings. Each Tenancy features 2700mm high glazing to the full frontage, and extending along the side of the tenancy, with a pair of lockable glazed entrance doors. It has a pair of solid doors at the rear of the tenancy for receiving of goods. All doors are key lockable from the outside. Each Tenancy has a set of services connections, including the Electrical Distribution Board (EDB). In addition to the EDB, each tenancy is fitted with two fax / data points, gas supply and a kitchen exhaust fan.

The design of a Food Service Tenancy is to consider and reflect the vision of the Market. Individuality and originality in design is encouraged. The design concept for fit-out and signage should reflect the type and style of food and service available in your Tenancy. Appropriately themed fit-outs will be considered by the Tenancy Coordinator.

The use of new, high quality finishes and fixtures is expected. Joinery must be designed to be neat and presentable when viewed by the customer, and is to be purpose designed and built. Fixtures must be designed to allow for easy display and access by customers of secondary goods, eg. straws, napkins, condiments etc.

Back-of-house areas, such as cool rooms, store rooms, kitchens and offices, are not to be visible by the customer. Full height partition walls are to be located appropriately to conceal back-of-house from customer view.

The layout of the front-of-house area should give particular attention to customer circulation. It must include dining space for customers that is appropriate for the type of food sold. It is recommended that the Tenancy design provide the following spaces:

- Ample space for queues for ordering
- Waiting area for takeaway orders
- Formal dining area for customers eating in. This may be achieved with large communal tables; smaller traditional settings; high bar-type benches; or a combination of settings.
- Informal dining space for snacks and light meals. This area should allow flexibility in furniture layout, and may include couches, small café settings and may incorporate an entertainment zone.

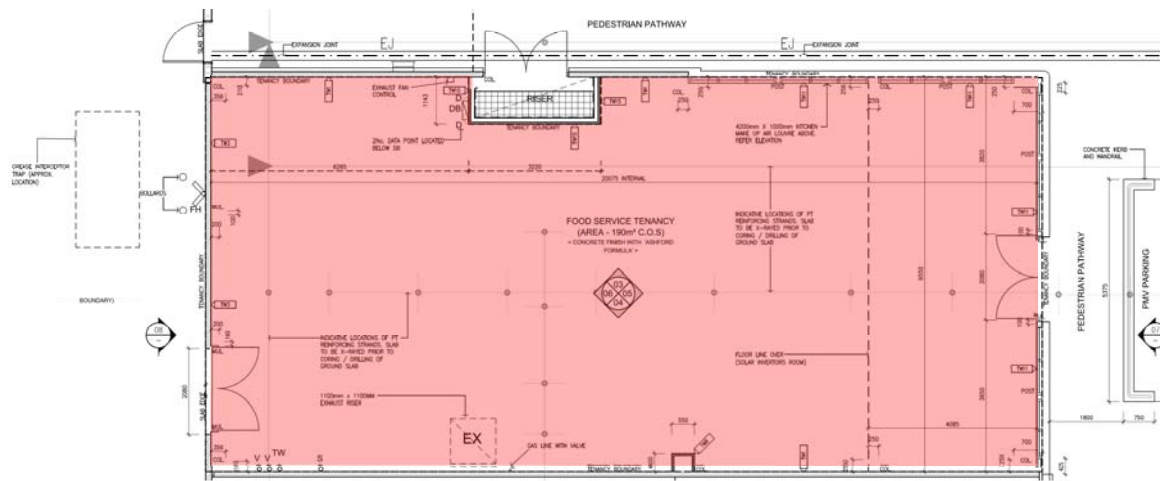


Figure 5: Food Service Tenancy Area, Tenancy No's 5 and 151

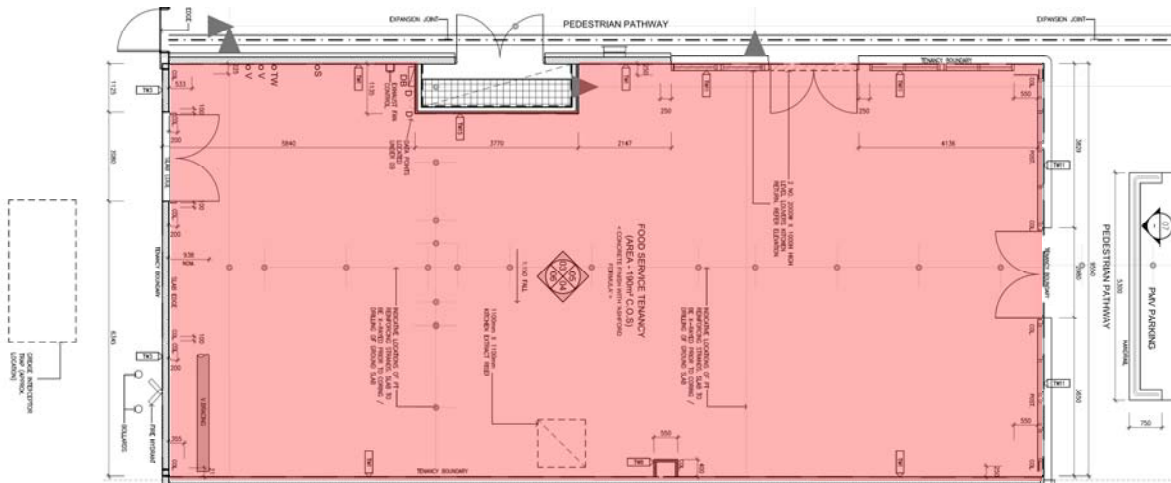


Figure 6: Food Service Tenancy Area, Tenancy No's 51 and 105

Licensed Area

The area located undercover to the rear of each Food Service Tenancy is not included in the tenancy boundary, however the MMA may grant a licence to the Tenant to access and utilise this area. This area is line-marked to identify the boundaries within the F&VM building and separates the trading stores from the

dedicated undercover truck loading / unloading bays. It is approximately 5.0 metres wide by 9.5 metres long.

Tenants will be provided with a bin store within the Licensed Area. All bins, crates, packaging etc are to be stored either within the bin store, or in a designated storage space within the tenancy. The grease interceptor trap for each food service tenancy is also located in this area. Any compressors and condensers required for air conditioning or refrigeration are to be installed at high level in this area also.

Tenants may utilise the Licensed Area for customer access and/or dining. Should the Tenant allow customers to use the Licensed Area, then the Tenant must provide appropriate access from within the Tenancy, and must provide adequate protection from forklifts.

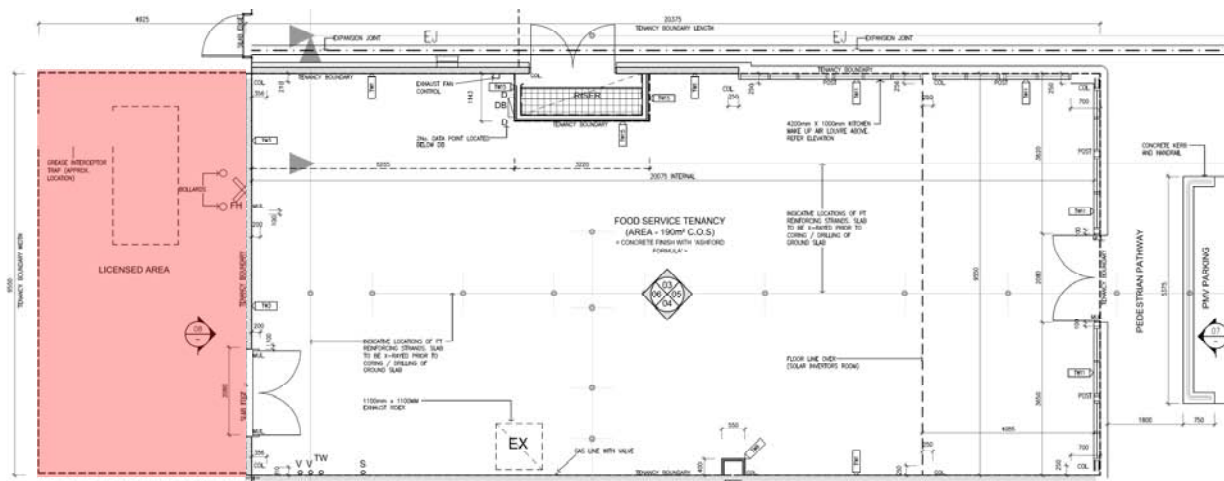


Figure 7: Licensed Area (Food Service Tenancies only)

Pedestrian Pathways

The front of each Commercial and Food Service Tenancy adjoins the pedestrian circulation path which runs the entire length of the buyers walk within the F&VM building. This pedestrian pathway does not form part of the tenancy.

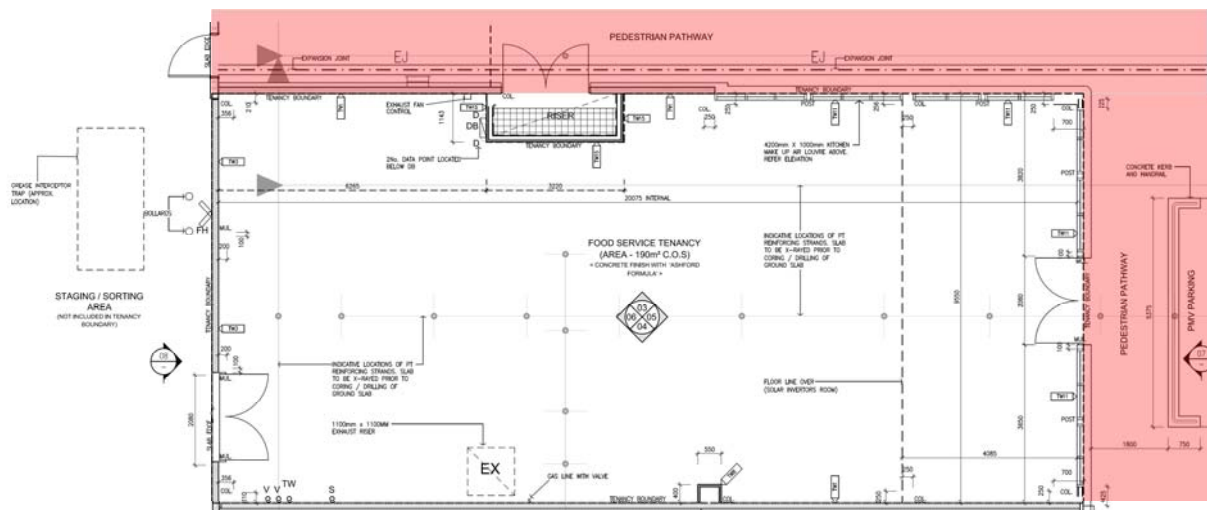


Figure 8: Pedestrian pathway

4.4 CEILINGS

Ceiling

There is no suspended ceiling provided as part of the base building works, so the underside of level 1 and the roof structure are exposed above the Commercial and Food Service Tenancies. In some cases, acoustic lining and services may also be exposed.

It is important to note that as part of the base building works, roof level sprinklers are provided in each Commercial Tenancy only. The cost of installation of the low level ceiling sprinklers within the tenancy is a Tenant cost and such modifications to the fire system (Category B works item) will need to be co-ordinated with the Tenancy Coordinator during the fit out works.

Tenants must install a ceiling. Food Premises must install a plasterboard ceiling; Commercial Tenants may choose instead to install a ceiling tile / grid system with removable plaster ceiling tiles (1200mm x 600mm) – this system provides the most functionality and flexibility for the installation of light fittings and for the adjustment and fit-off of fire sprinkler heads.

- The ceiling must have adequate structural support and where a proprietary system is used it shall be installed to manufacturer's requirements.
- Lighting systems must have adequate ventilation and fireproofing around them to prevent overheating.
- The maximum permissible load for the suspended ceiling and services shall not exceed 0.17kPa. Office ceilings are to be insulated in accordance with the requirements of Section J of the BCA – only when the office is to become a conditioned space.
- Except in non-sensitive rooms or where not possible for hygiene conditions such as in cool rooms, cleaners rooms, service areas and the like it is recommended that all rooms within the FVM building such as offices, retail stores and cafeterias should have an acoustically absorptive ceiling with a sound absorption rating of NRC 0.7.

The Tenant may provide bird proofing to the ceiling if required.

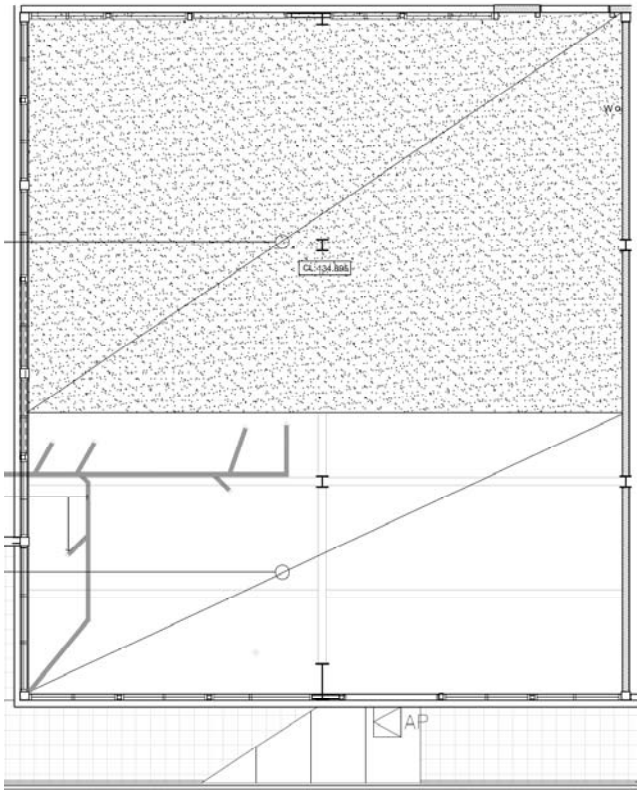


Figure 9: Indicative Large Commercial Tenancy ceiling (including acoustic lining and exposed services)

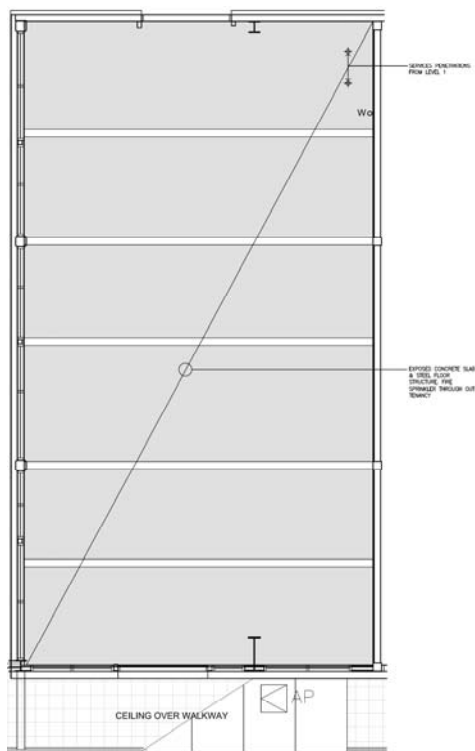


Figure 10: Indicative Medium Commercial Tenancy Ceiling

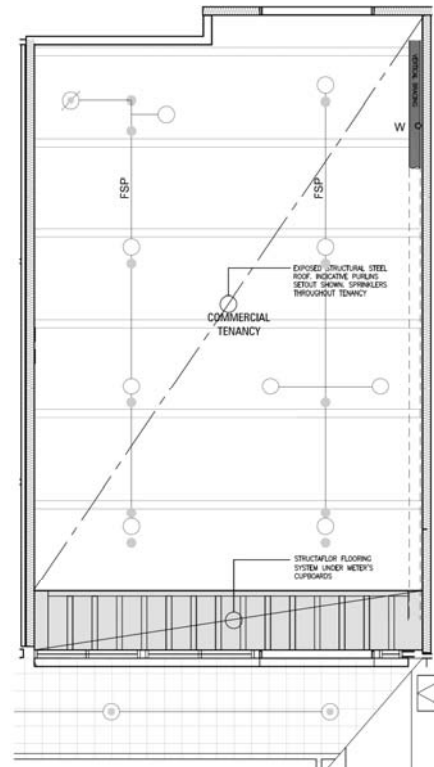


Figure 11: Indicative Small Commercial Tenancy Ceiling

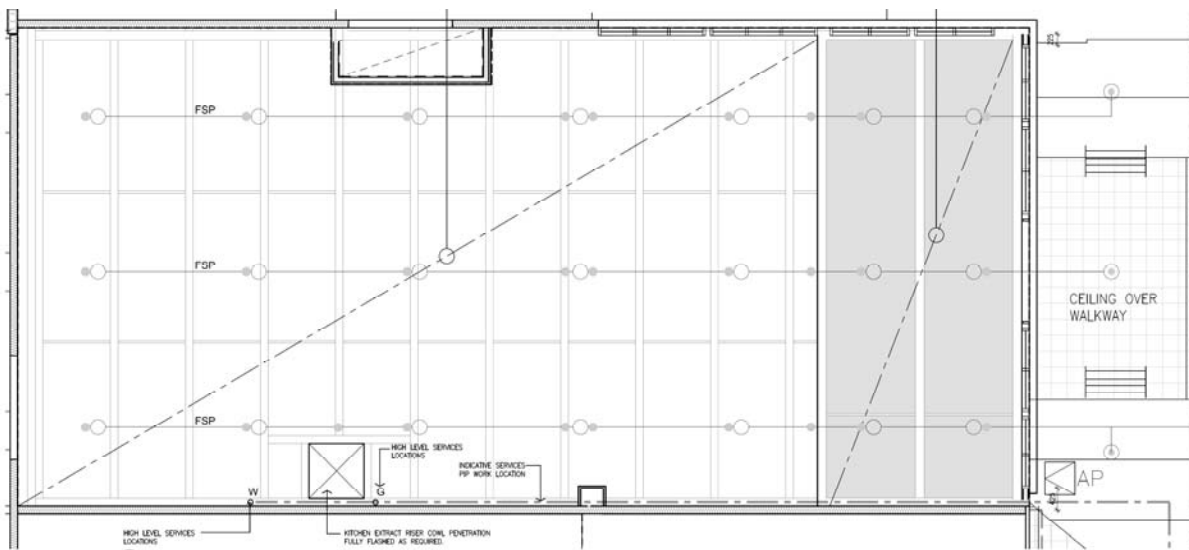


Figure 12: Indicative Food Service Tenancy ceiling

Access Panels

It is a requirement that the Tenant provide access panels in the ceiling of the Tenancy in order to facilitate maintenance access from the Commercial or Food Service Tenancy to the space above. Multiple access panels may be required. Additional access panels may be installed as required by the Tenant. The minimum access panel dimensions in the ceiling is 600mm x 600mm.

Kitchen Exhaust (Food service tenancy only)

Each Food Service Tenancy is provided with a kitchen exhaust duct connection. See section 4.15 *Services – Mechanical* for further detail.

4.5 DOORS

The front of each Commercial and Food Service Tenancy is accessed through a pair of aluminium framed glazed doors. This includes single-handed lever action door furniture, a lock and door closer with a hold open function. The size of the door opening is 2.0m wide x 2.4m high.

The rear of each Commercial and Food Service Tenancy is accessed through a pair of solid core doors. This includes single-handed lever action door furniture, a lock and door closer with a hold open function. The size of the door opening is 2.0m wide x 2.1m high.

Large Commercial Tenancies have an additional pair of aluminium framed glazed doors at the rear of the tenancy. Door furniture is the same as the front access doors, and the door opening is 2.0m wide x 2.4m high.

Food Service Tenancies 51 and 105 have an additional pair of aluminium framed glazed doors at the side of the tenancy, opening from the adjacent pedestrian pathway. The door opening is 2.0m wide x 2.4m high.

Food Service Tenants utilising the Licensed Area for customer use must install an additional aluminium framed glazed door to the rear of the store for customer access. Doors may be single or paired, and are to match the existing doors at the front of the tenancy. Customer access must be segregated from back-of-house delivery access. The tenancy design must include appropriate internal customer access to the rear doors.

Door protection within the tenancy is the responsibility of the tenant. Locks provided are keyed externally, with a snib on the internal side. The tenant may install additional locking system mechanisms to access doors if required. The Tenant is to provide any door seals if required.

The existing front tenancy doors are deemed as a required exit in accordance with the provisions of the BCA and the fire safety engineering solution for the MMRP.

4.6 FIRE PROTECTION

One (1) portable fire extinguisher is provided at the EDB. The Tenant shall supply and install all other fire protection equipment, portable fire extinguishers and blankets as required by the local Fire authority, the Landlord and by the BCA to suit the Tenancy Fit out Works (e.g. adjacent to electrical switchboard) at the Tenant's cost.

Fire protection equipment must be maintained and access provided for the Landlord to carry out regular inspections.

Emergency luminaires must be provided by the Tenant within the Tenancy where required. In Tenancies of less than 300sqm fire exit signs may not be required. Refer to the relevant Building Surveyor for approval.

The Tenant must maintain the fire protection integrity for the building and any damage to the fire protection measures must be rectified by the Tenant at the Tenant's cost.

4.7 FLOORS

The floor in the Commercial and Food Service Tenancy area is of post-tensioned (PT) concrete construction. The concrete floor has a trowel finish and has been treated with an integral surface hardener and sealant with a slip resistant finish.

The floor loading capacity for each ground level tenancy area is as follows:

- 5 tonne - racking post / point load
- 5 tonne - capacity forklift loads with unlimited repetitions.

Penetrations in the concrete floor are not permitted without the prior written approval from the Tenancy Coordinator and / or the MMA. Tenants must include details of any proposed floor fixings / penetrations in their tenancy design submission.

The Tenant must provide an alternate floor finish. The floor finish must meet obligations set out in the Council's Food Premises Development Guide, if required, which is available from the Tenancy Coordinator.

Floor finishes must be of commercial quality and durable. Materials such as stone, tiles, commercial carpet and commercial grade vinyl are acceptable. The Tenant must provide slip resistance certification to the Tenancy Coordinator for all flooring materials. The Tenant is to provide a level floor. Junctions between the floor finishes, and between the Tenancy and adjacent pedestrian pathways, must be flush and include a recessed metal edge strip. Raised cover strips and door plates are not acceptable, except where required to maintain door seals.

Food Service Tenants must ensure that floors in wet-areas are graded to floor waste points, and do not allow pooling of water.

Skirting

Coving to the floor / wall junctions is provided to PIR inter-tenancy walls only. The Tenant is required to provide coving to all other walls as required by the Council's Health Department. The Tenant must install heavy duty skirting to 150mm from the floor in all customer areas. Skirting to the underside of glazing frame is acceptable below glazing only. Skirting is recommended to be stainless steel, non-porous stone, vitreous tiles or coved floor vinyl.

Waterproofing

Food Service Tenants must install a waterproof membrane between the base building concrete floor and their chosen floor finish to back-of-house areas. Waterproofing membrane must extend up walls. Certification of the waterproofing product and installation must be provided to the Tenancy Coordinator.

4.8 KITCHENETTE FACILITIES

Tenants may wish to install a small kitchenette facility for their staff in a Commercial Tenancy. The kitchen sink unit will need to be connected to the sewer / waste point located in the floor of the tenancy area. Refer to section 4.14.3 Hydraulics for further details of requirements.

Domestic cold water is provided at high level towards the rear of the tenancy area and will need to be reticulated as required by the Tenant.

4.9 JOINERY, FIXTURES AND FITTINGS

The Tenant is to supply and install all finishes, fixtures and furniture to the Premises in accordance with the conditions of the Lease Agreement. All fixtures and furniture are to be new, high quality and durable.

Joinery

The Tenant is to provide all joinery and associated fixtures required as part of their fitout. All joinery items are to be purpose built and floor fixed. Fixtures are not permitted to be hung from inter-tenancy walls or the roof structure without prior approval of the Tenancy Coordinator. Additional structural steel support frame can be installed as part of the Category B works stage. If required, these structural steel support frames will be installed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

Materials are to be high quality and durable. All joinery is to be constructed of new materials. Recycled material will only be considered where they are integrated into the fit-out design scheme (eg. recycled timber panelling). Finishes must be submitted to the Tenancy Coordinator for approval in the Tenant's Design submission.

Shelving

All shelving systems installed in Commercial or Food Service Tenancies must be installed in accordance with the manufacturer's guidelines. The Tenant's shelving system must be designed specifically for the size, shape and weight of the products being stored.

Floor Fixings

- Shelving systems are to be fixed to the PT concrete floor slab only and are not permitted to be anchored or supported from the inter-tenancy walls or the front / rear tenancy walls.
- All floor fixings for the purpose of anchoring shelving systems to the PT concrete floor slab must first be approved by the Tenancy Coordinator prior to any works commencing.
- The maximum drilling depth is 45mm. Proposed floor fixings greater than (>) 45mm will require the PT concrete floor slab to be scanned / surveyed to identify the locations of the PT steel tendons embedded in the concrete.
- Concrete floors within tenancies will be scanned to identify the location of PT steel tendons embedded in the slab – CAD and PDF files of the as-built PT steel tendon locations will be provided to the Tenant by the MMA. Additionally, physical marking of the slab will be provided by way of survey pins and/or painted marks.
- A standard drill must be used to create the fixing hole and not a core drill. A drill will stop when it hits a PT steel tendon – the location of the hole may then be repositioned as required to miss the tendon.

4.10 PROTECTION MEASURES

Protection of internal tenancy walls is the responsibility of the Tenant. PIR walls should be clad to protect against damage by trolleys, pallets and the like.

Food Service Tenants utilising the Licensed Area for customer use must provide protection to the perimeter of the Licensed Area to prevent forklift access and protect both customers and staff. Protection devices must be installed within the Licensed Area and remain in place for the duration of the Tenant's trading period. Protection devices must be removed from the Licensed Area at the close of the Tenant's trade and are to be stored within the Tenancy. The Tenant is permitted to install removable bollards – at the Tenant's cost.

4.11 REFRIGERATION

The base building works do not provide any refrigeration services to Commercial or Food Service Tenancies. The Tenant is permitted to install refrigeration and cool room systems if required. Food Service Tenants must mount all compressors and condensers on the external wall at the rear of the tenancy, beneath the loading and unloading canopy in the Licensed Area. All units must be mounted no lower than 5.0m above ground level, with final locations to be confirmed with the Tenancy Coordinator. The Tenant is to provide any structural supports, air connections and/or ductwork required as part of the installation. The Tenant is required to provide certification of the system to the Tenancy Coordinator.

4.12 ROOF

Roofing to the F&VM building is generally prefinished profiled metal sheet decking with a Colorbond finish surface protection appropriate for a light industrial operating environment on steel roofing purlins.

The underside of the roof cladding will include sarking, comprised of a 50mm insulation blanket with safety mesh in accordance with Work Safe requirements.

4.13 SIGNAGE

Tenants are permitted to install company identification (or similar) signage directly above the front doors of the Commercial or Food Service Tenancy in a dedicated zone as marked on the tenancy elevations.

Tenants with rear aluminium glazed doors specifically for customer access may install additional external signage. This dedicated signage zone is 3.5m wide x 2.6m high, located directly above the aluminium framed glazed doors. This is not shown on tenancy elevations.

Food Service and Commercial Tenants may install additional directional signage (eg. business identification, access restrictions, delivery instructions) to the external side of the rear service doors. Signage may be no larger than 600mm wide x 600mm high, and shall be directly fixed to one door only.

Signage to tenancy glazing is also permitted as glass applied film or vinyl tape. All signage must be applied to the tenancy side of the glazing; signage is not to be applied to the Pedestrian Pathway side. All signage is subject to prior approval by the Tenancy Coordinator and / or the MMA.

The Tenant is encouraged to undertake signage design and branding as a part of the over-all fit-out design. External signage should use the same fonts, colours and styles as any internal and/or façade glazing signage. The Tenant is advised to match signage to any menus, specials boards, price lists, brochures etc. displayed within the Tenancy.

Tenants must submit signage designs together with the tenancy design layouts for approval by the Tenancy Coordinator.

- Internally illuminated light-box signs are not permitted;
- Signs are not permitted to be suspended above the front or rear doors of the Commercial or Food Service Tenancy and / or from the underside of the mezzanine walkway above;
- Signage is not permitted to be affixed to any external surface of the tenancy other than as described above;
- Tenants are permitted to install signage (marketing, company ID and statutory – as required) on walls internal to their tenancy as long as the fixings do not damage the integrity of the PIR wall panel;
- Fixings to PIR panel walls should only be undertaken in accordance with the manufacturer's guidelines.
- Tenants are permitted to fix privacy film, screening and window treatments to the internal side of façade glazing, subject to prior approval by the Tenancy Coordinator and / or the MMA.
- Display of menus and / or price lists on façade glazing is not permitted.

4.14 SERVICES

Electrical

- Each tenancy is supplied with an electrical connection which is terminated at an Electrical Distribution Board (EDB) which is wall mounted within the tenancy area;
- Tariff metering will be provided to each commercial and food service tenancy meter panel with a separate incoming power supply;
- An embedded tariff metering network is provided to the facility and the metering complies with the Victorian Service and Installation Rules- Section 9-13. Earthing of the metering equipment including the enclosure, metering current and voltage transformer secondaries will be connected to the dedicated earth grid for the HV Intake substation.
- Each Commercial and Food Service Tenancy has a maximum electrical supply capacity which is to be utilised for all power and lighting requirements, including tenant-side heating, cooling and refrigeration equipment and controls.

The maximum electrical capacities for each tenancy type are as follows:

- Commercial Tenancy 63 / amps / 3phase
- Food Service Tenancy 100 / amps / 3phase

Power

- A single general purpose (electrical) outlet (GPO) is provided on the EDB.
- Provision for connection of a mobile generator by the Tenant has been made at the Tenant's Distribution Board. In the event of a Power outage, the Tenant will need to provide their own mobile generator to support services within the tenancy.
- A mobile generator can be connected to the tenancy EDB via use of a (3-phase) terminal block provided within a segregated compartment within the tenancy EDB. An existing manual isolator can disconnect the mains power and connect directly to the Tenant's own provided generator power which will provide power to the entire DB. The Tenant will be required to connect the generator tails to the terminal block or alternatively, the Tenant can elect to install a 5-pin plug socket to connect to the terminal block if their generator is provided with a 5-pin plug for quick connection. The EDB is located within the tenancy and so the generator will need to have a long power lead - alternatively, the Tenant may elect to install a sub main as Category B works from this EDB connector to a location closer to the rear door;
- 3 phase power is available to all tenancies. There is no 3-phase outlets installed so the Tenant will need to provide this outlet from their own EDB as part of their own fit-out.
- Electrical cabling is to be reticulated throughout the tenancy area to suit any new GPO locations by a Registered Electrical Contractor (REC) on behalf of the tenant. Food Service Tenants may install external GPOs on the rear wall.
- A copy of the Certificate of Electrical Safety (CES) must be provided to the Tenancy Coordinator upon completion of electrical works

Lighting

Fluorescent lighting is provided above the Pedestrian Pathway in front of each Commercial and Food Service Tenancy. This lighting installation is powered from a common electricity supply, which is the responsibility of the MMA.

All other light fittings installed in the Commercial or Food Service Tenancy are the responsibility of the Tenant. It is the responsibility of the Tenant to install exit signs and emergency light fittings that are compatible to the fire monitoring system, and are connected to the facility monitoring system (refer to the design and construction guidelines). The Tenant is to provide certification of installation of exit signs and emergency lighting to the Tenancy Coordinator.

It is recommended that light fittings installed within each Commercial or Food Service Tenancy be of an energy efficient standard in order to maximise savings in energy use.

Mechanical

The Tenant is to provide heating and/or cooling units to the Commercial or Food Service Tenancy if required. The Tenant is to provide for installation of any associated ductwork. All heating/cooling units are to be connected to the tenancy EDB. It is the responsibility of the Tenant to check that the power requirements of all mechanical units are within the tenancy supply capacity.

Tenants must install all compressors and condensers on the external wall at the rear of the tenancy. All compressor and/or condenser units must be installed no lower than 5.0m from ground level. Tenancies No. 70-74, 78, 80 and 82-86 may install compressor and condenser units above 4.0m from ground level, and must provide suitable screening to compressors and condensers to prevent viewing from the Trading Stands. Locations and screens are to be confirmed with the Tenancy Coordinator.

Additional structural steel support frame can be installed as part of the Category B works stage. Tenants must seek permission from the Tenancy Coordinator and / or the MMA if they wish to alter, modify or suspend any equipment or fittings (or similar) from the existing roof structure.

Each Food Service Tenancy is provided with a kitchen exhaust duct connection rated at 3000L/sec, including a roof mounted fan, cowl and ductwork, powered from the Tenancy EDB. Exhaust fan controls are provided adjacent to the EDB. Provision of an exhaust hood and associated ductwork is to be completed by the Tenant.

The Tenant is required to provide certification of all mechanical systems to the Tenancy Coordinator. The Tenant is also required to provide a copy of the Certificate of Electrical Safety (CES) to the Tenancy Coordinator upon completion of mechanical electrical works.

If the Tenant installs air handling units in the tenancy in order to condition the space, the walls and ceiling will need to be insulated in accordance with the provisions of Part J of the BCA.

Food Service Tenants may provide external heating to the Licensed Area. Heating units may be either gas or electric powered, and may be either fixed or portable. The Tenant must ensure that all fixed heating units' gas and/or electrical requirements are within the tenancy supply capacity.

Ventilation (mechanical / natural)

Each Food Service Tenancy is supplied with natural ventilated relief / make up air through high level louvres in the tenancy wall, taking air from the common area. Depending on the design of each individual food premises, mechanical make up air may need to be provided in accordance with Australian Standard 1668.

No provision has been made in a Commercial Tenancy for outside air intake.

Any additional ventilation provisions to suit individual tenancy designs or uses are the responsibility of the Tenant and as a minimum must be installed in accordance with the requirements of the BCA.

Hydraulic

The plumbing and drainage systems installed within the tenancy shall be by the Tenant in accordance with current standards and to the satisfaction of the Tenancy Coordinator and / or the MMA. The Tenant is responsible for all connections to the Landlord's plumbing and drainage supplies.

All hydraulic connection points are indicated on the Tenancy Plans.

The Tenant is responsible for any application, connection or usage fees, and is to provide to the Tenancy Coordinator copies of all approvals and certifications of the system installation.

Domestic Cold Water

A 25mm domestic cold water (DCW) pipe / branch (with isolation valve) is located at height level towards the rear of the tenancy and is fed from the front of the tenancy through the roof space.

The Commercial and Food Service Tenancies in the F&VM are provided with 25mm Authority's check water meter and supply located within central water meter cupboard on the first floor. Water meter cupboards are located on the first floor adjacent to each toilet block and on the opposite side of the void, adjacent to the large store offices.

The relevant water authority and supplier is Yarra Valley Water.

Reticulation of domestic cold water throughout the tenancy, including any fittings and fixtures required, are the responsibility of the Tenant. Tenants shall also provide their own hot water plant & reticulation systems as required.

Grease Interceptor Trap (Food Service Tenancy only)

A (sealed) trade waste connection point is located in the floor towards the rear of the tenancy. This drainage system is connected to a 2500L Grease Interceptor Trap, which is located in the Licensed Area behind each tenancy and accessed under licence.

Reticulation of drainage pipework throughout the tenancy area is the responsibility of the Tenant.

Sewer

A (sealed) sewer connection point is provided in the floor to the rear of the tenancy.

Reticulation of sewer pipework throughout the tenancy area (including any sewer pump equipment) is the responsibility of the Tenant.

All condensate and refrigeration system drains must discharge to the sewer / waste point provided.

The relevant sewerage authority is also Yarra Valley Water.

Treated Rainwater (TRW)

Tenants may have access to TRW outlets located at regular intervals throughout the buyers walk or central circulation aisle throughout the F&VM building. These TRW fixtures are to be used for tenancy floor wash-down purposes only.

Tenants must seek permission from the MMA in order to access the TRW outlets.

Gas

Each Food Service Tenancy is provided with a 1.1kPa gas supply, located on the side wall of the tenancy. The Tenant is to provide connection from this point to all kitchen equipment as required. All connection fees and usage fees associated with the gas connection are at the Tenant's cost. Each Tenancy is provided with an Authority's gas meter located near Gate 3.

There is no gas supply to a Commercial Tenancy.

Communications

Each Commercial or Food Service Tenancy is provided with two CAT 6a/F/UTP compliant wall mounted data outlets located below the EDB. These data outlets are connected by copper cabling back to the nearest Communications Room (Distribution Room) located adjacent to each services / amenities block on the first floor. This will allow Tenant's to make application and connection for their phone and data requirements.

The Tenant shall provide any telephone and data system wiring in addition to the two outlets described above. Food Service Tenants may install external data points on the rear wall.

Tenants will also have access to the wireless network managed by the MMA.

Contact the MMA on (03) 9258 6100 for further details of how to get connected to the wireless network.

No provision is made for TV or radio aerials. Any requests for penetrations, alterations or modifications to the F&VM base building are to be made to the Tenancy Coordinator and / or MMA, and will be required to be completed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

Provision of all equipment, cables, conduits etc required for installation of a TV/radio system is the responsibility of the Tenant.

Fire Service

Food Service Tenancies are provided with 50mm plugged sprinkler outlets at height, located at approximately 3m centres along the sprinkler pipe. Sprinkler heads will be installed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

Commercial Tenancies are provided with sprinklers installed at high level. Should the tenancy design require alteration, relocation, replacement and installation of additional or specialised sprinkler heads, these can be installed as part of the Category B works stage. Installation of a false ceiling will require alteration to the sprinkler heads. These will be installed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

Should the tenancy design require any alterations, additional or replacement components to the occupant warning / EWIS systems, including connection to the FVM Fire Indication Panel, then these works will be installed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

Should the tenancy design require any alterations to, replacement or addition of egress doors and /or fire hose reels, then these works will be installed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

The above items will be certified as part of the Category B works.

Each fire zone has a sprinkler drain down point which is located on the external wall of the F&V building under the canopy. When making alterations to the sprinklers it will be required to drain down the zone that Tenant's contractors are working in.

All modifications and maintenance works to the fire sprinkler system must be undertaken by suitably qualified subcontractors approved by the MMA to ensure that building and services warranties are maintained.

The Tenant is required to provide a connection to the FVM controlled system.

As required by the tenancy design, the Tenant is to provide the following at the Tenant's cost:

- Smoke detectors to the ceiling
- Cool room ceiling sprinklers and droppers to the ceiling line
- Fixing EWIS speakers to the ceiling
- Any other fire protection required such as extinguishers, fire blankets, etc as required by the BCA to suit the tenancy fit out works.

The Tenant is to provide all statutory signage as per relevant codes.

The Tenant is to provide certification to the Tenancy Coordinator of any Category C works completed.

4.15 STRUCTURE

General

The Tenant is not permitted to saw cut, chase or alter the floor slab or steel columns. The Landlord's building structure must not be altered or modified by the Tenant.

Roof load capacity

The load capacity of the roof structure of the F&VM building is as follows:

- Live load: 0.25kPa (as the roof is considered non-trafficable except for maintenance loads only); and
- Typical super imposed dead load: 0.37kPa (this includes 0.20kPa for the roof & associated structure, and 0.17kPa for the ceiling and its hangers).

The roof is not designed to support Tenant's refrigeration equipment without additional structural steel support. If required, additional structural steel support frames will be installed by a Base Building Contractor as a Category B work item - at the Tenant's cost.

Tenants must seek permission from the Tenancy Coordinator and / or the MMA if they wish to alter, modify or suspend any equipment or fittings (or similar) from the existing roof structure.

Penetrations

No penetrations are to be made in the floor, walls, ceiling or roof of each Commercial or Food Service Tenancy, without first obtaining prior written consent from the Tenancy Coordinator and / or the MMA.

4.16 SECURITY SYSTEM

The Tenant must provide any security system installed within the Tenancy. The specifications and details for any security system proposed must be approved by the Tenancy Coordinator and / or the MMA.

All security devices and alarms must be concealed and located within the tenancy leased and/or licenced area.

4.17 ECOLOGICALLY SUSTAINABLE DESIGN (ESD)

The F&VM and Flower Market buildings have been certified with a 4 Star Green Star rating under the Green Building Council of Australia's Industrial PILOT rating tool.

In order to maintain the environmental sustainability credentials for the building, the MMA requests that individual Tenant's consider inclusion of the following ESD initiatives as part of their tenancy fit out works.

- Energy efficient light globes;
- All paints, sealants and flooring to have low volatile organic compound (VOC) ratings;
- Use environmentally friendly cleaning products;
- Avoid using PVC for pipework, electrical conduits and similar; and
- WELS rated tap fittings and fixtures (e.g. toilets and tap-ware).

4.18 TOILET/S & SHOWERS

Tenants may wish to install a toilet and / or a shower for their staff in the tenancy. The toilet or shower will need to be connected to the sewer / waste point located in the floor of the tenancy area. Appropriate provisions for sewer pipe ventilation will also be required.

Public toilet facilities are located at regular intervals in the F&VM building and showers and change-room areas are also located in the central hub of the building – adjacent to the trading floor.

4.19 WALLS

Inter-Tenancy Walls

Each Commercial and Food Service Tenancy has two inter-tenancy walls which are either (1) shared with a neighbouring tenancy or (2) shared with common area.

Inter-tenancy walls are 150mm thick insulated PIR panel. They are installed from the floor slab level and fixed to the underside of the roof structure above and to the PT concrete floor slab below. A flush coved wall / floor junction is provided to all PIR walls to allow for cleaning and to prevent trapping or lodgement of waste.

In some areas, inter-tenancy walls shared with common area are 2700mm high clear glazing with aluminium framing, set atop a concrete upstand, with 100mm thick insulated PIR panel with a Colorbond finish extending from 2700mm high to the underside of the roof.

The inter-tenancy walls are not load bearing. All fixtures and fittings must be supported from the floor.

Rear Tenancy Wall

The rear wall of a Food Service Tenancy is a 150mm thick insulated PIR panel with a Colorbond finish sitting atop a 1.2m high, 150mm thick concrete dado wall.

The rear wall of a Commercial Tenancy is a full height 150mm thick insulated PIR panel with a Colorbond finish sitting atop a concrete upstand. There is a section of 2700mm high clear glazing with aluminium framing, including one pair of aluminium framed, glazed swing doors.

Front Tenancy Wall

The front tenancy wall for both Commercial and Food Service Tenancies is 2700mm high clear glazing with aluminium framing, atop a concrete upstand, including one pair of aluminium framed glazed doors. 100mm thick insulated PIR panel with a Colorbond finish extends from 2700mm high to the underside of the roof.

Internal Partition Walls

New plasterboard partition walls may be erected as part of each Tenant's fit out. Food Service Tenants must clad any PIR walls visible to customers. PIR walls are not load-bearing; as such any cladding must be supported from the floor. Tenants should refer to the guidelines for fixing details to PIR Insulated Panel and the PT floor slab.

5 CONSTRUCTION GUIDELINES

5.1 General

- The Fit out Contractor and all subcontractors are required to comply with all Commonwealth and State (Victoria) legislation, industrial awards, and occupational health and safety regulations including Authority regulations applicable to carrying out works at the Melbourne Market in Epping.
- The Fit out Contractor shall commence the Fit out works to the Commercial or Food Service Tenancy following the Approval to Commence Fit out Works and once they have been advised of a commencement of Fit out Date, in accordance with all approvals issued by MMA and complete the Fit out no later than the completion date shown in the approved Fit out program or the Trading Date, (or other date as agreed with the MMA) whichever is the earlier.
- The Fit out Contractor and subcontractors shall not undertake any work outside of the Leased Area, unless approved in writing by MMA's Tenancy Coordinator.
- The Fit out Contractor shall make all arrangements required to secure all MMA and other approvals and pay all costs, and make their own arrangements for any specific site services and worker facilities, including access, in sufficient time so as to not delay the commencement of Fit out works and associated works to achieve the Fit out Program.

5.2 CONTRACTOR PRE-APPROVAL PROCEDURES

All Tenants' fit out contractors and shopfitters are required to be pre-approved by the Tenancy Coordinator and / or the MMA, prior to commencement of any works on the site.

The pre-approval process will include an interview at which or prior to, the tenant's contractor must provide the following documentation:

- Copy of current Victorian commercial building licence, trade registration certificate or similar for all employees working on site;
- Copy of all current insurance certificates (public liability, professional indemnity, work cover and contractors all risk);
- Copy of Victorian construction industry OH&S 'white card' for each employee working on site;
- Company registration details;
- Evidence of experience undertaking fit-out works similar to that being proposed; and
- A list of referees from previous fit out work.

Refer to section 5.3 below for a list conditions precedent to the commencement of fit out works.

5.3 PRE-CONDITIONS TO COMMENCING FIT-OUT WORK

The following requirements are to be satisfied and complied with "in full", as conditions precedent to the issue of the Approval to Commence Fit out Works. This will be issued by the MMA's Tenancy Coordinator for the Fit out Contractor to commence the Fit out.

Landlord's Consents

The Tenant must obtain consent from the Landlord's representative prior to commencing any Fit out works.

Inductions

The Fit out Contractor/s must undertake the necessary site inductions and remain responsible for ensuring all their sub-contractors and consultants have all necessary site inductions required to commence works at the Melbourne Market in Epping.

Site inductions will be programmed to occur on a weekly basis at predetermined times. The Fit out Contractor is to liaise with the Tenancy Coordinator to coordinate their participation in the site induction of the Fit out Contractors employees and subcontractors. The Fit out Contractors employees and subcontractors cannot commence onsite until the site induction has been completed.

Security Deposit

- Fit out work is not permitted to commence on site until the necessary security deposits are submitted to the MMA.
- The Security Deposit will be considered in part as security for performance of the Fit out contractor (and to pay for costs incurred by MMA due to the Tenant and/or Fit out Contractor's acts or omissions, or default of payment for Category B Works if needed, or the outstanding payment of any fees or charges related to the Commercial or Food Service Tenancy fit out) and the Tenant's obligations generally under the Lease and to the satisfaction of MMA's Tenancy Coordinator.
- In the event the Fit out is not completed or defects not rectified to the satisfaction of the Tenancy Coordinator, the MMA will be entitled to draw upon the Security Deposit and the Tenancy Coordinator will be entitled to arrange for completion of the outstanding works or defects rectification and use the funds from the Security Deposit to pay for these works.
- In the event the costs incurred exceed the value of the Security Deposit, the MMA will be entitled to recover these costs as a debt from the Tenant.

Fit out Program

- Before commencing Fit out Work, the Fit out Contractor shall submit a Fit out Program in the form of a Gantt (or similar bar type) chart, to the Tenancy Coordinator for approval.
- The Fit out Program is required to schedule Fit out activities within the Tenancy Area only on working days.
- The Fit out Program is to show off-site manufacture of fixtures and fittings, commencement of on-site works as soon as possible after Approval to Commence Fit out Works. The Fit out Program shall also show the desired commencement and completion of Category B Works, to be coordinated with the Fit out installation.
- The Fit out Program is to show and allow for completion of the Fit out, rectification of defects and the Load Testing and Set up Period, to enable the Tenancy Area to open for trade on the Trading Date or other date as agreed between MMA and the Tenant.

- The Fit out Program is to be updated as needed in the event that the Fit out or scheduled Trading Date is delayed. The updated Fit out Program is to be submitted to the Tenancy Coordinator within 5 days of the Fit out Contractor becoming aware of any such delay.

5.4 SITE INSPECTION & CONFIRMATION OF EXISTING CONDITIONS

- The Fit out Contractor is required to inspect the Tenancy Area to confirm all site conditions, take all site measurements and make all allowances in the Fit out.
- The Fit out Contractor is to verify by site inspection and site measurement that the MMA approved Tenant's Plans for construction and details accurately reflect the existing conditions of the Tenancy Area at Fit out Date and seek instructions from the Tenant should discrepancies be found.
- Before a hoarding is installed and/or Fit out commences, the Fit out Contractor shall arrange an inspection with the Tenancy Coordinator of the existing conditions around the Tenancy Area to record any pre-existing damage. The Fit out Contractor shall record any such damage and issue a record of the inspection to the Tenancy Coordinator. At the completion of the Fit out, the Fit out Contractor shall arrange a further inspection with the Tenancy Coordinator of the areas previously inspected and note any additional damage, which the Fit out Contractor in the Tenancy Coordinator's opinion is responsible for. Any damage to base building works which have occurred as a result of the Commercial or Food Service Tenancy fit out works, and are required to be repaired in the Tenancy Coordinator's opinion, will be charged to the account of the Fit out Contractor and all costs associated with these works incurred by the MMA will be deducted from the Security Deposit.
- Failure of the Fit out Contractor to comply with the above requirements may result in make-good works being completed by the Base Building Contractor, the costs of which will be deducted from the Security Deposit. In the event the costs incurred exceed the value of the Security Deposit, MMA will be entitled to recover these costs as a debt from the Tenant.

Insurances

- Submit to the MMA's Tenancy Coordinator before commencing Fit out, Certificates of Currency for:
 - Public liability insurance in the amount of not less than \$20 million, in respect of any one occurrence. This policy is to include as named insured, the Tenant, the MMA and the Fit out Contractor.
 - Third party property insurance in the amount of not less than \$10 million, in respect of any one occurrence. This policy is to include as named insured, the Tenant, the MMA and the Fit out Contractor.
 - Motor vehicle, plant and equipment insurance,
 - Contract Works Insurance, This policy is to include as named, the insured parties including the Tenant, the MMA and the Fit out Contractor, and
 - Work cover insurance, covering all personnel engaged for the Fit out.

Ensure insurance policies remain current for the duration of the Fit out.

Security

The Tenant is to confirm all security measures are in place for the Tenancy Area, the works, goods and employees during Fit out.

Fit out date

The Tenant is not permitted to commence Fit out until the Fit out commencement date.

Lease

Fit out will not be allowed to commence until the Tenant has signed the Lease.

SWMS -Safe Work Method Statement

The Fit out Contractor is to provide to the Tenancy Coordinator a SWMS prior to commencing the Fit out.

A Safe Work Method Statement (SWMS) documents a process for identifying and controlling health and safety hazards and risks. Under the [Occupational Health and Safety Regulations 2007](#), an SWMS must be prepared before [high risk construction work](#) begins, if anyone's health and safety is at risk because of the work, but SWMS can be used for any other work activities.

An SWMS is similar to a [Job safety analysis \(JSA\)](#), which has been widely used in Victorian industry. Employers may continue to use existing JSA formats providing they contain all the information required of an SWMS.

5.5 HOURS OF WORK, AFTER HOURS SUPERVISION & WORK REQUIREMENTS

In accordance with the City of Whittlesea Building Site Code (version 1.02), the site operating hours are as follows

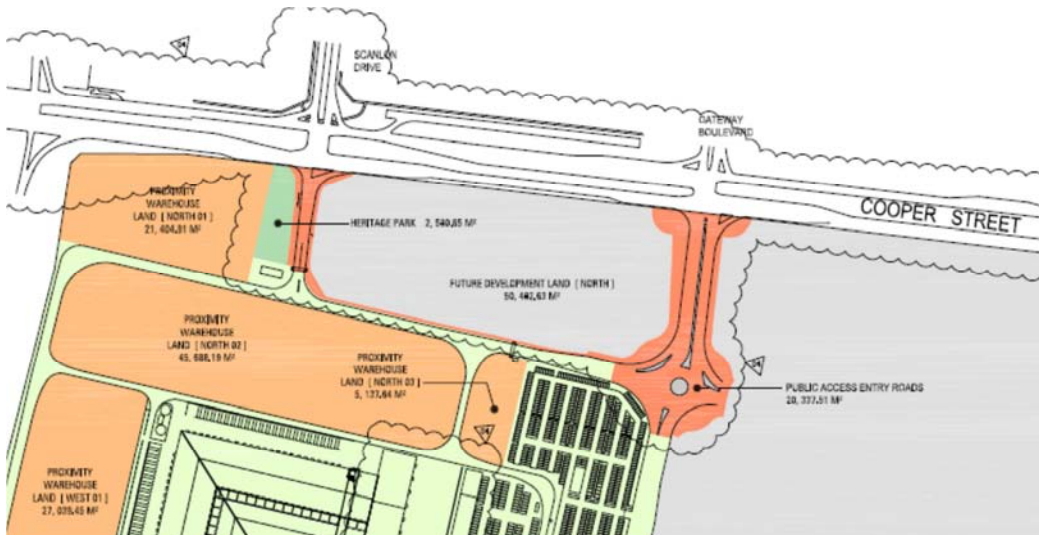
- 7.00am to 6.00pm Monday to Friday
- 7.00am to 5.00pm Saturday for works more than 250m from any occupied residential dwelling
- 9.00am to 5.00pm Saturday for works that are within 250 meters from any occupied residential dwelling;
- 12.00pm to 4.00pm on Sundays

Should there be a requirement to work outside of these hours then prior approval is required from the Tenancy Coordinator, together with a permit from the City of Whittlesea.

Tenants or Fit out Contractors wishing to undertake works outside of these times must complete and submit to the Tenancy Coordinator an 'after hours work request form' providing a minimum of 48 hours' notice. The Tenant/Fit out Contractor will be responsible to reimburse MMA for any and all costs incurred to arrange after hours work.

5.6 ACCESS, EGRESS AND CAR PARKING PROVISIONS

The site is set back from Cooper Street and is accessible via two dedicated entry roads, Scanlon Drive and Gateway Boulevard. The latter is the primary entry road and is purpose designed to accommodate large numbers of rigid and articulated vehicles which service the new Market facility.



Gateway Boulevard provides direct access to Gate 1 which adjoins the main administration building and visitor car park.

Gate 2 is also accessible via Gateway Boulevard and is considered a priority (or similar) entry gate for users with appropriate access level privileges. Scanlon Drive provides the secondary entry and exit point and is also designed to cater for large articulated vehicle movements.

All tenant and fit out contractor staff must park their vehicles in the visitor car park adjacent to the main entry road (Gateway Boulevard) and before the main security Gatehouse 1 – unless directed otherwise by the Tenancy Coordinator and or the MMA.

Refer to section 5.10 for specific provisions for materials and equipment deliveries.

5.7 AMENITY PROVISIONS

Amenity facilities will be provided by the MMA and the site Facility Manager for use by Fit-out contractors, these will include: toilets, showers and change-rooms.

Lunchroom facilities will remain the responsibility of the tenancy fit out contractor.

5.8 CONSTRUCTION SITE SERVICES ISOLATIONS

MMA's Facility Manager will be responsible for coordinating all site services isolations; the Fit out Contractor is responsible for obtaining necessary isolations permits prior to commencing work on the Melbourne Market building and services infrastructure systems.

The Fit out Contractor shall direct all enquiries to the Tenancy Coordinator, who will provide assistance and guidance in applying for the necessary isolations to take place. The Tenant / Fit out Contractor will be responsible for obtaining all permits and the payment of fees, and the coordination, management and provision of resources to manage isolations.

5.9 TEMPORARY SERVICES BY THE FIT OUT CONTRACTOR

The following services are to be provided by the Fit out Contractor;

- Provide and maintain a temporary services distribution system for the Fit out including power, water and waste water as necessary and remove same on completion;
- Provide and maintain adequate temporary firefighting facilities for the Fit out;
- Provide the necessary facilities and site resources to ensure that all areas that comprise the Fit out are regularly swept clean and remove all surplus and waste materials from the Tenancy Area;
- Provide and maintain security arrangements suitable to prevent unauthorised access to the Tenancy Area or theft or damage to the temporary or permanent works (i.e. hoarding);
- Provide and maintain a temporary lighting system and remove same on completion of the Fit out.

5.10 MATERIALS HANDLING & EQUIPMENT DELIVERY TO THE SITE

- Unloading and loading of any plant or equipment is to be carried out by Fit out Contractors or their subcontractors to and from the Tenancy Area.
- The Fit out Contractor and/or his / her Subcontractors are responsible to arrange for the equipment, building materials, fixtures and fittings to be handled from the unloading area to the Tenancy Area.
- All equipment and materials including hoists, lifts, scaffolds etc. that are required for completion of the Fit out shall be supplied by the Fit out Contractor or his Subcontractors. **ALL EQUIPMENT USED INSIDE THE BUILDING MUST HAVE NON MARKING AND NON-DAMAGING PNEUMATIC TYRES.** Any equipment which does not comply with these requirements will not be permitted on the Construction Site. All Plant and Equipment will be inspected by the prior to plant and equipment being approved to be used on the Construction Site. **All motorized equipment to be used internally must be electric.**
- Use of any forklifts or electric/battery powered vehicles on site during the project will be subject of special approval process. The Fit out Contractor is to submit an application for any such equipment to the Tenancy coordinator and the MMA Facility Manager (if required).
- All hoists, scissors lifts, gantries etc. that are proposed to be used during the Fit out will require prior written approval from the Tenancy coordinator. Where required to demonstrate that load

conditions are not being exceeded, the Fit out Contractor or its subcontractors shall submit computations prepared by a Victorian structural engineer, to the satisfaction of the Tenancy Coordinator.

- Designated access ways for materials handling will be identified.
- Any damage to the Melbourne Market facility made by the Fit out Contractor must be reported immediately. Any damage that occurs as a result of materials handling activities which is required to be repaired in the Tenancy coordinator's opinion will be to the account of the Fit out Contractor and all costs incurred by MMA will be deducted from the Security Deposit.

5.11 FIT OUT CONTRACTOR'S SUPERVISION, 24 HOUR CONTACT DETAILS

- The Fit out Contractor is to provide a competent and appropriately experienced Fit out supervisor (with first aid qualifications) on-site at all times when persons are working in the Tenancy Area, during the Fit out.
- The supervisor is required to be contactable 24 hours, 7 days per week
- The supervisor is required to be fluent in English and have the Authority to take instructions from the Tenancy Coordinator and the MMA.
- Provide the name and full contact details of the supervisor including after-hours contact, plus the full contact details of the supervisor's manager in the event the supervisor cannot be contacted.
- The Fit out Contractor is responsible for the engagement, supervision and direction of its personnel and subcontractors.
- Apart from ensuring that satisfactory progress is maintained and the MMA approved documentation and safe work practices are adhered to, the Tenancy Coordinator will not be responsible for any supervision of the Fit out.

5.12 SECURITY

The Tenancy Area

- The Fit out Contractor is responsible for the security of the Tenancy Area and protection of its works, materials or goods, for the duration of the Fit out.

Visitors

- Visitors are not permitted to enter the Construction Site or Tenancy Area unless they have genuine business associated with the Fit out.
- Visitors to the Tenancy Area including the Tenant, Designers, Consultants and all other non-Fit out personnel are required to be signed in as visitors.
- All visitors must wear the correct personal protective equipment (PPE), which is the responsibility of the individual or Tenant/Fit out Contractor to provide. PPE includes, high visibility vests (MMA standard), hard hats, safety glasses, low heel, steel capped protective footwear, and wear long sleeves and long pants at all times whilst within the Construction Site. It is also a requirement to carry gloves, which must be worn if a visitor will be handling materials on site as part of their

inspection. Failure to comply with these mandatory requirements will result in non-compliant persons being denied access to the Construction Site or result in removal from the Construction Site.

- Visitors must at all times be escorted by a representative of the Fit out Contractor, or the Tenant.
- All delivery drivers will be treated as a visitor.

5.13 STORAGE OF MATERIALS

The Fit out Contractor will be responsible for arranging delivery, unloading and handling and storage of materials supplied to the Tenancy Area for the Fit out. Delivery times must be discussed with the MMA Facility Manager due to increased volume of deliveries during the Fit out Period and relative delivery locations.

Storage of all materials must be within the Tenancy Area at all times. Rubbish must be removed by the Fit out Contractor and placed in bins at nominated locations provided by the MMA Facility Manager. The costs of any cleaning undertaken by the MMA Facility Manager due to Fit out Contractors and their subcontractors not complying with this requirement will be deducted from the Security Deposit.

5.14 HOARDINGS

The Tenant may install hoardings to the Landlord's specifications at the front and rear of the Tenancy during the fit out period. The cost of the hoarding will be borne by the Tenant.

The Fit out Contractor shall be responsible for immediately removing and/or making good any graffiti damage caused to the hoarding.

5.15 DUST & NOISY WORKS

- Noisy work is to be limited to times when the workforce on the Construction Site is in depleted capacity. Should clarification be required for specific activities, please liaise with the Tenancy Coordinator.
- The creation of excessive noise and dust shall be avoided. Where construction tools or works operations exceed the 70dB level, the Fit out Contractor shall undertake these specific works at times approved by the Tenancy Coordinator. All costs incurred to comply with this requirement shall be the responsibility of the Fit out Contractor.
- Where dust is likely to be created, the Fit out Contractor shall provide appropriate dust curtains or dust proof hoardings, to the prior approval of the Tenancy Coordinator.
- If requested by the Tenancy Coordinator, the Fit out Contractor shall immediately arrange for noise testing of the offending activities to prove the maximum noise levels are not being exceeded.
- Radios are not permitted on the Construction Site or within the Tenancy Area.

5.16 CONNECTION OF ELECTRICAL SUPPLY / IT / COMMUNICATIONS

Electrical supply

It is the Tenant's responsibility to submit an application to the MMA or their preferred electrical retailer to ensure electricity is available for both temporary and permanent power. It is recommended that the application is made well in advance of the Fit out Date so that electrical supply is available for the Fit out Contractor to carry out Fit out.

- Tenants are provided with a permanent electrical distribution board located in the tenancy area; tenants are responsible for the reticulation of the temporary electrical supply within the Tenancy Area for the Fit out works.
- The Fit out Contractor and or his electrical subcontractor is required to apply for and receive a cabling permit (permit for isolation & connections to – electrical, mechanical and essential services) outlined in section 5.10 of this document from the MMA's Facility Manager, before any electrical works are commenced.
- The electricity consumed during the Fit out will be metered and the Tenant will be responsible to pay the cost of electricity consumed.
- The Tenant is required to pay an electrical meter fee and an electrical supply establishment fee as required by the MMA or the supply Authority, whoever has been chosen as the electrical retailer.
- When the electrical fit out works are completed, the Fit out Contractor or his electrical subcontractor is required to arrange for an independent electrical inspector to check and sign off the mains electrical supply cable & switchboard and provide a certificate of compliance.

IT/Communications:

- At this point in time IT/Communications infrastructure and service offerings are being finalised. At a minimum, tenants will be able to access wireless, telephony and internet services.

5.17 DEFECT ASSESSMENT & RECTIFICATION PROCEDURES

- Prior to the completion of fit out works, the Tenant and their Fit out Contractor must notify the Tenancy Coordinator to schedule the Final Defects Inspection.
- The Tenancy Coordinator and an MMA representative will attend the site and assess the fit out is in accordance with the Design Intent Approval documentation and that the workmanship is in accordance with the MMA's requirements. Any defects identified by either the Tenancy Coordinator or MMA representative will need to be rectified by the Tenant prior to their Premises opening for trade.
- The Tenancy Coordinator will prepare a Defects Rectification Notice and issue this to the Tenant in order for their contractors to complete the remainder of defects within 14 days of the defects report being sent.
- Once defects have been rectified, the Tenant is required to notify the Tenancy Coordinator to complete a further inspection in order for the MMA to issue a Defects Rectification Letter stating that all items have been completed to the Landlord's satisfaction.

- Should the Tenant not complete the defect rectification works as identified in the Inspection Report within the 14 days period, the Landlord will send a Failure to Rectify Defects Notice to the Tenant informing them that the defects remain outstanding and the Landlord may exercise its right to rectify the defects at the Tenant's expense, if the defects are not rectified within a further 14 days of the letter being sent.

5.18 INDUSTRIAL RELATIONS

- The Fit out Contractor shall endeavour to maintain industrial harmony during the Fit out period.
- The Fit out Contractor shall advise the Tenancy Coordinator immediately he / she becomes aware of any industrial issue or dispute that may or does arise during the Fit out, which has the potential to adversely impact on the Fit out, the surrounding Fit out in other Tenancy Areas, the works of other contractors or the operations of Melbourne Market.
- The Tenant and/or Fit out Contractor will be responsible for all costs and time delays incurred as a result of adverse industrial action which is caused by the Fit out Contractor and/or its subcontractors.

5.19 SITE SECURITY

The MMA's Facility Manager will be responsible for all site based security provisions.

This includes the delivery of site inductions for all site visitors. It also includes maintaining security personnel at all external gates to ensure that only those with appropriate security clearance are permitted to enter the site.

5.20 WORKPLACE HEALTH & SAFETY

Tenants and their contractors must comply with all OH&S requirements of the Landlord and applicable OH&S laws both pre-fit out and whilst conducting any works in the Premises or the Facility.

The Tenants shall consult with the Tenant's designers, Tenant's contractors and the Landlord's representative or Tenancy Coordinator regarding OH&S matters, including compliance, at all relevant stages of the fit out process.

Any person found to be in breach of these OH&S requirements may be required to immediately cease work in the premises or the facility, or to cease conducting any activity that the Tenancy Coordinator identify as being in breach.

Accidents and Injuries

All injuries, accidents and near misses must be reported to the Tenancy Coordinator immediately.

Emergency Procedures

Emergency procedures in the event of an accident / incident will be included in the site induction briefing material. In the event of an emergency, the Tenant and all its contractors must obey the directions of the Tenancy Coordinator and the MMA Facility Manager.

First Aid

The Tenant and or their fit out contractors shall ensure that an employee with a 'first aid at work' certificate as part of its workforce is on site at all times and that first aid supplies are available.

Inductions

The MMA Facility Manager will co-ordinate the induction process in relation to the Construction Site's related safety issues. In particular, the site induction briefing will identify:

- The Construction Site safety requirements and procedures;
- Any restrictions on work times and activities;
- The Construction Site conditions and constraints.

No Tenant's Contractor's personnel will be permitted to enter the site until they have received a full site specific safety induction.

Documents required for Site Inductions

Before the induction, all workers must provide the following to the Tenancy Coordinator making reference to the induction policy and procedures required by the MMA Facility Manager for review and approval prior to the commencement of any works on site:

- Completed site induction forms and all relevant paperwork;
- All certificates of currency for workers compensation or personal accident insurance whichever is applicable;
- All other certificates of currency for other insurance policies;
- Evidence (to the reasonable satisfaction of the MMA Facility Manager and the Tenancy Coordinator) of industry related occupational health and safety training;
- A completed Hot Work Permit if the works include any cutting, welding or other hot works;
- A completed Safe Work Method Statement (SWMS) and an ability to demonstrate that the Tenant and the Tenant's contractors understand its contents;
- A completed Job Safety Analysis (JSA) – demonstrated understanding required – as noted above;
- Evidence that all workers have access to appropriate safety gear and equipment for or relating to the works (e.g. sturdy ladders, tagged electrical equipment etc.); and
- Evidence that the person in charge of the Fit out Works is suitably qualified and licensed to carry out the works.

5.21 AUTHORITY TO TRADE REQUIREMENTS

In line with the MMA's policy, it is a requirement that the following documents are received, paid and delivered prior to the Tenancy opening for trade:

- The Lease properly executed and returned to the Landlord's solicitors;
- Security Deposit or Bank Guarantee received by the Landlord (if required);
- Public Liability Insurance certificate received by the Tenancy Coordinator / Landlord;
- The rent in advance is paid to the Landlord with proof of payment required;
- All Tenancy fit out trade and services certifications are to be received by the Landlord;
- Occupancy Certification and or Certificate of Final Inspection is to be received by the Landlord;
- Other Authority Certifications (Environmental Health/Food Registration) received by the Landlord;
- Final inspection of the Tenancy to be completed by the Tenancy Coordinator and the MMA; and
- Major defects to the Tenant's fit out identified by the Tenancy Coordinator and / or the MMA must be rectified.

Should the above pre-trade requirements not be fulfilled by the Tenant, the Landlord may delay the Tenant from opening for trade. The Tenant must notify the Tenancy Coordinator 48 hours prior to the opening date should they not be able to fulfil these requirements.

Tenant's failure to trade on Landlords opening date

If, in the opinion of the Tenancy Coordinator and / or the Landlord, the fit out of a Commercial or Food Service premises is incomplete and the tenancy is unable to trade on the opening date, the Landlord may erect a full height hoarding to the Premises at the Tenant's cost.

Once the Market Facility has opened and is operating the Tenant and their contractors must complete the Fit out Works as directed by the Landlord, the Tenancy Coordinator including:

- Following Melbourne Market operating rules;
- No noisy or dusty works can take place in the tenancy during Trading Hours;
- The Tenant must notify the MMA or the Facility Manager in advance should they require any after-hours work in the Facility to complete their Fit out Works. Security charges may be applicable for after-hours work.

The Tenant should confirm any charges with the MMA and or the Facility Manager prior to works commencement.

MELBOURNE MARKET RELOCATION PROJECT TENANCY FIT OUT WORKS

APPENDIX 3 | BUILDING PERMIT APPLICATION & CHECK LIST (PLP)



BUILDING PERMIT SERVICES FOR TENANCY FIT OUT WORKS MELBOURNE MARKET



Document Reference: 20130301.00675.tenancy fitouts melb markets.cc



PLP Building Surveyors and Consultants Pty Ltd | ABN 170 844 204 77 | www.plpaust.com
Melbourne, Level 4, 63 Exhibition Street | Melbourne VIC 3000 | T. 03 9650 7999 F. 03 9650 7890 | info@plpaust.com
Brisbane 8 Prospect Street Fortitude Valley QLD 4006 | T. 07 3252 9733 F. 07 3252 9722 | info@plpaust.com

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APPENDIX A	Fee Structure & Fee Calculator
APPENDIX B	Building Permit Application Form
APPENDIX C	Occupancy Permit Application Form
APPENDIX D	Occupancy Permit/Certificate of Final Inspection Application Documentation

Melbourne Markets

Building Permit Consultancy Services
Tenancy Fitout Works**1. Legislation**

Tenancy fit outs within the new Melbourne Markets facility must comply with statutory requirements including the Building Code of Australia and relevant Australian Standards. This package has been prepared to ensure that the process of meeting your obligations in relation to the above requirements is as simple as possible.

Under the Victorian Building Act 1993, approvals that you will be required to obtain for your tenancy fit out are:-

Building Permit

This permit is required to be obtained prior to works commencing.

Occupancy Permit or Certificate of Final Inspection

One or both of these permits are required to be obtained prior to the commencement of trading.

2. This Package

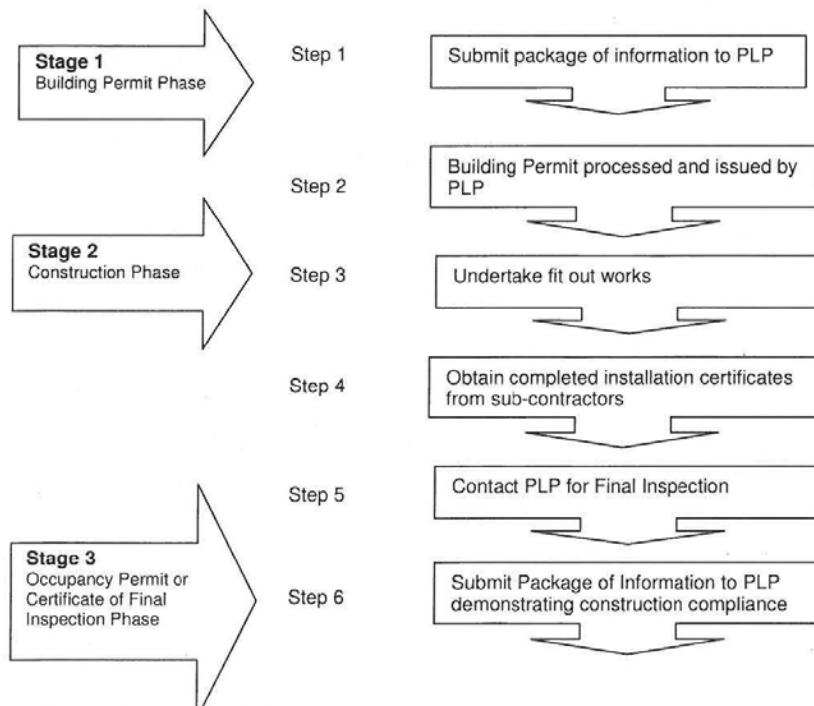
PLP Building Surveyors & Consultants Pty Ltd (PLP) is pleased to offer Building Surveying Services for tenancy fit out works at the new Melbourne Markets facility in Epping. Our services include issuing of a Building Permit, through construction inspection(s) and the issue of a Certificate of Final Inspection or Occupancy Permit as appropriate at completion of the works.

This package contains information to ensure that your tenancy fit out works comply with statutory requirements. The information contained herein will facilitate the issue of the building permits and relevant signoffs at completion of the works.

Upon receipt of a fit out documentation package from the tenant or the tenant's designer, PLP will aim to complete a review of the documents within 5 business days, and will aim to issue a building permit within 2 days of resolution of any queries. (Multiple tenancies, food premises and complex or specialist tenancies may take longer.)

3. The Approval Process

The building permit process can be considered to comprise three stages. Stage 1 leads to the issue of a building permit and must be completed before commencing works on site. Stage 2 and 3 comprise construction phase and final sign-off of the completed works respectively.



Melbourne Markets

Building Permit Consultancy Services
Tenancy Fitout Works

Step 7

Contact PLP for Final Inspection

Step 8

Occupancy Permit/Certificate of Final
Inspection issued by PLP

Step 9

Submit all documents to the Tenancy
Coordinator for approval to Commence
Trading

4. PLP Fees

Our fees for services are based on the size and nature of the project and the cost of the works. Appendix A provides a pricing guide. PLP direct fees exclude statutory charges such as the Government Building Levy, MFB charges, Council fees and the like which will be charged additionally at cost.

5. Documentation Checklist

The following lists the basic documents to be lodged for a typical fit out building permit assuming no structural alterations are required, and assuming the works do not require approval from other authorities:-

- A completed and signed Building Permit Application Form (Appendix B) including the names and registration numbers of all building practitioners and the builder responsible for the works;
- Authority to proceed with the works from the Tenancy coordinator or the Melbourne Market Authority;
- Architectural documentation (4 copies) typically consisting of a tenancy locality plan, floor plan, partition plan and details, furniture layout plan and door and finishes schedules;
- Services documentation and/or reflected ceiling plans showing electrical, mechanical and sprinkler alterations and new works (4 copies); and
- Electrical lighting calculations or lighting wattage details for new light fittings, required for BCA Section J compliance verification;
- Fees for the Building Permit and statutory charges.

If desired, plans and other documents can be supplied electronically in pdf format.

6. Building Regulation Issues

5.1 BCA Compliance

Tenancy fit outs must meet the requirements of the Building Code of Australia (BCA). With the exception of base buildings services, the tenancy designer has primary responsibility for ensuring compliance.

5.2 Access for People with Disabilities

The BCA and Australian Standards (together with complementary Federal legislation) require designs to satisfy minimum requirements for accessibility by persons with a disability. Provision must be made for the following:-

- Doorways and openings are required to have a clear width of 850mm. The use of 920mm-950mm minimum doors is therefore mandatory for all internal doors;
- Circulation spaces are required around doorways for wheelchair access to the requirements of AS1428.1-2009. Particular attention is required at change rooms and other narrow spaces that often present compliance challenges.

5.3 Finishes – Early Fire Hazard Properties

Finishes used within the tenancies are required to meet the requirements of the BCA for early fire hazard properties. Plasterboard walls and ceilings will comply. Timber or laminated wall panels, vinyl flooring, or the like will require certificates to be submitted to demonstrate that they meet these requirements.

5.4 Paths of Egress

Paths of egress must measure at least 1m wide and 2m clear height in all areas of the fit out, both in the front and back of tenancy areas.

In addition, egress travel distances must not exceed 20/30m to a point from which travel to alternative exits in different directions is possible. Care must be taken to ensure that egress paths are relatively direct to the tenancy frontage so that travel distances from the product storage area and other spaces at the rear of the tenancy are within the requirements. Installations such as storage racking systems and the like must be considered when identifying the path of travel.

5.5 Door Hardware and Exit Doors

BCA Clause D2.21 requires tenancies greater than 200m² to have exit door hardware capable of being opened from the inside by a single handed, downward or pushing action (i.e. lever handles). Alternatively, doors can be designed to automatically open on fire alarm. Concertina or special security door arrangements may present compliance difficulties and should be discussed with our office if proposed.

5.6 Raised Flooring Areas

The BCA requires access for people with a disability throughout all areas for staff and patrons. Raised floor areas need to be served by a ramp not exceeding a grade of 1:14 (except where a steeper ramp may be used for a rise less than 190mm). Level changes, raised floors and the like should be discussed with our office if proposed.

5.7 Penetrations

Penetrations through floor slabs or through fire or smoke walls must be suitably fire-stopped.

5.8 Wet Areas

Wet areas are required to be protected by a waterproofing membranes and systems to AS3740.

5.9 Energy Efficiency

The BCA required artificial lighting not to exceed a maximum lamp power density of 18-22W/m² (excluding lighting in display cabinets, signage and emergency lighting). Documentation should include lighting layouts, type of lights, and light fitting wattage details to ensure compliance will be achieved.

5.10 Structural Design

The design of internal tenancies which require the installation of structural steel elements should be verified by a Structural Engineer. The engineer will also be required to certify the completed installation.

5.11 Notes on Plans

It is suggested that the following items be indicated on building permit documentation as appropriate to expedite issue of the Building Permit:-

- Electrical switchboards shall be protected by a 2A 20B(E) (or similar) fire extinguisher;
- Tenancies with kitchens shall include a fire blanket;
- Tenancies with deep fryers shall be protected by a 40(B)E (or similar) fire extinguisher,
- Plans should indicate at least one emergency light in the public area. (Generally, exit signs are not required within smaller tenancies opening directly to a mall, but may be required in larger tenancies.)
- Walk-in cool rooms should include 600mm wide doors fitted with alarm and warning systems. Cool room doors must be openable from the inside at all times;
- All mechanical ductwork should be specified to be insulated and sealed.

5.12 Fire Engineering

- Fire engineering alternative building solutions have been issued with respect to the Melbourne Market Relocation Project. We will assess compliance accordingly upon receiving documentation.

6. Checklist of Documents Required at Works Completion

Upon completion of the works and prior to occupation of the tenancy, a final inspection is required to be undertaken and a Certificate of Final Inspection or Occupancy Permit issued as necessary.

The following documentation may be required (as relevant) at the time of final inspection:-

- **Application Form**
Application form to be completed if an Occupancy Permit is required.
- **Structural Engineer's Certificate**
Required to confirm that overhead structures including, but not limited to, ceilings, roller shutters, shopfront bulkheads and signage are adequately supported. The certificate should be provided by tenant's structural engineer.
- **Glazing Certificate**
Verification from glazing contractor that glazing has been installed to AS1288.
- **Plumbing Certificate**
Plumbing contractor Compliance Certificates for plumbing and gas services works.
- **Electrical Safety Certificate**
Certificate of Electrical Safety for electrical installation works.
- **Sprinkler Certificate**
Letter of Compliance for sprinkler alterations.
- **Mechanical Ventilation/Kitchen Exhaust Certificate**
Letter of Compliance for mechanical ventilation and air conditioning alterations.
- **Emergency Lighting Certificate**
Letter of Compliance for emergency lighting and exit sign installations.

Melbourne Markets

Building Permit Consultancy Services
Tenancy Fitout Works

- **Smoke/Thermal Detection Certificate**

Letter of Compliance for smoke/thermal detection system installations.

- **Services Penetrations Fire Stopping Certificate**

Letter from each sub-contractor confirming that all services penetrations of fire resisting structural elements have been adequately fire stopped by means of fire tested systems.

- **Fire Extinguishers**

Inspection required to confirm that all extinguishers are in place and operational.

- **Waterproofing of Wet Areas Certificate**

Installation Certificate of confirmation of wet area compliance.

- **Fire Hazard Properties Certificate**

Installation Certificate for wall, floor and ceiling linings.

- **Energy Efficiency Measures, Building Services Certificate**

Installation Certificate for services compliance.

APPENDIX A FEE STRUCTURE

Building Permit Fees

Small trading stores	56m ²	\$ 600 + GST
Commercial tenancy 1	80m ²	
Commercial tenancy 2	120m ²	\$ 800 + GST
Commercial tenancy 3	200m ²	
Medium Trading store	112m ²	
Large Trading store	193m ²	
Café	190m ²	\$ 1000 + GST
Commercial tenancies between 200m ² – 1000m ² : (Excluding Food and Beverage Premises)		\$ 1200 + GST
Food and Beverage Premise <1000m ² :		\$ 1,500 + GST (subject to confirmation)
Tenancies over 1000m ² :		Tenancies which exceed 1000m ² are subject to a negotiated fee based on a review of preliminary layouts.

Statutory Charges

Government Building Levy:	0.128% of the GST inclusive \$ cost of works (\$ COW x 0.00128)
Council Building Lodgement Fee:	\$38 per building permit/stage (including GST)
MFB Charges:	\$110 per hour of consultation (excluding GST), plus \$300 plus GST for application. Only applies if consultation is required.

Note: Statutory charges are subject to change from time to time.

FEE CALCULATOR	
Tenancy Name and No.:	
Element	Amount
Building Permit Charge (Refer above)	\$
Government Building Levy \$ (GST inclusive Cost of Works from Building Permit Application) x 0.00128.	\$
Council Building Lodgement Fee (\$38 x(No. of Stages)	\$
MFB Charges	\$
TOTAL	\$

* Cheque to be made payable to PLP Building Surveyors & Consultants Pty Ltd.

APPENDIX B

Form 1
Building Act 1993
BUILDING REGULATIONS 2006
Regulation 301

Application for a Building Permit

Project:

To (Private Building Surveyor): PLP Building Surveyors & Consultants Pty Ltd
 Level 4, 63 Exhibition Street
 MELBOURNE Vic 3000

Telephone 9650 7999
Facsimile 9650 7890
Email info@plpaust.com

FROM:

Owner or agent:

Postal Address:

 Post Code

Address for serving or giving of documents
 Address:
 Post Code

Contact Person Telephone

☐ Tick here if the applicant is a lessee or licensee of Crown Land to which this application applies.

LESSEE RESPONSIBLE FOR BUILDING WORK

☐ Tick here to indicate if a Lessee of the building, of which parts are leased by different persons, is responsible for the alterations to a part of the building leased by that lessee.

OWNERSHIP DETAILS
(if agent listed above):

Owner:

Postal Address:

 Post Code

Contact Person Telephone

Property Details

Address		Post Code	
Lot/s	Volume	Folio	
LP/PS	Crown Allot.	Section	
Parish	County		
Municipal District of:			
Allotment area (for new dwellings only)		m ²	

☐ Tick here if land owned by the Crown or a public authority.

OWNER BUILDER^s (if applicable):

I intend to carry out the work as owner builder Yes ☐ No ☐

BUILDER (if known)

Postal Address:
 Post Code

Contact Person Telephone

NATURE OF BUILDING WORK (Tick if applicable or give other description)

- | | |
|--|--|
| <input type="checkbox"/> Construction of a new building | <input type="checkbox"/> Extension to an existing building |
| <input type="checkbox"/> Alterations to an existing building | <input type="checkbox"/> Change of use of an existing building |
| <input type="checkbox"/> Demolition of a building | <input type="checkbox"/> Removal of a building |
| <input type="checkbox"/> Re-erection of a building | <input type="checkbox"/> Other |

Building Practitioners' and/or Architect(a) to be engaged in the **Building Work**²:

Category/Class	Registered Practitioner	Registration No.
Architect/Draftsperson		
Engineer (Civil/Structural)		
Engineer (Mechanical)		
Engineer (Electrical)		
Engineer (Fire Safety)		
Quantity Surveyor		
Builder/Demolisher		
Building Inspector		

(If a registered domestic builder carrying out domestic building work, attach details of the required insurance.)

(b) who were engaged to **Prepare Documents** forming part of the application for this permit³:

Category/Class	Registered Practitioner	Registration No.
Architect/Draftsperson		
Engineer (Civil/Structural)		
Engineer (Mechanical)		
Engineer (Electrical)		
Engineer (Fire Safety)		
Quantity Surveyor		

PROPOSED USE OF BUILDING⁴:**COST OF BUILDING WORK:** Is there a contract for the building work? Yes ☐ No ☐If yes, state the **total contract price** \$ (including GST)Portion of **total contract price** relating to domestic building work/residential construction

\$ (including GST)

If no, state the **estimated total cost of the building work** (including the cost of labour and materials) and attach details of the method of estimation

\$ (including GST)

Portion of **estimated total cost of domestic building work/residential construction**

\$ (including GST)

STAGE OF BUILDING WORK: If application is to permit a stage of the building work:

Extent of Stage

Cost of **building work for this stage** \$Portion of **cost of building work for this stage** which relates to domestic building work/residential construction

\$

SIGNATURE (Owner/Agent)

Date

NOTES:

1. Building Practitioner means:

- (a) a building surveyor; or
- (b) a building inspector; or
- (c) a quantity surveyor; or
- (d) an engineer engaged in the building industry; or
- (e) a draftsperson who carries on a business or preparing plans for building work or preparing documentation relating to permits and permit applications; or
- (f) a builder including a domestic builder; or
- (g) a person who erects or supervises the erection of prescribed temporary structures; or
- (h) a person responsible for a building project or any stage of a building project and who belongs to a class of people prescribed to be building practitioners, but does not include:
 - (i) an architect
 - (j) a person (other than a domestic builder) who does not carry on the business of building;

- 2. Include building practitioners with continuing involvement in the building work.
- 3. Include only building practitioners with no further involvement in the building work.
- 4. The use of the building may also be subject to additional requirements under other legislation such as the **Liquor Control Reform Act 1998** and the **Dangerous Goods Act 1985**.
- 5. If an owner builder there are restrictions on the sale of the building under section 137B of the **Building Act 1993**. Section 137B prohibits an owner builder from selling the building on which domestic building work has been carried out within 6½ years from the completion of the relevant works unless they have satisfied certain requirements including obtaining compulsory insurance. The Building Commission maintains a current list of domestic building insurance providers.

APPENDIX C

Form 5
Building Act 1993
BUILDING REGULATIONS 2006
Regulation 1002

Application for Occupancy Permit

To:
(Private Building Surveyor) PLP Building Surveyors & Consultants Pty Ltd
Level 4, 63 Exhibition Street
MELBOURNE Vic 3000

FROM:

Owner or agent:

Postal Address:

Contact Person

Post Code

Telephone

In accordance with Section 42 of the Building Act 1993, I hereby apply for an occupancy permit for the building at:-

Property Details:

Address:			
Property			
Lot		LP/PS	
Volume		Folio	
Municipal District Of:			

Details of Building Practitioners¹ & Architects who were engaged in the building work¹

Architect/Draftsperson:

Quantity Surveyor:

Engineer (Civil/Structural):

Engineer (Mechanical):

Engineer (Electrical):

Builder (Construction):

Use Applied For:

Part of Bldg	Use Applied For	BCA Class

Signature:

.....

Owner/Agent

Date

Note 1: Include practitioners who were involved in the building work and who were not known or listed at the time of completion of application for building permit.

APPENDIX D

OCCUPANCY PERMIT/CERTIFICATE OF FINAL INSPECTION APPLICATION DOCUMENTATION

INSTALLATION CERTIFICATE – STRUCTURE

PROJECT: _____

TENANCY: _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the Structural Engineers drawings and specifications and the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Structure General	BCA Part B and C1, Specification C1.1, AS1170.1-2002, AS1170.2-2002, AS1170.4-1993, AS3600-2001, AS3700-2001, AS4100-1998 installed in accordance with a tested prototype to the scheduled Architects drawings, and Fire Engineering Report

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature _____

Date _____

INSTALLATION CERTIFICATE – GLAZING**PROJECT:****TENANCY:** _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the architectural/structural drawings, specifications and the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Glazing	BCA Clauses B1.3 and F1.13 and AS1288-2006, AS2047-1999

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – AUTOMATIC FIRE SUPPRESSION SYSTEMS (SPRINKLERS)

PROJECT: _____

TENANCY: _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the Hydraulic Engineers drawings and specifications, and the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Automatic Fire Suppression Systems	BCA, Specification E1.5 and AS2118.1-1999 and Fire Engineering Report

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

Required Attachments (as applicable):

1. AS2118.1 and AS2441 Commissioning Reports
2. Installer's Completion Certificate (Refer Appendix B, AS2118.1)
3. Independent Fire Sprinkler Tester's Report certifying that the system is completed to standard
4. Confirmation of Valve Monitoring including Type A Monitoring Devices where required
5. Certificate from Monitoring Agency Confirming Connection

INSTALLATION CERTIFICATE – AIR HANDLING AND VENTILATION SYSTEMS, AND KITCHEN EXHAUST SYSTEMS

PROJECT: _____

TENANCY: _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the mechanical drawings and specifications and the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Air Handling and Ventilation Systems, Mechanical Ventilation – Kitchen Exhaust System	BCA Clause F4.5, F4.11, F4.12, AS1668.1+AS1668.2-1991 and AS3666.1-2002, BCA J5, BCA F4.2

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – EMERGENCY LIGHTING AND EXIT SIGNAGE**PROJECT:** _____**TENANCY:** _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed and tested in accordance with the nominated Standard of Performance.

Essential Safety Measure and/or System	Standards of Performance
Emergency Lighting and Exit Signage	BCA, Clause E4.2, E4.4 and AS/NZS2293.1 and AS4428.4

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.
- _____

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – AUTOMATIC FIRE DETECTION AND ALARM SYSTEM

PROJECT: _____

TENANCY: _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Automatic Fire Detection and Alarm System	BCA, Specifications E2.2a, AS1670.1-2004 and Fire Engineering Report

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

Required Attachments:

1. Installer's Completion Statement (Refer Appendix F, AS1670.1)
2. Independent Fire Tester's Report
3. Certificate from Monitoring Agency Confirming Connection

INSTALLATION CERTIFICATE – SERVICES PENETRATIONS/ FIRE STOPPING IN FIRE RESISTING COMPONENTS OF THE BUILDING

PROJECT: _____

TENANCY: _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Fire Seals Protecting Openings in Fire Resisting Components of the Building	BCA Clause C3.12 and C3.15 and Specification C3.15 and AS1530-1997 or AS4072.1-1992 and installed in accordance with the tested prototype

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – PORTABLE FIRE EXTINGUISHERS**PROJECT:****TENANCY:** _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been installed, commissioned and tested in accordance with the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Portable Fire Extinguishers	BCA Clause E1.6. AS244-1995 and MFB/CFA Report

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – WATERPROOFING OF WET AREAS

PROJECT:**TENANCY:** _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Waterproofing of Wet Areas	BCA Clause F1.7 and AS3740-2004

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – FIRE HAZARD PROPERTIES**PROJECT:** _____**TENANCY:** _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) All materials, linings and surface finishes in the building comply with the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Fire Hazard Properties	BCA C1.10, C1.10a and Specifications C1.10, C1.10a

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

INSTALLATION CERTIFICATE – ENERGY EFFICIENCY MEASURES, BUILDING SERVICES

PROJECT: _____

TENANCY: _____

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1, I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the mechanical drawings and specifications and the nominated Standards of Performance.

Essential Safety Measure and/or System	Standards of Performance
Energy Efficiency Measures, Building Services	BCA Part J5, Air-conditioning and Ventilation Systems; Part J6, Artificial Lighting and Power; Part J7, Hot Water Supply; Part J8, Access for Maintenance; Energy Consultants Report

- b) I am a properly qualified persons and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below.)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier/Designer/Contractor: _____

Company: _____

Address: _____

Phone No: _____ *Fax No:* _____

Signature

Date

MELBOURNE MARKET RELOCATION PROJECT TENANCY FIT OUT WORKS

APPENDIX 4 | CITY OF WHITTLESEA - FOOD PREMISES DEVELOPMENT GUIDELINES

Development Guide – Food premises

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Council Offices
25 Ferres Boulevard
South Morang VIC 3752

Locked Bag 1
Bundoora MDC VIC 3083

Tel 03 9217 2170
Fax 03 9217 2111
TTY 133 677 (ask for 9217 2170)
Email info@whittlesea.vic.gov.au
www.whittlesea.vic.gov.au

 **Free Telephone Interpreter Service**

عربي	9679 9871	Hrvatski	9679 9872
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Italiano	9679 9874	Türkçe	9679 9877
Македонски	9679 9875	Việt-ngữ	9679 9878
普通话	9679 9876	Other	9679 9879

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Introduction

The City of Whittlesea’s Health Services Department welcomes your interest in developing a food premises in the municipality and we hope that you will find this guide useful. It is intended to help you design your food premises efficiently and effectively to meet current Victorian Food Hygiene Standards and we encourage you to read this guide and the associated information carefully before contacting Council’s Environmental Health Officer (EHO) to discuss your particular proposal.

This guide is to be used by:

- Developers of new food premises.
- Operators of existing food premises who propose to make alterations or renovations.

The guide should be read in conjunction with the **Australia New Zealand Food Standards Code**:

- **Standard 3.2.2 Food Safety Practices and General Requirements** which set out the required hygiene outcomes that must be achieved; and
- **Standard 3.2.3 Food Premises and Equipment** sets out requirements for food premises fixtures, fittings, equipment and food transport vehicles.

These guidelines will give advice on complying with Standards 3.2.2 & 3.2.3.

The Australian standard for design, construction and fit-out of food premises (AS 4674-2004) may also provide valuable information for many proprietors. However compliance with this Australian Standard is not mandatory.

Health Services Contact Details

Phone 9217 2277

Fax 9409 9863

Email: publichealth@whittlesea.vic.gov.au

Website: www.whittlesea.vic.gov.au

Address: 25 Ferres Boulevard, South Morang, 3752

Postal Address: City of Whittlesea, Locked Bag 1, Bundoora MDC 3083

What is a Food Premises?

Food premises means any premises including land (whether or not vacant), a vehicle, the whole or any part of a building, tents, stalls (whether a permanent or temporary structure), pontoons and any other place declared by the relevant authority to be premises under the Food Act 1984; kept or used for the handling of food for sale, regardless if whether those premises are owned by the proprietor. Including premises used principally as a private dwelling, but does not mean food vending machine or vehicles used to only transport food.

Which Food Businesses are Registered with Council?

Under the Food 1984 all businesses, which either sell or handle food must be registered with the appropriate registration authority. Majority of food businesses are registered with the council from where their business is located or where their food vehicle is garaged.

Businesses which predominantly process meat or seafood (e.g. butchers, boning rooms, fish mongers, etc) must be registered with PrimeSafe under the *Meat Industry Act 1993* and *Seafood Safety Act 2003*. Businesses such as fish and chip shops, or supermarkets that have a butcher department, are required to be registered with their local council.

PrimeSafe

PO Box 2057, South Melbourne VIC 3205

Phone: 9685 7333

Businesses that are predominantly involved in dairy processing (e.g. cheese manufacturers, any dairies manufacturing etc) are required to be registered with Dairy Food Safety Victoria under the Dairy Act 2000.

Dairy Food Safety Victoria

PO Box 8221, Camberwell North, VIC 3124

Phone: 9810 5900

Note: A food business can only be registered or licensed with one registering authority.

Setting up a New Food Premises

Step 1. Check with Council's Building and Town Planning service departments

Prior to contacting Health Services to set up a new food premises you should check with Council's Town Planning and Building Departments; to see if you need to obtain permits under building or town planning laws for the proposed works.

Building Services Department

Phone: 9217 2259

Planning Services Department

Phone: 9217 2236

Note: A Food Act registration will not be issued if your premises does not comply with building or town planning laws.

Step 2. Contact Council's Health Services

Before undertaking any works, prospective operators must contact Health Services to discuss their proposal to ensure it complies with the current Food Standards Code.

Where practical a site inspection of the food premises should be arranged with the responsible EHO. Plans of the proposed premises or alterations to existing premises, should be available for the EHO to provide you with the appropriate advice.

It is strongly recommended that you utilise our Plan Approval Service to avoid costly alterations if your premises doesn't comply with Food Standards Code.

Step 3. Health Services plan approval service

It is recommended that before undertaking any works you should submit plans of your premises for approval.

The application form for the plan approval service can be requested from Health Services or can be downloaded from our website. (refer to contact details page 3).

The process for plan approval service is as follows:

1. Provide Health Services with two copies of detailed plans and elevations for review, drawn to a scale of not less than 1:100. The plans and elevations must clearly indicate the positioning of all fixtures and equipment; so that an approved copy can be returned.
2. The plan is to include details of proposed fixtures, fittings and equipment within the premises such as:
 - Floor, wall and ceiling finishes, including types of coving

- Location and cross sectional details of all fixtures & fittings including construction materials, and details of lighting
 - Plumbing design including grease traps
 - Freezers, chillers & cool rooms (if required)
 - Position of mechanical exhaust system
 - Refuse/garbage storage areas
 - Store rooms, toilets and change rooms (if required).
3. If applicable, separate plans and details of the mechanical exhaust system to be installed over cooking equipment will be required. Include dimensions, details of the duct work, height of the end of duct work above the roof, height of the ventilation system above the equipment, fan capacity and the exhaust velocity.
 4. Plans will be processed and approved within 14 working days from the date of submission. This is assuming that all relevant information is provided and that plans comply with current regulations. A copy of the approved plan and a plan approval letter will be mailed to the applicant. It is recommended that these documents be on site during the construction phase of the premises.

Step 4. Construction and final inspection of a proposed food premises

During the construction of the premises the responsible EHO will conduct progress building inspections to ensure the works comply with the Food Standards Code, as well as any Council approved plans. Should any building works not comply with the Food Standards Code you will be directed to make the appropriate alterations or even remove non-compliant items.

To avoid costly mistakes you should use the plans approval service and ensure all works comply with the approved plan. Any alterations to the approved plan should be notified to Council to ensure it meets the requirements and can be recorded on the Council retained plan.

A final inspection of the premises must be completed by an EHO to confirm compliance with the Food Standards Code before approval is given. At the final inspection it is expected that any refrigeration equipment, hot and cold holding units, exhaust systems are operational, and that there is a supply of hot and cold water to all plumbing fixtures.

Note: A food business cannot open until the Food Act registration has been granted.

Food Act Registration

Prior to the food premises opening you must make application on the prescribed form which will be provided after the satisfactory completion of the final inspection. The registration application form will need to be completed, signed and submitted with the appropriate fee. The EHO will advise you of the food premises classification which applies to your business.

Please refer to the table below for a brief summary of classifications. More information can be read on the DH website <http://www.health.vic.gov.au/foodsafety/bus/foodbus.htm>

Food Premises Classification

Class 1	Class 2	Class 3
Handles, processes or serves ready to eat potentially hazardous food to groups, most vulnerable to food related illness (e.g. hospital patients, nursing home residents, children in long day care)	Supplies potentially hazardous unpackaged foods which need correct temperature control throughout the food handling process, including cooking and storage, to keep food safe (e.g. restaurants, take away foods)	Supplies or handles unpackaged low risk foods or pre-packaged potentially hazardous foods which simply need refrigeration to keep them safe (eg milk bars, bread baking) and some community events

Class 1 and 2 premises are also required by legislation to operate under a Food Safety Program as well as having a qualified Food Safety Supervisor to ensure that food handling is done safely. (refer to Food Safety Program page 6 and Food Safety Supervisor page 7)

Registration of your business is renewed annually, with the registration period being from 1 January to the 31 December each year. Application for renewal of registration is sent out at the end of each year subject to satisfactory compliance with routine inspections conducted by Council's EHOs. Upon approval of registration, the business is provided with a renewal certificate of registration. This certificate must remain at the premises at all times.

Note: Operating an unregistered food business is an offence under the Food Act 1984.

Food Safety Program

A Food Safety Program (FSP) is a written plan that describes how a food business will control, monitor and manage food safely. There are two types of FSP:

- A Standard Food Safety Program
- Non-Standard Food Safety Program

A standard FSP is only available for Class 2 premises and is a template that has been created by a specific food industry or the Department of Health (DH) for retail and food service businesses.

On the DH website (www.health.vic.gov.au/foodsafety) you can see a list of all the approved templates as well as being able to download the DH template.

A non-standard FSP is a program that is written specifically for a food business, this is a requirement for all Class 1 and some Class 2 premises (e.g. large food manufacturers) where the standard FSP is not appropriate for their food operations.

Note: Food businesses that operate auditor certified Quality Assurance systems will be recognised as a non-standard FSP.

Food Safety Supervisor

All food businesses that have a Food Safety Program must also have a qualified Food Safety Supervisor. This person must have a statement of attainment with the required competencies, from a Registered Training Organisation.

On the DH website (www.health.vic.gov.au/foodsafety) you can see a list of all the current competencies and registered training providers.

Buying an Existing Food Premises

Before you purchase a food premises you should:

- check with Health Services to determine if the business has a current Food Act Registration.
- consider requesting a pre transfer inspection of the business to ensure it complies with the requirements of the Food Act 1984.

If intending to operate an existing food business, the current Food Act Registration must be transferred from the name of the current proprietor, into the name of the proposed purchaser.

Note: In the instance of taking over a food business which has already closed with Health Services (thus has no current registration under the Food Act 1984); a simple transfer of ownership cannot take place; the business will be required to register as a new business.

Step 1. Pre transfer inspection

A pre transfer inspection of an existing food premises will ensure that the premises complies with the requirements of the Food Act 1984. This can be arranged by contacting Health Services.

To request a pre transfer inspection an application form must be completed, together with a signed consent disclosure form from the current business owner prior to the inspection and returned to Health Services with the prescribed fee. Forms can be obtained from Health Services or Council's website.

Once an EHO has conducted the inspection, a report will be issued to the applicant who will identify any works required to ensure that the business complies with the current food standards code and any other applicable regulations.

The current proprietor and purchaser can negotiate who will take responsibility for undertaking any necessary works.

Step 2. Transfer of Registration

Once the business has been purchased, a transfer application form must be completed and returned with the appropriate fee to Health Services. An application to Transfer the Registration can be downloaded from Council's website.

If the food activities of the business have been classified by Council as class 1 or class 2 the new proprietor must ensure that an appropriate Food Safety Program is used for the business and a Food Safety Supervisor with the appropriate accredited training is employed to oversee safe food handling practices. (refer to Food Safety Program page 6 and Food Safety Supervisor page 7)

A Transfer Certificate of Registration will be issued in the name of the purchaser once all requirements have been met to the satisfaction of Council's EHO.

Undertaking Alterations to an Existing Food Premises

Prior to undertaking alterations to an existing food premises, the following should be addressed:

- contact Health Services and discuss the proposal with an EHO,
- consult with Council's Building Department and discuss the proposal to determine whether a new building permit is required,
- obtain approval from Health Services prior to works beginning,
- request a final inspection from Health Services once works are completed.

Development Guide

1. General Requirements

1.1 The design and construction of food premises must:

- be appropriate for the activities for which the premises is being used,
- provide adequate space for the activities to be conducted on the food premises and for the fixtures, fittings and equipment used for those activities,
- permit the food premises to be effectively cleaned and sanitised,

- exclude dirt, dust, fumes, smoke and other contaminants (to the extent practicable). If dust and dirt are likely to be blown through doorways and windows then they must be capable of being closed.
- not permit the entry of pests; and not provide harbourage for pests.

2. Water Supply

2.1 Food premises must have an adequate supply of potable water. Where hot water is being used there must be an adequate hot water service to meet all the needs of the premises.

3. Sewage and Waste Water Disposal

3.1 The food premises **must** have a sewage and waste water disposal system that:

- effectively disposes of all sewage and waste water,
- is constructed and located so that there is no likelihood of the sewage and waste water polluting the water supply or contaminating food, and
- the sewerage system must comply with all relevant plumbing regulations and requirements.

3.2 Grease Traps: The requirements for grease traps are set out in the Yarra Valley Water Trade Waste Schedule; contact 131 721 or e-mail enquiry@yvw.com.au.

4. Storage of Garbage and Recyclable Matter

4.1 Food premises must have facilities for the storage of garbage and recyclable matter that:

- adequately contain the volume and type of garbage and recyclable matter on the food premises,
- enclose the garbage or recyclable matter, if this is necessary to keep pests and animals away from it,
- are designed and constructed so that they may be easily and effectively cleaned.

4.2 For garbage storage and bin wash areas, it is recommended that this area be:

- paved and large enough to store the number and type of receptacles needed.
- graded and drained to a silt trap connected to the sewer.
- provided with a barrier to prevent the escape of waste water.
- provided with a supply of water for the washing down of bins.

5. Ventilation

Food premises must have sufficient natural or mechanical ventilation to effectively remove fumes, smoke, steam and vapours from the premises, to minimise the likelihood of airborne contamination of food.

5.1 Mechanical Exhaust canopy

- Any mechanical exhaust canopy installed over cooking equipment and above commercial dish washing machines must comply with Australian Standard 1668.
- A mechanical exhaust canopy is required above any type of equipment with a power rating of 8Kw (electricity) and/or 29 mega joules/hour (gas) or above.
- A mechanical exhaust canopy must be supplied over any deep fryer appliance (regardless of its power rating).

Note: It is recommended a separate plan which includes the design and specifications of the exhaust system to be installed, should be submitted for endorsement prior to installation of the system.

- A mechanical exhaust system is to be constructed of stainless steel or other approved or impervious and fire proof material in a smooth, permanent and tradesman like manner. Surfaces are to be smooth and free from obstruction and capable of being easily cleaned. All joints must be joined, seamed and/or riveted so as to be grease tight.
- Mechanical exhaust systems above cooking equipment must have removable grease filters, condensate gutter and drain plug.
- The capture velocity is to be 0.5m/s across the face of the hood, to effectively remove fumes, vapors and smoke. Where lights are installed in the hood, they shall be recessed and enclosed in a vapor proof housing with a shatter proof lens or guard.
- All cooking equipment must be designed and installed so that they are located beneath and within the perimeter of the mechanical exhaust system; (i.e. designed to extend not less than 150mm beyond the perimeter of all appliances to be ventilated).

Table 5.2.1 Capture Velocity requirement 1

Type of equipment	Capture velocity m/min	Capture velocity m/sec
Boiling pans, steamers	18	0.3
Charcoal Griller	36	0.6
Dishwashers	18	0.3
Ranges, pastry ovens, roasting ovens, rotisseries, pizza ovens	18	0.3

Source: Food Safety Standard Guidelines pg

5.2 Canopy Type Hoods

- a. Canopy hoods are to be provided with capture velocities sufficient for the conveying of all heat, fumes and other aerosols to the hood and exhaust opening, but in any case, capture velocity is to be not less than 30m/minute measured parallel to and at the face of the hood or;
- b. Where grease vapours are present, kitchen hoods shall be provided with washable metal grease filters and provided with a condensate gutter drained to a suitable outlet, filters shall be even spaced along the length of the canopy.
- c. The distance between the lowest edge of the canopy and the exposed cooking flame type must not be less than 600mm.
- d. Where lights are installed in the hood, they shall be recessed and enclosed in a vapour proof housing with a shatter proof lens or guard.

5.3 Exhaust Openings in Hoods

Connections of exhaust duct work to hoods or canopies must be constructed so that access is available to carry out maintenance and cleaning.

5.4 Enclosures

Enclosure of canopy type hoods has the advantage of reducing time needed to clean the exterior side of the canopy. An approved material for enclosures includes galvanised iron or stainless steel.

5.5 Ducts

- a. Ducts shall be constructed of galvanised sheet iron or other approved non-combustible material in a permanent and tradesman like manner, smooth and free from obstructions on internal surfaces.
- b. Vertical sections of ducting should only be installed outside the building. If it is essential that they be located inside and the building is in excess of one storey in height, it may be necessary for the ducting to be enclosed in material (contact Council's Building Department for approval or comment).

- c. It is recommended that grease tight inspection openings be provided in ducts at intervals of not more than three meters and also at every change of direction. These inspection openings should be large enough to allow easy access to the duct for cleaning purposes. Grease sumps should be provided at the bottom of every vertical length of duct, other than a section connecting with a hood or canopy.
- d. It is recommended that horizontal ducts be fixed with a minimum fall of 1:100 towards the hood or canopy.
- e. It is recommended that flexible connections in ducts and between ducts and motors be provided so as to prevent noise and vibration in the system.
- f. Duct work must terminate in a position which will ensure dispersion of exhaust and fumes without fouling of any roof or building structure and be fitted with an approved bird proof, weather proof cowl. The cowl should allow ready dispersion of discharged vapours without creation of a nuisance.
- g. All openings in walls, floors, ceilings or roofs, through which the duct passes should be made vermin proof.

5.6 Noise Emission

Mechanical exhaust systems should be designed and operate at a level so as to not cause a noise or vibration nuisance.

5.7 Safety

Thorough cleaning of filters must be carried out regularly. A second set of clean filters will allow continuation of operations during cleaning.

Fat fryers should be installed in accordance with the manufacturer's guidelines.

5.8 Make Up Air

Make up air shall be supplied to the areas where mechanical ventilation is installed by means of an approved induct ventilating system. (contact Council's Building Services Department for comment).

5.9 General

All mechanical exhaust ventilation systems shall be installed to current engineering and building practices so as not to inhibit the safety and/or structural soundness of buildings, or the personal safety of the occupants of any building.

In some instances, a building permit may be required for the installation of mechanical exhaust ventilation systems. It is therefore recommended that contact be made with Council's Building Services Department to ascertain if approval is necessary.

6. Lighting

Food premises must have a lighting system that provides sufficient natural or artificial light for the activities conducted on the food premises.

In areas where exposed food is handled or stored, light fixtures shall be provided with wrap around shatter proof covers, dust proof diffusers or recessed into the ceiling.

Australian Standard 1680 contains recommended maintenance illuminances for various types of tasks. Below is the minimum level of lighting that is permitted in a food premises.

Table 6.9 Minimum level of lighting 1

Activity	Levels of illuminance (lux)
Kitchens	
General	160
Food preparation, cooking, washing up areas	240
Staff canteens, dining rooms, cafeteria	
General	160
Counters	240

Source: Australian Standard 1680.2.1:2008

7. Floors, Walls and Ceilings

7.1 Floors

7.1.1.1 Floors must be designed and constructed in a way that is appropriate for the activities conducted on the food premises.

7.1.1.2 Floors in exposed food areas must:

- a) be able to be effectively cleaned;

Floors should be smooth (within occupational guidelines), durable, free from cracks and crevices and resistant to hot water, steam and/or chemicals.

Examples of floors that meet the criteria include glazed tiles with flush epoxy grouting, sheet vinyl (industrial grade) and epoxy resin.

- b) be unable to absorb grease, food particles or water;

The floor surface must be impervious to grease, food particles and water to enable these substances to be removed by cleaning.

Carpet and other absorbent matting are not capable of being effectively cleaned and are therefore unsuitable in any food preparation, storage or wet area.

- c) be laid so that there is no ponding of water; and

The floor surface should be either even and horizontal or even and graded to a floor waste (or other drainage point). There must be no dips or hollows

where water can collect and, if the floor is graded, it must be sufficiently graded towards the floor waste (or other point) to allow water to drain away.

Floors flushed with water or hosed down must be graded and a floor waste (drain or gully) installed so that the water drains to a drainage system.

d) to the extent that is practicable, be unable to provide harbourage for pests.

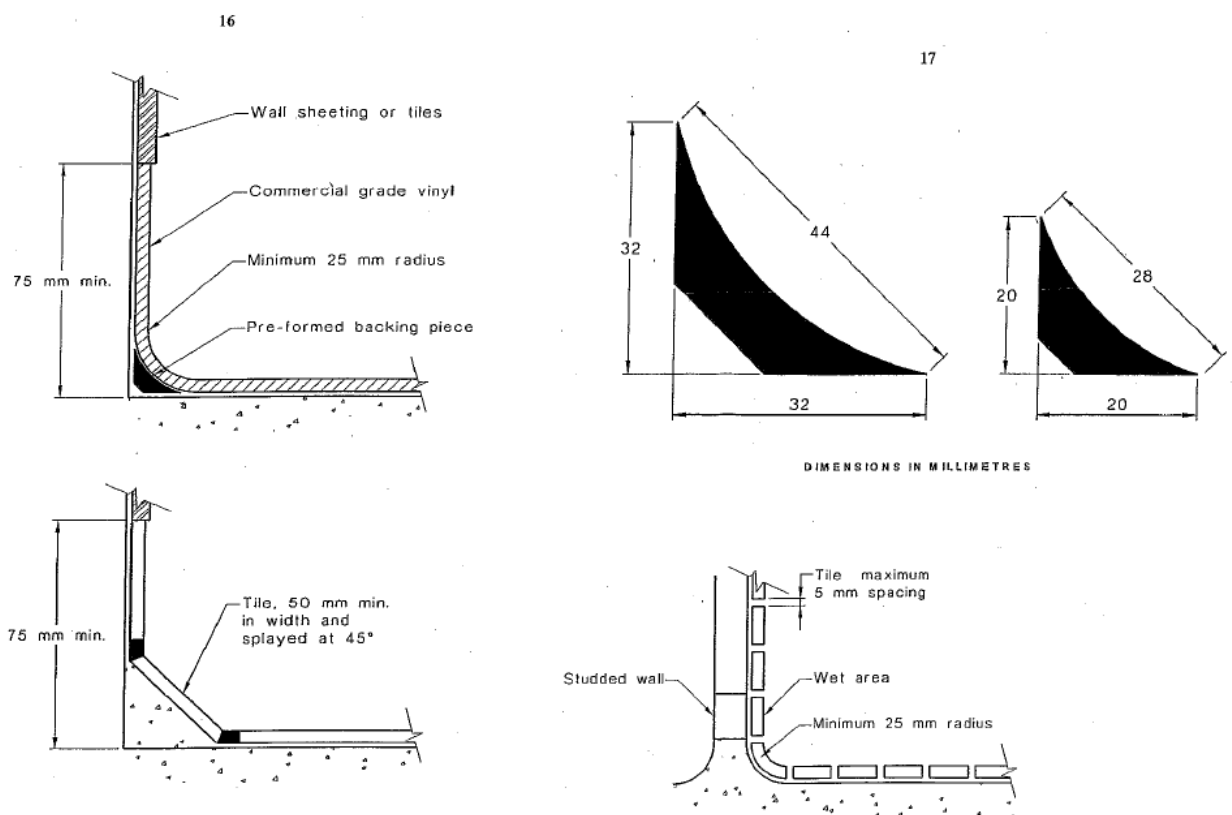
The must be installed so that there are no places where pests such as cockroaches could harbour and breed. For example, tiles and vinyl sheeting must be firmly attached to the surface beneath to prevent pests harbouring under the tiles or vinyl sheeting.

Suitability of floor finished for food premises areas

Finish	Wet washed areas	Food preparation	Vegetable preparation	Servery	Store room	Chillers/freezers	Bin store	Eating areas	Comments
Stainless steel non-slip profile	X	X	X	X	X	X	X	X	Welded joints
Ceramic tiles	X	X	X	X	X	X	X	X	Epoxy grout
Quarry tiles	X	X	X	X	X	X	X	X	Sealed
Steel trowel case hardened concrete			X		X	X	X	X	Smooth-sealed finish, no joints
Carpet/carpet tiles								X	
Wooden flooring								X	Sealed
Polyvinyl sheet	X	X	X	X	X	X	X	X	Heat-welded joints (not suitable adjacent hot fat appliances)
Laminated thermosetting plastic sheet	X	X	X	X	X	X	X	X	Heat-welded joints (not suitable adjacent hot fat appliances)
Vinyl tiles					X			X	
Plastic matting				X				X	Should be used for safety reasons only It shall be easily cleaned and laid in sections that can be removable for cleaning
Cork tiles								X	Sealed

Finish	Wet washed areas	Food preparation	Vegetable preparation	Servery	Store room	Chillers/freezes	Bin store	Eating areas	Comments
Epoxy resins	X	X	X	X	X	X	X	X	Complying with AS3554

7.2 Coving



Coving is to be provided in new premises in areas where floors are intended to be or likely to be cleaned by flushing with water. It will also help cleaning where the floor has to be frequently swept. Installing coving at floor-wall junctions behind stoves and preparation benches may make these difficult-to-access areas easier to keep clean.

7.3 Storage areas

Floors in these areas should be smooth and free of cracks and crevices in order to be capable of effective cleaning.

8. Walls and Ceilings

- Walls and ceilings must be designed and constructed in a way that is appropriate for the activities conducted on the food premises.
- Walls and ceilings must be provided where they are necessary to protect food from contamination.

Walls & ceilings in exposed food areas

- Walls and ceilings in exposed food areas must be:

- a) sealed to prevent the entry of dirt, dust and pests;

The junction between walls and between walls and the ceiling must be tightly joined to provide a seal to prevent dust, dirt and pests such as cockroaches accessing the food area.

- b) unable to absorb grease, food particles or water; and

The walls **must** be impervious to grease, food particles and water. Wall surfaces in kitchens and other processing areas must be finished with materials such as ceramic tiling, vinyl sheeting or stainless steel.

Plasterboard and similar absorbent wall surfaces are not suitable unless protected by ceramic tiles or other impervious materials in areas that are likely to be splashed by water or be in contact with food. This is particularly important for walls which have to withstand frequent cleaning.

- c) able to be easily and effectively cleaned.

Rough plaster ceilings, acoustic tiles etc. are unsuitable for food preparation areas because they are difficult to clean.

Table 3.2 Suitability of wall finishes for food premises areas (see also Clause 3.2.4)

Finish	Wet washed areas	Food preparation	Vegetable preparation	Servery	Store room	Chillers/freezers	Bin store	Eating areas	Comments
Stainless steel non-slip profile	X	X	X	X	X	X	X	X	Welded joints
Ceramic tiles	X	X	X	X	X	X	X	X	Epoxy grout
Quarry tiles	X	X	X	X	X	X	X	X	Sealed
Steel trowel case hardened concrete			X		X	X	X	X	Smooth-sealed finish, no joints
Carpet/carpet tiles								X	
Wooden flooring								X	Sealed
Polyvinyl sheet	X	X	X	X	X	X	X	X	Heat-welded joints (not suitable adjacent hot fat appliances)
Laminated thermosetting plastic sheet	X	X	X	X	X	X	X	X	Heat-welded joints (not suitable adjacent hot fat appliances)
Vinyl tiles					X			X	
Plastic matting				X				X	Should be used for safety reasons only It shall be easily cleaned and laid in sections that can be removable for cleaning
Cork tiles								X	Sealed
Epoxy resins	X	X	X	X	X	X	X	X	Complying with AS3554

Requirements for all walls and ceilings

Walls and ceilings **must**:

- a) be able to be effectively cleaned
- b) to the extent that is practicable, be unable to provide harbourage for pests.

Table 3.3 Suitability of ceiling finishes for food premises areas

Finish	Wet washed areas	Food preparation	Vegetable preparation	Servery	Store room	Chillers/freezers	Bin store	Eating areas	Comments
Painted plaster	X	X	X	X	X		X	X	Smooth finish
Steel sheet	X	X	X	X	X		X	X	
Trowelled cement	X	X	X	X	X		X	X	Polished surface
Wood panelling								X	Sealed surfaces
Concrete	X	X	X	X	X		X	X	Sealed smooth finish
Pre-formed panels	X	X	X	X	X	X	X	X	
Acoustic panels								X	Suspended T-bars
Decorative panels								X	

9. Fixtures, Fittings and Equipment

9.1 General requirements

- Fixtures, fittings and equipment are to be adequate for the production of safe and suitable foods and fit for their intended use.
- They must be designed, constructed, located and installed so that they will not contaminate food, can be easily and effectively cleaned and do not provide harbourage for pests.
- Adjacent surfaces must be able to be easily and effectively cleaned.
- Food contact surfaces must be made of material that will not contaminate food, can be easily and effectively cleaned and, where necessary, sanitised, and are impervious to grease, food particles or water.
- Fixtures, fittings and equipment must be:

a) Adequate for the production of safe and suitable food.

This is so that the premises is adequately equipped to receive, store, process, package and sell safe and suitable food. Also to keep the premises free from pests and that staff can comply with the requirements for personal hygiene.

b) Fit for their intended use.

This covers the design features, construction materials, and method of construction and mode of operation.

- Fixtures and fittings must be designed, constructed, located and installed, and equipment must be designed, constructed, located and, if necessary, installed, so that there is no likelihood that they will cause food contamination. Equipment containing bearings and gears are designed so that lubricant does not drip from equipment.
- Lines carrying liquid waste from equipment, lines carrying detergent to dishwashers or drains carrying waste from appliances are not directly above food handling areas or across food and food containers.
- Glass thermometers are only to be used when other types are not appropriate.
- Light fittings are designed so that if a globe breaks, the glass will not fall into food.
- Electronic insect killing devices are designed and constructed so that dead insects are caught by the device and do not fall onto food or equipment.
- Clean in place equipment is designed and constructed so that it is either self-draining or can be effectively drained, so that cleaning and sanitisation solutions do not remain in the equipment.
- Equipment openings, covers and lids are designed to protect stored or prepared food from contaminants and other foreign matter that could fall into food.
- The drip gutter on kitchen exhaust hoods catches the grease and condensation to prevent drips on food or equipment.
- Parts of machinery are designed to avoid trapping and holding food particles, especially in inaccessible parts of the machine.
- Equipment must be designed, constructed and located so that it can be kept clean. This includes the use of smooth surfaces with rounded edges, no open joints or rough edges. Equipment needs to be able to be dismantled if necessary for cleaning, and kitchen grease filters need to be removable. Safety shields need to be removable and service wires, pipes or hoses enable disconnection of equipment so that it can be cleaned.
- Adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned. Installing equipment on castors, rollers or legs enables it to be moved. Fixed equipment can be installed on plinths or legs so that it is raised above the floor. This enables hosing underneath the equipment and minimises harbourage for pests.

- Boxed in hot water services and other equipment should not be used. This requirement is to be adhered to only when it is practicable.
- The food contact surfaces of fixtures, fittings and equipment must be:
 - a. Able to be easily and effectively cleaned and, if necessary, sanitised if there is a likelihood that they will cause food contamination. Food surfaces must be smooth, free of cracks, chips, crevices, ridges or grooves that could harbour bacteria and impair the surface ability to be easily and effectively cleaned.
 - b. Unable to absorb grease, food particles and water if there is a likelihood that they will cause food contamination. The surfaces must be impervious to grease, food particles and water, if there is a likelihood that they would contaminate food.
 - c. Made of material that will not contaminate food. The materials used for food contact surfaces must not contaminate food. For example lead in ceramic, china and crystal utensils, and galvanised metal in contact with acidic foods.
- Eating and drinking utensils must be able to be easily and effectively cleaned and sanitised. Eating and drinking utensils may transfer pathogens that cause infectious disease to people using them. These utensils need to be able to withstand cleaning and sanitising processes including the use of chemicals and hot water.

10.2 Connections for specific fixtures, fittings and equipment

- Fixtures, fittings and equipment that use water for food handling or other activities and are designed to be connected to a water supply, must be connected to an adequate supply of water. This means that sinks, basins, dishwashers, glass washers, hose connections, ice making machines and other water using equipment must be connected so that it is plumbed in.

This is to prevent contamination from the use of non potable water, and to ensure a constant supply at appropriate temperature and pressure.

- Fixtures, fittings and equipment that are designed to be connected to a sewage and waste water disposal system and discharge sewage or waste water must be connected to a sewage and waste water disposal system.

The fixtures, fittings and equipment must both discharge waste water and be designed to be connected to drainage for the requirement to apply. Some equipment may discharge waste water but not be intended to be connected to the draining system. Example: Some food processing equipment.

- Automatic equipment that uses water to sanitise utensils or other equipment must only operate for the purpose of sanitation when the water is at a temperature that will sanitise the utensils or equipment.

Automatic sanitising equipment that uses hot water to sanitise must only operate when the water is at sanitising temperature. This prevents the practice of operating machines shortly after they are switched on either before the water has time to heat up, or the water that is supplied to the machine is not at a sanitising temperature.

9.3 Hand washing facilities

- 1) Food premises must have hand washing facilities that are located where they can be easily accessed by food handlers. Easily accessible hand washing facilities encourages food handlers to use them. Basin and sinks located in places too hard to be accessible do not comply with the standard.

Hand washing facilities should be placed:

- a) within areas where food handlers work if their hands are likely to be a source of contamination of food. This requires that there are hand washing facilities in areas where unprotected food is handled such as food preparation areas. A food handler should not have to travel more than 5 meters to the nearest hand washing basin, except for in large production factories.

Table 9.3.1 Hand washing Facilities 1

Type of food business	Hand washing facilities
Handling unprotected foods Commercial kitchens in restaurants, hotels Hospital, and other health care facilities, takeaways, coffee shops and bars Catering kitchens, airline meals assembly Manufacturing ready to eat foods including baked goods, dairy products, meat products, ready to eat fruit and vegetable products. Preparing ready to eat raw meat and fish Butchers Raw fruit and vegetables Handling clean equipment and eating and drinking utensils	There must be hand washing facilities where the food handlers work
Handling packaged food Warehouse, cash and carry premises, chemists newsagents, display areas of supermarkets	Hand washing facilities are not required under this clause

Source: Food Safety Standard Guidelines pg 170.

If food is handled in more than one area, then a hand washing sink is required in each area.

- b) If there are toilets on the food premises a hand wash basin needs to be immediately adjacent to the toilets or toilet cubicles. This is because food handlers are required to wash their hands immediately after going to the toilet.

Note: There are no specific obligations under the standards on businesses to ensure that hand basins are available at public facilities such as shared staff and public toilets located in shopping centres, etc. Other laws such as Building may require the presence of the hand basin in this instance.

2) Subject to the following subclauses, hand washing facilities must be:

- a) permanent fixtures
- b) connected to, or otherwise provided with, a supply of warm running potable water
- c) In permanent premises the basin must be connected to a piped supply of warm running potable water. If a separate hot and cold water supply is provided a mixer tap or common outlet is required.
- c) The basin should be of a size that allows easy and effective hand washing.
- d) The basin needs to be clearly designated for the sole purpose of washing hands, arms and face.

“Designated” means that the facilities must be identifiable in some way that indicates that they are for the sole purpose of washing hands, arms and face. This may be carried out by the following:

- installing conventional hand basin of a design that is easily recognisable as such and providing soap and drying facilities only at that basin (or basins).
- putting up a sign that states “For hand washing only”.
- an illustration of hands being washed.
- indicating that the facility is not to be used for food and utensil washing.
- if one compartment of a double bowl sink is designated for hand washing the sign must clearly indicate which part.

3. Paragraph (2a) does not apply to temporary food premises.
4. With the approval in writing of the appropriate enforcement agency, food premises that are specified in the approval do not have to comply with any requirement of this clause that is also specified in the approval.

Only food premises that are used principally as a private dwelling or are temporary food premises may be specified in an approval for the purposes of subsection (4).

Bed and Breakfast and Family Day Care organisations are examples of business that may seek approval to use a domestic kitchen that does not have a hand basin. The enforcement authority would have to be satisfied that there is a washbasin that is adjacent to the kitchen or is easily accessible to the kitchen. Alternatively if the kitchen has a double bowl sink; one compartment could be designated for washing hands only.

Hands free taps are required in the food preparation areas of a new premises.

NOTE: The Building Code of Australia (BCA) contains the requirements for the number of hands basins that must be installed as part of the provision of sanitary fittings.

10. Miscellaneous

10.1 Storage facilities

- a) Food premises must have adequate storage facilities for the storage of items that are likely to be the source of contamination of food, including chemicals, clothing and personal belongings.
- b) Storage facilities must be located where there is no likelihood of stored items contaminating food or food contact surfaces.

The storage facilities include a designated cupboard or locker, or separate room such as a change room to store personal belongings and clothing.

Dirty linen, tablecloths, aprons that are used must also have a designated area to be kept.

Cleaning products and chemicals such as pesticides must be stored in an appropriate designated area such as cupboards labelled cleaning products/chemicals.

Other items such as staplers, pins, pens, paperwork or tools, nails and paint must also be stored separately from any food items.

10.2 Toilet facilities

A food business must ensure that adequate toilets are available for the use of food handlers working for the food business.

There are a number of factors in deciding the adequacy of toilets.

- The toilets must always be accessible at all times that the business is operating. Toilets that are not on the premises must be accessible at all times when staff are working.

- The toilets must be clean and operating properly whether on or off the premises.
- A designated staff toilet may assist the proprietor in keeping the toilet clean.
- The toilets should not be entered directly off a food preparation area but through a ventilated lobby. There must be no likely hood that droplet borne contamination will affect the safety of the food.

The toilets should be located within a reasonable distance from the food handlers work area. (Maximum distance than an ordinary person would be expected to walk in the time available for breaks etc. and takes time needed to negotiate doors, stairs and corridors to reach toilets.

Access to customer toilets must not be through food preparation areas.

Toilets off site must also meet the requirements to be considered adequate.

Toilets must be adequately equipped to provide hand basin with a supply of warm running potable water for hand washing and suitable drying facilities.

Note: The Building Department provides information regarding the adequate numbers of toilets.

10.3 Food transport vehicles

- a) Vehicles used to transport food must be designed and constructed to protect food if there is a likelihood of food being contaminated during transport.

This applies to vehicles used to transport unpackaged food such as raw meat, bread and cakes, and produce intended for immediate consumption to protect it from dirt, dust rain and vehicle fumes.

Cooked and raw foods may be carried on the same vehicle provided they are adequately separated or packaged and there is no risk of spillage or contact. Raw, unwashed vegetables should be kept separate from cooked and ready-to-eat foods. Designing the vehicle to include partitions, separate compartments, shelves etc. can assist in segregating food to prevent cross contamination.

The food compartment must be separate from the driver's compartment or any passenger areas. This prevents personal items such as pens and cigarette butts being in the food compartment.

Vehicles used to transport food need to be properly maintained to:

- Prevent contamination of food from flaking plaster, paint, timber, broken glass, leaking pipes etc.
- Enable effective cleaning and if necessary, sanitising.

- Ensure pests do not gain access to the building or vehicle from holes in ceilings, walls etc.
- Ensure the equipment works as intended.
- b) Parts of vehicles used to transport food must be designed and constructed so that they are able to be effectively cleaned.

This requirement only applies to the area where the food is placed.

The interpretation of “effective” should have regard to the degree to which the food being transported would be affected by the ability of the interior surfaces to be cleaned.

- c) Food contact surfaces in parts of vehicles used to transport food must be designed and constructed to be effectively cleaned and, if necessary, sanitised.

This is for unpackaged food that comes into direct contact with the interior surfaces of the vehicle such as a milk tanker. The surfaces will have to be capable of withstanding sanitising steam, hot water or chemicals.

Note: For laws applicable to meat transport refer to the Australian Standard for Transportation of Meat for Human Consumption.

Melbourne Market Relocation Project

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