



Operating hours reflect the *Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2004* for use of mobile machinery.

5. In accordance with Section 4 of the *Environmental Management and Pollution Control Act 1994*, best environmental management practices must be employed to prevent the emission of dust, water, effluent or other matter from the site during the construction process.

#### Operational Activities

6. The use of the site must only operate between the hours of 0600 to 2300 Monday to Thursday inclusive; and 0600 to 2400 Friday to Sunday inclusive.
7. Loading and unloading of raw materials, and/or processed materials onto trucks, on the land and the transportation of raw and processed materials from the land, must only take place between the following hours:

Monday through to Saturday	0700 to 1800
Sunday and Public Holidays	0900 to 1800

8. All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved by the Council in writing:
  - a) Waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
  - b) Waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
  - c) Any residual waste must be disposed of only at a site and in a manner approved by the Council.
9. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or watercourses is strictly prohibited.
10. The building and all equipment associated with the processing operations on the land must be maintained and operated in such a manner that dust or odour do not cause environmental nuisance beyond the boundary of the land.
11. The proponent's Building Surveyor must forward copies of the following documents to Council's Coordinator Environmental Health Services prior to any works being undertaken on site (including the installation of fixtures and fittings) that relate to the proposed food premises:
  - a) A request in an approved form (Form 42) for an Environmental Health Officer report.
  - b) Any relevant drawings, specifications or other documents submitted with the application.
  - c) Details provided by the owner of the nature of the foods to be prepared, handled, stored or sold and the types of manufacturing processes to be undertaken on the premises.

- d) Council's Coordinator Environmental Health Services may require the premises to meet equipment and fit out specifications which exceed those required by the *Building Code of Australia*, before the premises can be registered and the food business licensed pursuant to the *Food Act 2003*.

**Environmental Health Special Conditions:**

12. All recommendations contained in the acoustic report prepared by Vipac Engineers & Scientists dated 11 February 2011 are to be fully implemented during construction and use of the premises. This includes the following recommendation: 'As the design of mechanical plant progresses, use an acoustics engineer to ensure appropriate siting, choice of equipment and noise control measures are instigated so that the mechanical plant acoustic design criteria are met (40dBA at the nearest residence)'
13. A verification report is required to be submitted to Council within six weeks from commencement of issue of the Occupancy Certificate to certify the development or proposed use is complying with acceptable noise levels indicated in the noise report and operating without causing a noise nuisance.
14. The building must include an acoustic barrier designed by an appropriately qualified acoustic engineer that runs the entire length of the western side of the drive through. The barrier must be contiguous and provide a level of noise attenuation to fully satisfy the acceptable noise values outlined in the Noise Assessment Report. The barrier must be set back from the Road Alignment a minimum of 1 metre to allow landscaping along this boundary in the form of the replanting of the rose bushes located in the Pink Iceberg Rose Garden.

**Traffic Engineering:**

15. No alterations are to be made to the traffic management arrangements on Main Road and the existing median lane and right turn lane at the Box Hill Road traffic signals remain as currently provided.
16. The level differences between the new access driveway and the footpath must be dealt with within the extent of the Main Road frontage of the development site. Any impacts to the footpath outside adjacent properties would require a separate development application.
17. The new access driveway must be altered to meet the requirements of Table 3.2 of Australian Standard AS 2890.1:2004 Off-Street Car parking. That is, an entry width of 6.0 metres, an exit width of 4.0 to 6.0 metres and a driveway separation of 1.0 to 3.0 metres. This is wider than the driveway access shown on the drawings provided with the application documentation. Details are to be submitted with the building permit application and approved by Council's Co-ordinator Planning Services.
18. The Main Road access driveway shall be restricted to right-in, left-in and left-out only, including the provision of a suitably designed median island to physically restrict the right-turn traffic movements out of the site. "Left Only" (R2-14) signage will need to be placed for traffic exiting the driveway and a left turn arrow painted on the driveway to reinforce the restriction. Signage and line marking is to be installed to the satisfaction of Council's Traffic Engineer.
19. The three car parking spaces shown adjacent to the fence line at the rear of 33 Main Road as shown on Drawing No. P5 are not required and must be removed.

20. A minimum of three (3) bicycle parking spaces must be provided on the site. These spaces shall be well-lit and must comply with the requirements of AS 2890.3.
21. A minimum of one (1) motorcycle parking spaces must be provided on the site. This space shall be well-lit and must comply with the requirements of Clause 2.4.7 of AS 2890.1.
22. A separate and accessible pedestrian path must be provided between Main Road and the front door of the KFC restaurant and into the Claremont Village car park. Details are to be submitted with the building permit application and approved by Council's Coordinator Planning Services.
23. That "Keep Clear" markings in the vicinity of the entry to the KFC car park must be provided to prevent vehicles queuing at the drive through from blocking the car parking area.

#### **Engineering:**

24. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
  25. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
  26. Damage to Council Assets:
    - (a) Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.
    - (b) It shall be the developer's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works shall be deemed to be the responsibility of the developer and shall be repaired at the developer's cost.
  27. Any modifications to vehicular kerb crossing must include reinstatement of the footpath/nature strip and kerbing to match the existing environment.
  28. A minimum of 18 clearly marked car parking spaces must be provided for this development as shown on the Site Plan submitted with the development application and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking.
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29. In addition to the above, one (1) of the 18 clearly marked car parking spaces must be provided for the exclusive use of persons with a disability and kept available for these purposes at all times. This car space must be provided in accordance with Australian Standard AS 2890.6 – 2009 Off-Street Parking for persons with a disability.
30. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
31. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment. All runoff from paved and driveway areas in excess of 30m<sup>2</sup> must be retained within site boundaries, collected into a grated drain and silt pit and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements.
32. The existing Council stormwater main located along the length of the proposed development rear car park must be replaced by the applicant a minimum of 1.0m clear of the proposed retaining wall. Council records indicate the size of this stormwater main is 150mm, however this is required to be confirmed on site. All works are to be at the developers cost and to the requirements of Council's Development Engineer.
33. The developer must be responsible for locating existing service connections on site. Where existing service connections cannot be found or existing service connections require upgrading for the development, new connections must be provided by Council or other relevant service Authority at the developer's cost.
34. All service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
35. Any driveway crossover work within Council's road reservation must be carried out by a Council-registered contractor. A road-opening permit from Council's Planning Services Program is required. An inspection fee is payable upon application.
36. Detailed engineering drawings showing the driveway and manoeuvring areas, new Council drainage main clear of the building, building foundation details near Council's main(s), internal service lines and connections to service mains, surface drainage collection including grated drains and silt collection pits, pavement composition and levels and finished floor levels must be submitted with the Building Application for approval by Council's Development Engineer.
37. The applicant must ensure that the provision of other services, such as service authority infrastructure, letterboxes or bin enclosures, do not conflict with requirements of this Permit. In particular, passing bays, driveway, parking and manoeuvring areas must be kept clear of obstructions so that vehicle paths are not restricted.

**Southern Water:**

38. The conditions as determined by Southern Water, and set out in the attached Appendix A, form part of this permit.

**Advice to Applicant:**

*This advice does not form part of the permit but is provided for the information of the applicant.*

- The developer should liaise with Metro Tasmania regarding the possible relocation of the existing bus stop at the Claremont Village Shopping Centre car park. It is noted that Council will not contribute to bus stop relocation costs.
- That the use may be subject to the *Disability Discrimination Act 1992 (DDA)* with respect to access provisions. It is noted for your information that the *Building Code of Australia (BCA)*, the Australian Standards (AS1428.2 1992) and associated Standards and the DDA may apply to both employees and visitors to the building. There are currently no prescribed standards for compliance with the DDA.

This permit does not constitute a building approval nor does it ensure compliance with any other statute including the DDA.

A use or development which does not comply with the DDA may be subject of a complaint. The Council recommends that the Applicant seek further information concerning compliance obligations which arise under the DDA.

Further information concerning the DDA can be obtained from:-

Office of the Human Rights and Equal Opportunities Commission and from the Tasmanian Anti-Discrimination Commission.

Belinda Loxley/Kylie Williams  
Coordinators Planning Services

10/05/2011

## Appendix 'A'

### Building & Plumbing:

1. Certificates for Certifiable Work (Building) and (Plumbing) must be obtained from Southern Water and be submitted to Council with any associated Building/Plumbing permit applications;
2. After all certifiable work has been completed the applicant must obtain Certificates of Water and Sewerage Compliance (Building) and (Plumbing) from Southern Water prior to the applicant requesting Certificates of Completion from Council;
3. Prior to the issue of the Certificates of Certifiable Works (Building) and (Plumbing) by Southern Water, the applicant or landowner as the case may be must make application to Southern Water pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of any or part of the development which is a "prescribed structure".
4. No development works are to commence unless and until the applicant or the owner, as the case may be, has obtained the consent of Southern Water as required by section 56W of the Water and Sewerage Industry Act 2008 and, in the event that consent is granted, have complied with the conditions of such consent;
5. Where Southern Water Infrastructure and property service connections or meter boxes are located within an area subject to vehicular loading, the developer must upgrade this infrastructure and protect Southern Water services and is responsible for the costs associated with this work. The upgrades include:
  - a. Raising the inspection openings/surround, gate valves or meters to the finished surface level of the driveway pavement;
  - b. Upgrading the service enclosures to withstand vehicular loads – trafficable lid and surrounds;
6. The developer must utilize the existing sewer connection and no new connection to Southern Water's sewer infrastructure is authorised;
7. The existing DN20mm water service that feeds the subject property from Main Road must be cut and sealed by Southern water at the developer's cost;
8. Subject to condition 9 the existing DN38mm copper Southern Water water main crossing Bilton Street that serves the subject property must be increased to a minimum DN63mm PE line in order to service the proposed development (sleeved under the road). The upgrade of this water main must be carried out to the requirements and approval of Southern Water at the developer's cost prior to the issue of Certificates of Water and Sewerage Compliance (Building) and (Plumbing). The laying of the new water main must be performed by a contractor approved by Southern Water, and the cut-in to Southern Water's infrastructure must be performed by Southern Water at the Developer's cost;
9. In the event that the new DN63mm PE line from the existing DN100 water main in Bilton Street to the new water connection for the proposed restaurant is greater than 50m, the pipe diameter must be DN100 (DICI pipe under the road) terminating with a hydrant and reconnection to the exiting 50mm copper pipe. The upgrade of this water main must be carried out to the requirements and approval of Southern Water at the

developer's cost prior to the issue of Certificates of Water and Sewerage Compliance (Building) and (Plumbing). The laying of the new water main must be performed by a contractor approved by Southern Water, and the cut-in to Southern Water's infrastructure must be performed by Southern Water at the Developer's cost.

10. The developer is responsible for costs associated with designing & installing a new minimum 32mm property water service for the proposed restaurant. This service is to be connected to the upgraded water main referred to in condition 8 or 9 as applicable;
11. The developer is to ensure that the property water service has suitable boundary backflow prevention in accordance with AS3500.1. In addition to the boundary backflow prevention, the water service must have suitable metering arrangements;
12. The developer must obtain from Southern Water, Engineering Design Approval for new Southern Water infrastructure, prior to applying for a permit to construct new Southern Water infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a registered professional engineer showing the hydraulic servicing requirements for water. The engineering design plans must comply with the Water Code of Australia - Melbourne Retail Water Agencies Integrated Code version(s) published by the Water Services Association of Australia, and as amended by Southern Water's Supplements, and must be to the approval of Southern Water;
13. Prior to commencement of any works on site, the developer must apply to Southern Water for a permit to construct new Southern Water infrastructure;
14. At practical completion of the water infrastructure works and prior to applying to Southern Water for Certificates of Completion (Building) and (Plumbing), the developer must obtain a Certificate of On-Maintenance from Southern Water for the newly constructed infrastructure that will be transferred to Southern Water. To obtain a Certificate of On-Maintenance the developer must:
  - a. Provide written confirmation that the works have been completed in accordance with the plans and specifications and that the appropriate level of workmanship have been achieved, and provide as constructed drawings for all services and connections in both hard copy and digital formats to Southern Water where the digital format must be in a format acceptable to Southern Water;
  - b. Request a joint on site inspection with Southern Water's authorised representative;
  - c. Lodge security with Southern Water as required for a twelve (12) month maintenance period. The security is to be 10% of the value of the Southern Water infrastructure. Such security shall be in the form of a bank guarantee;

In the event a Certificate of On-Maintenance is issued, a 12 month defects period shall apply to the infrastructure the subject of the application for the On-Maintenance Certificate ("the defects period"). During the defects period all defects must be rectified at the developer's cost and to the satisfaction of Southern Water. A further 12 month defects period may be applied to defects after rectification during the defects period at the absolute discretion of Southern Water. In its



absolute discretion Southern Water may undertake rectification of any defects during the defects period and the cost of those rectification works will be a debt due and payable by the developer to Southern Water upon completion of the rectification works. The defects period will be deemed complete when Southern Water issues of a Final Certificate for the infrastructure that the developer requests a Final Certificate be issued for.

15. Upon Southern Water being satisfied that the defects period has been completed to its satisfaction, for the newly constructed infrastructure that will be transferred to Southern Water, the developer must request that Southern Water issue a Final Certificate. Upon determination of whether the defects period has been completed to its satisfaction, and Southern Water receiving a request for the issue of a Final Certificate, Southern Water will issue a Final Certificate of the new infrastructure that the developer has requested a Final Certificate for and that infrastructure shall be deemed to be vested in Southern Water from the date of issue of a Final Certificate.
16. Any damage to Southern Water's assets must be promptly reported to Southern Water and shall be repaired by Southern Water at the developer's cost;

**Trade Waste:**

17. The property owner, its successors and/or assigns must ensure that the proprietor of a business operating from the property applies to and obtains from Southern Water written authority to discharge trade waste to sewer before discharging to sewer;
18. An application for consent to discharge to Southern Water's sewerage system (Form TW01A) must accompany the application for the Certificate of Certifiable Works (Plumbing) for the restaurant (see advice below);

**Certificate for Certifiable Work:**

19. The drawings submitted for Certificates for Certifiable Works (Building) and (Plumbing), must clearly show all existing, redundant and/or proposed sewer & water connection(s) and meters as follows:
  - a. The exact location of the sewer/water mains and any associated easements must be accurately dimensioned on the plans relative to both the boundaries and the proposed dwelling;  
**Advice:** The developer is responsible for arranging to locate the existing Southern Water infrastructure and clearly showing it on the drawings. Existing Southern Water infrastructure may be located by Southern Water (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor (e.g. Nu Jet, Viola etc.) may be engaged at the developer's cost to locate the infrastructure.
  - b. Internal sewerage drainage plan & water services plan inclusive of fire protection arrangement;
  - c. Backflow prevention device details for the water service;
  - d. Retaining walls greater than 1.0-m high and building(s) including eaves and gutters must be clear of Southern Water easement(s) and be no closer than 2.0m to the outside of the pipe wall;

- e. In the event that an existing water or sewer property service connection is made redundant, these connection(s) must be shown to be cut and sealed by Southern Water at the developer's cost;
  - f. Details of new or modified sewer/water infrastructure and or connections(s), meters or water services for fire protection must be shown.  
**Advice:** Water meters will be provided by Southern Water at the developer's cost.
20. Prior to the issue of Certificates for Certifiable Work (Building) and (Plumbing) the applicant or landowner as the case may be, must pay a community asset contribution of \$4,267.71 to Southern Water for water infrastructure for 1.85 Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this permit until the date it is paid to Southern Water.
21. Prior to the issue of Certificates for Certifiable Work (Building) and (Plumbing) the applicant or landowner as the case may be, must pay a community asset contribution of \$7,636.57 to Southern Water for sewerage infrastructure for 1.85 Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this permit until the date it is paid to Southern Water.
22. The applicant or landowner as the case may be, must pay the following fee(s) to Southern Water for this proposal:
- a. This proposed development has been assessed as Medium in accordance with the Southern Water Development Assessment Services – Revised Fee Schedule as posted on the Southern Water Web site effective from 1st August 2010 for the whole development;
  - b. All fees quoted in this permit shall be indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this document until invoiced by Southern Water;

Description of Fee (GST Inclusive)	Fee	Date from which the Southern Water Invoice will be issued
Assessment for development (non-subdivision) application	\$327.80	The date of the Response to the Council Notice

**ADVICE**

**Water and Sewer Related Works**

A "WS01A - WS Related Works - Application for water and sewerage connections" form for any new connections, upgraded connections or new water meters should accompany the application for a Certificate of Certifiable Works. Application forms and information can be found under the 'Your Development' tab on the Southern Water internet page:- <http://www.southernwatertas.com.au>

**Trade waste**

Trade waste discharge to sewer from a food business requires pre-treatment via an appropriately sized grease arrestor.

Plans must clearly show where all fixtures are connected to and must include:-

- Location of the pre-treatment device
- Schematic drawings and specifications of any proposed pre-treatment device
- An accessible sample point such as a disconnecter trap for sampling discharge

The trade waste application must also include details of the food preparation activities and type of food that will be prepared.

Application forms and information can be found under the 'Your Development' tab and in the Trade Waste section of the 'Your Business' tab on the Southern Water internet page:-  
<http://www.southernwatertas.com.au>

The applicant may seek advice from Southern Water as to whether proposed pre-treatment equipment is likely to comply with Trade Waste requirements.

CACs 35 Main Rd Claremont - KFC

Based on WSAA

Gross Lettable Area M <sup>2</sup>	340
Gross Lettable Area Hectare	0.034
EP Classification (Restaurant)	8
N (Number of Developments)	1
TABLE A3	500

<b>EP</b>	<b>17</b>
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Single Occupancy Lots (EP per Unit)	3
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ET	5.6666667
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Credit given	1
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<b>TOTAL ET's CHARGABLE</b>	<b>4.6666667</b>
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Water Zone	\$ 2,298.00	<u>\$ 10,724.00</u>
Sewer Zone	\$ 4,112.00	<u>\$ 19,189.33</u>
		<u><u>\$ 29,913.33</u></u>

CACs 35 Main Rd Claremont - KFC

Based on WSAA

Gross Lettable Area M <sup>2</sup>	340
Gross Lettable Area Hectare	0.034
EP Classification (Restaurant)	8
N (Number of Developments)	1
TABLE A3	500

EP	17
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Single Occupancy Lots (EP per Unit)	3.5
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ET	4.857142857
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Credit given	1
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<b>TOTAL ET's CHARGABLE</b>	<b>3.857142857</b>
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Water Zone	\$ 2,298.00	<u>\$ 8,863.71</u>
Sewer Zone	\$ 4,112.00	<u>\$ 15,860.57</u>
		<u><u>\$ 24,724.29</u></u>

Adjustment to CAC #1 1ET = 3EP's

CACs 35 Main Rd Claremont - KFC

Based on WSAA

Gross Lettable Area M<sup>2</sup> 340  
Gross Lettable Area Hectare 0.034  
EP Classification (Restaurant) 8  
N (Number of Developments) 1  
TABLE A3 500

**EP 17**

Single Occupancy Lots (EP per Unit) 3.5

ET 4.857142857

Credit given 3

**TOTAL ET's CHARGABLE 1.857142857**

Water Zone

Sewer Zone

\$ 2,298.00	\$ 4,267.71
\$ 4,112.00	\$ 7,636.57
	\$ 11,904.29

Adjustment to CAC's #2 Credit for 3 ET's

Note the KFC is being constructed on what was 3 separate titles