

Hi Evelyn

Fairfield City Council has completed its assessment of the abovementioned State Significant DA and has no objections to the proposal.

Accordingly, Council requests that the attached conditions of consent be applied to any approval issued for the proposal by the Department

Please contact me if you have any further enquiries regarding the above

regards

Andrew Mooney

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Fairfield City Council



PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate by a Certifying Authority. The Certifying Authority can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

1. Final Stormwater Plan

A final stormwater drainage plan with details suitable for construction prepared by a suitably qualified and experienced stormwater drainage engineer shall be submitted with the application for the Construction Certificate. Final stormwater plan shall comply with AS3500 and Council's Stormwater Drainage Policy.

2. Stormwater Drainage Certificate

Prior to the issue of a Construction Certificate, a certificate shall be submitted to the Certifying Authority certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;
- c. The piped drainage system has been designed to an Average Recurrence Interval in accordance with Council's Stormwater Drainage Policy.

Note: Where Fairfield City Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- i. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.
- ii. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

3. Access Driveways

The access driveways and estate access road shall be designed in accordance with Clause 3.4.3 of AS2890.2:2002. The driveway taper at entry/exit shall not exceed 1 in 5 as per the above Australian Standard requirements.

4. Vehicular Crossing Application

Prior to the issue of a final Construction Certificate, a vehicular crossing application shall be submitted to and approved by Council. Access to the development shall be via 2 heavy industrial type crossings and one car driveway in accordance with Council's requirements. All vehicular crossings shall be located a minimum of one (1) metre from any utility pillar/pole.

5. Design Report for Energy Efficiency Installations for Buildings Class 2 - 9

Prior to the issue of a Construction Certificate, a design report shall be submitted to the Certifying Authority, demonstrating that the proposed building complies with the pertinent requirements of Section J – Energy Efficiency of the Building Code of Australia. The design report shall identify and detail the methods required to achieve compliance with the Building Code of Australia.

6. Outstanding Fees and Charges

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of the following fees shall be submitted to the Certifying Authority:

a. Kerb and Gutter Inspection Fee	\$103.50
b. Kerb and Gutter Damage Deposit	\$2,255.00
c. Vehicular Crossing Application Fee	\$269.00

7. Outstanding Long Service Levy Fee

Prior to the issue of a Construction Certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment. Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

8. Section 94A Levy Development Contributions

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy as determined at the date of this consent is **\$339,557.00**.

The contribution amount payable may be adjusted at the date of payment. Any unpaid contributions will be adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales).

9. Erosion and Sediment Control Plan

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan shall be submitted to and approved by the Principle Certifying Authority. The Erosion and Sediment Control Plan shall be prepared in accordance with the requirements of the Fairfield City Council's Erosion and Sediment Control Policy. The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

10. Disability Access

Prior to the issue of a Construction Certificate a report from a suitably accredited person shall be submitted to the certifying authority demonstrating that the proposed building complies with the relevant requirements of the Building Code of Australia, AS1428.1 and Disability (Access to Premises – Buildings) Standards.

11. Sydney Water Consent

The plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water asset and if any requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping.

Please refer to the web site www.sydneywater.com.au for:

- Quick check agents details – see Building and Developing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and developing then Building and renovating

Or telephone 13 20 92

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifying Authority can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

12. Construction Certificate Required

Prior to the commencement of any building and construction works, a Construction Certificate is required to be issued by a Certifying Authority.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

13. Appointment of a Principal Certifying Authority

Prior to the commencement of any construction works, the person having benefit of a Development Consent, or Complying Development Certificate must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

14. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

15. Kerb and Gutter Status Form

Prior to the commencement of any construction works on site, the applicant shall return the attached footpath/kerb and gutter form to Council detailing the existence of, and the condition of, any foot paving, and/or kerb and gutter provided adjoining the site for checking against Council's records. Damage to footpaths, kerbs, stormwater systems and general streetscape will require restoration at the developer's expense.

16. Completion of Part of Subdivision Works

Prior to the commencement of any works on site the following works shall be satisfactorily completed in accordance with the approved plans:

- i. An operational sediment basin with discharge arrangements in a controlled fashion to the approved permanent discharge point only for the part of the estate development that drains in a southerly direction;

Evidence of completion of such works shall be submitted to Fairfield Council prior to the commencement of any works.

17. **Landscape Protection Works**

Prior to the commencement of any construction works on site, the following works shall be undertaken to protect existing trees and other landscaping to be retained as part of the development. These works shall be consistent with any other requirements of the approved landscape plan:

- a. Isolate the root zone to the drip line (canopy line) of individual or groups of trees through the erection of a clearly marked fence, prior to land clearing or construction work.
- b. No dumping of materials, parking of vehicles, excavation or filling is to be permitted within the fenced root zone.
- c. Minimise soil disturbance in the surrounding area (to twice the canopy width).
- d. Where trenches for services cannot be laid outside the fenced zone, roots greater than 75mm wide in diameter are to be clean cut and treated with an approved hormone compound and sealed with bitumen.
- e. Tree guards, barriers or other measures as necessary are to be provided.

18. **Erosion and Sedimentation Control**

Prior to the commencement of any construction works on site, controls in accordance with **Chapter 3.11 of the Fairfield City Wide DCP 2013** shall be implemented to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

19. **Toilet Facility**

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility or to an alternative sewage management facility (e.g. chemical closet or pump out system) approved by Fairfield City Council.

10. Required Signage

For building, subdivision or demolition work that will affect the external walls of the building, signage shall be installed in a prominent position detailing:

- The name, address and telephone number of the principal certifying authority for the work; and
- The name of the principal contractor (if any) of the building work and a telephone number on which that person may be contacted outside working hours; and
- Stating that unauthorised entry to the work site is prohibited.

This sign shall be maintained while the building, subdivision or demolition work is being carried out and must be removed when the work has been completed.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Interim Occupation Certificate or Final Occupation Certificate by the Principal Certifying Authority.

21. Interim / Final Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued.

Prior to the issue of the final Occupation Certificate, the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate or Complying Development Certificate.

22. Completion of Subdivision Works

Prior to the issue of the Final Occupation Certificate, all subdivision works for the frontage of the proposed Lot shall be completed.

23. Subdivision to be Finalised

Prior to the issue of Final Occupation Certificate, the subdivision creating this lot shall be finalised and the linen plan registered by Land and Property Information.

24. Section 73 Certificate Required

A Section 73 Compliance Certificate, under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Co-ordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority before the Final Occupation Certificate is issued for the Development.

25. Registration of Final Plan of Subdivision

Prior to the issue of the final Occupation Certificate, a copy of the final plan of subdivision, registered by Land and Property Information, creating the allotment, shall be submitted to the Principal Certifying Authority.

26. Interim Fire Safety Certificate

Prior to the issue of a final/interim Occupation Certificate, a final/interim fire safety certificate shall be submitted to and approved by the Principal Certifying Authority.

Note: An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.

27. Adjustments to Public Utilities

Prior to the issue of the Final Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

28. Completion of External Finishes

Prior to the issue of the final Occupation Certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes are to be completed to the satisfaction of the Principal Certifying Authority.

29. Building in Saline Environments

The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate design features and building materials need to be incorporated into the construction of buildings, to minimise the risk of salt damage.

Prior to the issue of a Final Occupation Certificate, documentary evidence shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

30. Certification of Energy Efficiency Installations for Buildings Class 2 - 9

Prior to the issue of an Occupation Certificate (Interim or Final), a certificate(s) shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in compliance with the pertinent requirements of Section J – Energy Efficiency of the Building Code of Australia.

31. Landscape Certificate

Prior to the issue of a Final Occupation Certificate, a Landscape Certificate from a qualified landscape architect, certifying that the completed landscape works on site are in accordance with the approved landscape plans shall be submitted to Fairfield City Council.

32. Works-As-Executed Plans for Stormwater Drainage

Prior to the issue of the Final Occupation Certificate, Works-As-Executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to the Principal Certifying Authority.

33. Adjustments to Public Utilities

Prior to the issue of the Final Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

34. Compliance with Conditions of Consent of Development Consent SSD-5169 and Notice of Modification No. SSD 5169

All the conditions of consent of Development Consent No. SSD-5169 issued by the Department of Planning and Infrastructure on 8 January 2013 and Notice of Modification No. SSD5169 issued by Department of Planning & Environment on 6 August 2015 relevant to establishment of lots 5 and 6 in the development shall be complied with and implemented prior to the issue of Final Occupation Certificate for the proposed development.

35. Service Provider Requirements

Prior to the issue of final Occupation Certificate, the following service provider requirements shall be submitted to the Certifying Authority:

Endeavour Energy – A letter of consent showing satisfactory arrangements have been made to service the proposed development.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

36. Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
 - i. complies with the performance requirements; or
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

37. Compliance with Approved Waste Management Plan

The Waste Management Plan submitted to and approved by Council must be adhered to throughout all stages of the demolition and/or construction process. Source separation of materials and maximum reuse and recycling of materials are requirements of Fairfield City Council's Waste Not DCP. The applicant is required to keep supporting documentation (receipts/dockets), of reuse/recycling/disposal methods carried out, which are to be produced upon request by Council.

Note: Any non-compliance with this requirement will result in penalties being issued.

In addition, the applicant is to supply Council with the name and address of the waste disposal facility where the fill materials will be disposed. The applicant must keep supporting documentation (dockets/receipts), which is to be produced upon request by Council.

Note: Any non-compliance with this requirement will result in penalties being issued.

38. Excavation and Backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

39. Shoring and Adequacy of Adjoining Property Due to Excavation Works

If the development involves an excavation below the level of the base of the footings of a building on adjoining, the person having the benefit of the development consent must, at the person's own expense:

- Protect and support the adjoining premises from possible damage from the excavation, and
- Where necessary, underpin the adjoining premises to prevent any such damage.

40. Retaining Walls

Where retaining walls are required as a result of cut and fill for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted to Council or Principal Certifying Authority. A separate Development Application shall be lodged with Council for any proposed retaining wall greater than 600mm in height above natural ground level.

41. Dust Suppression

The applicant shall provide appropriate dust suppression systems during the construction phase. The applicant should provide to Council, prior to commencement of the soil transfer operation, a monitoring protocol and performance criteria or dust monitoring. Reporting of dust suppression should be provided in progress reports.

42. Garbage Areas

The garbage storage area identified on the approved plans shall be with a concrete floor, fenced. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hose cock shall be provided within the area. Garbage areas shall be vented to the external air by natural or artificial means. The garbage storage area will provide for a designated space for dry recycling facilities.

43. Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

44. Public Address System

No public address system or sound amplifying equipment shall be installed so as to permit the emission of offensive noise, as defined by the Protection of the Environment Operations Act 1997, onto any private premises or public place.

45. Drain Stencilling

All stormwater drains/pits on the site shall be provided and maintained with the message; "This pit drains to the Georges River". Lettering shall be 100mm high block bold yellow painted lettering. Paints used shall be of road line marking standard.

46. Oil/Water Separator

The oil/water separator servicing the site shall be covered and bunded. The cover shall have an overhang of at least 10°. The bunding shall have sufficient capacity to contain 110% of the capacity of the oil/ water separator.

47. Truck Wash

Provide a covered and bunded truck wash, if off site discharge of any waste water is proposed the facility is to be drained to the sewer in accordance with a Trade Waste agreement from with Sydney Water Corporation

48. Fuel Dispensing Area

Provide a covered and bunded fuel dispensing area designed in accordance with the NSW EPA's 'Environmental Action for Service Stations' guideline.

49. Filling within a Building Envelope

Filling shall be sourced on-site and shall remain wholly within the confines of the external walls. Any fill imported into the site to fill within the building envelope must meet the criteria of "Virgin Excavated Natural Material" as defined in EPA Environmental Guidelines – Assessment Classification and Management of Liquid and Non-Liquid Wastes 1999 and written verification provided to the satisfaction of the Principal Certifying Authority.

50. **Administration Fee for the Lodgement of Certificates**

Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Interim Occupation Certificates, Occupation Certificates and Complying Development Certificates.

51. **During Construction or Demolition**

During the construction or demolition period, the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction or demolition;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building work is to be carried out within the following hours.
 1. Monday – Friday between the hours of 6:00am to 6:00pm and Saturday between 6:00am and 5:00pm in all zones. No work may be carried out on Sundays or public holidays.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement

52. **Surveyor's Certificate of Location of Building During Construction**

Prior to the positioning of wall panels/bricks or block work, a registered surveyor's certificate shall be submitted to and approved by the Principal Certifying Authority certifying that the building has been positioned in accordance with the approved plans. It shall show the boundaries of the allotment, distances of the development from the boundaries, and the dimensions of the building.

3. **Method of Stormwater Drainage**

The stormwater drainage generated from the development shall be directed to OSD/Retention basin No. 1 and 2 proposed for the Business Park by connecting to the respective drainage basins of the approved SSD 5169 Catchment Plan.

Note: Drainage lines across the footpath shall be of 75mm x 200mm galvanised R.H.S laid at a fall not exceeding 1:40 (A 100mm sewer grade pipe is an acceptable alternative for single lot residential applications).

Note: If a street outlet is required it shall be constructed using a 100mm x 50mm galvanised rectangular connector laid into the kerb with the invert of the converter to be 10mm above the invert of the gutter.

The complete roof guttering system must be operational as soon as the roof is clad. Surface stormwater shall not be directed or cause nuisance to adjoining properties.

54. Critical Stage Inspections

In accordance with Section 109E of the Environmental Planning and Assessment Act 1979 the Principal Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Section 109E (3) (d) Environmental Planning and Assessment Regulation 2000.

Note: A \$600 on the spot fine will be issued for failing to request the Principal Certifying Authority to undertake the above inspections.

4. Tree Preservation Order

You are not permitted to ringbark, cut down, top, lop, remove, willfully injure or destroy a tree outside the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you contravene Council's Tree Preservation Order.

5. Disabled Access

Access for disabled people shall be provided in the building or portion of the building in accordance with Clause D3.2, D3.3 and Table D3.2 of the BCA and to the standards set out in AS 1428.1.

6. Maintenance of Construction Site

During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

Note: On the spot penalties up to \$600 will be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

58. Landscaping to be Completed

The provision and maintenance of landscaping in accordance with the approved landscape plan prepared by Habit8, reference number H8-15018, L01 (sheet 1 of 2), revision B and L02 (sheet 2 of 2) revision B, dated 02.07.2015, including the engagement of a suitably qualified landscape consultant/contractor for landscaping works.

59. Driveway Separation from Landscaping

All driveways shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

60. Driveway Gradient

- a. The driveways and manoeuvring areas are to be designed in accordance with Australian Standard AS 2890 part 2.
- b. The internal driveways and parking areas are to be designed in accordance with AS 2890 part 1.

7. Carparking - General

Each space shall be permanently line marked and maintained free from obstruction at all times. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.

8. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All deliveries to the premises shall be made to the rear service lane/loading bay/s provided.
- c. All vehicles awaiting loading or unloading shall be parked on site and not on adjacent or nearby public roads.
- d. Line marking shall be implemented within the car park to clarify the direction of travel;
- e. To ensure the safety of pedestrians within the car park pavement markings associated with pedestrian crossings shall be provided.

9. Hours of Operation

The approved hours of operation for the use of the premises for warehousing purpose are: 24 hours, 7 days a week.

10. **Advertising Signs**

No advertising signs or structures associated with the use of the premises are to be erected or displayed without prior approval being obtained from Council.

This requirement relates to all advertising matter, including any promotional material, displayed on the premises or in any public place.

11. **Use of the Premises**

The use of the premises shall comply with the following requirements:

- a. The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997.
- b. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.

12. **Storage of Goods including Hazardous Goods**

All works, storage and display of goods shall be contained wholly within the building.

Storage of goods (including potentially hazardous goods and chemicals) is to be in accordance with the conclusions and recommendations of the revised SEPP33 Review (Appendix 12 of Environmental Impact Statement) prepared by RAWRISK dated 31 August 2015

13. **Unreasonable Noise and Vibration**

The use, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council’s satisfaction.

68. **Warehouse and Distribution**

The use of the premises shall comply at all times with the following definition of a warehouse and distribution centre:

‘Warehouse or Distribution Centre’ means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

69. NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the *Protection of the Environment Operations Act (POEO) 1997*. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

14. Spill Kit

A spill kit shall be provided on site at all times to clean up any minor liquid spillages.

15. Waste Storage Area

Waste must be adequately secured and contained within designated waste areas. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with other relevant Council policy(s) and any other relevant requirements. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

- **Covenants which may Affect this Proposal**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.