



Your ref: SSD 34991713  
File no: MC-22-00006

22 December 2022

NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

By email: [Thomas.bertwistle@planning.nsw.gov.au](mailto:Thomas.bertwistle@planning.nsw.gov.au)

Dear Mr Bertwistle

**SSD 34991713 – Lot 7 Warehouse and Distribution Centre**

Thank you for your correspondence dated 20 December 2022 requesting our advice on the abovementioned proposed State Significant Development Application.

Further to our earlier submissions on this application, we now withdraw our objection to the proposed development subject to the conditions outlined in Attachment A to this letter being imposed as conditions on any development consent granted.

If you would like to discuss this matter further, please contact our Manager Development Assessment, Judith Portelli on 9839 6228.

Yours faithfully

Peter Conroy  
Director City Planning and Development

**Connect - Create - Celebrate**

Council Chambers - 62 Flushcombe Road - Blacktown NSW 2148

Telephone: (02) 9839 6000 - DX 8117 Blacktown

Email: [council@blacktown.nsw.gov.au](mailto:council@blacktown.nsw.gov.au) - Website: [www.blacktown.nsw.gov.au](http://www.blacktown.nsw.gov.au)

All correspondence to: The Chief Executive Officer - PO Box 63 - Blacktown NSW 2148

## **ATTACHMENT A**

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Conditions to be included in the Notice of Determination.

### **1. Planning conditions**

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#### **Prior to Construction Certificate**

1. The private certifying authority is to ensure that the roof colour of the proposed warehouse is of a light-coloured finish

#### **During Construction**

2. Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

#### **Prior to Occupation Certificate**

3. The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.
4. Provision for adequate sight distance is to be made for both pedestrian and vehicular movement at the proposed driveway in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1 to ensure safety of pedestrians on the footpath system and motor vehicles along the new driveway.
5. The car parks, all open space areas, pedestrian footpath areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience
6. Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

#### **Operational**

7. Landscaping of the subject site is to be maintained at a high standard at all times.
8. All vehicular entrance / exit points are to be clearly signposted and visible from the street and site at all times. The signage shall distinguish which driveways are for truck entry and those for car entry.
9. Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection.
10. Vandal proof security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.
11. All loading and unloading operations shall take place at all times wholly within the confines of lot 7 and within the designated loading areas. All unloading activities are to be conducted in a manner that does not impact on the amenity of adjoining owners. Loading and unloading operations are not to obstruct internal driveways or car parking spaces at any time.

12. The warehouse and distribution centre is limited to a single tenancy. Any additional tenancies must be subject to prior and formal consent from the determining authority.

## **2. Drainage Engineering comments**

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### **Prior to the issue of Building/Engineering Construction Certificate**

1. Prior to the issue of the construction certificate (excluding earthworks/remediation/site establishment works), the Applicant must submit details of the proposed stormwater management system to support the development to the satisfaction of Council and the Planning Secretary. The stormwater management system must:
  - a) be designed by a Chartered Civil Engineer registered on NER;
  - b) incorporate with the existing on-site stormwater detention system
  - c) ensure the internal drainage system is capable of carrying the 100 year ARI flows from the development site to the detention basin through either piped or surface flows.
  - d) be in accordance with applicable Australian Standards and Part J of Blacktown Development Control Plan 2015 and Council's WSUD developer handbook (latest edition); and
  - e) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines
2. Engineering plans from at&I, project No 20-795 and dated 20/05/2022 are to be amended as follows:
  - a) Water conservation is required for the development. A rainwater tank is required to meet the water conservation targets. A minimum of 80% of non-potable water demand for the development is to be met through the reuse of rainwater. Non-potable demand includes all landscape watering together with all internal uses (i.e. toilet flushing) plus any site-specific uses such as truck washing. Clearly show the rainwater tank on the plans and provide details. Refer to Council's WSUD Developer Handbook 2020 for MUSIC modelling guidelines including water usage rates.
  - b) Show how the roof water gets to the rainwater tank. Provide a separate system for roof water and surface drainage. Pits between the roof lines (i.e. charged pipes) are to be sealed.
  - c) Charge line cleanout pits are to be provided for all rainwater tank charge lines at the lowest point in the system. Provide a 5 mm dribble hole and a screw cap on the charge line
  - d) Provide a pit schedule detailing the size of pits, levels etc.
  - e) The internal pipe network is to be designed in accordance with the Council's Engineering Guide for Development 2005 to carry the 5% AEP (20 year ARI)

storm flows. The 1% AEP flows from the site are to be directed to the OSD. Demonstrate how the surface flows in excess of the pipe capacity are directed to the OSD system.

- f) On drawing C4032 (A), provide details and levels of the connection into the stub and culvert. Provide HGLs to ensure sufficient hydraulic capacity in the drainage system.
  - g) On drawing C4033 (A), the stubs connecting into Pit B/14 are to be minimum 875 mm diameter.
  - h) Provide details of the GPT OS-1515 including sections and levels to ensure that the GPT is operate efficiently in accordance with Part j of the Council's DCP2015 and WSUD Developer Handbook.
  - i) Ensure that minimum cover of 300 mm is provided for pipes.
  - j) Drawing C4050 (A), the post developed catchments are to be consistent with the SSDA-9667 MOD-1 to ensure that the northern inlet to the bioretention basin will discharge approximately one-third of the total area of Lot 7. The southern inlet to the basin will discharge the remainder of southern portion of Lot 7.
3. An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses in accordance with the conservation target of Part J in Council's DCP 2015. Such use includes landscape watering, washdown and all toilet flushing and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
- a) A first flush or pre-treatment system
  - b) A pump with isolation valves
  - c) A solenoid-controlled mains water bypass
  - d) Flow meters on the solenoid-controlled mains water bypass line and the pump outflow line, to determine non-potable usage and actual percentage reuse
  - e) An inline filter and preferably an automatic backwash inline filter
  - f) A control panel with warning light to indicate pump failure.
  - g) Connection of all proposed toilets to the rainwater tank.
  - k) Ensuring all the rainwater reuse pipes and taps are coloured purple.
  - l) Rainwater warning signs are fitted to all external taps using rainwater
  - m) All rainwater reuse taps are to be lockable or have removable handles
4. Applicant must provide an architectural plans for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings or other requirements are:
- a) 4 star dual-flush toilets;

- b) 3 star showerheads;
- c) 5 star taps (for all taps other than bath outlets and garden taps);
- d) 3 star water efficient washing machines and dishwashers are to be specified.

#### **DURING CONSTRUCTION**

5. A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply

#### **PRIOR TO OCCUPATION CERTIFICATE**

##### **Surveys/Certificates/Works as Executed Plans**

6. Applicant must provide a certification from Chartered Civil Engineer registered with NER to certify that:
  - a) All the requirements of the approved drainage plans have been undertaken;
  - b) the interpretative water quality sign has been correctly installed
  - c) the Gross Pollutant Traps (GPTs) and have been installed for the site as per the manufacturer's recommendations.
  - d) The custom GPT has been installed in accordance with the approved plans and will work effectively be retaining gross pollutants and hydrocarbons.
  - e) All (other) signage and warning notices have been correctly installed.
7. A plumber licensed with NSW Fair Trading, or experienced chartered hydraulic engineer, is to certify that:
  - a) All the requirements of the detailed Non-Potable Water Supply and Irrigation Plan have been installed to the required locations.
  - b) The pumps, alarms and all other systems are working correctly.
  - c) The flow meters have been installed on the pumps outflow and the solenoid-controlled mains water bypass to determine non-potable usage and actual percentage of reuse.
  - d) The initial flow meters readings are detailed in the certificate.
  - e) The water from at least five toilets and five external taps have been tested to show no chlorine residual.
  - f) Rainwater warning signs are fitted to all external taps using rainwater.
  - g) All rainwater reuse taps are either locked, or have removable handles with handles removed.
  - h) A signed, works-as-executed Non-Potable Water Supply & Irrigation Plan is to be provided to Council's WSUD Compliance Officer at [WSUD@blacktown.nsw.gov.au](mailto:WSUD@blacktown.nsw.gov.au)

7. A Chartered Hydraulic Engineer registered with NER is to certify that all the requirements of the Flood Management Plan have been implemented including the installation of all signage and notices.
8. A registered surveyor is to certify that:
  - a) all electrical switches and power points within the shed/garage and externally are above Flood planning level at Flood Assessment Report, prepared by BMT, Project Number A11579 and dated 19/05/2022;
  - b) the air conditioning unit (if applicable) and hot water service are all above Flood planning level at Flood Assessment Report, prepared by BMT, Project Number A11579 and dated 19/05/2022,
  - c) the finished floor level for the garage are at or above the minimum required of Flood planning level at Flood Assessment Report, prepared by BMT, Project Number A11579 and dated 19/05/2022
9. A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
  - a) 4 star dual-flush toilets;
  - b) 3 star showerheads;
  - c) 5 star taps (for all taps other than bath outlets and garden taps);
  - d) 3 star Water efficient washing machines and dishwashers have been used.

#### **Easements/Restrictions/Positive Covenants**

10. Prior to the issue of the Occupation certificate, the applicant shall submit to Council documentation that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system installed on the property. The documentation is to include the final version of the Stormwater management report and certified and signed stormwater Works-as-executed plans.
11. Prior to the issue of the Occupation certificate, the Applicant shall provide a Maintenance schedule for the WSUD system installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council for approval.
12. Prior to the issue of the Occupation certificate, the applicant shall create a Positive covenant and Restriction on the title of the land for the use of land over the WSUD system installed on the property. The Positive covenant and Restriction on the use of land is to be accordance with Appendix F of Council's Engineering Guide for Development. The Positive covenant and Restriction on the use of land is to be endorsed by Council and lodged with New South Wales Land Registry Services. The applicant shall submit documentary evidence of the lodgement and execution of

the Positive covenant and Restriction on the use of land to Council prior to the issue of the final Occupation certificate.

13. The WSUD elements assessed by Council are on-site stormwater detention tank, Stormwater Tank and the Gross Pollutant Trap.