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9 August 2024

Shaun Williams
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure
Via the Major Projects Portal

Dear Shaun,

RFI RESPONSE LETTER | SSD-36138263 AUGUSTA STREET, HUNTINGWOOD

This letter has been prepared to respond to the Department of Planning, Housing and Infrastructure (DPHI), Biodiversity Conservation and Science Group (BCSG), Sydney Water and Blacktown City Council regarding their assessment of SSD-36138263, including:

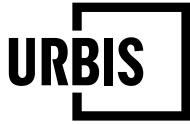
- Requests for additional information from DPHI dated 22 May 2024, 27 June 2024 and 2 August 2024.
- External authority/agency responses from
 - Blacktown City Council (**Council**) dated 12 April 2024.
 - Biodiversity Conservation and Science Group (**BCSG**) dated 19 April 2024.
 - Sydney Water dated 31 July 2024.

Detailed responses to the matters raised by DPHI, Council, BCSG and Sydney Water are summarised in the table attached to this letter. The key changes to the proposal are summarised below:

- Removal of onsite stormwater detention (**OSD**) basin from the Sydney Water easement '(G) Easement for construction 9 wide'.
- Implementation of two underground OSD tanks within the WH5 development area.
- Removal of proposed street trees outside of the site boundary along the Flushcombe Road interface.

This letter is supported by the following plans and reports:

- Architectural Plans prepared by PACE Architects.
- Landscape Plans prepared by Habit8.
- Civil Engineering Response Memorandum prepared by Costin Roe Consulting.



- Civil Engineering Report prepared by Costin Roe Consulting.
- Civil Engineering Drawings prepared by Costin Roe Consulting.
- Onsite Stormwater Detention (**OSD**) Catchment Spreadsheets, Flood, DRAINS and MUSIC models prepared by Costin Roe Consulting.
- Temporary Crossing Civil Engineering Memorandum prepared by Costin Roe Consulting.
- Biodiversity Development Assessment Report (**BDAR**) prepared by Anne Clements & Associates.
- Vegetation Management Plan (**VMP**) prepared by Anne Clements & Associates.
- Temporary Crossing Biodiversity Memorandum prepared by Anne Clements and Associates.
- Updated Mitigation Measures prepared by Urbis.

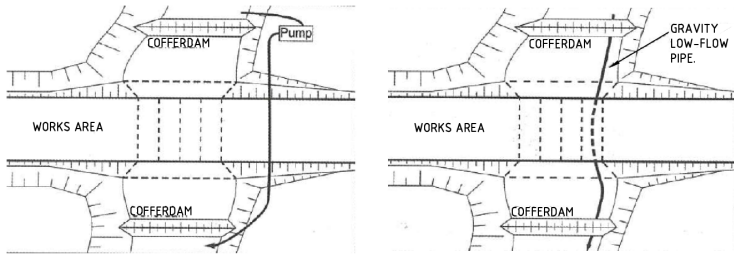
Should you have any queries on the response provided, do not hesitate to contact the undersigned.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Matthew Holt".

Matthew Holt
Consultant
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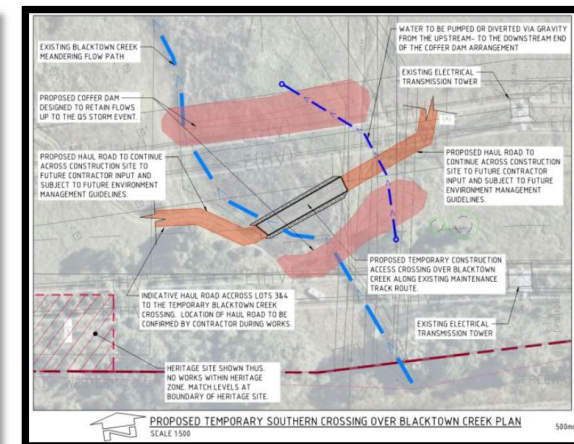
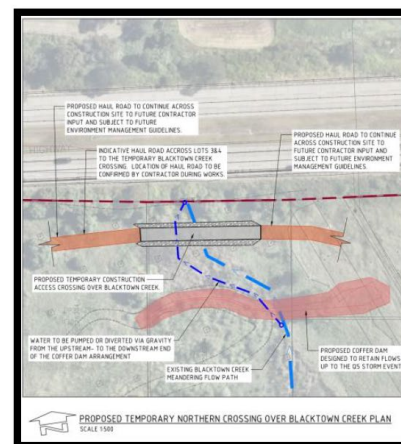
Issue	Response
DPHI, letter received 22 May 2024 In accordance with Section 66 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation), development consent cannot be granted for the proposed development unless the Applicant has entered into a planning agreement where a contributions plan has not been approved for the land to which the development application relates. The Department notes that no contributions plan is applicable to the development site and therefore a planning agreement is required to be entered into with Council for this development application. Prior to determining the application, the Department requires written evidence confirming a planning agreement has been entered into by the Applicant with Council for the development.	The Applicant and Council are finalising the planning agreement. A copy of the executed planning agreement will be provided to DPHI. All other components of the SSD assessment process (including release of draft conditions of consent for review) are expected to be undertaken prior to issuing of planning agreement confirmation and final determination.
DPHI, email dated 27 June 2024 DPHI have been back through the EIS and RTS package and believe it would be beneficial if more information surrounding the temporary construction crossing could be provided. A covering letter format should be sufficient which pulls out all details on the proposed temporary construction crossing from the information	Information submitted to-date regarding the temporary Blacktown Creek crossings for construction purposes and associated mitigation measures are as follows: ▪ Engineering design and cofferdam arrangement for the instream works (shown in the figure below), inclusive of stream crossing, to ensure stormwater quality management.

Issue	Response
submitted to date including any images/figures, mitigation and management measures, and the assessed impacts.	 <u>PUMPED SYSTEM OPTION</u> <u>GRAVITY PIPE OPTION</u> <u>INSTREAM WORKS COFFERDAM ARRANGEMENT</u> ▪ Mitigation measures proposed for instream works include: – Erection of sediment fences and sediment fence returns prior to commencement of work. – Undertaking works during a period of dry forecasted weather. – Immediately plant the affected areas to stabilise the works. The two temporary crossings are also described in further detail below, as detailed in the Temporary Crossing Civil Engineering Memorandum: ▪ Temporary Crossing 1 (south of Blacktown Creek) follows an existing maintenance track across the creek. This crossing will remain in place until the wetland area is delivered in accordance with the proposed works. ▪ Temporary Crossing 2 (north of Blacktown Creek) will remain through the entire construction period until the future intersection with the Great Western Highway is completed.

Issue

Response

- Temporary haul roads are expected to comprise approx. 300mm thick road bases.
- Cofferdams have been sized to accommodate the 20% Annual Exceedance Probability (AEP) storm event.
- Temporary access tracks are set at the 5% AEP storm event's estimate flood level.
- Cofferdams will be designed to allow sufficient storage upstream of cofferdams to ensure sufficient discharge downstream without upstream impact to the creek or associated infrastructure.



The Temporary Crossing Biodiversity Memorandum assessed the two crossings, confirming sediment and erosion measures, including the cofferdams, are essential to maintaining the minor

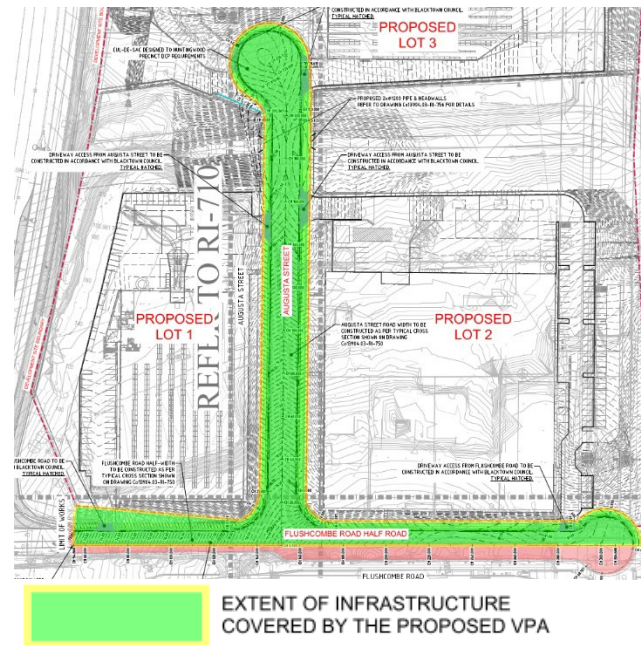
Issue	Response
	native component of the Blacktown Creek. These measures will also minimise risk of weed movement to Timbertop Reserve. Additional mitigation measures outlined within the updated documents are summarised as follows: ▪ Maintain and enhance water quality in Blacktown Creek: – Sediment fences and sediment fence returns to be erected prior to commencement of any work within Blacktown Creek. – Sediment fences should remain in place until completion of instream work associate with the construction of temporary crossings. – Following removal of the temporary crossings, planting works are to be undertaken immediately with appropriate species to stabilise the works. ▪ Following conclusion of construction works, all temporary access crossing infrastructure need to be demolished and removed with minimal disturbance to the surroundings. This includes the appropriate removal of the sediment fencing as required by the Environmental Manager and Construction Manager. ▪ Areas with dense Typha and the narrow bands of <i>Bolboschoenus caldwellii</i> are to be clearly identified and protected during the construction phase and the operation phase so that these native stands of wetland vegetation can be re-utilised in the conservation restoration works specified in the VMP.

Issue	Response
DPHI, letter received 2 August 2024	
After careful consideration, the Department of Planning, Housing and Infrastructure (the Department) requests that you submit additional information that addresses the issues identified by Council and government agencies, which have been made available on the NSW Major Projects portal https://www.planningportal.nsw.gov.au/major-projects/projects/augusta-street-warehouse-and-distribution-centre. This includes the updated advice received by Sydney Water in Attachment 1.	Responses to matters raised in the letter by Sydney Water, dated 31 July 2024, have been provided under the relevant section in this table.
Blacktown City Council, letter dated 12 April 2024	
<u>Planning Issues</u> 1. Council has received a request to enter into a voluntary planning agreement (VPA) from the applicant of the SSD application in accordance with the provisions of clause 66 of the Environmental Planning and Assessment Regulation 2021. Following advice from the Department of Planning, Housing and Infrastructure (DPHI), we understand the VPA is to be executed before the SSDA can be determined. Before the VPA is executed, Council requires confirmation from DPHI of the final development description and lots/DPs that relate to the VPA, for our inclusion into the letter of offer.	DPHI is to provide the final development description and lots/DPs to Council.

Issue	Response
2. Considering the above, we note the terms of the VPA are still being negotiated between Blacktown City Council and the applicant. A meeting was held between Council staff and the applicant on Tuesday 11 June 2024 to discuss the scope of the VPA including road and drainage works.	Noted.
3. The revised plans have still not detailed turf cell permeable paving for the car parking area for Warehouses 5A to 5H as previously requested in item 2 of our submission dated 12 April 2024.	The Warehouse 5 car parking area does not include turf cell permeable paving as the car park is beyond the M4 Motorway 20m landscaped setback area for Warehouse 5. Further, the landscaping in and around the car parking area has been maximised with 6m tall canopy trees and a mix of low groundcover and screening shrubs to effectively minimise car parking hardstand.
<u>Engineering Issues</u> 1. The infrastructure to be covered by the VPA is to be provided so that the extent of the engineering works to be conditions by this consent can be ascertained.	The infrastructure covered by the planning agreement includes the boundary of both Flushcombe Road (the remaining half-road) and Augusta Street as per the following diagram.

Issue

Response



Drainage Issues

The submitted civil work package, Costin Roe Consulting, Job Number C013904.03, Revision F and dated 07/05/24 is to be amended as follows:

An amended OSD catchment plan (refer to CO13904.03-SSDA472) shows the areas discharging into the underground OSD tanks and basins and the areas that bypass the OSD tanks. OSD spreadsheets for all catchments have been updated and submitted with this response.

Issue	Response
1. In the submitted OSD spreadsheet, the by pass areas are not consistent with the submitted plan. The applicant must demonstrate the actual catchment areas where discharged into the OSD tank and basin and the actual by pass area to the OSD. A catchment plan shall be provided.	
2. In the plan SSDA410, there is a low flow diversion rock wall to divert the flow into the GPT and wetland. The detail of the rock wall, including level and section, must be provided to demonstrate the sufficient flow into the GPT and wetland.	A detailed section of the proposed flow diversion rock wall is provided, showing diversion of low flows to the proposed gross pollutant trap and wetland. Refer to CO13904.03-SSDA467.
3. In lot 1, the details of the proposed OSD and storm filter tank shall be provided when there is not 1.5 year ARI orifice. The details can be found in Council's Engineering Guideline For Development and WSUD Standard drawing A(BS)175M.	Details of the proposed OSD and storm filter tank proposed for Lot 1 are provided at CO13904.03-SSDA464, consistent with Council's Engineering Guidelines.
4. The longitude section of the access track shall be provided to prove the gradient is not more the 10%. Also the access track must be at least 4 meter wide.	The amended Civil Engineering Drawings include the conceptual finished surface levels at both the top and bottom of each ramp/track as well as a dimension indicating the concept length of the track. The maximum slope of each access track is shown along the tracks (refer to CO13904.03-SSDA501, CO13904.03-SSDA502, CO13904.03-SSDA503, and CO13904.03-SSDA504). All access tracks will comply with the maximum gradient requirement of 10% and will be 4m wide. Extraction of long sections would require 3D design at the detailed design phase.

Issue	Response
<u>Open Space Issues</u> The landscape concept plan Issue N, 23/04/2024 requires classification on the following: 1. Please confirm if the streetscape planting in front of the security fence is located on the public road verge (nature strip area) or located within the development boundary. 2. There is a site boundary shown in the landscape plans and the security fence is behind the building line. Please clarify who will be responsible for the vegetation in front of the security fence. Confirmation that the owner will be responsible for the vegetation is requested.	Email correspondence dated 23 July 2024 was issued confirming all landscaping within the site boundary (marked by the red line) will be the applicant's responsibility to maintain. All vegetation in front of the security fence and within the site boundary will be the responsibility of the applicant to maintain. Tree planting proposed outside of the site boundary along Flushcombe Road has been removed for clarity.
Biodiversity Conservation and Science Group, letter dated 19 April 2024	
<u>There is no discussion of the limitations of survey.</u> The RFI states (page 12) that this information has been provided in sections B3.3, B2.3.3, B5.0, B5.1.2 of the BDAR. However, this has not adequately addressed the issue. Appendix 11 of the BDAR lists several species that were surveyed for but were not found on site, and it lists a number of species that were assessed as not on site given habitat constraints. Section B2.3.1 also discusses species that have been found nearby.	The amended BDAR now includes section B2.3.4 'Limitation to survey' assessing the survey methodology undertaken against the <i>Threatened Biodiversity Survey and Assessment: Guidelines for Development and Activities Working Draft</i> (Department of Environment and Conservation, 2004). The constraints and limitations considered include: ▪ Restrictive budget or timeframe. ▪ Availability and reliability of information. ▪ Disturbances prior to or during the survey such as bushfire. ▪ Access to lands.

Issue	Response
The discussion of limitations should include factors that affect detectability including species dormancy, seasonal conditions, ephemeral status of waterbodies, and breeding behaviours. Section B2.3.3 of the BDAR discusses survey limitations for Pimelea spicata, snails and microbats. However, there were a number of other threatened species that were determined to not be on site given habitat constraints. For these, the only limitation noted in the BDAR was dense weed growth. There is no discussion of any other limitations that may have led to a false negative result for these other species. For example, the comment in section B5.1.2 that “the thickets of bramble were so impenetrable that the culverts could not be seen by the investigating team” is a comment that would be relevant to include in a discussion of limitations. <u>Recommend</u> The BDAR needs to be amended to provide adequate information on the limitations of survey prior to determination.	▪ Seasonal or vagrant species. ▪ Obtaining appropriate survey personnel. ▪ Achieving an adequate survey effort. ▪ Species that are difficult to survey (cryptic species). ▪ Changing weather conditions. The <u>only</u> limitation that had potential to impact findings was ‘achieving and adequate survey efforts’ for the Myotis. The original bat survey was undertaken between 8-17 April 2020, one month outside of the allowable survey period. An additional survey was undertaken on 27 February 2024 using two standard methods. As such, all surveys have now been adequately undertaken. Additional information on field survey outcomes has also been provided in section B2.3.3 for reference.
<u>The consideration of serious and irreversible impacts has not addressed the required criteria in section 9.1.1 of the Biodiversity Assessment Method 2020 (BAM).</u>	Section C9.1 has been amended to represent the proposal’s total impact to Cumberland Plain Woodland (CPW) (1.43ha), address the BAM principles and consults the Threatened Biodiversity Data Collection (TBDC) and other information sources including: ▪ The 1997 and 2009 NSW Scientific Committee’s CPW listings.

Issue	Response
While the updated BDAR has addressed the relevant sections of the BAM for serious and irreversible impacts (SAIL), BCS notes: ▪ The SAIL assessment states that the proposal is a change in management to conserve, enhance and re-establish the community. This statement is inconsistent with the proposal to remove 0.71 ha of Cumberland Plain Woodland (CPW) to develop a warehouse and distribution centre. Section 9.1.1.2 of the BAM says the assessor must consult the Threatened Biodiversity Data Collection (TBDC) and/or other sources to report on the estimated reduction in geographic extent of the threatened ecological community (TEC) since 1970. The BDAR does not address this criterion as it states that this information is not in the TBDC. BCS requests the assessor examine other sources to provide this information, including for example the NSW Scientific Committee's listing for CPW and "The Native Vegetation of the Cumberland Plain, Western Sydney" (DCCEEW 2003). ▪ Figure 8a in the vegetation management plan (VMP) shows that patches of CPW in the north-east and north-west of the site will be retained, but these areas have not been included in the conservation areas. Therefore, these areas will likely degrade over time. This should be taken into account when assessing SAIL against Principle 2 that assesses whether the proposal is likely to have impacts that will further degrade CPW.	▪ Cumberland Plan Recovery Plan (2011). ▪ Cumberland Plain Assessment Report Summary Report (Biosis 2021) ▪ <i>Interpretation Guidelines for the Native Vegetation Maps of the Cumberland Plain, Western Sydney</i> by National Parks and Wildlife Services (2002). ▪ <i>The native vegetation of the Cumberland Plain, western Sydney: systematic classification and field identification of communities</i> by Tozer (2003). The additional areas in the north-eastern and north-western areas of the site have been added to the scope of the VMP. Refer to Figure 8a and Figure 8b of the BDAR. Note that the impact on the extent of the TEC is expected to be 0.01% of the existing CPW population and continues to be a negligible impact.

Issue	Response
<u>Recommend</u> The BDAR need to be amended to address the above prior to determination.	
<u>BCS has identified an error in the BAM Calculator (BAM-C).</u> BCS has identified an error in data entry into the BAM-C. The assessor has entered a management zone named 'retained' for each of PCT 3319_Degraded and PCT 3319_Less degraded. In accordance with section 8.1.1.2 of the BAM, management zones should only be created where a vegetation zone is to be partially cleared. The assessor needs to re-enter the data for the impacted sections of these zones only. In addition, if any of the zones are to be retained but are outside the proposed 'conservation areas' in the VMP, then these areas should be included in the areas to be impacted. BCS also notes that the spatial data and the latest version of the BDAR have not been uploaded to the BAM-C. <u>Recommend</u> Assessor must re-enter data in BAM-C and recalculate credits, and upload BDAR and spatial data into BAM-C case prior to determination.	The data has been re-entered for impacted sections of the vegetation zones (PCT 3319 – Moderate and PCT 3319 - Poor) and calculator has been rerun. All spatial data has been uploaded to the BAM Calculator.

Issue	Response
<u>Impacts of the Bioretention basins on vegetation have not been assessed</u> The proponent advised that Figure 7b has been updated to reflect the development footprint, including proposed civil works. The calculation of areas has been updated to reflect the amended 'retained' vegetation, 1.66ha. BCS is still concerned whether the impact assessment includes all potential direct and indirect impacts from proposed engineering works. For example, it is not clear whether the 'in-stream works management required' as shown on the Erosion and Sediment Control Plan in Attachment G) will impact an area of mapped CPW. Also, it is not clear if the proposed wetland in Conservation Area C will impact, either directly or indirectly, an area of mapped CPW. <u>Recommend</u> Clarify that the area of vegetation to be impacted includes all direct and indirect impacts.	The figures detailing development impacts have been updated to reflect the 'disturbance area' of the proposal. This includes all direct and indirect engineering works. Refer to Figure 7b and Section B4.7 of the BDAR. The total disturbance area of the site is 21.95ha. A revised 28 biodiversity credits will be required to offset the impacts of the disturbance area.
The BDAR is missing some required mapping of landscape features The BDAR states that the figures have been updated accordingly: Figure 1a-1 shows watercourses from LPI Clip 'n' Ship. Appendix 2 contains an email from NRAR confirm stream order.	The BDAR has been updated as follows to address the mapping requirements: - Additional figures have been added to the BDAR including Figure 1a-1i Stream order. These have been discussed in section B3.1.1 Landscape features. - Patch sizes and connectivity are shown on Figures 6e-1, 6e-2a, 6e- 2b and is discussed at section B4.6.3 Assessing patch size.

Issue	Response
- Figure 1a-3 shows habitat connectivity. Additional information on connectivity is provided at Section B3.1.1. - Figure 7a maps all areas of vegetation. Section B4.2.2 provides additional information on vegetation zones. However, BCS notes: - There is still no map indicating stream order. - Figure 7a does not show planted native vegetation <u>Recommend</u> These errors should be fixed in an amended BDAR prior to determination.	Figure 7a now includes planted native vegetation. Planted trees are discussed in Sections B4.1 Changes in Landuse, discussed in section B4.2.1 Arborist's survey and analysis of recorded tree data.
<u>The BDAR should include a map of the 'patch' that was used to assess the patch size.</u> The BDAR has responded that the extent of the native vegetation 'patch' is shown on Figure 1a-3. However, some of the native vegetation shown on Figure 1a-3 is separated by gaps of more than 100 m. The BAM states that areas with gaps of more than 100 m are not part of the same patch. <u>Recommend</u> RE-calculate patch size prior to determination.	Refer to the patch sizes and connectivity on Figures 6e-1, 6e-2a, 6e-2b of the BDAR. Discussion of patch size is provided in BDAR section B4.6.3 Assessing patch size.

Issue	Response
<u>Surveys for Southern Myotis not undertaken in accordance with the guidelines.</u> The BDAR states additional microbat searches were undertaken. BCS notes that roost searching and acoustic detection was undertaken on one night. This does not meet the survey requirements as specified in the 'Species credit' threatened bats and their habitats guide (DPIE 2021), which state that roost searching of artificial structures is a supplementary method. Supplementary methods cannot be used to demonstrate the species is absent from the subject land. It is noted acoustic detection was also completed, but not for the required number of nights (4 nights). <u>Recommend</u> Further surveys need to be undertaken, or species should be assumed present prior to determination.	Additional information provided in section B2.3.3 Field surveys for bat surveys. Neither harp traps nor mist nets were considered appropriate nor necessary by Wild Conservation for the Southern Myotis as there were no open water bodies along either of the watercourses onsite (required habitat for the species). There were no signs of bats, including observations of scratch marks, faecal dropping, nor calls recorded on the Anabat recorders. Despite the lack of suitable habitat for Southern Myotis (open water bodies at least 3m wide) onsite or within 200m of the site, and a lack of evidence of its presence, the precautionary principle was adopted and its presence assumed. A polygon for Southern Myotis PCT has been prepared, refer to Figure 9 of the BDAR.
<u>Surveys for Southern Myotis not undertaken in accordance with the guidelines.</u> The BDAR states that additional surveys were completed for the Southern Myotis, and no evidence of microbats was found. However, as stated above, the surveys were not sufficient to assume the species is absent. <u>Recommend</u>	A polygon for Southern Myotis PCT has been prepared, refer to Figure 9 of the BDAR. The species has been assumed present and the required habitat is assumed (open waterbodies at least 3m wide). Four species credits are required to offset impacts to the Southern Myotis PCT. The amended mitigation measures table reflects these updated requirements.

Issue	Response
A species polygon should be prepared, or further surveys completed.	
Sydney Water, letter dated 31 July 2024	
The following points relate to the existing remaining easement Sydney Water currently holds: ▪ An OSD basin is intended by the proponent to be located within Sydney Water's easement for construction 9 wide.	Noted.
– Sydney Water objects to the OSD basin to be located within the easement. No structure or basins can be created in our Easements. This is preserved where future Sydney Water infrastructure may need to be created.	The Architectural Plans and Civil Engineering Drawings have been amended to remove the OSD basin from within Sydney Water's easement for construction 9 wide. As an alternative, two OSD tanks are now located within the Warehouse 5 development area, within the setback area to the Great Western Highway and the external employee car park area (refer to CO13904.03-SSDA404, CO13904.03-SSDA410, CO13904.03-SSDA551 and CO13904.03-SSDA552). The OSD tanks have been modelled and incorporated into the Flood, DRAINS and MUSIC modelling as well as the OSD catchment spreadsheets. As noted in the Civil Engineering Report, the overall flood risk for the development continues to be low to negligible. The development meets current Council flood policy.
– Pedestrian bridges over the easement are not permitted.	Noted. No pedestrian bridges are proposed within the easement area.
– The proponent cannot rely on the easements, lay assets, alter levels or undertake any activity within our easements. They will	The OSD basin with Sydney Water's easement has now been removed and replaced with two underground OSD tanks.

Issue	Response
need to manage their OSD outside of this area with no impact on our assets or easements.	Reference should be made to the amended Civil Engineering Drawings CO13904.03-SSDA410, CO13904.03-SSDA551 and CO13904.03-SSDA552 which show no structures or basins within Sydney Water Easements. The only works LOGOS are proposing within the easement include altering the levels over the existing sewer pipeline with between 3m and 4.5m of additional fill. These works will not inhibit Sydney Water from accessing their easement or from undertaken future piping infrastructure works. Sydney Water's comments on the existing easement including design element concerns that may impede the future construction of the proposed DN1350 and DN1200 water mains within this easement are noted. Construction of these mains is considered in LOGOS' design intent. Sydney Water will have an opportunity to review the development proposal in detail as part of the Out-of-Scope Building Plan Application process for the project to ensure that our design around the existing easement is acceptable and satisfactory to not impede the delivery of the future proposed DN1350 and DN1200 water mains.
▪ Further clarification is also required regarding: – The Architectural Plans supplied do not accurately indicate Sydney Water's easements in relation to the proposed works – plans are to be updated to identify the easements and to ensure no encroachment (including but not limited to, vertical overhang of roof lines, etc.) or physical works are within the easement.	The amended Architectural Plans now accurately indicate the below Sydney Water's easements in relation to the proposed works. ▪ (S) Sewer from Sydney Water ▪ (E) Easement for Construction 3 Wide (DP1216918) ▪ (F) Easement for Water Supply Purposes 10 Wide (DP1216918) ▪ (G) Easement for Construction 9 Wide (DP1216918)

Issue	Response
	Please refer to the amended Architectural Plans, specifically 220207-DA-001-H, 220207-DA-500-502, and 220207-DA-553. These updated drawings detail the alignment of existing easements relative to the proposed works and include a section illustrating that there will be no encroachment from vertical overhangs of rooflines or structures. Note that the Architectural Plans include setback dimensions between outside edge of warehouse and the sewer (S) & easement (E) on all plans for reference. ▪ (S) Sewer from Sydney Water is 4.6m. ▪ (E) Easment for Construction 3 Wide (DP1216918) is 2.9m.
– The proponent should identify how permanent access to these easements will not be impeded by their proposal.	Permanent access to these easements will be provided via a maintenance access track along the entire length of Sydney Water's Easements. Please refer to the amended Civil Engineering Drawings (CO13904.03-SSDA503 & CO13904.03-SSDA504).
– The proponent should clarify whether the retaining wall indicated on Architectural Plan 220207-DA-500 is on, within, or outside Sydney Water's easements. The exact location of the retaining wall and its foundations should be identified relative to the easements.	No retaining walls are proposed on, within, or outside Sydney Water's easements (S), (E), (F) or (G). ▪ (S) Sewer from Sydney Water ▪ (E) Easement for Construction 3 Wide (DP1216918) ▪ (F) Easement for Water Supply Purposes 10 Wide (DP1216918) ▪ (G) Easement for Construction 9 Wide (DP1216918)

Issue	Response
	Please refer to the amended Civil Engineering Drawings (CO13904.03-SSDA410, CO13904.03-SSDA551, and CO13904.03-SSDA552), which indicate that there are no retaining structures or basins within or adjacent to Sydney Water Easements. The amended Architectural Plans (220207-DA-001-H, 220207-DA-500-502, and 220207-DA-553) show the alignment of the easement in relation to Warehouse 5 and the distances from structures.
– There is a Threatened Ecological Community (TEC) on the southern end of the property which is where the Architectural Plans indicates access for Sydney Water and Endeavor Energy vehicles. Access through this TEC not possible and the heritage area as shown on 220207-DA-001 does not extend to extent of Sydney Water's heritage mapping. This may hinder Sydney Water access to easements.	As mentioned above, permanent access to these easements will be provided via a maintenance access track along the entire length of Sydney Water's Easements. The BDAR prepared by Anne Clements & Associates has assessed impacts to the biodiversity impact of the site. This includes all areas within Blacktown Creek, Sydney Water's easements and maintenance access tracks. The TEC at the southern end of Blacktown Creek, as assessed in the BDAR, will undergo partial clearance to facilitate creek restoration works and stormwater management. This clearance work has been considered in the calculation of biodiversity credits for the proposal (part of the 28 ecosystem credits to be retired). Access to Sydney Water's easement will not be impeded by the TEC or heritage area.
– Sydney Water understands that Conservation Area C (Blacktown Creek) was identified under the Huntingwood Precinct Development Control Plan 2011. The proponent should provide further information on whether further actions such as the creation of easements over the conservation area are intended. If so, how will these actions impact Sydney Water	Conservation Area C, as well as the other conservation areas across the site, will be the responsibility of LOGOS to upkeep and maintain. No easements will be required. The delivery of any future pipelines regardless, would need to consider their environmental impact. In the case of the proposal, any future Sydney Water works not be impeded by the preparation and imposition of a VMP.

Issue	Response
access to easements and the delivery of any future pipeline/s laid?	
General comments:	
Sydney Water's existing wastewater mains should not be impacted by the proposed development. Where there is an impact, the proponent will need to meet all requirements to our standards before works are permitted to commence.	Noted. These matters will be clarified via an Out-of-Scope Building Plan Approval to be lodged with Sydney Water.
Any structures adjacent to our easements will need to design their foundations and piers adjacent to a future pipe DN1350 and DN1200. Specific requirements will be determined when an application for this work is made to us.	Noted. These matters will be clarified via an Out-of-Scope Building Plan Approval to be lodged with Sydney Water.
The proponent is to demonstrate that design and construction of the proposed development works do not impact on any maintenance or repairs works on the existing sewer main and any future pipeline/s laid within the easement i.e., deep trenched works to access the pipeline may require building foundations to be founded below the invert of the pipeline. The proponent is to demonstrate how this is achieved through a Specialist Engineering Assessment via an Out-of-Scope Building Plan Approval to be lodged with Sydney Water.	Noted. These matters will be clarified via an Out-of-Scope Building Plan Approval to be lodged with Sydney Water.

Issue	Response
Next Steps:	
The proponent should amend their development plans to relocate the OSD basin and any other structures outside Sydney Water's easements and provide clarification on the above points.	The amended Architectural Plans and Civil Engineering Plans now reflect the removal of the OSD basin from Sydney Water's Construction Easement 9 wide and replacement with two underground OSD tanks within the WH5 development area. Refer to responses above for clarification on the matters raised by Sydney Water.
The points under General comments can be addressed under an Out-of-Scope Building Plan Approval which should be raised directly with Sydney Water as soon as possible.	Noted.
Following this, the Department should re-refer SSD-36138263 to Sydney Water for comment.	DPHI will refer the response package, including this response statement and associated attachments, to Sydney Water.