



Your ref: SSD-36138263
File no: MC-23-00005

22 October 2024

NSW Department of Planning, Housing and Industry
SYDNEY NSW 2001

Recipient Delivery Shaun.Williams@planning.nsw.gov.au.

Attention: Shaun Williams

Dear Mr Williams

SSD-36138263 - Augusta Street Warehouse and Distribution Centre

Thank you for your correspondence dated 8 October 2024 on the Major Projects Portal requesting our advice for SSD-36138263 for the warehouse and distribution centre at Augusta Street, Blacktown.

The application is for State Significant Development (SSD) under section 4.36 of the *Environmental Planning and Assessment Act 1979*.

We acknowledge that the development has been highly contentious and that 8 submissions were received during the exhibition period, including 6 objections. We note that objectors have not been re-notified of the updated plans, as no amended application was required to be submitted by the applicant in accordance with the planning regulations. We request that you consider the matters raised in all the submissions made and advise the submitters accordingly.

The amended proposal has been reviewed by our officers and our support is provided subject to the Department ensuring that the concerns raised by objectors are resolved and the conditions in the attachment of this submission are all included in any consent granted.

If you would like to discuss this matter further, please contact our Town Planner, Brock Cauchi on 02 9839 6222.

Yours faithfully

Judith Portelli
Manager Development Assessment

Connect - Create - Celebrate

Council Chambers - 62 Flushcombe Road - Blacktown NSW 2148

Telephone: (02) 9839 6000 - DX 8117 Blacktown

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

Blacktown Council's conditions for SSD-36138263

1.1.1 Planning conditions

During Construction

1. 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

2. The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.
3. 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.
4. 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 of users.
5. All landscaped areas are to be separated from vehicular access areas by an appropriate edge, preferably a raised kerb.
6. Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.
7. The private certifying authority is to ensure that the roof colour of the proposed warehouse is of a light-coloured finish.

Operational

8. Landscaping of the subject site is to be maintained at a high standard at all times.
9. 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.
10. 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.
11. Vandal proof security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.
12. All loading and unloading operations shall take place at all times wholly within the confines of the land 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.

1.1.2 Environmental Health conditions

Advisory

1. If any food or public health related commercial activities are proposed in the future, then a referral to Environmental Health for the use and fit out of the premises is required to provide conditions.

Prior to construction certificate

2. All areas contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;
 - NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (2020)
 - NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995)
 - National Environment Protection Council (NEPC) 1999 "National Environment Protection (Assessment of Site Contamination) Measure" (as amended 2013)

A NSW Environment Protection Authority accredited Site Auditor must review the validation report and submit to Council a Site Audit Statement. The Site Audit Statement must verify that the investigation, remediation and validation was carried out in accordance with the undermentioned guidelines and that the site is suitable for the proposed use.

During Construction

3. An unexpected find policy (UFP) should be prepared and implemented for the proposed site redevelopment works.
4. Any new information during remediation or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to Blacktown City Council.
5. The recommendations made in the *Noise Impact Assessment, prepared by SLR dated 9 May 2024*, are to be implemented.
6. All waste generated on the site during the construction must be classified in accordance with the NSW EPA's Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Waste and disposed of at a facility that may lawfully accept the waste.
7. Any asbestos material is to be handled and treated in accordance with the SafeWork NSW document "*Your Guide to Working with Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.
8. The installation of any grease arrestor shall comply with the requirements of the Sydney Water Corporation. A copy of the Corporation's Trade Waste Agreement, shall be submitted to Council.

Operational

9. The recommendations made in the *Noise Impact Assessment, prepared by SLR dated 9 May 2024*, are to be implemented.
10. Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW Environment Protection Authority's Noise Policy for Industry (2017) and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.
11. A post commissioning report must be produced by an acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) within 3 – 6 months of the proposed development operating to validate the Environmental Noise Impact Assessment's findings. The report is to be submitted to Council to review.
12. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
13. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
14. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

1.1.3 Greenspace conditions

1. The Landscape Plan prepared by Habit8, Issue N, 29 July 2024 is to be implemented.
2. Existing trees proposed for removal for the development can be removed.

1.1.4 Biodiversity conditions

1. Implementation is required of the amended Vegetation Management Plan by Clements and Associates dated 09 May 2024.
2. The appointment of an experienced restoration ecologist and construction manager to supervise and implement works in accordance with the approved VMP including

pest control, habitat augmentation and weed suppression must occur prior to on site works commencement.

3. Evidence for the settlement of 14 ecosystem credits for Cumberland Plain Woodland PCT 3319 must be provided prior to works commencing.
4. In perpetuity 88E instruments must be established as a mechanism for enduring protection and maintenance of conservation areas and riparian corridors under private ownership in the conservation zones A, B and C (Figure 2b of the VMP).
5. Annual reports to be provided to Blacktown Council on the protection, enhancement and maintenance of conservation areas and riparian corridors per the VMP for the life of the development.
6. Council recommends a staged bond be calculated for the Vegetation Management Plan works and imposed to ensure this work is completed prior to return of bond instalments.
7. Council recommends a staged bond be calculated for the Blacktown Creek restoration/ frog habitat works and imposed to ensure this work is completed prior to return of bond instalments.

1.1.5 Engineering conditions

Advisory Notes

1.1 Payment of Engineering Fees

- 1.1.1 If the applicant wishes for Council to issue the Construction Certificate or Subdivision Works Certificate as nominated in the 'Prior to Construction Certificate/Subdivision Works Certificate please:
 - Complete application form
 - Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

General

2.1 Engineering Matters

2.1.1 Design and Works Specification

- 2.1.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:
 - (a) Blacktown City Council's Works Specification - Civil (Current Version)
 - (b) Blacktown City Council's Engineering Guide for Development (Current Version)

- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M
- (e) On Site Stormwater Detention Handbook - Upper Parramatta River Catchment Trust FOURTH Edition.

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.1.2 Other Necessary Approvals

2.1.2.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

2.2 Other Matters

2.2.1 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

2.13.2 Each year the registered proprietor/owner's corporation is to provide to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au a report outlining all non-potable water used annually and the percentage of non-potable reuse from the rainwater tank in accordance with Council's WSUD Inspection and Maintenance Guideline.

Prior to Construction Certificate (General)

3.1 DA Plan Consistency

3.1.1 A Construction Certificate or Subdivision Works Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

Prior to Construction Certificate/Subdivision works Certificate (Engineering)

4.1 General

- 4.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate or Subdivision Works Certificate can be issued.
- 4.1.2 The engineering drawings referred to below are not for construction. The Construction Certificate/Subdivision Works Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application
- Construction Certificate/Subdivision Works Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
Costin Roe Consulting Pty Ltd	Augusta St	CO13904-03	R1701	B	21.06.24
	Huntingwood		R1710	B	21.06.24
			R1153	B	21.06.24
			R1401	B	21.06.24
			R1402	B	21.06.24
			R1703	B	21.06.24
			R1794	B	21.06.24
			SSDA721	D	02.08.24
			SSDA750	C	02.08.24
			SSDA755	B	02.08.24
			SSDA756	B	02.08.24

The following items are required to be addressed on the Construction Certificate plans:

Construction Certificate plans shall be generally in accordance with the following drawings:

Costin Roe Consulting, Civil Works Package, Drawing No. C013904.03-SSDA 100 to C013904.03-SSDA 756, dated 2/8/2024 and Rev G.

The above plan must be amended or provided as following:

- the details of areas of the catchment to divert into the proposed wetland to ensure an ongoing water supply for a healthy wetland
- the proposed wetland must be designed, including all wetland zones, in accordance with the section 11.3 of Council's WSUD Developer handbook

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- iii. the details of the wetland vegetation must be provided
- iv. provide habitat features including secured logs, larger rocks and half buried stub pipe above the EDD.
- v. the details of the both creek lines must be provided and including vegetation plan, crossing sections of every 25 metres, longitudinal section and realigned areas
- vi. the details of the open swales must be provided to demonstrate the connection and divert the flow from the 1800 diameter pipe, 900 diameter pipe of the existing headwalls.
- vii. the written concur evidence from Transport for NSW to support the discharge point of Great Western Highway from Catchment 5B.
- viii. a pit schedule shall be provided to show all pits have been fitted with OceanGuard.
- ix. the details of all access tracks include the longitudinal section and cross sections.
- x. Council's OSD spreadsheet must be provided to match with the design of all OSDs
- xi. The catchment area of the roof and related connection pipe into the proposed rainwater tanks
- xii. a detailed design on the street drainage along Flushcombe road and Augusta Street to include
 - i. All drainage pits shall be proposed and installed as a kerb inlet pipe on roadway. The proposed Pit C4 shall be amended and relocated.
 - ii. The proposed twin pipes and headwall must be designed up to 1% AEP event. The calculation and model must be submitted.
 - iii. A written concur evidence from Transport for NSW to support the drainage design on Flushcombe Road between Augusta Street to Great Western Highway

4.1.3 A chartered professional engineer (CPEng) (Civil Engineer) who has membership to Engineers Australia, must provide certification that the WSUD system has been designed in accordance with the following:

- a. Part J of Blacktown City Council's Development Control Plan
- b. Council's Engineering Guide for Development 2005
- c. Civil Work Specification
- d. Manufacturer's specifications for proprietary devices, and
- e. Council's design standards and AS3500.
- f. Council's WSUD Developer Handbook 2020

4.1.4 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses. 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. Providing minimum 65 KL rainwater tank size in Warehouse 1, minimum 65 KL rainwater tank size in Warehouse 2, minimum 195 KL rainwater tank size in both Warehouse 3 and 4 and 65 minimum 135KL rainwater tank size in Warehouse 5, servicing all toilets and landscaping/washdown.
- h. Ensuring all the rainwater reuse pipes and taps are coloured purple.
- i. Rainwater warning signs are fitted to all external taps using rainwater
- j. All rainwater reuse taps are to be lockable or have removable handles

4.1.5 Plans are required 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.

4.2 Subdivision Works/Construction Certificate Requirements

4.2.1 Under the *Environmental Planning and Assessment Act 1979* a Subdivision Works Certificate is required. These works include but are not limited to the following:

- Road and drainage construction
- On-site stormwater detention
- Water quality treatment
- Earthworks
- Inter-allotment drainage (created within the subject lot)
- Path Paving (within a subdivision)

The above requirements are further outlined in this section of the consent.

4.3 Roads Act Requirements

4.3.1 Under Section 138 of the Roads Act 1993 an approval for engineering work is required. These works include but are not limited to the following:

- Any works within Council's road reserve
- Half width road construction
- Kerb inlet pit connections or construction
- Vehicular crossings
- Path Paving

4.4 Other Engineering Requirements

- 4.4.1 If the estimated cost is \$250,000 or greater proof of long service levy payment is required.
- 4.4.2 Any ancillary works undertaken shall be at no cost to Council.
- 4.4.3 Submit written permission from the affected property owner for any works proposed on adjoining land.
- 4.4.4 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

4.5 Drainage

- 4.5.1 Drainage from the site must be connected into Council's existing drainage system.

4.6 Erosion and Sediment Control

- 4.6.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

4.7 Earthworks

- 4.7.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.

4.8 On-Site Detention

- 4.8.1 On-site detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)175M On-site detention requirements - Sheet 20, or an S3QM Certificate
- 4.8.2 A registered engineer (NER) must certify that:
 - The structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
 - The on-site stormwater detention system will perform to meet the on-site stormwater detention requirements and function hydraulically in general accordance with Council's Engineering Guide for Development, DCP Part J - Water Sensitive Urban Design and Integrated Water Cycle Management, S3QM Deemed to comply tool and Councils Standard Drawing A(BS)175M.
- 4.8.3 The following documents shall be submitted to accompany the on-site detention design in accordance with the design:
 - Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
 - On-site detention detailed design submission and calculation summary sheet

- A maintenance schedule that complies with Council's Water Sensitive Urban Design maintenance guidelines, signed and dated by the designer
- S3QM Deemed to Comply On-site detention summary details

4.9 **Vehicular Crossings**

- 4.9.1 Plans to demonstrate the construction of an industrial vehicular crossing to Council's standard A(BS)102S.

During Construction (Engineering)

5.1 **Notification of Works**

- 5.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.
- 5.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

5.2 **Insurances**

- 5.2.1 Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000 Indemnity and Workers Compensation.

5.3 **Service Authority Approvals**

- 5.3.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

5.4 **Soil Erosion and Sediment Control Measures**

- 5.4.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 5.4.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.

- 5.4.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.
- 5.5 **Public Safety**
- 5.5.1 The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.
- 5.6 **Site Security**
- 5.6.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.
- 5.7 **Other Matters - Drainage**
- 5.7.1 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the 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/Subdivision Certificate

- 6.1 **Road Damage**
- 6.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.
- 6.2 **Compliance with Conditions**
- 6.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 6.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.
- 6.3 **Temporary Facilities Removal**
- 6.3.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 6.3.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

- 6.3.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- 6.3.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 6.3.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.
- 6.4 **Engineering Matters**
 - 6.4.1 **Surveys/Certificates/Works As Executed plans**
 - 6.4.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A colour soft copy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering WAE plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.
 - 6.4.1.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines.
 - 6.4.1.3 A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished floor levels (FFL) required by this consent have been achieved. The certificate must acknowledge that works and the construction of the floors have been complete. All levels must be to Australian Height Datum (AHD).
 - 6.4.1.4 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.
 - 6.4.1.5 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- 6.5 **Fee Payment**
 - 6.5.1 Any fee payable to Council as part of a Construction, Subdivision Works, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.
- 6.6 **Engineering Matters**

6.6.1 Easements/Restrictions/Positive Covenants

6.6.1.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
- (b) The standard format for easements and restrictions as accepted by the Lands Title Office.

6.6.1.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services (LRS) over the on-site detention storage areas and outlet works.

6.6.2 Inspections

6.6.2.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

6.6.3 A chartered professional engineer (CPEng) (Civil Engineer) who has membership to Engineers Australia is to certify that:

- a. All the requirements of the approved drainage plans have been undertaken;
- b. Rainwater tanks have been provided and installed collecting roof water in accordance with Construction Certificate plans.
- c. All (other) signage and warning notices have been correctly installed.
- d. The minimum detention storage tanks or basins have been provided and installed below the 1% AEP emergency overflow weir in accordance with the Construction Certificate plans.

6.6.4 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 pump outflow and the solenoid-controlled mains water bypass to determine non-potable usage and actual percentage of reuse.
- d. The initial flow meter readings are detailed in the certificate.
- e. All toilets are supplied by rainwater tank.
- f. The water from at least four toilets and two external taps have been tested to show no chlorine residual.
- g. Rainwater warning signs are fitted to all external taps using rainwater.
- h. All rainwater reuse taps are either locked, or have removable handles with handles removed.

- i. 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
- 6.6.5 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 or other requirements are:
 - a. 4 star dual-flush toilets;
 - b. 3 star showerheads;
 - c. 4 star taps (for all taps other than bath outlets and garden taps);
 - d. 3 star Water efficient washing machines and dishwashers have been used.
- 6.6.6 Before the issue of the Occupation Certificate, the applicant shall submit the original completed request forms (NSW Land Registry Services standard forms 13PC and/or 13RPA) to Blacktown City Council with the following documents:
 - a. Final version of the stormwater management report and certified and signed Works-as-Executed plans with details overdrawn on a copy of the approved Construction Certificate plan that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system(s) installed on the property.
 - b. 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 2020. This maintenance schedule is to form the maintenance agreement between the land/asset owner and Council for the ongoing requirement to inspect and maintain the assets in perpetuity.
 - c. The layouts of the WSUD signage(s) including the device location, device image and standard wording must be provided as per requirements in the Council's WSUD Developer Handbook 2020. The signage must be installed within the development and shown in the Works-as Executed Plans.
 - d. practical completion certificate

The applicant shall create on the Title a restriction on the use of land and a positive covenant in respect to the ongoing maintenance and restriction of the WSUD system(s). The terms of the positive covenant and restriction are to be prepared in accordance with Appendix F of Blacktown City Council's Engineering Guide for Development 2005 at the applicant's expense and endorsed by Blacktown City Council's delegate prior to lodgement with the NSW Land Registry Services. Blacktown City Council shall be nominated as the party to release, vary or modify such covenant.

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction as to user for the WSUD system(s) is to be submitted to the Principal Certifier.

6.7 Water Sensitive Urban Design Management

- 6.7.1 Prior to the issue of the Occupation Certificate, the Applicant shall provide a Maintenance schedule for the WSUD/OSD system installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD/OSD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council for approval.
- 6.7.2 Prior to the issue of the Occupation Certificate, the applicant shall provide a Positive covenant and Restriction on the use of land over the WSUD/OSD 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.