



Hunter Water Corporation  
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16 June 2021

Ref: 2020-138/5.007

The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle  
C/- Barr Property & Planning  
PO Box 3107  
Merewether NSW 2291

Attention: Stephen Barr

Dear Stephen

**RE REVISED NOTICE OF FORMAL REQUIREMENTS FOR PROPOSED DEVELOPMENT**

Hunter Water has revised the requirements included in the Notice letter dated 14 May 2021.

Hunter Water's assessment is based on the Lots not being provided with water or sewer services as these services will be provided when future subdivision is undertaken. As such, no advice on the networks capacity is provided in this Notice letter.

Hunter Water's revised requirements for the unserviced subdivision of 1 lot into 2 lots at Lot 1 DP 1260203, 1134 John Renshaw Drive, Black Hill are as follows:

**You Are Required To:**

- 1 As indicated in your application, you are requesting Hunter Water's requirements for initial construction activities, including construction of access roads, over Hunter Water's land a watermain assets.

The development of the proposed industrial subdivision will impact the following critical watermain assets:

- i. The 200mm UPVC-HD watermain located in Hunter Water's land that traverses Lot 2; and
- ii. The 1200mm Mild Steel Cement Lined (Sintacote) watermain known as the Chichester Trunk Gravitation Main (CTGM) located in Hunter Water's land along John Renshaw Drive.

200mm Watermain

Hunter Water's will require the 200mm watermain to be relocated by the Developer to the appropriate allocation in the future internal road reserves. The specific requirement to relocate the watermain will be provided when a Development Application is submitted for the creation the individual industrial lots and the internal road reserves. Specific requirements for development over or adjacent this watermain or any other Hunter Water assets will also be provided at that time.

CTGM Protection

Hunter Water understands that you are seeking approval to construct an access road over the CTGM and the detail design and location of the roads is still at the concept

stage. The increase in density created by the proposed subdivision and construction and operation of the new road crossing has the potential to impact the structural integrity of the CTGM which could result in failures.

Commented [BC1]:

The CTGM can operate at very high pressures and carry significant volumes of water. Additionally, the unexpected release of large volumes of water from the CTGM could be dangerous to persons in its vicinity and result in significant damage to nearby property. Failures of the CTGM can have serious consequences, including significant local flooding, scouring and release of energy which can impact structures, persons or property in the vicinity of and downstream of the failure site.

All works undertaken on the development site must take account of the above risks and the conditions set out in this Notice of Formal Requirements.

In this regard, your attention is drawn to the following legislative and policy provisions which are relevant to this proposal:

- Section 25(1) (a) of the *Hunter Water Act 1991* (the Act) which articulates Hunter Water's legislative provisions with respect to interference with works. A copy of this section of the Act is attached for your information; and
- Compliance with Hunter Water's *Policy and Guidelines for Building Over or Encroaching on Hunter Water Easements or Property* (attached).

Commented [CE2]: But later on you are saying the design is ok subject to geotech investigations?

Commented [BC3R3]: Yes, I changes it – I never liked the phrasing either

Commented [CE4]: Is this the current policy?

Commented [BC5R5]: Yes, this is the latest – checked with property

Hunter Water may permit construction activities, including intersection and road construction over the CTGM provided these activities do not impact on the CTGM structural integrity, safety or accessibility to the CTGM for maintenance. Hunter Water will only consider a perpendicular road crossing of the CTGM. If additional transitional lanes are proposed to be located over the CTGM, you will be required to relocate the CTGM to a suitable location clear of any road pavement. Hunter Water may need any bridging structures to be designed to accommodate future network augmentations and possibly the installation of a second watermain under the intersection at the time of construction. This will be determined when the road designs are submitted to Hunter Water for review.

At this stage, to allow Hunter Water to fully consider your proposal, you will need to comply with the following requirements regarding accessing Hunter Water's land and prior to undertaking any construction activities over and adjacent to the CTGM. Depending on the information provided in addressing the following requirements, Hunter Water may need to issue further requirements:

- a. Obtain a Landowners Consent from Hunter Water and meet all conditions of this Consent. Access to Hunter Water's land for construction activities must be arranged through Hunter Water's property management office.

Hunter Water will not issue the Land Owner Consent until we are satisfied all requirements of this Notice letter have been met;

- b. Obtain a License Agreement from Hunter Water to access our land for undertaking the necessary investigation works as detailed below.
- c. Provide advice on your intended process to dedicate public access rights for using the proposed road.
- d. Provide a copy of Transport for NSW advice and approval for the proposed intersection and access road;

- e. Submit detailed designs of any works over or adjacent to the CTGM. The road is to be designed to ensure no loads are transferred to the CTGM. Hunter Water would expect that this will require the design of a site specific bridging structure which would transfer loads clear of the zone of influence. The design should include any specific CTGM protection requirements;
- f. Undertake a Specialist Engineering Assessment of the impact on the CTGM with reference to:
  - The details of the proposed works.
  - The construction methodology and sequence to ensure the CTGM are not damaged or compromised.
  - A contingency plan for failure of the CTGM.
  - The details of heavy construction equipment to be used in the construction, if any.
  - The location, depth and as-constructed details of the CTGM in the vicinity of the works.
  - An appraisal of the existing condition of the CTGM.
  - The details of any temporary or permanent protection works required to safeguard the CTGM from damage.
  - An appraisal of the impact of the proposed temporary and permanent works on the CTGM using the appropriate site investigation, engineering modelling or analysis method as necessary.
  - A risk assessment of potential impacts of a failure of the CTGM and any mitigations required to protect persons and property. The key risks to be considered include;
    - Direct impact on person or property from the explosive nature of a CTGM break.
    - Direct impacts to person or property in the overland water flow path during a break.
    - Direct impacts including undermining and flooding of property or structures in, or immediately adjacent to, the water flow path.

The Assessment must be carried out by a Chartered Professional Engineer of the Institution of Engineers Australia with appropriate expertise and experience. The engineer must seek expert specialist advice such as geotechnical and other areas as required by the works.

Your engineer should contact Hunter Water for advice on flow rates and pressures in the CTGM.

The Assessment should be submitted to Hunter Water for review prior to any works commencing on the site.

The Assessment should be incorporated into the Construction and Environmental Management Plan for the works.

- g. Construction vehicles should not operate in vicinity of the CTGM without protective measures in place to ensure the structural integrity of the CTGM is not compromised.
- h. Percussive compaction is not allowed in the vicinity of the CTGM.
- i. Stockpiling, storage of machinery or construction of temporary structures are not to occur within Hunter Water's land.

- j. Any structure within or adjacent to the CTGM is to be designed and constructed to ensure the structural integrity of the structure is not compromised by any excavation by Hunter Water whilst undertaking maintenance or repairs of the Assets; and
  - k. All due care must be taken when working and excavating in the vicinity of the Assets. The Developer is required to ensure that all workers and contractors are made aware of the potential safety risks associated with working in the vicinity of the CTGM. The Developer will be responsible for any damage that may be caused to the Assets during construction and costs of any subsequent repairs and/or third party injury or damage caused by the failure of the CTGM in accordance with section 25(1)(a) of the Act.
- 2 Submit the Development Consent Conditions determined by Council or the Complying Development Certificate for this specific development. Hunter Water will confirm that the final development description is consistent with the details supplied by you for this application. If there are any subsequent amendments to this development consent, Hunter Water will require you to submit a revision application.

Please note, the information shown on the plan provided with this letter may not be up to date and Hunter Water accepts no responsibility for its accuracy. Any contractor(s) or consultant(s) engaged by the developer should confirm all levels by field survey.

These requirements are valid for 12 months from the date of this letter and are specific to this development. All fees and charges are subject to adjustment using the Consumer Price Index (CPI) adjustment on 1 July each year.

Please refer to the attached Supplementary Information and Guidance which details the conditions under which water and sewer facilities are available to new customers. Hunter Water reserves its right to amend the requirements set out above prior to issuing a Section 50 Compliance Certificate.

Yours faithfully



**BARRY CALDERWOOD**  
**Account Manager Major Development**

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## **Attachment: Section 25, Hunter Water Corporation Act 1991**

### **Interference with works**

- (1) Land in or on which a work of the Corporation is installed is taken to be the subject of an agreement in the nature of a covenant in favour of the Corporation pursuant to which the owner from time to time of land in or on which the work is installed must ensure that:
  - (a) the work or any structure owned by, or under the control or management of, the Corporation is not wilfully or negligently destroyed, damaged or interfered with, and
  - (b) the Corporation and authorised persons are not delayed or obstructed in and about the taking, in relation to the work, of any of the steps referred to in section 19 (2), and
  - (c) no structure is placed in, on or near the work in a manner that interferes with the operation of the work, and
  - (d) ground is not opened to expose any pipe or other work of the Corporation without reasonable excuse, or the consent of the Corporation, and without giving the Corporation at least 2 days' written notice of intention to open the ground unless that requirement is waived by the Corporation.