



Hunter Water Corporation
ABN 46 228 513 446

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13 September 2021

Ref: 2020-138/5.011

The General Manager
Cessnock City Council
Via Email: Peter.Giannopoulos@cessnock.nsw.gov.au

Attention: Peter Giannopoulos – Team Leader Development Services

Dear Peter

**RE REVISED HUNTER WATER LAND OWNER CONSENT
DA 2018/539 1134 John Renshaw Drive, Black Hill**

Hunter Water Corporation (Hunter Water) previously issued conditional land owners consent via email dated 20 August 2021. After representations from the Developer, Hunter Water has decided to amend the conditions of our land owners consent to those detailed below.

Hunter Water previously issued land owners consent for DA 2018/539 dated 8 May 2018 (Ref: HW2017-1453/22) which included reference to Hunter Water land being Lot 119 DP 1154904 (attached).

Hunter Water understands that the development proposal also includes a new intersection and entry road on John Renshaw Drive to access the proposed industrial development over another parcel of Hunter Water land being Lot 13 DP 1097621.

Despite DA 2018/539 not including Lot 13 DP 1097621, Hunter Water has no objections to the development proposal impacting Lot 13. Hunter Water will issue our requirements for the development, including impacts on Lot 13, upon receipt of an application for a Compliance Certificate under section 49 of the *Hunter Water Act 1991 (NSW)* (the Act).

On this basis, Hunter Water issues this land owners consent subject to the following conditions:

1. The Developer must lodge an application for a Compliance Certificate under section 49 of the Act when the DA Consent has been approved;
2. Cessnock City Council includes a DA consent condition requiring the Developer to obtain a Compliance Certificate under section 50 of the Act prior to releasing the Subdivision Certificate; and
3. The Preliminary Servicing Advice (attached) will need to be complied with.

This letter is issued by Hunter Water acting in the capacity of landowner only and does not constitute approval by Hunter Water as a statutory authority under the Act.

If you have any further enquiries regarding this matter, please contact Hunter Water.

Barry Calderwood
Account Manager Major Development

Ph: (02) 4979 9721

Email: barry.calderwood@hunterwater.com.au

Attached: 1. Land Owners Consent for DA 2018/539 dated 8 May 2018
2. Preliminary Servicing Advice dated 23 June 2021 (Ref: 2021-641/1.003)

Cc: Stephen Barr; Barr Property & Planning Pty Ltd



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8th May 2018

Our Ref: HW2017-1453/22

Broaden Management Pty Ltd
C/- Barr Property and Planning
PO Box 3107
MEREWETHER NSW 2291

Dear Sir/Madam,

RE: Request for Owner Consent to Stage 1 of Proposed Development at Lot 1131 in Deposited Plan 1057179 – John Renshaw Drive, Blackhill.

Hunter Water confirms that it is the Registered Proprietor of Lot 119 DP 1154904 which bisects Lot 1131 in Deposited Plan 1057179 being the proposed development location.

Hunter Water Internal Stakeholders have reviewed the request for Land Owner Consent to the Concept Plan for the Proposed Development and advise that the Land owned by Hunter Water contains Critical Infrastructure including 375, 500 and 900mm trunk water mains.

As the proposed Stage 1 (site clearing) will have an impact on the critical infrastructure it is required that a Section 50 application be submitted to Hunter Water in order for conditions to be put in place to protect the assets located within Lot 119 DP 1057179.

A Licence Agreement will be required by the Developer to be entered into for access to the Land owned by Hunter Water and for works to occur once the Section 50 Certificate has been issued.

As such the Land Owner consent is granted in principle on the condition that a Section 50 Application is completed and submitted to Hunter Water for review.

Please contact the undersigned if you have any questions regarding this matter.

Yours faithfully

Kristy Moore
Property Administration Officer
PH: 02 4979 9497
E: kristy.moore@hunterwater.com.au



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23 June 2021

Ref: 2021-641/1.003

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

Attention: Stephen Barr

Dear Stephen,

RE PRELIMINARY SERVICING ADVICE
Subdivision of 1 lot into 40 industrial lots at Lot 1 DP 1260203, 1134 John Renshaw Drive, Black Hill.

Hunter Water is offering preliminary servicing advice in this instance as your development, as noted by you, is before the Land and Environment Court and may be subject to substantial changes and amendment.

The following preliminary servicing advice is offered for the proposed industrial subdivision. Please note, this advice is not binding on Hunter Water and subject to lodgement of an application for Notice of Requirements from Hunter Water following determination by the Court.

Only general information on water and sewer issues relevant to the proposed development are included here:

Water Supply

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

- The 200mm UPVC-HD watermain located in Hunter Water's land that traverses Lot 2. This main provides security of supply to the Fletcher/Minmi/Wallsend areas; and
- 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. This main provides the primary supply to all the residential areas to the west including the Maitland/Coalfields areas.

Hunter Water anticipates that the trunk assets noted above will required relocation and/or protection to ensure it's on going operability to service the community of the Hunter. Please note, a failure involving these assets may result in significant damage to your property and surrounds and will warrant careful consideration of failure modes, specialist design and engineering input.

The existing DN200 water main will need to be relocated as part of the subdivision works to the standard allocation within the future internal road reserves. As part of our assessment for your future Notice of Requirements, Hunter Water will investigate whether any watermain upsizing may be required.

You will need to revise the Black Hill Water Servicing Strategy to incorporate the final industrial subdivision layout, road network, intersection designs and interconnectivity as well as associated watermain relocations and upgrades.

Wastewater Transportation

The nominal point of connection will be Beresfield 21 WWPS, however, it will be necessary to upgrade this WWPS and possibly downstream assets to service your development and other potential growth in the vicinity. You will need to revise the Black Hill Sewer Servicing Strategy to confirm the necessary upgrades required.

You will need to engage the services of an Accredited Design Consultant to revise these strategies with reference to the WSAA Hunter Water Design Guidelines.

Servicing strategies should be submitted to Hunter Water for review and approval and services should be designed and constructed in accordance with these approved strategies. Please contact Hunter Water to discuss the scope of work prior to commencement. A separate strategy review fee is required to be paid for each servicing strategy that is submitted.

Delivery of Developer Works

You will need to enter into multiple Developer Works Deeds for the delivery of developer works.

You will need to engage Accredited Suppliers to design and construct the works in accordance with the terms of the Deeds. All developer works are to be designed by an Accredited Design Consultant and constructed by an Accredited Contractor.

Environmental Requirements

Hunter Water will require a Review of Environmental Factors (REF) to be submitted (refer Appendix HW 1 of Water Supply Code of Australia – Hunter Water Edition) for various assets. A REF considers the likely impacts a development may have on the environment. At all times, methods for preventing or reducing adverse environmental impacts should be considered and where appropriate, incorporated into the project design.

Financial Requirements

A reimbursement contribution may be required towards the cost of any developer funded assets utilised to serve this development. The reimbursement payment includes GST. Reimbursements cannot be determined until the final connection points are determined.

Build Over or Adjacent Watermain Assets

Hunter Water understands that you will need approval to construct an access road over the CTGM and the detail design and location of the roads is subject to the final determination of the Court and Council. 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.

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

- 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).

Hunter Water has issued Notice of Formal Requirements, dated 16 June 2021, for your proposal works related to access our land and undertake construction activities likely to impact the CTGM (refer to Attachment A). The Requirements detailed in that Notice should be considered as a related addendum to this letter. At this stage no acceptance or approval of the proposal has been given by Hunter Water.

Entry Requirements

The proposed investigation works may require entry to another property. You will need to arrange for entry and have evidence of consent by way of a signed Entry Permit with the affected landowner.

These preliminary requirements are not commitments by Hunter Water and maybe subject to significant change prior to this development proceeding.

Yours faithfully



BARRY CALDERWOOD
Account Manager Major Development

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