

Case Number: 147734

3 September 2015

SHEPHERD STREET DEVELOPMENTS PTY LTD
c/- AWPM AUSTRALIAN WATER PROJECT MANAGEMENT

NOTICE OF ANTICIPATED REQUIREMENTS
for
SECTION 73 SUBDIVIDER/DEVELOPER COMPLIANCE CERTIFICATE
(Sydney Water Act 1994, Part 6, Division 9)
PENDING DEVELOPMENT CONSENT

Developer:	SHEPHERD STREET DEVELOPMENTS PTY LTD
Your reference:	PSW1171
Development:	No.20 Shepherd Street, Liverpool Lot 1 of DP247485
Development Description:	Reuse of heritage building for commercial/retail use and construction of two residential flat buildings, ranging from 9 to 16 storeys over basement car parking
Council:	Liverpool City Council
Your application date:	5 August 2015

Dear Applicant

Sydney Water has assessed your application for the anticipated requirements of a Section 73 Compliance Certificate (the Certificate) pending development consent for the development shown above. Detailed information on your anticipated requirements is outlined below.

You have until 3 September 2016 to meet those requirements and receive the Certificate. If you have not received the Certificate by then you will have to reapply (and pay another application fee) and Sydney Water will issue you with a new notice. We may have extra requirements and charges may change in the new notice.

The Water Servicing Coordinator (Coordinator) will be your point of contact with Sydney Water. They can answer most questions you might have on our developer process and charges.

This is not a final notice and Sydney Water is not liable for any actions you take as a result of this Notice. You do not have the authority to start construction of works.

If the development application has been subject to significant change then this anticipated requirements application will be terminated and you must submit a formal Section 73 application.

You can also find out about this process by visiting www.sydneywater.com.au > Plumbing, building & developing > Developing > Land development. If you want to find out the status of your application, simply select 'Developer Application Progress' and enter your case number (shown above) and email address. A response will be sent automatically to you.

What You Must Do To Get A Section 73 Certificate

Summary

This is a summary of Sydney Water's requirements. The detailed list begins on the next page.

You must do all of the following things:

1. Engage a Water Servicing Coordinator (Coordinator) before you sign the enclosed Agreement.
2. Sign both originals of the enclosed Agreement and give them to the Coordinator. You must do all the things that we ask you to do in that Agreement.
3. After you have signed the Agreement you then need to build the required water and sewer works at your own cost.
4. See Section 4 for any Ancillary Matters
5. Complete any special requirements from Section 5.

Sign the enclosed Undertaking for multi-level individual metering.

Other things you need to do:

At the end of this Notice are some other things that you may need to do. They are NOT a requirement to be met before the Certificate can issue but may well be a requirement in the future because of the impact of your development on our assets. You must read them before you go any further.

DETAILED REQUIREMENTS

1. Water Servicing Coordinator

You must engage your current or another authorised Coordinator to manage the design and construction of works that you must provide, at your cost, to service your development. If you wish to engage another Coordinator (at any point in this process) you must write and tell Sydney Water.

For a list of authorised Coordinators, either visit www.sydneywater.com.au > Plumbing, building & developing > Developing > Providers > Lists or call **13 20 92**.

Coordinators will give you a quote or information about costs for services/works, including Sydney Water costs.

2. Developer Works Deed

After you engage a Coordinator, you must engage other Developer Infrastructure Providers (Providers) to carry out, where needed, the design and construction of the works. They must all have the appropriate capability. Your Coordinator can assist you.

You and your Providers will need to enter into an agreement with Sydney Water. To do this you need to sign and lodge **both originals** of the enclosed Developer Works Deed (Deed) with your nominated Coordinator. You will then need to work with your Coordinator to have the other Providers sign the Deed.

If your Coordinator or Providers are different for any of the asset types then you will need to sign separate Deeds.

Before signing the Deed, each party must also read and understand the conditions of the agreement that are set out in the Developer Works Deed – Schedule 1: Standard Terms document. That document as well as information about it are available at sydneywater.com.au > Plumbing, building & developing > Developing > Developer deeds & standard terms

The Deed and the Standard Terms set out for this development all parties' roles and responsibilities as well as other information.

You must do all the things that we ask you to do in the Deed.

This is because your development does not have water and sewer services and you must construct and pay for the following works extensions under this Deed to provide these services.

3. Water and Sewer Works

3.1 Water

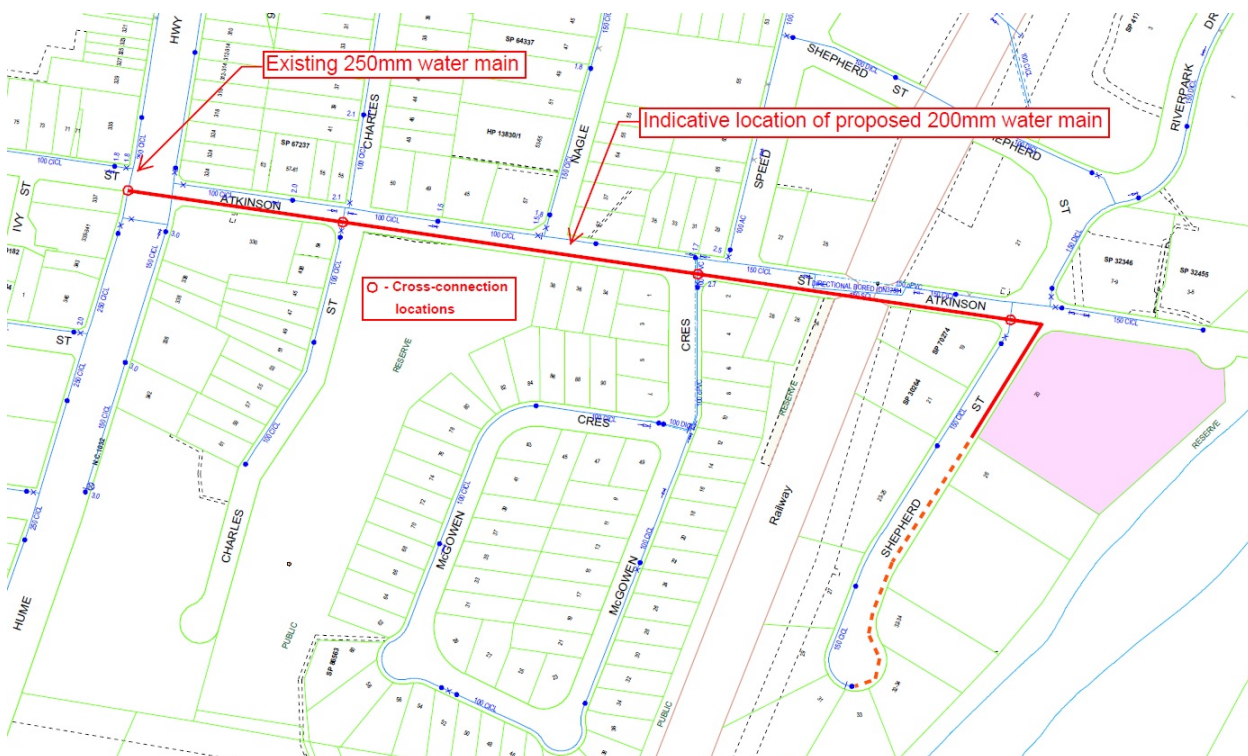
Your development must have a frontage to a water main that is the right size and can be used for connection.

Sydney Water has assessed your application and found that:

- **You must construct a water main extension to serve your development.** These works must be constructed by a constructor with the appropriate capability. Your

Coordinator will be able to provide further advice about this.

- The existing site is supplied from a water main located in Atkinson Street varying in diameter from 100mm to 150mm in diameter. The primary supply is via a 100mm offtake from the 150mm main in the Hume Highway.
- The proposed 16 storey building will require a minimum sized 200mm water main.
- The existing 250mm trunk water main located on the western side of the Hume Highway has adequate capacity to service the proposed development. You are required to construct approximately 600m of 200mm water main from the existing 250mm main in the Hume Highway to the property. The new 200mm water main is to be cross connected to the existing mains along route to maintain adequate connectivity.
- The concept plan below is provided to assist the developer in planning for the required works. Your Water Service Coordinator can provide further advice on the detail design process required to determine the preferred route and connections to the existing water supply network.
- The drinking water infrastructure required for this development will be sized & configured according to the Water Supply Code of Australia WSA 03-2011-3.1 (Sydney Water Edition - 2014).



- Because your development requires adjustment/deviation of a “live” water main you must work with your Water Service Coordinator to ensure that:

- You submit your temporary pipework design (if required) with your permanent water design for approval,
- Accept in writing to bonding conditions that will be provided in the Bond Agreement,
- Submit your Bond and signed Bond Agreement,
- Submit the Construction Commencement Notice for construction of the temporary pipework,
- Have your temporary pipework constructed by a listed provider, and then
- Complete your permanent works

3.2 Sewer

Your development must have a sewer main that is the right size and can be used for connection. That sewer must also have a connection point within your development's boundaries.

Sydney Water has assessed your application and found that:

- **You must construct a waste water main extension to serve your development.** The terms of the Deed define this extension as 'Major Works'.
- An extension of the wastewater network will be required from the 225mm main in Shepherd Street which will provide a point of connection at least 1m inside the property boundary.
- You must use Sydney Water's **Technical Specifications for Leak Tight Sewer Systems** to plan, design and construct the sewer. This specification must be used in conjunction with (and have precedence over) the Sewerage Code of Australia, WSA02-2002 (Sydney Water Edition 1 – Version 3). A Defect Liability Period of 12 months will apply to the works following their completion and acceptance by Sydney Water. Sydney Water will carry out Validation Testing one month prior to the expiry of that period. If we find any defects we will tell you. It will be your responsibility to rectify any notified defects.

The new sewers shall provide the means for Sydney Water to conduct future flow gauging and quality assurance checks. This will be achieved by providing maintenance holes (MH) for:

- a) **flow gauging (GMH)** for flow measurement over longer periods;
- b) **infiltration checking (ICMH)** to verify the quality assurance of the new sewer as soon as possible-within the 12 month defects liability period.

The location of these MH's will need to be established at the time of detailed design. The location(s) will need to provide safe and unrestricted access with sufficient room to enable the installation and reading of the gauges and associated equipment.

You may be required to prepare a plan for the whole sewerage catchment into which your development falls, setting out a master strategy for the GMH's needed.

Any tender called by you for the works will need to provide for the above requirements.

Funding of works

Under Sydney Water's 'Funding of infrastructure to service growth' policy we may agree to contribute towards a portion of the cost of the works you are required to build. Your Water Service Coordinator can advise you in relation to this policy, the likelihood of Sydney Water sharing a portion of the cost and the process you need to satisfy Sydney Water's probity requirements.

An initial funding assessment must be made at deed lodgement stage. At this point you must submit:

- Pre-tender cost estimate (for the whole works and Sydney Water's share) for the works in line with the Urban Growth Procurement Guidelines.
- Pre-tender cost estimates for any associated professional services
- Preliminary Scope of works
- Anticipated timeframe for construction, connection and transfer of the works to Sydney Water.

The final funding assessment will then be made at the detailed design stage, prior to any tenders being awarded or construction works commencing. A firm commitment would not be made by Sydney Water until we:

- Have assessed your pre-estimates for the work, including design, project management and all associated costs, and determined the tender process required to satisfy Sydney Water probity requirements in line with the Urban Growth Procurement Guidelines;
- Have reviewed the detailed design;
- Have reviewed the detailed construction quotations needed to meet our probity requirements in line with the Urban Growth Procurement Guidelines, including the tender recommendation reports where required;
- Have received the necessary certifications that you have complied with the Urban Growth Procurement Guidelines and;
- Have come to an agreement on the amount.

If the requirements of the Corporation's Urban Growth Procurement Guidelines (which your Coordinator can advise you on) are not adhered to than Sydney Water's willingness to provide funding in accordance with its policy will be placed at risk.

4. Ancillary Matters

4.1 Flow Management and Isolation of Sydney Water's Asset.

The above works will be constructed with a connection/cut-in to Sydney Water's (wastewater, water and/or stormwater) assets. To see that it complies with Occupational Health and Safety and Environmental legislation you must talk to your coordinator about the timely submission to Sydney Water of a request for flow management and asset isolation requirements.

4.2 Asset Adjustments

After Sydney Water issues this Notice (and more detailed designs are available), Sydney Water may require that the water main/sewer main/stormwater located in the footway/your property be adjusted/deviated. If this happens, you will need to do this work as well as the extension we have detailed above at your cost. The work must meet the conditions of this Notice and you will need to complete it **before we can issue the Certificate**. Sydney Water will need to see the completed designs for the work and we will require you to lodge a security. The security will be refunded once the work is completed.

4.3 Entry onto neighbouring property

If you need to enter a neighbouring property, you must have the written permission of the relevant property owners and tenants. You must use Sydney Water's **Permission to Enter** form(s) for this. You can get copies of these forms from your Coordinator or the Sydney Water website. Your Coordinator can also negotiate on your behalf. Please make sure that you address all the items on the form(s) including payment of compensation and whether there are other ways of designing and constructing that could avoid or reduce their impacts. You will be responsible for all costs of mediation involved in resolving any disputes. Please allow enough time for entry issues to be resolved.

4.4 Costs

Construction of these works will require you to pay project management, survey, design and construction costs **directly to your providers**. Additional costs payable to Sydney Water may include:

- design and construction audit fees;
- contract administration, Operations Area Charge & Customer Redress prior to project finalisation; and
- creation or alteration of easements etc.

Note: Payment for any Goods and Services (including Customer Redress) provided by Sydney Water will be required prior to the issue of the Section 73 Certificate or release of the Bank Guarantee or Cash Bond.

Your Coordinator can tell you about these costs.

5. Special Requirements

The Final Development Consent

This application is based on the development and consent shown on Page 1. You will not be permitted to commence construction of the works required to serve your development, until you have supplied the Development Consent to us and we have ascertained that there are no significant changes to your development.

If there are significant changes to your development, you must reapply (and pay another application fee) and we will issue another Notice. The requirements and charges may change in that Notice.

Multi-level individual metering requirements

Your development must either allow for or provide individual metering. This means that you must:

1. comply at all times and in all respects with the requirements of Sydney Water's *'Multi-level Individual Metering Guide'* (version 6 dated 1 July 2015);
2. provide and install plumbing and space for individual metering in accordance with Sydney Water's *"Multi-level Individual Metering Guide"*;
3. if and when you implement a strata/ stratum plan (or strata/ stratum subdivide) you must:
 - a. engage an Accredited Metering Supplier ("**AMS**") to provide individual metering in accordance with the *"Multi-level Individual Metering Guide"* and meet the cost of the meters and metering system;
 - b. transfer the meters and metering system to Sydney Water once the Testing Certificate has been issued by Sydney Water to the AMS and the AMS has confirmed that payment for the meters and metering system has been paid in full.

Before the Section 73 Certificate can be issued, you must sign the attached undertaking to show that you understand and accept these metering requirements and associated costs.

Visit www.sydneywater.com.au > Plumbing, Building & Developing > Plumbing > Meters & metered standpipes to see the *Multi-level individual metering guide* and find out more.

OTHER THINGS YOU NEED TO DO:

Shown below are other things you need to do that are NOT a requirement for the Certificate. They may well be a requirement of Sydney Water in the future because of the impact of your development on our assets. You must read them before you go any further.

Stamping and approval of your building plans

Please note that your building plans must be stamped and approved. This can be done at a Quick Check agency. For an agency list visit www.sydneywater.com.au > Plumbing, building & developing > Building > Quick Check agents or call 13 20 92.

This is not a requirement of the Certificate but the approval is needed because construction/ building works may impact on existing Sydney Water assets (e.g. water and sewer mains). In any case, these works **MUST NOT** commence until Sydney Water has granted approval.

Your Coordinator can tell you about the approval process including:

- Possible requirements;
- Costs; and
- Timeframes.

Note: You must obtain our written approval before you do any work on Sydney Water's systems. Sydney Water will take action to have work stopped on the site if you do not have that approval. We will apply Section 44 of the Sydney Water Act 1994.

Requirements for Business Customers for Commercial and Industrial Property Developments

If this property is to be developed for Industrial or Commercial operations, it may need to meet the following requirements:

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must wait for approval of this permit before any business activities can commence.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

A **Boundary Trap** is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable **Backflow Prevention Containment Device** appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on **1300 889 099**.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<http://www.sydneywater.com.au/Plumbing/BackflowPrevention/>

Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation.

By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <http://www.sydneywater.com.au/Water4Life/InYourBusiness/RWTCalculator.cfm>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

Under Sydney Water's [customer contract](#) Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a **contingency plan** for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at: <http://www.sydneywater.com.au/OurSystemsandOperations/TradeWaste/> or contact Business Customer Services on **1300 985 227** or businesscustomers@sydneywater.com.au

Disused Sewerage Service Sealing

Please do not forget that you must pay to disconnect all disused private sewerage services and seal them at the point of connection to a Sydney Water sewer main. This work must meet Sydney Water's standards in the Plumbing Code of Australia (the Code) and be done by a licensed drainer. The licensed drainer must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Soffit Requirements

Please be aware that floor levels must be able to meet Sydney Water's soffit requirements for property connection and drainage.

Fire Fighting

Definition of fire fighting systems is the responsibility of the developer and is not part of the Section 73 process. It is recommended that a consultant should advise the developer regarding the fire fighting flow of the development and the ability of Sydney Water's system to provide that flow in an emergency. Sydney Water's Operating Licence directs that Sydney Water's mains are only required to provide domestic supply at a minimum pressure of 15 m head.

A report supplying modelled pressures called the Statement of Available pressure can be purchased through any Quick Check agent and may be of some assistance when defining the fire fighting system. The Statement of Available pressure, may advise flow limits that relate to system capacity or diameter of the main and pressure limits according to pressure management initiatives. If mains are required for fire fighting purposes, the mains shall be arranged through the water main extension process and not the Section 73 process.

Large Water Service Connection

A water main will be available, once you have completed your drinking water main construction to provide your development with a domestic supply. The size of your development means that you will need a connection larger than the standard domestic 20 mm size.

To get approval for your connection, you will need to lodge an application with a Quick Check Agent. You, or your hydraulic consultant, may need to supply the following:

- A plan of the hydraulic layout;
- A list of all the fixtures/fittings within the property;
- A copy of the fireflow pressure inquiry issued by Sydney Water;
- A pump application form (if a pump is required);
- All pump details (if a pump is required).

You will have to pay an application fee.

Sydney Water does not consider whether a water main is adequate for fire fighting purposes for your development. We cannot guarantee that this water supply will meet your Council's fire fighting requirements. The Council and your hydraulic consultant can help.

Disused Water Service Sealing

You must pay to disconnect all disused private water services and seal them at the point of connection to a Sydney Water water main. This work must meet Sydney Water's standards in the Plumbing Code of Australia (the Code) and be done by a licensed plumber. The licensed plumber must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Other fees and requirements

The requirements in this Notice relate to your Certificate application only. Sydney Water may be involved with other aspects of your development and there may be other fees or requirements. These include:

- plumbing and drainage inspection costs;
 - the installation of backflow prevention devices;
 - trade waste requirements;
 - large water connections and
 - council fire fighting requirements. (It will help you to know what the fire fighting requirements are for your development as soon as possible. Your hydraulic consultant can help you here.)
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END OF NOTICE