

5 April 2022

Jane Gibbs  
Director Regionally Significant Development  
Local & Regional Planning  
NSW Department of Planning and Environment  
By email: enquiry@planningpanels.nsw.gov.au

Dear Ms Gibbs,

**CHELSEA GARDENS – CONFIRMATION OF SEWER LICENSING ARRANGEMENTS – YOUR REF: PPSSTH-7**

We are assisting Aoyuan Pty Ltd ('Aoyuan') in this matter and have been instructed to respond to the Department's letter dated 1 April 2022 on its behalf. Please find below and attached the response to items 1 to 4 outlined in the letter:

1. Please provide confirmation of whether you have applied for a WICA licence, including any discussions you have had with IPART about whether the IWTS is exempt from the requirement for a WICA licence.

**Aoyuan response:** Aoyuan has well-advanced contractual arrangements with True Water Australia, a leading provider of sewage treatment plants and associated services in Australia and the Pacific region, to install, operate and maintain the interim wastewater treatment plant ('IWTP').

As the Department would be aware, the development consent granted 24 February 2021 for the IWTP is a 'deferred commencement' consent, with the consent being operational upon the granting of an operational development consent for DA 20/0227 for the Stage 1 and Concept Approval subdivision. We understand the deferred commencement consent for the IWTP was issued on the basis of its inextricable wastewater servicing link to the Stage 1 component of DA 20/0227. Clearly, finalising contractual arrangements with True Water Australia are contingent upon an operational development consent for DA 20/0227 being granted.

The Department would also be aware that condition 31 of the consent for the IWTP requires the granting of a WICA license or evidence that a license is not required prior to the issue of an Occupation Certificate for the IWTP.

Accordingly, upon the granting of an operational development consent for DA 20/0227, Aoyuan through the appointed contractor will approach IPART to obtain a WICA license or its determination that a WICA license is not required. The above demonstrates that in the circumstances adequate arrangements have been made to make wastewater infrastructure available when it is required in accordance with clause 7.10 of Wingecarribee Local Environmental 2010.

2. Who will be the Stage 1 lot owner's direct sewerage service provider prior to Council?

**Aoyuan response:** As outlined above True Water Australia is the intended service provider, subject to the granting of an operational development consent for DA 20/0227 to allow finalisation of contractual arrangements.

3. Who is proposing to construct, maintain and operate the IWTS infrastructure and supply the water and the sewerage services, both initially and into the future (and in relation to all the proposed stages of the Development)?

**Aoyuan response:** The operation of the IWTP has been confirmed in the servicing reports and will be owned by Aoyuan, with its construction, operation and maintenance by Truewater as a Licensed operator (subject to the granting of an operational development consent for DA 20/0227 to allow finalisation of contractual arrangements). The IWTP will only be in operation until the Moss Vale Sewage Treatment Plant ('MVSTP') upgrade has been completed at which time the lots in the development will all be serviced by Council sewerage services.

Water for Stage 1 and the remaining stages of the development will be provided via Council's water supply system. Water supply assets will be constructed as part of the subdivision development and become Council's operational assets upon the issue of subdivision certificate for each stage of the development. Council will also be responsible for the maintenance of these water supply assets.

The provision and timing of services has been fully explored by the developer and discussed and agreed with Council.

4. How will the proposed private sewerage infrastructure be managed on public land, and what arrangements are proposed to be entered into to allow for this ? (i.e., the proposed sewerage reticulation infrastructure (pipes etc) for the IWTS will be in the road reserve throughout Stage 1 which will be dedicated to Council as public roads but will contain privately owned infrastructure as Council will not be handed the infrastructure until after the upgrade to the Moss Vale Sewerage treatment plant?

**Aoyuan response:** The IWTP will be located on private land. The majority of the sewerage reticulation pipes will be on private property and covered by easements. Reticulation pipes will only be located in the public roads where required. The pipes will be constructed to Council standards, be inspected by Council and be transferred to Council upon the completion of the upgrade of the MVSTP. In the interim period, it is intended that the pipes within public roads will be under the management of True Water Australia, a situation which has been discussed with and accepted by Council. It is noted that there are a number of private sewer assets (e.g. rising mains from private pump stations discharging to Council controlled manholes) located around the LGA.

Should you have any questions or require anything further please contact us.

Your sincerely,



**Paul Hume**  
**Senior Town Planner**

cc Angela Villate