



Our Ref: DA-72/2024
Contact: Customer Service
Ph: 02 8711 7683
Date: 08 November 2024

BUILT DEVELOPMENT GROUP
C/- ETHOS URBAN
7/343 GEORGE ST
SYDNEY NSW 2000

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

I am writing to advise you that Council has determined your Development Application No. DA-72/2024 under Sections 4.16, 4.17 & 4.18 of the *Environmental Planning and Assessment Act 1979*.

APPLICANT:	BUILT DEVELOPMENT GROUP
LAND:	40-46, 48, 52, & 64 SCOTT STREET LIVERPOOL AND 306-310 MACQUARIE STREET LIVERPOOL (SCHOOL OF ARTS) LOT 100 DP 877435, LOT 11 DP 522284, LOT 12 DP 657056, LOT 17 DP 81842, LOT 1 DP 229979, LOT 2 DP 229979, LOT 3 DP 229979, LOT 22 DP 441010, LOT 23 DP 441010, LOT 1 DP 507070, LOT 1 DP 514817, LOT 201 DP 1224084
PROPOSED DEVELOPMENT:	Amending Concept Development Application pursuant to Section 4.22 of the Environmental Planning & Assessment Act 1979, to modify approved Concept Development Application (DA-585/2019). The Concept DA seeks approval for a change of use to allow for Residential Flat Buildings, Shop Top Housing, and Co-Living Housing within the Phase B building envelope and to modify and extend the approved Building Envelope of Phase B building to facilitate such uses.
DETERMINATION:	Approved by Sydney Western Sydney Planning Panel at its meeting on 31 August 2020
CONSENT TO OPERATE FROM:	11 November 2024
CONSENT TO LAPSE ON:	11 November 2029 (Unless physically commenced)

ATTACHMENTS:

- 1. Conditions of Approval**
- 2. Conditions issued by Transport for NSW**
- 3. Conditions issued by Sydney Water**

Before commencing the development please read the Development Consent carefully and make sure you understand all the conditions that have been imposed. Please contact Council if you have any questions.

DEFINITIONS

AEP	Annual Exceedance Probability
NCC	National Construction Code (formerly Building Code of Australia)
Council	Liverpool City Council
DCP	Liverpool Development Control Plan 2008
DECC	Department of Environment and Climate Change and Water
CC	Construction Certificate
1% AEP Flood	The 1 in 100 year flood
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
LPI Service	Land and Property Information Service
OC	Occupation Certificate
PCA	Principal Certifying Authority
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RMS	Roads and Maritime Services

ATTACHMENT 1 – CONDITIONS OF APPROVAL

Council has imposed the following conditions under the relevant planning instruments and policies.

A. THE DEVELOPMENT

Relationship with DA-585/2019

1. These conditions amend DA-585/2019 as it relates to Phase B development only, as described and shown on the approved plans outlined in Condition 2.

All other conditions applying under DA-585/2019 otherwise remain applicable with respect to Phase A development. Where any conflict exists between the consents, conditions under DA-72/2024 are to prevail.

Approved Plans

2. Development the subject of this determination notice must be carried out strictly in accordance with the following approved plans / reports marked as follows, except where modified by the undermentioned conditions.

Plan Name	Plan Number	Date	Prepared By
Proposed Envelope – Overall Site	DA60_101 RevA	21 December 2023	Scott Carver
Proposed Envelope - Basement	DA60_102 RevA	21 December 2023	Scott Carver
Proposed Envelope - Podium	DA60_111 RevA	21 December 2023	Scott Carver
Proposed Envelope - Tower	DA60_112 RevA	21 December 2023	Scott Carver
Proposed Envelope – 3D North	DA60_113 RevA	21 December 2023	Scott Carver
Proposed Envelope – 3D South & East	DA60_114 RevA	21 December 2023	Scott Carver
Proposed Envelope – Section A	DA60_121 RevA	21 December 2023	Scott Carver
Proposed Envelope – Section B & C	DA60_122 RevA	21 December 2023	Scott Carver

The following plans are **removed** from the approved plan set for DA-585/2019:

Plan Name	Plan Number	Date	Prepared By
Envelope Perspective South	MP-004	2/05/2020	FJMT
Envelope Perspective East	MP-007	2/05/2020	FJMT

Environmental Planning and Assessment Act 1979

3. In accordance with section 4.22(4) of the EP&A Act all development under the Concept Proposal must be subject of future application(s). This consent does not permit the carrying out of any works.

Land Uses

4. This consent approves the addition of the following residential land uses within Phase B of the proposal in addition to those already approved under DA-585/2019:
 - a) Residential Flat Buildings
 - b) Top Shop Housing
 - c) Co-Living Housing

Public Domain and Landscaping – Design Excellence

5. A *Public Domain Design Panel* is to be convened and a Public Domain Plan prepared:
 - a) Prior to the determination of any Detailed DA subject to this Concept Approval, a detailed Public Domain and Landscape Plan must be prepared by a suitably qualified AILA Registered Landscape Architect or Urban Designer, in accordance with the requirements of this condition.
 - b) A design review process is to be undertaken for the Public Domain and Landscape Plan with the purpose of achieving design excellence of the public domain in accordance with Clause 7.5 of Liverpool Local Environmental Plan 2008.
 - c) As part of the design review process, a *Public Domain Design Panel* or *State Design Review Panel* is to be convened, that is to be chaired by the nominated chair of Council's Design Excellence Panel or his or her nominee, or a representative by the Government Architect of NSW and whose other members are to include (at least):
 - A representative of or person nominated by Government Architect NSW;
 - A suitably qualified landscape architect and urban designer;
 - A representative of Liverpool City Council's City Design and Public Domain team.
 - d) At least two public domain design workshops are to be convened for attendance by members of the Public Domain Design Panel or State Design Review Panel, the Applicant, and other relevant technical officers of Liverpool City Council which may include officers responsible for Heritage, Traffic, Public Art, Community Planning, Indigenous Culture and Heritage, and Community Development.
 - e) At the conclusion of the public domain design workshops, the *Public Domain Design Panel* or *State Design Review Panel* is to record its recommendations.
 - f) The recommendations of the *Public Domain Design Panel* or *State Design Review Panel* are to be incorporated into a Public Domain and Landscape Plan to be prepared by the Applicant.
 - g) The Public Domain and Landscape Plan is to be endorsed by the Chair of the Public Domain Design Panel or State Design Review Panel as satisfactorily responding to the outcome of the public domain workshops, prior to the determination of any future Detailed DA under this Concept Approval.
6. The Public Domain and Landscape Plan is to:
 - a) Identify any landscape constraints, including (but not limited to) setbacks, existing street

- trees, landscape features, screening / buffer requirements
- b) Include public domain design guidelines that are to be implemented across the subject site
 - c) Identify the location of public domain areas within the site, providing detail on their role, character and extent
 - d) Set aspirations and principles for each public domain area in order to achieve Design Excellence in accordance with Clause 7.5 of Liverpool Local Environmental Plan 2008
 - e) Identify the location of trees, planters, water sensitive urban design treatments, deep soil and direct sunlight to public domain areas
 - f) Detail design principles for roof terraces, including (but not limited to) how planting, deep soil, access and shade would be implemented
 - g) Identify any intended design elements such as green roofs and walls, water sensitive landscape design treatments and sustainability targets
 - h) Demonstrate consistency with the relevant landscape provisions of the Liverpool Development Control Plan 2008 and Liverpool City Centre Public Domain Master Plan.
7. Demonstrate how the public domain areas will relate to proposed future built form within site, including consideration of pedestrian movements to and between buildings within the site. All future detailed Development Applications subject to this Concept approval will need to demonstrate to the consent authority consistency with the endorsed Public Domain and Landscape plan.

Traffic and Access

8. Prior to the determination of a Detailed DA, a Local Area Traffic Management Plan is to be submitted to Council's Traffic and Transport Section and to the Liverpool Pedestrian Active Transport and Traffic Committee for endorsement. The Local Area Traffic Management Plan is to identify traffic infrastructure improvements including changes to the adjoining traffic signals, signs, line markings and timed parking restrictions.

Transport for NSW Conditions

9. Future Detailed DAs subject to this Concept Approval shall comply with all conditions provided by Transport for NSW dated 13 March 2024. A copy of the conditions is attached to this decision notice (Attachment 1). Note: the conditions do not constitute a Section 138 concurrence under the Roads Act 1993.

B. CONDITIONS TO BE SATISFIED PRIOR TO THE SUBMISSION OF FUTURE DEVELOPMENT APPLICATIONS

Pre-Development Application Meeting

10. Prior to the submission of a development application which seeks approval for any detailed design of a building under this Concept Approval, a Pre-Development Application meeting is to be convened with representatives of Liverpool City Council. Advice of the subject Pre-Development application meeting is to accompany the development application when lodged.

C. CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

Building Envelopes

11. Built form proposed in any future Detailed DA subject to this Concept Approval is not permitted to extend beyond the building envelopes.

Public Domain and Landscaping – Design Excellence

12. All future detailed Development Applications subject to this Concept Approval are to demonstrate consistency with an endorsed Public Domain Plan, detailed in Conditions 4 and 5.

Stormwater Management

13. A concept stormwater drainage system must be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.
14. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate.
15. The stormwater drainage system for the basement car park is to be designed in accordance with the requirements for pumped systems in AS3500.3:2003 and Council's Stormwater Drainage Design Specifications for pump out systems in basement car parks.
16. A stormwater pre-treatment system shall be incorporated on the proposed stormwater plans and that the design meets pollutant retention criteria in accordance with Council's Development Control Plan.
17. On site water quality treatment facilities shall be provided to ensure that stormwater runoffs leaving the site comply with Council's water quality standards. The treatment facilities shall capture all gross pollutants and liquid contaminants from the stormwater before discharging it to downstream. Water quality treatment works shall be designed using MUSIC modelling software and the water quality treatment system performance shall be verified using Council's MUSIC link.
18. The below pollutant reduction targets are to be satisfied:

45% reduction in the baseline annual pollutant load of total nitrogen (TN);
65% reduction in the baseline annual pollutant load of total phosphorous (TP);
85% reduction in the baseline annual pollutant load of total suspended solids TSS); and
90% reduction in the baseline annual pollutant load of litter and vegetation larger than 5mm
(gross pollutants).

Planting Schedule

19. A full planting schedule details and specifications are to be provided including planting details and specifications, maintenance, planting pits, pots and structural elements to be certified by an appropriately qualified person where appropriate.

Social Impact Assessment

20. A comprehensive social impact assessment (CSIA) is to be submitted in accordance with Liverpool City Council's Development Control Plan 2008 and Social Impact Assessment Policy.

Heritage Considerations

21. The Lachlan Macquarie Statue on the corner of Scott Street and Macquarie Street is to be retained at its existing location.

Traffic and Access

22. Revised Traffic Impact Assessment (TIA) reports are to accompany future Detailed DAs for the site. The revised TIAs are to include the following:
 - Updated SIDRA analysis using traffic generation rates in the TfNSW Guide (1.6 and 1.2 vehicular trips per hour per 100m² GFA during the morning and afternoon peak period, respectively) for the 'Developer Buildings' component, at the minimum, to understand the traffic impact of the development under an alternative scenario.
 - Endorsed vehicular access arrangements – The revised reports are to outline and provide details of the endorsed left in/left out access arrangement off Terminus Street addressing all the requirements contained in the letter from TfNSW to Council in Attachment 1 of this consent.
 - Allocation of car parking spaces - information regarding the allocation of car parking spaces to the various land uses, including adequate provisions for bicycle and motorcycle parking in the revised TIA.
23. Car parking provision – future Detailed DAs are to provide car parking provisions in accordance with the car parking rates set out in the Liverpool LEP 2008 and Liverpool DCP 2008 as well as provide for the replacement of the existing public car parking spaces at the site as outlined in the TIA, as prepared by PTC, dated 22 April 2020.
24. Detailed design drawings of the driveways, ramps, aisles, loading bays and parking spaces, as well as for swept path analysis, footpath paving, street lighting, sign and line marking

scheme, demonstrating that the design has been carried out in accordance with RMS Guidelines, DCP and AS: 2890 is to be submitted to Council with the detailed development applications.

25. The drawings must be certified by a qualified traffic engineer and are to comply with the requirements of the DCP and Australian Standards in relation to the Terminus Street access.
26. A Travel Plan that contains specific measures to promote the use of more sustainable modes of travel including walking, cycling, public transport and car sharing are to be submitted as part of any future Detailed DA.

Urban Design Considerations

27. Provide a footpath design that ensures pedestrian priority along Scott Street. The pavement design at driveway locations must include:
 - a. The design of the driveway must be delivered with Granite pavement in 100x100mm sets (refer to Figure 6.254, page 268, Liverpool City Centre Master Plan)
 - b. The driveway is to be designed flush with the pedestrian pavement along Scott Street and only demarcated by the change in pavement
 - c. The pedestrians have priority over vehicle movements. And the space must be demarcated as such
28. Weather protection is required to be provided along Scott Street (east of the driveway access) to allow pedestrian movements along the street in all-weather situations. Street trees must be provided and designed into the street awning.
29. Include sun-shading and façade treatments are functional in reducing heat-gain from sun exposure.

Wind Study

30. Any future development application is to be accompanied by a wind report prepared by a suitably qualified consultant. Wind tunnel testing and mitigation measures are to be provided as part of the wind study, with consideration of wind impacts on public areas and roof gardens.

Acoustic Report

31. Any future development application is to be accompanied by an acoustic report prepared by a suitably qualified acoustic consultant that demonstrates compliance with the relevant provisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021, as well as consideration of impacts on surrounding sensitive receivers.

Contamination

32. The Preliminary Site Investigation prepared by Douglas Partners, dated April 2019, submitted with the application has identified asbestos contamination on the site. Any future Detailed DA subject to this Concept Approval that proposes excavation requires a Stage 2 – Detailed Site Investigation to fully delineate the contamination issues prior to the preparation of a Remediation Action Plan. The relevant assessments are to be undertaken by a suitably qualified and experienced contaminated land consultant with regard to the potential effects of any contaminants on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA Contaminated Sites Sampling Design Guidelines (1995).

Sydney Water

33. Future Detailed DAs subject to this Concept Approval shall comply with the advice provided by Sydney Water dated 14 March 2024. A copy of the advice is attached to this decision notice (Attachment 2).

D. ADVISORY

- a) Sections 8.2, 8.3, 8.4 & 8.5 of the Environmental Planning and Assessment Act 1979 allow you to request the consent authority to review this determination notice if you are dissatisfied with it or the conditions contained within this determination notice. This right must be exercised within six (6) months from the date of this notice with the appropriate fee.
- b) Under Sections 8.7 & 8.10 of the Environmental Planning and Assessment Act 1979 applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice of determination.
- c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- d) To confirm the date upon which this consent becomes effective, refer to Section 4.20 of the Environmental Planning and Assessment Act, 1979. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- e) To confirm the likelihood of consent lapsing, refer to Section 4.53 of the Act. Generally consent lapses if the development is not commenced within five years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- f) In accordance with Sections 8.8 and 8.10 of the Environmental Planning and Assessment Act 1979, an objector who is dissatisfied with the determination of a consent authority to grant consent to a Development Application for Designated Development (including Designated Development that is Integrated Development), may, within 28 days after the

date on which the application is taken to have been determined, appeal to the Land and Environment Court.

- g) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the applicant should investigate their liability under the Act.
- h) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- i) "DIAL BEFORE YOU DIG"

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

- j) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- k) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
- l) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

- m) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

Should you have any queries please contact Nabil Alaeddine on the phone number shown at the top of this page.

Nabil Alaeddine
Principal Planner
Development Assessment

ATTACHMENT 1 – Transport for NSW conditions

Transport for NSW

13 March 2024

TfNSW Reference: SYD24/00383/01
Council Reference: DA-72/2024 (CNR-65739)



Mr. John Ajaka
Chief
Executive
Officer
Liverpool
City Council
Locked Bag
7064
Liverpool BC
NSW 1871

Attention: Nabil Alaeddine

AMENDMENT TO PHASE B ENVELOPE OF LIVERPOOL CIVIC PLACE 52 SCOTT STREET, LIVERPOOL

Dear Mr Ajaka,

Reference is made to Council's referral dated with updated Traffic and Transport report dated 21 February 2024, regarding abovementioned Development Application (DA) which was referred to Transport for NSW (TfNSW) for comment in accordance with clauses 2.119 and 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

TfNSW has reviewed the submitted DA and recommends that the following requirements are included in any Development Consent issued by Council:

1. All buildings and structures, together with any improvements integral to the future use of the site are wholly within the freehold property along the Terminus Street and Macquarie Street property boundary.
2. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee will be payable, and a performance bond may be required before TfNSW approval is issued.

3. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

4. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.
5. The proposed development should be designed such that road traffic noise from Terminus Street and Macquarie Street are mitigated by durable materials to satisfy the requirements for habitable rooms under clause 2.120 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*.
6. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Terminus Street and Macquarie Street during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

For more information, please contact Zeliha Cansiz, Development Assessment Officer by email at development.sydney@transport.nsw.gov.au.

Your sincerely,

A handwritten signature in black ink, appearing to read 'B. Pegg'.

Brendan Pegg
Senior Manager Land Use Assessment Central and
Western Planning and Programs, Greater Sydney
Division

OFFICIAL

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
PO Box 973 Parramatta CBD NSW 2124

ATTACHMENT 2 – Sydney Water advice

14 March 2024

Our reference: 213210

Nabil Alaeddine

Liverpool City Council

alaeddinen@liverpool.nsw.gov.au

RE: Development Application DA-72/2024 at 52 Scott Street, Liverpool

Thank you for notifying Sydney Water of DA-72/2024 at 52 Scott Street, Liverpool, which proposes amendments made to the "Phase B" envelope of the "Liverpool Civic Place" project which includes the permissibility of residential flat buildings and shop top housing uses included within the Phase B envelope, and minor height extensions to the Phase B envelope to allow for a future residential development to be accommodated in the envelope. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

Should Council decide to progress with the subject development application, the following conditions are recommended to be included in the development consent. Further details of the conditions can be found in Attachment 1.

- **Condition 1. Section 73 Compliance Certificate**
- **Condition 2. Building Plan Approval**

Water Servicing

- Potable water servicing should be available.
- Sydney Water identifies that the development will be required to connect to the 200-diameter potable water main in Macquarie St due to the building being over 8 storeys in height.
- Amplifications, adjustments, and/or minor extensions may be required.

Wastewater Servicing

- Wastewater servicing should be available to the site.
- Amplifications, adjustments, and/or minor extensions may be required.

Next steps

- It is recommended that the proponent engages a Water Servicing Coordinator as soon as feasible, if they have not already done so, to lodge their case and discuss detailed servicing requirements directly with Sydney Water.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Building Plan Approval/Section 73 application. More information about the Building Plan Approval/Section 73 application process is available on our web page in the [Land Development Manual](#).

Further advice and requirements for this proposal are in Attachments 1 and 2. Should Liverpool Council require any further information, please contact the Growth Planning Team via urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extension, adjustment or connection to our mains. Make early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an occupation or subdivision certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#).

Attachment 2 – Requirements for Commercial and Industrial Developments (for information)

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 obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application can be made on Sydney Water's web page via Sydney Water's [Tap in™](#).

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:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

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 <https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.html>
- 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: <https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.