

30th July 2020



Project No. 2019-5936001

Attention: Ms Nazia Pokar

Urbis,
Angel Place, Level 8, Pitt Street
Sydney, NSW 2000

Dear Nazia,

RE: Nepean Gardens Development Application, Wallacia

Warren Smith & Partners (WS&P) has reviewed the Penrith City Council (PCC) request for further information, dated 27th April 2020, in relation to the development application for Nepean Gardens. Section 4 Environmental Health – Environmental Management, part (d) states the following:

Wastewater (sewer) management – the submitted Statement of Environmental Effects includes that ‘suitable services are available’. This is not the case, the majority of the site does not have readily accessible sewer lines to allow for a connection. No detail is provided as to whether or not the proposed development is to be connected to existing sewer, or whether the development is to be serviced by an On-Site Sewage Management System. Should the proposed development be connected to existing sewer services, Council must be provided with information demonstrating how to connect to the current sewerage management system is to occur. This will, likely have implications on tree and vegetation management and Jerry’s Creek.

Alternatively, a Wastewater Report (prepared by a suitable qualified consultant) is to be provided to Council for review which outlines how the proposal for on-site wastewater management is to comply with Council’s On-site Sewage Management and Greywater Reuse Policy. The report must also provide details with relation to management of the potential impact wastewater disposal may have on burial locations, trees and vegetation, and public accessibility.

WS&P would like to confirm that the proposed wastewater servicing strategy for the development includes the provision of an internal gravity reticulation system from each of the buildings to an internal private pump station whereby the sewage will be pumped to a Sydney Water sewer main located within the site. The sewer pump station will be located outside the 1% AEP per industry guidelines. The rising main, which will connect into the Sydney Water sewer, will have a diameter no greater than 125mm, with the installation having minimal impact.

A Notice of Anticipated Requirements has been received from Sydney Water, dated 24th June 2019, outlining requirements for servicing the proposed development. Sydney Water assessed the application with the following comments:-

- *The sewer servicing sketch submitted with your application indicates that you are intending to serve your site with sewer by pumping to the sewer main. You will be required to submit a Pump To Sewer application. Your WSC can provide further advice.*
- *Additionally, you will need to construct an inlet into the sewer manhole, to facilitate the pump to sewer connection. The terms of the Deed define this extension as 'Major Works'.*
- *A 300mm sewer main is located within the development site, and Sydney Water Sewer Pumping Station (SPS) 1134 is within close proximity to the development site.*

The information submitted with your application is not clear with regard to:

- (a) Staging, and timeframes thereof*
- (b) Detail of what each stage comprises*
- (c) How the proposed development interacts/incorporates the golf club*
- (d) How the ongoing operation of the development may impact the existing Sydney Water assets*
- (e) How you propose to protect and/or deviate the sewer main to accommodate the above operations.*

This request for further information is standard and will be addressed during the detailed design phase of the project which will be undertaken in consultation with authorities and other consultants part of the wider project team.

We trust the above information is adequate to satisfy PCC's request. However, should you require any further information please do not hesitate to contact the undersigned.

Your Sincerely,

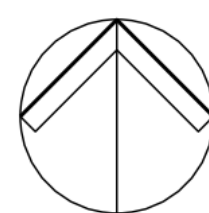
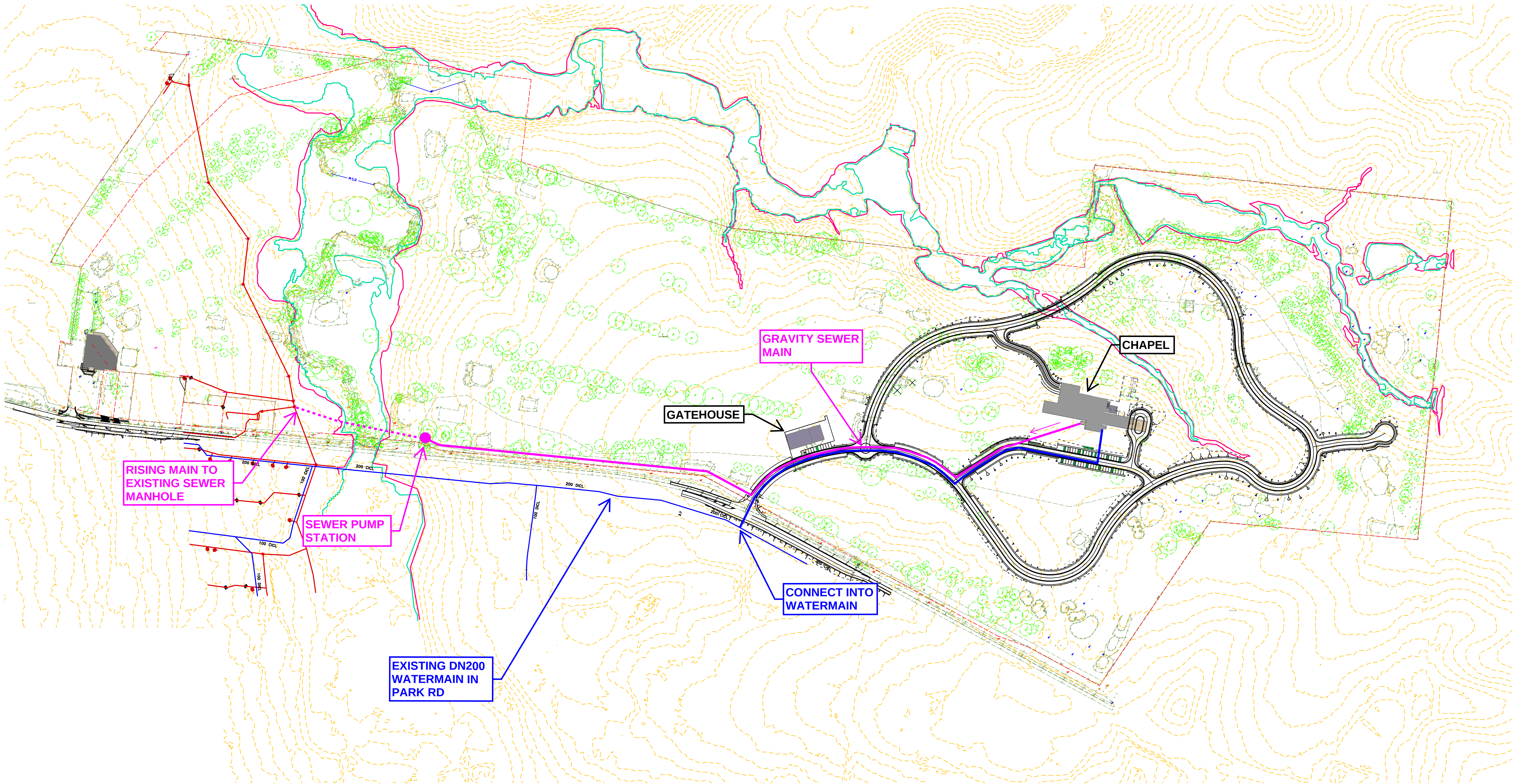


Niall Quinn

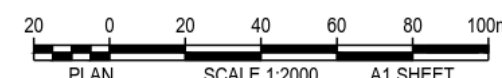
Engineer - Civil & Water Engineering
B.Eng (Civil), MIE Aust, MIE Ire
Mobile: 0420 677 353
Email: nquinn@warrensmith.com.au

Enclosed

- WS+P SK-11 Sewer and Water Servicing Sketch [01]
- Sydney Water Notice of Anticipated Requirements dated 24/June/2019



NORTH



Case Number: 168636

24 June 2019

CATHOLIC METROPOLITAN CEMETERIES TRUST
c/- WARREN SMITH & PARTNERS PTY LTD

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

Developer:	CATHOLIC METROPOLITAN CEMETERIES TRUST
Your reference:	5936000
Development:	Lot 512 DP1079728 LOT 512 MULGOA RD, Mulgoa
Development Description:	Staged Construction of Wallacia Memorial Park including Cemetery for 88,000 Burial Plots, Chapel & Related Crematorium & Function Rooms, Administration Building, Services Outbuilding, Parkland Areas, Internal Roads, Car Parking & Associated Landscaping & Site Servicing Works
Council:	Penrith City Council
Your application date:	13 February 2018

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 24 June 2020 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.

Once you receive final development consent you should submit a copy to Sydney Water. Provided that there have been no significant changes to the development, we will send you a Confirmation Letter.

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 sewer works at your own cost.
4. See Section 4 for any Ancillary Matters
5. Complete any special requirements from Section 5.

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 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:

- Based on the water demand figures provided with this application, the existing 200mm water main in Park Rd has capacity to serve your development. Your development must have its own connection to that water main and a water service and meter.
- In order for us to confirm that there is adequate capacity, you will need to provide the basis for the figures to Sydney Water, and a water concept plan clearly indicating where connection(s) are proposed.

Subject to the outcome of this assessment, you may need to amplify the water main. The terms of the Deed would define this amplification as 'Major Works'.

- You have indicated that there will be a private watermain within your development site.

A large water connection application will be required. For further details of this process, see "Large Water Service Connection" under "Other Things To Do"

- Until more detail is provided regarding water demand figures, and water connection points, definitive water requirements cannot be determined. Based on information supplied with the application, we have assumed that you will not need to amplify the water main. Sydney Water's electronic workflow tool (Edeveloper) has been configured for your application to proceed in this manner. **Prior to your WSC "accepting" or "rejecting" this Notice via Edeveloper, the above points and assessment of requirements will need to be resolved.**

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:

- The sewer servicing sketch submitted with your application indicates that you are intending to serve your site with sewer by pumping to the sewer main. You will be required to submit a Pump To Sewer application. Your WSC can provide further advice.

- Additionally, **you will need to construct an inlet into the sewer manhole, to facilitate the pump to sewer connection.** The terms of the Deed define this extension as 'Major Works'.
- A 300mm sewer main is located within the development site, and Sydney Water Sewer Pumping Station (SPS) 1134 is within close proximity to the development site.

The information submitted with your application is not clear with regard to:

- (a) Staging, and timeframes thereof
- (b) Detail of what each stage comprises
- (c) How the proposed development interacts/incorporates the golf club
- (d) How the ongoing operation of the development may impact the existing Sydney Water assets
- (e) How you propose to protect and/or deviate the sewer main to accommodate the above operations.

As part of protecting or deviating the sewer main, an easement may be required. See Section 3.2.2 for details.

In conjunction with deviating the sewer main, a bond may be required. See Section 3.2.1 for details

Until more detail is provided regarding Points (a) to (e), definitive sewer requirements cannot be determined. Based on information supplied with the application, we have assumed that you will need to deviate the sewer main. Sydney Water's electronic workflow tool (Edeveloper) has been configured for your application to proceed in this manner. **Prior to your WSC "accepting" or "rejecting" this Notice via Edeveloper, the above points and assessment of requirements will need to be resolved.**

3.2.1 Sewer main deviation bond requirements

Because your development requires adjustment/deviation of a "live" wastewater main you must work with your Water Service Coordinator to ensure that:

- Your Building Plans are approved prior to temporary pipework and excavation,
- You submit your temporary pipework design (if required) with your permanent wastewater deviation 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 deviation works

3.2.2 Easement Requirements

Sydney Water currently owns and operates Sewer Pumping Station 1134 within close proximity to the subject development, and there is a 300mm sewer main within the development site.

The subject development must not encroach within this land parcel or block any access to these assets.

Where proposed works are in close proximity to Sydney Water pipe assets or above ground infrastructure, you may be required to carry out additional works to facilitate the development so as not encroach within the zone of influence of these assets.

You may be required to create an easement, at your cost, in favour of Sydney Water in order to protect the pipe assets or above ground infrastructure from future excavation/development of the site prior to issue of the Certificate.

Further detail regarding easement requirements will be formalised, following the resolution of Section 3.2 (a) to (e).

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

5.2 The Final Development Consent

This application is based on the development and consent shown on Page 1. You must give us the **final** Development Consent before we issue the Certificate so we can make sure that the development is the same.

If the development is the same and all the requirements of this Notice have been met, we will issue the Certificate. If the development is NOT the same you must reapply (and pay another application fee) and we will issue another Notice. The requirements and charges may change in that Notice.

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.

Approval of your building plans

Please note that the building plans must be approved when each lot is developed. This can be done at Sydney Water Tap inTM. Visit www.sydneywater.com.au > Plumbing, building & developing > Building > Sydney Water Tap inTM.

This is not a requirement for the Certificate but the approval is needed because the construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains).

Where a Sydney Water stormwater channel, pipe or culvert is located within ten (10) metres of your development site it must be referred to Sydney Water for further assessment.

Your Coordinator can tell you about the approval process including:

- Possible requirements;
- Costs; and
- Timeframes.

Please note that your building plans must be approved. This can be done at Sydney Water Tap inTM. Visit www.sydneywater.com.au > Plumbing, building & developing > Building > Sydney Water Tap inTM 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.

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 Sydney Water Tap inTM 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 are available 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 Sydney Water Tap in™. 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.)

END OF NOTICE