

Ref: SY073930.000

Wednesday, 9 February 2022

Willowtree Planning  
e: [cgray@willowtp.com.au](mailto:cgray@willowtp.com.au)

Dear Cameron,

**RE: Ardex Facility & Manufacturing – SSD25725029 – Sydney Water issues**

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Further to your email of 10<sup>th</sup> January concerning Sydney Waters' response to the Department of Planning, Industry & Environment regarding the Ardex Warehouse & Manufacturing facility I make the following comments:

### 1. Potable Water

Sydney Water note the required amplification works that are required to serve the Estate in which the Ardex facility is located - those works are amplifications of DN300 water mains from the Erskine Park Water Supply Zone (WSZ) and the Cecil Park Remainder Zone. In each case Sydney Water advise that these facilities will be delivered by 2021/2022.

There is no reason to doubt that stated delivery timeframe which will provide potable water reticulation to the Ardex facility.

### 2. Waste Water

Sydney Water acknowledge that an Interim Operation Procedure (IOP) for a waste water solution to service the Estate in which the Ardex facility is located has been established.

The IOP is part of a commercial agreement between the developers of the Estate and Sydney Water and Sydney Water note that the IOP facility is to be available by Q2 2022.

### 3. Consultation with Sydney Water

The developers have engaged a Water Service Coordinator who has lodged a number of applications with Sydney Water and Sydney Water has responded noting the facilities required service the Estate including the Ardex facility.

Copies of the Sydney Water responses are attached to this letter.

### 4. Conclusion

The delivery of the infrastructure (potable water and an IOP) as outlined in Sydney Waters' response to D.P.I.E will be available in 2022 to service the Ardex facility and other developments within the Estate.

Should you have any enquiries or wish to discuss the matter, please do not hesitate to contact our office.

**Yours Faithfully,**  
**LANDPARTNERS PTY LTD**

**Gregory K Oxley**  
**Registered Land Surveyor/Project Director**

Case number 185016

July 15, 2021

THE TRUST COMPANY (AUSTRALIA) LIMITED

c/ - RMA INFRASTRUCTURE PTY LTD

## Notice of anticipated requirements

### SECTION 73 SUBDIVIDER COMPLIANCE CERTIFICATE

#### (Sydney Water ACT 1994, part 6 Division 9) PENDING DEVELOPMENT CONSENT

Developer:	THE TRUST COMPANY (AUSTRALIA) LIMITED
Your reference:	W-11654
Development:	Lot 34 DP1118173 657-757 MAMRE RD, Kemps Creek
Development Description:	Stage 2 - Proposed 17 lot Torrens Title Subdivision creating 9 Industrial lots and 8 residual lots
Council:	
Your application date:	September 15, 2020

Dear Applicant

We've assessed your application for the anticipated requirements of a Section 73 Compliance Certificate (the Certificate) pending development consent for the subdivision shown above. Detailed information on your anticipated requirements are outlined below.

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

**This is not a final notice and we're not liable for any actions you take as a result of this Notice. You don't have the authority to start construction of works.**

Once you receive final development consent you **must** submit a copy to us.

- If there have been no material changes to the development, we will send you a Confirmation Letter **and confirm if the below anticipated requirements are valid as a formal Notice of Requirements**. You will not need to lodge a new application.
- If the development application has been subject to material change then the anticipated requirements outlined in this notice will be terminated, and you will need to reapply for a Certificate (and pay another application fee) and Sydney Water will issue you with a new Notice of Requirements.

- If you have not received and submitted the development consent within 12 months after the date of this notice, the anticipated requirements outlined in this notice will be terminated and you will need to reapply for a Certificate (and pay another application fee) and Sydney Water will issue you with a new notice.

Your 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.

## **What you must do to get a Section 73 Certificate**

**This is a summary of our requirements. These requirements are explained in detail on the following pages.**

1. When your Development Application is approved, you must send Sydney Water your final Development Consent. Once we have received your approved Development Application, we will either;
  - (a) send you a Confirmation Letter and confirm if the anticipated requirements in this Notice of Anticipated Requirements are valid as a formal Notice of Requirements, or
  - (b) Ask you to submit a new application.

Based on the application received, Sydney Water's anticipated requirements will require you to do the following;

2. Sydney Water's anticipated requirements for water, recycled water, sewer and stormwater construction, connection and other matters are set out in Section 2.
3. Review and comply with the Ancillary Matters set out in Section 3.
4. Consider the Funding of Works set out in Section 4.

### **Other things you need to do:**

At the end of this Notice we explain the other things that you need to do. They're NOT a requirement to be met before the Certificate can issued but could be a requirement in the future because of the impact your subdivision can have on our assets. You must read them before you go any further.

## Detailed requirements

### 1. Send Development Consent and Seek Confirmation from Sydney Water

#### The Final Development Consent

This application is based on the development consent shown on Page 1. **You must give us the final Development Consent before Sydney Water can confirm the anticipated requirements set out in this notice.**

You must forward your Development Consent to your coordinator who will forward the document to Sydney Water for review and final consent.

### 2. Drinking Water, Recycled Water, Sewer Works and Stormwater

Sydney Water may, in its absolute discretion, advise a new option for any connection points or servicing requirements for water, sewer or as part of the Integrated Water Servicing Options analysis (for recycled water and stormwater) which is yet to be finalised.

If final development consent has been received and no determination has been made for Integrated Water Servicing Options, Sydney Water will advise next steps for design requirements for recycled water and / or stormwater at that time.

#### **a. Drinking Water**

Each lot in your subdivision 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:

- The proposed water mains to be constructed under case 186901PW will serve Lots 1-9.
- Each lot in your subdivision must have its own connection to that potable water main and a potable water service and meter.

#### **Dependent works (potable water)**

Potable water services to your development are dependent upon the prior completion of the following works:

- DN300 potable water main from James Erskine Drive to Bakers Lane via Mamre Road (by another developer)
- 186901PW (internal reticulation).

#### **b. Recycled Water**

Recycled water for non-drinking water uses will be provided in the Mamre Road Precinct.

The Integrated Water Servicing Options analysis is currently underway in collaboration with the Department of Planning, Industry and Environment. This analysis will determine the extent to which recycled stormwater is integrated with recycled wastewater, following which the scheme plan will be finalised for the Mamre Road Precinct. As this will occur in the future, Sydney Water will advise you of the final requirements for your development for recycled water and stormwater servicing listed in section 3.2 and 3.4 respectively, on finalisation of the scheme plan or following receipt of your development consent. If you require confirmation prior to this time, please contact Sydney Water.

### 2.2.1 Recycled Water Developer Charges

Sydney Water is currently preparing a Development Servicing Plan (DSP) for the Mamre Road Precinct. This DSP will include Developer Charges for the provision of recycled water services to the Precinct. As indicated to landowners and developers, we estimate the recycled water contribution charges to be approximately \$50,000 per hectare of land being developed.

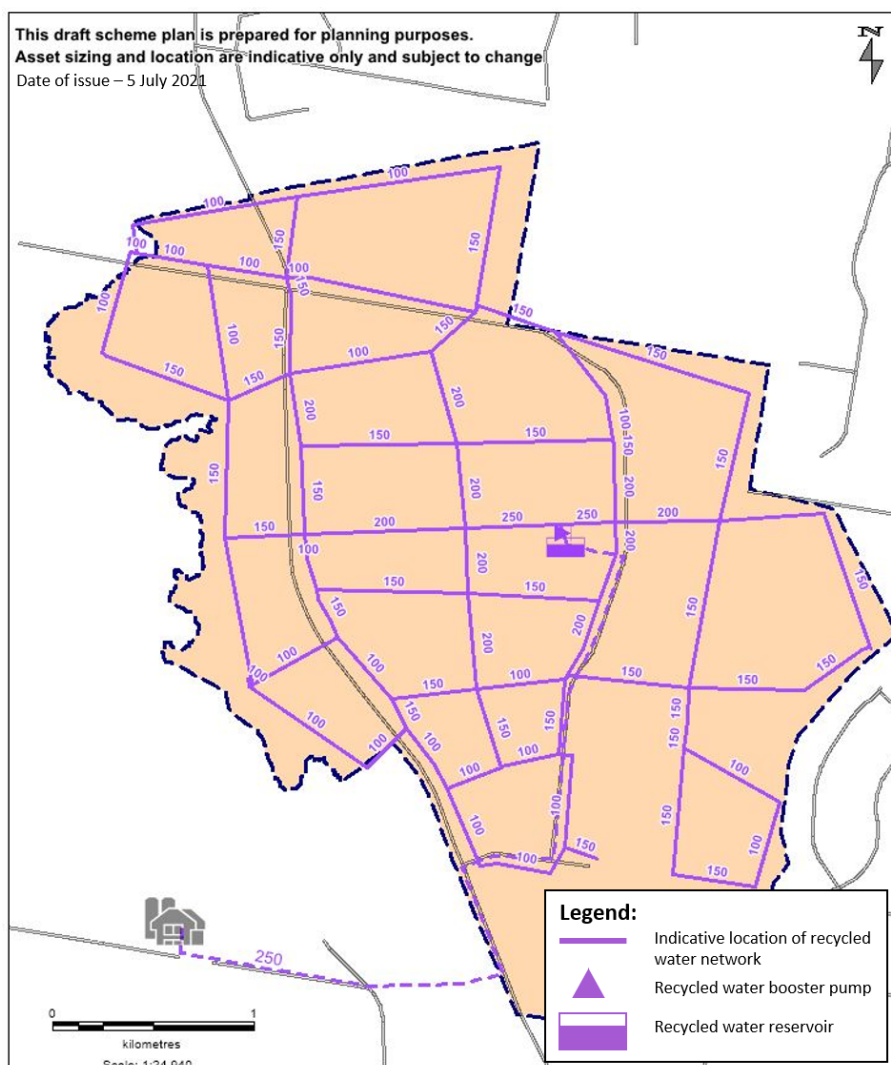
If the DSP is **not** registered when you have completed all other requirements under a confirmation of this notice or a subsequent notice, we may issue a Section 73 Compliance Certificate if you enter into a bonding agreement with Sydney Water. The bond value would be equivalent to the anticipated Developer Charge for the development. Once the DSP is registered, Sydney Water will issue an invoice for the Developer Charge calculated in accordance with the DSP which must be paid to Sydney Water either separately or in conjunction with the bond lodged with us.

If the DSP is registered by the time you've completed all other requirements under this notice, Sydney Water will issue an invoice for the Developer Charge calculated in accordance with the DSP. You must pay this invoice before the Section 73 Compliance Certificate can be issued.

### 2.2.2 Recycled Water Main extension

Figure 1 highlights the draft recycled water scheme plan for Mamre Road Precinct. It is subject to change depending on the outcome of the Integrated Water Servicing options analysis. Sydney Water will confirm the requirement for recycled water connections on finalisation of the scheme plan for the Precinct. It is likely that the requirements will be a combination of the following:

- (a) Each lot in your subdivision must have a frontage to a recycled water main that is the right size and can be used for connection of the lot to the recycled water main; and
- (b) You must construct a recycled water main extension to serve **your lots appropriately**. The extension must comply with the standards for Dual Water Reticulation Systems identified in section 3.2.3 below.



**Figure 1 – DRAFT Mamre Road recycled water scheme plan**

### 2.2.3 Standards for Dual Water Reticulation

Your subdivision is in an area where drinking water and recycled water will be available. The drinking and recycled water works required under Sections 3.1 and 3.2.2 must comply with the standards for Dual Water Reticulation Systems that are set down in the *Water Supply Code of Australia Sydney Water Edition - 2014* (the Code).

These standards require that service connections and property services be provided for both drinking and recycled water for each lot in the subdivision. The installation of these services must either be carried out or supervised by a licensed plumber.

The service connections and property services must satisfy the:

- (a) Administrative requirements of the New South Wales Code of Practice for Plumbing and Drainage; and
- (b) Technical requirements of the Dual Water Drawings Set within the Code.

#### **c. Sewer**

Each lot in your subdivision 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 each lot's boundaries.

Sydney Water has assessed your application and found that:

- The proposed wastewater extension to be constructed under case 192838 will serve Lots 1-9.
- Your wastewater servicing is dependent on the construction and commissioning of an interim operating procedure (IOP) under case 186899.
  - Note: Sydney Water may require a bond to ensure the IOP is decommissioned and your lots are connected to permanent wastewater infrastructure to be delivered by Sydney Water.

#### **d. Stormwater**

If Sydney Water is nominated as the trunk drainage manager in Mamre Road Precinct then Sydney Water will confirm the requirements for trunk drainage services which you will need to deliver before the Certificate can be issued. This may include trunk drainage channels as well as stormwater treatment and storages to facilitate precinct wide stormwater harvesting integrated with recycled wastewater. The method of connection to stormwater services are also subject to change dependent on the Integrated Water Servicing Options analysis.

Evidence may also be required by Sydney Water to demonstrate how the development has met the current waterway health and flood management requirements as specified in the Development Control Plan (DCP).

### **2.5 Residual Lots**

Lots 10-17 are shown as residual lots in your Application Form. Therefore, Sydney Water will only make a requirement for these lots when an approval within the meaning of Section 69 of the Water Board Act 1994 is obtained and an application for a Section 73 Certificate is made.

## **3. Ancillary Matters**

### **3.1 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.

### 3.2 Asset Adjustments

After Sydney Water finalises its Notice of Requirements for the development (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.

### 3.3 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.

### 3.4 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.

## 4. 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. This is done either by Sydney Water's Schedule of Rates or via the Procurement process. 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.

If you do choose to request a quote through the Schedule of Rates for Sydney Water's contribution you will avoid going through the full procurement process. Your WSC can advise you of this option.

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

- Have reviewed the detailed design and;
- Have reviewed the detailed construction quotations needed to meet our probity requirements and;
- Come to an agreement on the amount.

## **OTHER THINGS YOU NEED TO DO:**

Not required for your Certificate

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 subdivision 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 in™. Visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Plumbing, building & developing > Building > Sydney Water Tap in™.

**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.

**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](mailto: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.

#### **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](mailto:businesscustomers@sydneywater.com.au)

### **Fire Fighting**

Your firefighting service may be drawn from the recycled water system.

Definition of firefighting 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 firefighting flow of the subdivision 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 on-line through Sydney Water Tap in™ and may be of some assistance when defining the firefighting 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 Connections (Dual Water)**

A drinking water main and (subject to the information above) a recycled water main will be available, once you have completed your drinking and recycled water main construction to serve your subdivision. The size of your subdivision means that you will need dual water connections 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.

The service connection will need to meet with:

Administrative requirements of the Plumbing Code of Australia; and  
Technical requirements of the Dual Water Drawings Set within the Code.

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

### **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/>

### **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.

### **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.

### **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 subdivision 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 firefighting requirements. (It will help you to know what the firefighting requirements are for your subdivision as soon as possible. Your hydraulic consultant can help you here.)

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**END OF NOTICE**