

Case Number: 177014

30 August 2019

TRUSTEES OF THE ROMAN CATHOLIC CHURCH
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: TRUSTEES OF THE ROMAN CATHOLIC CHURCH
Your reference: 5914000
Development: Lot 811 DP2475 150 ELEVENTH AVE, Austral
Development Description: Concept development application for the redevelopment St Anthony of Padua Catholic School involving:
A Concept Proposal comprising:

- Use of the site as an educational establishment for up to 2,480 students (Kindergarten to Year 12) and 200 staff members;
- Maximum building envelopes for future buildings on the site including homebases, administrative services, child care centre, indoor recreational centre, hall, cafe, performing arts, engineering and visual arts, church and trade training centre;
- Access points to the site, internal road layout and car parking areas.

Council: SSD 17_8865 by Dept of Planning and Environment, consent pending
Your application date: 8 March 2019

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 30 August 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. Submit the final development consent.

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:

- The existing 100mm DICL water main in Eleventh Ave will serve your development. Your development must have its own connection to that water main and a water

service and meter.

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:

- Your development is within the catchment for the future Bonds Creek Carrier Section 1 (BCC S1).

The BCC S1 and associated infrastructure is currently expected to be delivered by mid 2022, however this is subject to future funding approvals and planning phases. Unforeseen circumstances may cause delays.

The BCC S1 is in concept design phase; this is expected to be complete by the end of 2019.

- Sydney Water has no objections to your proposal to drain your development temporarily to SPS1183, via a connection to the proposed sewer main to be constructed under Case 165679, for 144-146 Tenth Ave.

Prior to the issue of a Certificate for your development, the works under Case 165679WW must be complete and transferred to Sydney Water. For details of timing, contact Coordinator, Rose Atkins Rimmer.

- **You will need to construct a sewer main extension to serve your development.** The terms of the Deed define this extension as 'Major Works'.
- The above works must be designed and configured to facilitate future connection to works draining to the BCC S1.
- Upon the availability of the BCC S1, you will need to construct a sewer main extension to serve your development, linking your reticulation to the BCC S1; and disconnect and disuse the temporary works.
- You will need to enter into a bond agreement with Sydney Water to cover:
 - Disconnection and disuse of the temporary works
 - Delivery of the sewer main extension linking to the BCC S1

In order for Sydney Water to determine the value of the bond, you will need to provide:

- A concept design of the sewer main extension to the BCC S1
- A detailed cost estimate of disconnection and disuse of the temporary works, and the delivery of the sewer main extension to the BCC S1.

The bond will be refunded when the permanent servicing solution is transferred to Sydney Water.

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.

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. Submit 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 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*.

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 is 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 inTM. 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

Rosie Sutcliffe

Subject: FW: SSD-8865 Sydney Water comment to EIS

From: "HANSEN, KATHY" <KATHY.HANSEN@sydneywater.com.au>

Date: 8 December 2019 at 6:45:17 am AEDT

To: Michael Cahalane <michael@warrensmith.com.au>

Cc: Jane Ciabattone <jane@warrensmith.com.au>, "ORTEGA, FERNANDO" <FERNANDO.ORTEGA@sydneywater.com.au>, Greg Carmichael <Greg.Carmichael@ctpg.com.au>, Jim Gilvarry <Jim.Gilvarry@ctpg.com.au>

Subject: RE: SSD-8865 Sydney Water comment to EIS

Hi Michael,

As discussed over the phone, the Notice of Requirements issued under Case 177014 in August 2019, is the definitive statement of requirements for the development, and supercedes the advice letter dated February 2019.

Regards,

Kathy Hansen

Account Manager - west

Development Services

City Growth and Development

Liveable City Solutions

Sydney Water, Level 7, 1 Smith Street, Parramatta NSW 2150

Ph: 8849 3444

m: 0418 144 415

kathy.hansen@sydneywater.com.au

From: Michael Cahalane <michael@warrensmith.com.au>

Sent: Friday, 6 December 2019 10:12 AM

To: HANSEN, KATHY <KATHY.HANSEN@sydneywater.com.au>

Cc: Jane Ciabattone <jane@warrensmith.com.au>; ORTEGA, FERNANDO <FERNANDO.ORTEGA@sydneywater.com.au>; Greg Carmichael <Greg.Carmichael@ctpg.com.au>; Jim Gilvarry <Jim.Gilvarry@ctpg.com.au>

Subject: RE: SSD-8865 Sydney Water comment to EIS

Hi Kathy,

As discussed yesterday can you provide confirmation that the NOR supersedes the advice provided in the letter dated 27/2/19?

Regards,

Michael Cahalane

Director - Civil & Water Engineering

<image001.png>

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From: Michael Cahalane
Sent: Tuesday, 3 December 2019 6:31 AM
To: fernando.ortega@sydneywater.com.au; 'HANSEN, KATHY'
<KATHY.HANSEN@sydneywater.com.au>
Cc: Jane Ciabattone <jane@warrensmith.com.au>
Subject: FW: SSD-8865 Sydney Water comment to EIS

Good morning Fernando and Kathy,

We received this response yesterday in relation to the servicing of the catholic school at Austral. The advice differs significantly from the Anticipated NOR we received in August which has raised significant concerns with our client. This includes the requirement for new watermains and for splitting the catchment for sewer. We are close to starting construction to reticulate the whole of the site to the south where it will temporarily connect to SP1183. This connection was to be decommissioned and a new sewer laid to connect to Bonds Creek carrier once it is laid per the Anticipated NOR.

Is it possible to arrange a meeting to discuss ASAP as we will have a contractor starting the sewer works pre-Xmas? I can do tomorrow first thing or after 2.30pm, Thursday from 3pm and Friday am. Let me know if any of these work for you?

Please also note that there was an upgrade of the DN100 to DN150 fronting the school which is reflected on hydra, see below.

<image002.jpg>

From: Rosie Sutcliffe <rsutcliffe@urbis.com.au>
Sent: Monday, 2 December 2019 2:02 PM
To: Greg Carmichael <Greg.Carmichael@ctpg.com.au>
Cc: Laura Shaughnessy <laura.s@warrensmith.com.au>
Subject: FW: SSD-8865 Sydney Water comment to EIS

Hi Greg,

See attached comments from Sydney Water that were received outside the notification period for the SSDA and not provided to Urbis until now.

Aditi has forwarded this to me requesting that we respond confirming that the required upgrades are acceptable. Can you please review (perhaps Laura can provide input here) and let me know if there are any issues and then I can get back to her.

Thanks

Rosie

ROSIE SUTCLIFFE

SENIOR CONSULTANT

<image003.gif>

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