

**Case Number: 215463**

October 11, 2024

Isaac Property Terrey Hills Pty Ltd  
c/- ROSE ATKINS RIMMER

## **Feasibility Letter**

**Developer:** Isaac Property Terrey Hills Pty Ltd  
**Your WSC's reference:** 28/28696  
**Development:** (Lot 180 DP752017), No. 40 MYOORA RD, Terrey Hills  
**Development Description:** The project is a Food and Beverage Use consisting of 3 Restaurants Terracing down the site  
**Your application date:** May 23, 2024

Dear Applicant

This Feasibility Letter (Letter) is a guide only. It provides general information about what our requirements could be if you applied to us for a Section 73 Certificate (Certificate) for your proposed development. **The information is accurate at today's date only.**

We have not allocated any system capacity to your proposal from the investigation into this Feasibility advice. This advice is only an indication of our systems and possible requirements as of today. Where there is system capacity, it **may have** been fully utilised by the time you obtain a Consent. The requirements applied to any approved Development proposal may differ significantly in the future since the original advice was issued.

If you obtain development consent for that development from your consent authority (this is usually your local Council) they will require you to apply to us for a Section 73 Certificate. You will need to submit a new application (and pay another application fee) to us for that Certificate by using your current or another Water Servicing Coordinator (WSC).

We'll then send you either a:

- Notice of Requirements (Notice) and Developer Works Deed (Deed)  
or
- Certificate.

These documents will be the definitive statement of our requirements.

There may be changes in our requirements between the issue dates of this Letter and the Notice or Certificate. The changes may be:

- if you change your proposed development eg the development description or the plan/site layout, after today, the requirements in this Letter could change when you submit your new application.
- if you decide to do your development in stages then you must submit a new application (and pay another application fee) for each stage.

**No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from us and to the extent that it is able, we limit its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.**

## What You Must Do To Get A Section 73 Certificate In The Future.

To get a Section 73 Certificate you must do the following things. You can also find out about this process by visiting [Plumbing, building & developing](#) page on our website.

1. **Obtain Development Consent from the consent authority for your development proposal.**
2. **Engage a Water Servicing Coordinator (WSC).**

**You must engage your current or another authorised WSC** 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 WSC (at any point in this process) you must write and tell us.

You'll find a list of WSC's at [Listed providers](#) on our website.

The WSC will be your point of contact with us. They can answer most questions that you might have about the process and developer charges and can give you a quote or information about costs for services/works (including our costs).

### 3. **Developer Works Deed**

**After** the WSC has submitted your new application, they'll receive the our Notice and Developer Works Deed. You and your accredited Developer Infrastructure Providers (Providers) will need to sign and lodge both copies of the Deed with your nominated Coordinator. After we've signed the documents, one copy will be returned to the WSC.

The Deed sets out for this project:

- your responsibilities
- our responsibilities
- the Provider's responsibilities.

**You must do all the things that we ask you to do in that 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.

**Note:** The Coordinator must be fully authorised by us for the whole time of the agreement.

## 4. Water and Sewer Works

### 4.1 Water

Your development must have a frontage to a water main that is the right size and can be used for connection.

**We've assessed your application and found that:**

- **The proposed development site is in the Terrey Hills water supply zone.**
- **High level assessment suggests the reticulation system has capacity to service the development at this stage. This will be reassessed during the S73 application.**

### 4.2 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.

**We've assessed your application and found that:**

- **The proposed development lies in the Terrey Hills Minor Service Extension (MSE). The MSE pressure system has sufficient capacity to service this proposed development, however the developer must pay their contribution to connect this development to the MSE. MSE charges need to be carried out by Sydney Water's Regulatory team. This will be reassessed during the S73 application.**
- **To connect to the wastewater system, you must pay a minor sewer service extension contribution, based on the methodology set by the Independent Pricing and Regulator Tribunal (IPART). This is a separate customer contribution from the infrastructure contributions mentioned in Item 6 below.**
- **The developer needs to install on the property pressure system equipment, including property pump and storage tank equipment etc.**
- **The maximum pump flow to be 2l/s. However, pump to be sized for the proposed maximum flow from the development or 2 l/s whichever is less.**
- **Pump and pressure main connecting to Sydney Water asset to be private assets owned and operated by the development. Enough storage on site to be provided by development to cater for the emergency conditions (power outage or pressure main failure). Minimum 24hrs storage is required.**
- **No wet weather flow is allowed. Hence, all the design to be leak tight and no stormwater connection is allowed. Plumbing check must be done by licence plumber before connecting to Sydney Water asset.**

- **You must construct a wastewater main extension to serve your development.** The terms of the Deed define this extension as 'Major Works'. **Your Water Servicing Coordinator can provide more information about this.**
- Because your development requires adjustment/deviation of a "live" wastewater main you must work with your WSC 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.

## 5. Ancillary Matters

### 5.1 Asset adjustments

After we issue this Notice (and more detailed designs are available), we may require that the water main/sewer main/stormwater located in the footway/your property needs to be adjusted/deviated. If this happens, you'll 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**. We'll need to see the completed designs for the work, and we'll require you to lodge a security. The security will be refunded once the work is completed and all charges paid.

### 5.2 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 our **Permission to Enter** form(s) for this. You can get copies of these forms from your WSC or on our website. Your WSC 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.

### 5.3 Costs

Construction of these **future** works will require you to pay project management, survey, design, and construction costs **directly to your suppliers**. Additional costs payable to us may include:

- water main shutdown and disinfection
- connection of new water mains to our system(s)
- design and construction audit fees
- contract administration, Operations Area Charge & Customer Redress prior to project finalisation
- creation or alteration of easements etc
- water usage charges where water has been supplied for building activity purposes prior to disinfection of a newly constructed water main.

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 WSC can tell you about these costs.

### 6. Infrastructure contributions

You will need to pay an infrastructure contribution towards the cost of each Sydney Water system that will serve your development.

The infrastructure contributions are calculated in accordance with the Development Servicing Plans registered with the Independent Pricing and Regulatory Tribunal (IPART) under the *Independent Pricing and Regulatory Tribunal Act*.

Should you obtain Development Approval for this proposal and apply for a Section 73 Certificate in the future, then we'll advise you of the applicable charges to your Development.

1. Any updates to our Development Servicing Plans (including prices). Our Development Servicing Plans must be updated every five years. The next updates will be introduced by 31 December 2028.

Your infrastructure contributions become payable once your WSC has submitted all Project Completion Packages under each Developer Works Deed to us confirming that the works required under the Notice are complete. **This will be reassessed during the S73 application.**

## **OTHER THINGS YOU MAY 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 from us 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 in our Tap in™ system [Sydney Water Tap in](#)™.

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

If our stormwater channel, pipe, or culvert is located within ten (10) metres of your development site it must be referred to us for a detailed review.

Your Coordinator can tell you about the approval process including:

- Possible requirements
- Their costs
- Timeframes.

If your building plans need to be referred to us for detailed review you will be required to pay us for the costs associated with the detailed review.

### **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 our sewer main. This work must meet our 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 our soffit requirements for property connection and drainage.

### **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.

#### **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. Visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > [Plumbing, building & developing](#) > Plumbing > Backflow prevention to find a plumber.

## 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. Visit [www.waterrating.gov.au/](http://www.waterrating.gov.au/) to take you to the WELS (Water Efficiency Labelling and Standards (WELS) Scheme
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > [Plumbing, building & developing](#) > Plumbing > Rainwater *tanks*
- 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.

## 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 our system to provide that flow in an emergency. Sydney Water's Operating Licence directs that our 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 in](#)<sup>TM</sup> 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](#)<sup>TM</sup>. 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 us
- a pump application form (if a pump is required)
- all pump details (if a pump is required).

You'll have to pay an application fee.

We don't consider whether a water main is adequate for fire fighting purposes for your development. We can't 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 our water main. This work must meet our 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 Advice Letter relate to your future Certificate application only. We may be involved with other aspects of your development and there may be other fees or requirements. These include:

- construction/building plan approval fees
- 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 development as soon as possible. Your hydraulic consultant can help you here)

No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from us and to the extent that it is able, we limit its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.

**END OF ADVICE**