



Unitywater
Serving you today, investing in tomorrow.

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Foreverlen Pty Ltd c/- Egis Consulting Pty Ltd
Level 1, 99 Creek Street,
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4000

Max.Hooper@egis-group.com

19 June 2024

Dear Max Hooper,

RE: Unitywater Application No.: 2023023775-S1
Development Estate Name: Lilywood Landings Stage 3

The Unitywater Decision Notice (Approval) for the referenced application is attached.

General information about the connection process is also available at www.unitywater.com.

If you have any queries about the application, please contact Unitywater by email at development.certification@unitywater.com or by phone on 1300 0 UNITY (1300 086 489).

Yours sincerely,

Damien Barker
Development Services Team
Unitywater

Unitywater advises that from 1 July 2021, all eligible connection applications to Unitywater will need to be made under Unitywater's Accreditation and Certification System.

DECISION NOTICE

South-East Queensland Water (Distribution and Retail Restructuring) Act 2009

Application Details

Connection Application No:	2023023775-S1
Street Address:	409-423 Caboolture River Road, Upper Caboolture Qld. 4510
Property Description:	Lots 1 and 12 on RP866105
Local Government Area:	City of Moreton Bay
Development Estate Name:	Lilywood Landings
Development Stage Number:	3

Decision Details

Decision:	Approval
Decision Date:	19/06/2024
Responsible Officer:	Damien Barker
Approval Phase:	Network Works Approval
Approval Type:	Extension to Unitywater Networks
Cross-Connection Hazard:	Low hazard
Fire Service:	No
Description:	Water Supply and Sewerage Network Works – design for construction of reticulation mains and property services;
Subsequent Approvals Req'd:	Water Supply and Sewerage Network Works for all subsequent development stages, including design of metered water services and sewerage property connection infrastructure.
Comments:	Trunk water and sewerage works required for the development of these lots has been approved under separate Network Works applications. Refer Connection Applications; <ul style="list-style-type: none"> • 2023023196-S1 (Dobson Lane Sewer) • 2023023790-S0 (North South Sewer to Bypass Pump Station). • 2023023687-S0 (NDP1 Phase 1 Water – Baycrown) Reticulated water supply and sewerage works required for the development of these lots has been approved under separate Stage 2 reticulation Network Works approval 2023023775-S0.
Attachments:	As referenced in the Table of Approved Documents and Drawings .

Conditions

1. Connection Approval Conditions		Timing
<p>This water approval authorises and is limited to connection of network infrastructure and property services infrastructure at Lots 1 and 12 on RP866105 to Unitywater’s network infrastructure, and where relevant, the establishment of water supply and sewerage network works infrastructure, subject to the following conditions.</p>		
1.01	<p><i>When approval lapses</i></p>	
	<p>This water approval lapses if;</p> <ol style="list-style-type: none"> 1. the requirements under Condition 1.01 of the first Staged Connection Approval for this development (Refer Connection Application No.2023023732-S0 Lilywood Landings Stages 1a, 1b and 2 to 22 approved 20/12/2023) have not been satisfied, or 2. the connection is not completed within 4 years after the date of this water approval. 	<p>At all times.</p>
<p>Note: Any works, which directly or indirectly impact existing Unitywater Network Infrastructure or Assets, not identified within this connection approval, may be subject to other Unitywater approvals and may require, for example, a Planned Network Intervention Application or a Private Works Application for supervision of Works. It is the Applicant’s responsibility to identify and obtain Unitywater approval prior to commencement of any such works.</p>		
1.02	<p><i>Other land in sewerage catchment to be controlled by and have access to sewerage network constructed in the development area.</i></p>	
	<p>Design and construct the sewerage reticulation network for the development with suitable parameters – pipe alignment, size, grade and depths to Invert Level – in accordance with the approved Sewerage Catchment Plan as listed in the Table of Approved Documents and Drawings.</p> <p>This requires, but is not limited to, extending the sewerage network to adjacent property(ies) or stage boundary(ies) to facilitate future extension of the sewerage network – reticulation mains or property connection infrastructure – as part of subsequent development of the other land.</p> <p>Notes:</p> <p>The Sewerage Catchment Plan for the sewerage catchment area identifies the proposed development and sewerage infrastructure to demonstrate that the other land, identified as being within the same sewerage catchment in which the development is situated:</p> <ul style="list-style-type: none"> • is sufficiently controlled by the downstream gravity sewerage network; and • will have sufficient access to the sewerage network, i.e. the sewer is within road reserve, or has an accessible easement that enables future network connection(s) and extension(s). <p>In some circumstances, the other land, identified as being within the same sewerage catchment in which the development is situated, may have surface contour topography that falls away from the direction of the sewerage network grade. This must be accounted for in design of the sewerage network to enable the other land within the sewerage catchment to be fully controlled.</p> <p>This condition is imposed under section 99BRDJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>With the next staged connection application for Network Works; and prior to requesting the earliest of either the Provisional Certificate of Completion, or the Certificate of Completion. OR Prior to connection to the Unitywater sewerage network.</p>

2. Network Works Conditions		Timing
2.01A	<i>Construct approved Network Works design</i>	
	<p>a) Construct the water supply and sewerage Network Works in accordance with:</p> <ol style="list-style-type: none"> i. conditions of this water approval and ii. the documents and drawings as listed in the Table of Approved Documents and Drawings. <p>b) Generate as-constructed drawings and data which detail the works constructed in accordance with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code – Asset Information Specification</i> and submit these to Unitywater’s satisfaction.</p> <p>This condition is imposed under section 99BRDJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>a) At all times during construction and until Network Works are accepted ‘Off-Maintenance’.</p> <p>b) Prior to issue of the Certificate of Completion.</p>
2.01B	<i>Amend Network Works design drawings and resubmit for approval</i>	
	<p>a) Submit amended network works design drawings that address the items as listed in the Table of Drawings Requiring Amendment.</p> <p>b) Obtain approval from Unitywater for the amended Network Works design drawings in accordance with item a) above.</p> <p>Once the amended drawings are approved by Unitywater, construct the water supply and sewerage Network Works in accordance with all requirements of item a) above.</p> <p>Note: Once approved by Unitywater, the amended design drawings will form part of the water approval.</p> <p>This condition is imposed under section 99BRDJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>a) & b) Prior to request for a Pre-Start Meeting.</p>
2.02	<i>Pre-Start Meeting</i>	
	<p>Construction of the water supply and sewerage works must not commence until a joint Pre-Start Meeting has occurred, between:</p> <ol style="list-style-type: none"> (a) the responsible consulting engineer; (b) the principal contractor and the subcontractor(s), if any; and (c) a Unitywater representative 	<p>Prior to the commencement of construction.</p>
2.03	<i>Works at Applicant’s expense</i>	
	<p>The Applicant is responsible for all costs associated with the works that need to be constructed to comply with conditions unless otherwise stated in the condition.</p>	<p>At all times during construction and until works are accepted ‘Off-Maintenance’.</p>

2.04A	<i>Standards</i>	
	<p>Construct all works in accordance with the approved drawings, the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i>, Unitywater's Connections Administration Manual, other conditions stated in this Decision Notice for a water approval.</p> <p>Note: Where works shown on the approved drawings have an omission, or are inconsistent with, or in conflict with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> and this approval has not specifically authorised the omission, inconsistency or conflict in condition 2.05 SEQ Code Non-Conforming Design Aspects and Alternative Solutions, the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> shall prevail.</p>	At all times during construction and until works are accepted 'Off-Maintenance'.
2.05	<i>Council development permit consistent with connection approval</i>	
	<p>Demonstrate a Council development permit has been issued that is consistent with the Unitywater connection approval.</p> <p>OR</p> <p>Submit a written statement to Unitywater, describing the reasons why the Council development permit is not able to be demonstrated, and provide evidence of Unitywater acceptance of the statement.</p>	Prior to request for a Pre-Start Meeting.
2.06	<i>Documentation requirements as a single package prior to On-Maintenance inspection</i>	
	<p>Submit as-constructed drawings and all documentation which detail the works as a single package to Unitywater Development Services (development.services@unitywater.com), in compliance with requirements of the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> and the Connections Administration Manual.</p>	Within 5 business days from the notification date for On-Maintenance inspection.
2.07	<i>Sewerage mains constructed in engineered fill</i>	
	<p>Demonstrate to Unitywater that the requirements of <i>WSA02 Sewerage Code of Australia</i>, as amended by the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i>, section 8.6.2 Sewers in engineered or controlled fill, have been satisfied for engineered or controlled fill material, for use as a foundation for the proposed sewer.</p>	Prior to the commencement of sewer construction in engineered fill.

2.08	<i>Provide structural certification for retaining walls</i>	
	<p>Where retaining walls are proposed to be constructed over or adjacent to proposed or existing sewerage mains, provide Unitywater with a RPEQ structural certification that addresses the following points:</p> <ul style="list-style-type: none"> • Walls have been constructed in accordance with approved retaining wall and relevant sewerage design drawing(s) included in the Table of Approved Documents and Drawings; • Wall(s) must be self-supporting in event of sewerage pipe excavation; • A minimum distance of 300mm between the outside of the sewerage pipe or sewerage maintenance hole and the retaining wall has been achieved; • No loads from retaining wall impact on the sewerage pipe trench; • The base of retaining wall footings are located below zone of influence of the sewerage pipe; and • A minimum distance of 600mm between the outside of bored holes and the outside of any sewerage pipe has been achieved. 	<p>Prior to request for On-Maintenance inspection.</p>
2.09	<i>HDPE welding regime</i>	
	<p>a) HDPE welding is to be carried out in accordance with Unitywater’s standards, and in particular Pr9875 (Non-Pressure Pipelines) and Pr9904 (Pressure Pipelines).</p> <p>b) HDPE welding work shall only to be undertaken by pre-qualified competent welders.</p> <p>c) The required inspection, non-destructive and destructive testing requirements are to be incorporated into the Inspection, Testing and Handover Plan (ITHP) set out in 2.06.</p> <p>This condition is imposed under section 99BRAJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i></p>	<p>a) Prior to commencement of construction. b) At all times. c) Prior to commencement of construction.</p>
2.10	<i>Acceptance ‘On-Maintenance’ (Prior Stage Network Dependencies)</i>	
	<p>The Network Works for this stage of development have prior network dependencies that must completed prior to acceptance of the works under this approval.</p> <p>Obtain Certificates of Completion for:</p> <ul style="list-style-type: none"> • 2023023196-S1 BAF wastewater infrastructure approved 18 January 2024 (Dobson Lane Sewer). • 2023023790-S0 BAF wastewater infrastructure approved 18 January 2023 (North South Sewer to Bypass Pump Station). • 2023023687-S0 BAF infrastructure Phase 1 approved 18 January 2024 (NDP1 Phase 1 Water – Baycrown). • 2023023775-S0 Stage 2 reticulation Network Works approval approved 15/03/2024 (Lilywood Landings). 	<p>Prior to the network connections being authorised.</p>

2.11	<i>Financial Contribution Notices</i>	
	<p>a) Request Unitywater to provide a current notice of financial contributions (BAF Lot Contributions and Sewage Treatment Contributions) payable in accordance with the water infrastructure agreement <i>Caboolture West – Neighbourhood Development Plan 1</i>. This condition is imposed under section 99BRAM of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>No more than 20 business days prior to the time of payment specified in the water infrastructure agreement <i>Caboolture West – Neighbourhood Development Plan 1</i>.</p>
2.12	<i>Special condition – Live Works Isolation Plan</i>	
	<p>a) Submit a Live Works Isolation Plan that demonstrates Unitywater’s requirements for double isolation (e.g. double plugs installed in existing structures) for the live works method proposed is achieved.</p> <p>b) Obtain approval from Unitywater for the Live Works Isolation Plan.</p> <p>Once the Live Works Isolation Plan is approved by Unitywater, construct the sewerage Network Works in accordance with the requirements of the Live Works Isolation Plan.</p> <p>Note: Once approved by Unitywater, the Live Works Isolation Plan will form part of the water approval.</p> <p>This condition is imposed under section 99BRDJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>a) & b) Prior to request for a Pre-Start Meeting.</p>
2.13	<i>Special condition – Hydrant Coverage Plan</i>	
	<p>a) Submit Hydrant Coverage Plan/s consistent with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i>, Standard Drawing SEQ-WAT-1101-4 that demonstrates that the proposed hydrant spacing meets SEQ Code requirements.</p> <p>b) Obtain approval from Unitywater for the Hydrant Coverage Plan.</p> <p>This condition is imposed under section 99BRDJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>a) & b) Prior to request for a Pre-Start Meeting.</p>
2.14	<i>Special condition – Electrical Plans</i>	
	<p>a) Submit Electrical plans for this stage of development that demonstrate proposed water service / meter and sewer property connection locations have been providing in accordance with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> requirements (including minimum clearances and requirements for when water and sewer connections can occur on same property boundaries.</p> <p>b) Obtain approval from Unitywater that the Electrical Plans confirm the above requirements have been achieved.</p> <p>This condition is imposed under section 99BRDJ of the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>.</p>	<p>a) & b) Prior to request for a Pre-Start Meeting.</p>

3. Advisory Notes	
3.01	Financial Contributions
	Payment of financial contributions (including BAF Lot Contributions and Sewage Treatment Contributions) prior to Unitywater issuing Provisional Certificates of Completion or Certificates of Completion) are required in accordance with the water infrastructure agreement <i>Caboolture West – Neighbourhood Development Plan 1</i> .
3.02	Works in roads
	Where works associated with the Connection Application results in works to be carried out in a publicly controlled place e.g. roads, it is the Applicant's responsibility to gain the necessary approvals from the relevant authority e.g. council, Department of Transport and Main Roads. It is the Applicant's responsibility to ensure that it has all necessary consents and approvals to carry out any works in a publicly controlled place prior to starting any such works. The approval for works in roads must be attached to the Request for Pre-start Meeting form.
3.03	State Assessment and Referral Agency (SARA)
	This approval relates to Connection Application requiring approval under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> only. It is the Applicant's responsibility to ensure any works requiring approval/s under the <i>Planning Act 2016</i> (Qld) are obtained from <i>State Assessment and Referral Agency (SARA)</i> prior to the request for a Pre-start Meeting.
3.05	The Aboriginal Cultural Heritage Act 2003
	The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004 and establishes a Duty of Care for indigenous cultural heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting the activity. Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care. Unitywater strongly advises the Applicant to contact the Cultural Heritage Co-ordination Unit on 07 3247 6212 to discuss any obligations under the <i>Aboriginal Cultural Heritage Act 2003</i> .
3.06	Level of service
	The Water and Sewerage Services Code for Small Customers in South East Queensland and the Unitywater's Customer Service Standard specify the level of service for Unitywater's water and sewerage services.
3.7	Other services
	It is the Applicant's responsibility to acquire the necessary approvals from the relevant authority or service provider to alter or relocate their service.
3.8	Other approval requirements and compliance with all laws
	This approval only authorises the connection to Unitywater's infrastructure. This approval does not remove the need for other approvals in order to carry out the necessary work for the development. For example, the Applicant should consider the need to comply with relevant standards and obtain approvals for impacts arising from sediment and erosion control, flora and fauna and traffic/roads, including traffic management etc. The Applicant is responsible for obtaining all necessary approvals for its development and complying with all laws including all environmental laws.

3.09	<i>Damage to existing services and assets</i>
	<p>At all times during construction, notify Unitywater immediately of any damage caused to existing water supply and sewerage services and assets above or below the ground.</p> <p>Proposed repairs must be referred to Unitywater for approval as soon as reasonably possible.</p> <p>Any repair work which proposes to alter or affect the alignment or level of existing water supply and/or sewerage services and assets must first be referred to Unitywater for approval.</p>
3.10	<i>No works authorised</i>
	<p>The applicant is not to carry out property infrastructure works or network works that are not approved by Unitywater, until after the necessary phase of water approval is granted.</p>
3.12	<i>Work health and safety compliance</i>
	<p>At all times during construction and until works are accepted 'Off-Maintenance', the Applicant must comply with the <i>Work Health and Safety Act</i> and Regulations.</p> <p>Note: Should the Applicant fail to appoint a Principal Contractor within the meaning of that <i>Act</i> within the time required, the Applicant shall be the Principal Contractor under that <i>Act</i> and shall perform all duties of the Principal Contractor including but not limited to:</p> <ul style="list-style-type: none"> • Giving notice to the Director of Accident Prevention prior to commencing notifiable work; and • Payment of the relevant fees under the <i>Act</i>.
3.13	<i>Third party property</i>
	<p>If any infrastructure authorised by this approval is to be constructed on property that is not owned or controlled by the Applicant, it is the Applicant's or developer's responsibility to gain the necessary consents to install that infrastructure.</p>
3.14	<i>Connection to Unitywater water supply network</i>
	<p>All works associated with live water mains must be carried out by Unitywater at the developer's expense.</p> <p>Connections to the existing Unitywater water supply network must only be carried out by Unitywater Private Works section by application. Connections will only be completed after the new water supply infrastructure has been accepted 'On-Maintenance'.</p> <p>Works on or in close proximity to existing Unitywater infrastructure require consultation with Unitywater Private Works prior to commencement of construction. Private Works shall be contacted (allow a minimum of five working days for processing) prior to commencing work. The requirement for a Network Intervention application will require additional processing time.</p>
3.15	<i>Errors and omissions</i>
	<p>This approval shall not be taken to mean that the drawings have been checked in detail, Unitywater accepts no responsibility whatsoever for the survey information, the design, or for the accuracy of any information or detail contained in the drawings and specifications.</p> <p>Where errors or omissions occur in the design drawings or specifications, or where works do not conform to or meet Unitywater standards, the Applicant shall be responsible for arranging rectification to comply with those standards at no cost to Unitywater.</p> <p>Where approved drawings contain insufficient detail, or do not contain details of works that are either necessary or associated with the development then these works shall be designed, approved and constructed to Unitywater standards, as required by Unitywater.</p> <p>Unitywater reserves the right to request amendment of the approved drawings or request further information should this become necessary. Only the approved drawings shall be used for construction.</p>

3.16	<i>Existing water meter(s)</i>
	<p>The Applicant is advised that if the existing water meter currently serving the property will no longer be required, an application (Standard Connection Request) must be made to Unitywater to disconnect the meter.</p> <p>A fee is applicable for the disconnection of services.</p> <p>Refer to Unitywater Fees and Charges schedule at: Pricing, fees and charges.</p>
3.17	<i>Private Works</i>
	<p>The Applicant is advised that all connection works by Unitywater Private Works are quoted on application.</p> <p>This requires the applicant to submit a completed Water Supply and Sewerage Services Private Works Application form to the email address on the form together with this water approval to enable a quotation to be produced by Private Works.</p> <p>Further information is available at: Changes to existing services</p> <p>Note: The Applicant must ensure works can commence within thirty (30) days once the quote has been paid. Unitywater reserves the right to requote when a period greater than thirty (30) days from time for payment has elapsed.</p>
3.18	<i>Internal Review and Appeal Rights</i>
	<p>You have a right to apply for an internal review of the decision including the conditions attached to this decision. Under the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> an appeal against a decision must be, in the first instance, by way of an application for internal review.</p> <p>The attached information sheet provides information about the internal review and appeal processes, including how to apply and the details of the information required to be submitted with your application.</p> <p>Please note that any application for an internal review of this decision must be made within 30 business days after the date the application was decided (see Decision Details on Page 1).</p> <p>It is advised that prior to the submission of a formal application for internal review, the applicant should contact the responsible Unitywater officer to discuss the issues of concern. This can be done by emailing development.services@unitywater.com and it needs to be made clear in the email content that this initial enquiry is not a formal application for internal review, but instead is a preliminary enquiry to discuss issues that have been conditioned in the Unitywater Decision Notice and/or Infrastructure Charges Notice. The Unitywater officer and Development Services may consider changes to the Decision Notice and/or Infrastructure Charges Notice without the need of an Internal Review. This preliminary enquiry and consultation does not have an effect on the 30 business days of the 'decision period' and if the issue cannot be resolved within this time, the only recourse of Internal Review is as explained in the process above.</p>

Approved Documents and Drawings

The approved documents and drawings for this decision notice are listed in the following table.

Table of Approved Documents and Drawings			
Document / Drawing No. - (Revision)	Document / Drawing Title	Prepared by	Date
Sewerage Catchment Plan			
Sketch SK210 Rev A	LILYWOOD LANDINGS – MASTERPLAN SEWER LAYOUT, Project No. 22-000082	Egis Approved with Conditions 2023023776S0 15/03/2024	08/11/23
Civil Design Drawings			
Drawing No 1000 Rev A	TITLE SHEET & LOCALITY PLAN	Egis	21.09.2023
Drawing No 1100 Rev A	SITE LAYOUT PLAN	Egis	12.03.2024
Drawing No 1500 Rev A	SEWER RETICULATION COVER SHEET	Egis	12.03.2024

Drawings Requiring Amendment

In accordance with condition 2.01B, the drawings requiring amendment are listed in the following table, including specific items that must be addressed. **Table of Drawings Requiring Amendment**

Document / Drawing No. (Revision)	Document / Drawing Title	Prepared by	Date
Drawing No 1501 Rev A	<u>Sewer Reticulation Layout Plan Sheet 1 Of 2</u> 1) Sewer main alignments to be detailed on the drawing. The drawing shall clearly identify anywhere the standard 1.75m alignment is not to apply including all locations where the sewer main is located on the same side of the road as the water main (with the water main being on a 1.5m alignment).	Egis	12.03.2024
Drawing No 1502 Rev A	<u>Sewer Reticulation Layout Plan Sheet 2 Of 2</u> 1) Sewer main alignments to be detailed on the drawing. The drawing shall clearly identify anywhere the standard 1.75m alignment is not to apply including all locations where the sewer main is located on the same side of the road as the water main (with the water main being on a 1.5m alignment).	Egis	12.03.2024
Drawing No 1510 Rev A	<u>Sewer Reticulation Longitudinal Sections Sheet 1 Of 2</u> 1) Amend the drawings to include structure drop type and structure cover type information on the Sewer Reticulation Longitudinal Sections.	Egis	12.03.2024
Drawing No 1511 Rev A	<u>Sewer Reticulation Longitudinal Sections Sheet 2 Of 2</u> 1) Amend the drawings to include structure drop type and structure cover type information on the Sewer Reticulation Longitudinal Sections.	Egis	12.03.2024
Drawing No 1601 Rev A	<u>Water Reticulation Layout Plan Sheet 1 Of 2</u> 1) Water services and meters are not to be installed directly over sewer property connections, amend the drawing as required to demonstrate clearances are achieved in accordance with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> requirements. 2) Water meters are not to be installed for lots outside of stage 3 as part of this approval (typically no water supply or sewer property connection should be provided, however Unitywater can consider the installation of sewer property connections and / or water services at time of related main installation). Amend the drawings to clearly identify that meters are not to be installed on any lots not part of stage 3 as part of this approval (i.e. proposed lots 165-168). Meters to these lots can be installed as part of the required stage of development via live works. 3) Amend the drawing to reflect that any stage 3 lots	Egis	12.03.2024

In accordance with condition 2.01B, the drawings requiring amendment are listed in the following table, including specific items that must be addressed. **Table of Drawings Requiring Amendment**

Document / Drawing No. (Revision)	Document / Drawing Title	Prepared by	Date
	to be serviced via water services installed as part of stage 2 works are to have the water meter installation to occur as live works under this approval.		
Drawing No 1602 Rev A	<u>Water Reticulation Layout Plan Sheet 2 Of 2</u> 1) Water services and meters are not to be installed directly over sewer property connections, amend the drawing as required to demonstrate clearances are achieved in accordance with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> requirements.	Egis	12.03.2024
Drawing No 1603 Rev A	<u>Water Reticulation Notes and Details</u> 1) Water services and meters are not to be installed directly over sewer property connections, amend the drawing as required to demonstrate clearances are achieved in accordance with the <i>South East Queensland Water Supply and Sewerage Design and Construction Code</i> requirements.	Egis	12.03.2024

Yours sincerely,

Damien Barker
Development Services Team
 Unitywater

INFORMATION SHEET – REVIEWS AND APPEAL PROCESS

Division 1 Preliminary

99BRAW Meaning of *interested person* and *original decision*

- (1) An ***interested person*** for this part is an applicant under this chapter who—
- (a) has been given a decision notice; or
 - (b) if the period during which the application was required to be decided under the relevant connections policy has expired—has not been given a decision notice; or
 - (c) has had 1 or more of the following charges levied for a connection, other than for a standard connection—
 - (i) a connection charge;
 - (ii) a property service works charge;
 - (iii) a charge under an infrastructure charges notice; or
 - (d) has been given a notice under section 99BRDG about a conversion application, or there is a deemed refusal for the application.
- (2) Each of the following is an ***original decision***—
- (a) the decision or action for which a decision notice was given (an ***approval decision***);
 - (b) if the period during which an application was required to be decided under the connections policy has expired—the failure to give a decision notice for the application (a ***failure to decide***);
 - (c) the decision to levy a charge for a connection mentioned in subsection (1)(c)(i) or (ii) (a ***charge decision***);
 - (d) the decision to give an infrastructure charges notice;
 - (e) the refusal or deemed refusal of a conversion application (a ***conversion decision***).
- (3) However, for an original decision under subsection (2)(a), an interested person cannot appeal a water approval condition that became a condition under section 99BRAM.

99BRAX Other definitions for pt 4 In this part—

charge decision see section 99BRAW(2)(c).

conversion decision see section 99BRAW(2)(e).

deemed refusal, for a conversion application, means a refusal of the application that is taken to have happened if a decision is not made within the required period for the application.

required period, for a conversion application, see section 99BRDF(6).

standard appeal period, for an appeal under division 3 or 4, means—

- (a) if the notice for the review decision is given to the interested person—within 20 business days after the notice was given; and
- (b) otherwise—within 20 business days after the review decision is taken to have been made under section 99BRBC(4).

Division 2 Internal reviews

99BRAY Appeal process starts with internal review

An appeal of an original decision, other than an appeal against a compliance notice, must be, in the first instance, by way of an application for internal review.

99BRAZ Who may apply for review

- (1) An interested person for an original decision may apply for an internal review of the decision (an ***internal review application***).
- (2) An internal review application may be made only to the chief executive officer of the relevant distributor-retailer (the ***reviewer***).

99BRBA Requirements for making internal review application

An internal review application must be—

- (a) accompanied by a statement of the grounds on which the applicant seeks the review of the decision; and
- (b) supported by enough information to enable the reviewer to decide the application; and
- (c) made within 30 business days after the day—
 - (i) for a failure to decide or a deemed refusal of a conversion application—the relevant decision was required to be made; or
 - (ii) otherwise—the original decision is made.

99BRBB Review decision

- (1) The reviewer must, within the review decision period—
- (a) review the original decision the subject of the application; and
 - (b) make a decision (the ***review decision***) to—
 - (i) confirm the original decision; or
 - (ii) amend the original decision; or
 - (iii) substitute another decision for the original decision.
- (2) The application must not be dealt with by—
- (a) the person who made the original decision; or

(b) a person in a less senior office than the person who made the original decision.

(3) Subsection (2)—

- (a) applies despite the *Acts Interpretation Act 1954*, section 27A; and
- (b) does not apply to an original decision made by the chief executive officer.

(4) If the review decision confirms the original decision, for the purpose of an appeal, the original decision is taken to be the review decision.

(5) If the review decision amends the original decision, for the purpose of an appeal, the original decision as amended is taken to be the review decision.

(6) In this section— **review decision period** means—

- (a) 15 business days after receiving an internal review application; or
- (b) another period agreed to between the distributor-retailer and the applicant.

99BRBC Notice of review decision

(1) The reviewer must, within 5 business days after the review decision period ends, give the applicant notice of the review decision (a **review notice**).

(2) The review notice must state the reasons for the review decision.

(3) If the review decision is not the decision sought by the applicant, the notice must also state the applicant may, within 20 business days after the review notice is given—

- (a) appeal against the decision to a building and development committee; or
- (b) appeal against the decision to the Planning and Environment Court.

(4) If the reviewer does not comply with subsection (1), the reviewer is taken to have made a decision confirming the original decision.

99BRBD Internal review stops particular actions

(1) If an internal review is started under this division, any work under a water approval must not be started until the review is decided or withdrawn.

(2) Despite subsection (1), if the reviewer is satisfied the outcome of the review would not be affected if the work is started before the review is decided, the reviewer may allow the work to start before the review is decided.

Division 3 Appeals to a building and development committee

99BRBE Appeals about applications for connections—general

(1) This section applies to an applicant for a connection if—

- (a) for the application for a connection, the land to which the connection relates is subject to a development application mentioned in the Planning Act, section 519 or 522; and
- (b) the applicant applied for internal review of an approval decision or failure to decide; and
- (c) the review decision is not the decision sought by the applicant.

(2) The applicant may appeal to a building and development committee against any of the following—

- (a) a refusal, or an approval in part, of an application;
- (b) a water approval condition;
- (c) another matter stated in the approval.

(3) The appeal must be started within the standard appeal period.

99BRBF Appeals about applications for connections—particular charges

(1) This section applies to an applicant for a connection if—

- (a) the applicant applied for internal review of a charge decision or a decision to give an infrastructure charges notice; and
- (b) the review decision is not the decision sought by the applicant.

(2) The applicant may appeal to a building and development committee about the review decision.

(3) The appeal may be made only on 1 or more of the following grounds—

- (a) the decision involved an error relating to the application of the relevant charge;
- (b) if the decision is the giving of an infrastructure charges notice—
 - (i) the decision involved an error relating to—
 - (A) the working out, for section 99BRCJ, of additional demand; or
 - (B) an offset or refund; or
 - (ii) there was no decision about an offset or refund; or
 - (iii) if the infrastructure charges notice states a refund will be given—the timing for giving the refund.

(4) To remove any doubt, it is declared that the appeal must not be about—

- (a) the relevant charge itself; or

- (b) for a decision about an offset or refund for an infrastructure charges notice—
 - (i) the establishment cost of infrastructure identified in the distributor-retailer's water netserv plan; or
 - (ii) the cost of infrastructure decided using the method included in the distributor-retailer's infrastructure charges schedule.

(5) The appeal must be started within the standard appeal period.

99BRBFA Appeals against refusal of conversion application

- (1) This section applies to an applicant for a conversion application if—
 - (a) the applicant applied for internal review of the conversion decision; and
 - (b) the review decision is not the decision sought by the applicant.

(2) The applicant may appeal to a building and development committee against the review decision.

(3) The appeal must be started within the standard appeal period.

99BRBG Application of relevant committee appeal provisions

(1) The relevant committee appeal provisions apply, with any necessary changes, to an appeal under this division as if a reference in the provisions to—

- (a) an assessment manager were a reference to the distributor-retailer; and
- (b) a development application were a reference to the application for the water approval; and
- (c) a development approval were a reference to a water approval; and
- (d) an appeal under the Planning Act were an appeal under this Act; and
- (e) an infrastructure charges notice under the Planning Act were an infrastructure charges notice under this Act; and
- (f) the period required under the Planning Act for lodging a document to start proceedings were a reference to the period required under this Act for lodging a document to start proceedings.

(2) In this section— **relevant committee appeal provisions** means—

- (a) the Planning Act, sections 536 to 537, 554 to 563, 564 (other than section 564(2)(d) and (e), 567, 569 and 569A; and
- (b) any definitions under that Act relevant to the sections mentioned in paragraph (a).

99BRBH Notice of appeal

(1) This section applies to an appeal under this division.

(2) The registrar of building and development committees must, within 10 business days after the day the appeal is started, give written notice of an appeal under this division to the distributor-retailer.

(3) The notice must state the grounds of the appeal.

99BRBI Respondent for appeals

(1) This section applies to an appeal under this division.

(2) The distributor-retailer is the respondent for the appeal and may be heard in the appeal as a party to the appeal.

99BRBJ Who must prove case for appeals

In an appeal by the applicant under this division, it is for the applicant to establish that the appeal should be upheld.

99BRBK Registrar must ask distributor-retailer for material in particular proceedings

(1) This section applies to an appeal under—

- (a) section 99BRBE if the applicant applied for internal review of a failure to decide; or
- (b) section 99BRBFA if the applicant applied for internal review of a deemed refusal of a conversion application.

(2) The registrar of building and development committees must ask the distributor-retailer to give the registrar—

- (a) all material, including plans and specifications, relevant to the application; and
- (b) a statement of the reasons the distributor-retailer had not decided the application during the period for deciding the application; and
- (c) any other information the registrar requires.

(3) The distributor-retailer must give the material mentioned in subsection (2) within 10 business days after the day the registrar asks for the material.

99BRBL Lodging appeal stops particular actions

(1) If an appeal is started under this division, any work under a water approval must not be started until the appeal is decided or withdrawn.

(2) Despite subsection (1), if the building and development committee is satisfied the outcome of the appeal would not be affected if the work is started before the appeal is decided, the committee may allow the work to start before the appeal is decided.

99BRBM Appeals may be combined with appeals under the Planning Act

(1) This section applies if—

- (a) an appeal is started under this division; and
- (b) an appeal is started under the Planning Act for a development application mentioned in section 99BRBE.

(2) The appeal under this division may be combined and heard with the appeal under the Planning Act.

Division 4 Appeals to the Planning and Environment Court

99BRBN Appeals about applications for connections—general

(1) This section applies to an applicant for a connection if—

- (a) the applicant applied for internal review of an approval decision or failure to decide; and
- (b) the review decision is not the decision sought by the applicant.

(2) The applicant may appeal against the review decision to the Planning and Environment Court.

(3) The appeal must be started within the standard appeal period.

99BRBO Appeals about applications for connections—particular charges

(1) This section applies to an applicant for a connection if—

- (a) the applicant applied for internal review of a charge decision or a decision to give an infrastructure charges notice; and
- (b) the review decision is not the decision sought by the applicant.

(2) The applicant may appeal against the review decision to the Planning and Environment Court.

(3) An appeal under this section may be made only on 1 or more of the following grounds—

- (a) the charge imposed by the distributor-retailer is so unreasonable that no reasonable distributor-retailer could have imposed it;
- (b) the decision involved an error relating to the application of the relevant charge;
- (c) if the decision is the giving of an infrastructure charges notice—
 - (i) the decision involved an error relating to—
 - (A) the working out, for section 99BRCJ, of additional demand; or
 - (B) an offset or refund; or
 - (ii) there was no decision about an offset or refund; or
 - (iii) if the infrastructure charges notice states a refund will be given—the timing for giving the refund.

(4) To remove any doubt, it is declared that the appeal must not be about—

- (a) the relevant charge itself; or
- (b) for a decision about an offset or refund for an infrastructure charges notice—
 - (i) the establishment cost of infrastructure identified in the distributor-retailer's water netserv plan; or
 - (ii) the cost of infrastructure decided using the method included in the distributor-retailer's infrastructure charges schedule.

(5) The appeal must be started within the standard appeal period.

99BRBOA Appeals against refusal of conversion application

(1) This section applies to an applicant for a conversion application if—

- (a) the applicant applied for internal review of the conversion decision; and
- (b) the review decision is not the decision sought by the applicant.

(2) The applicant may appeal to the Planning and Environment Court against the review decision.

(3) The appeal must be started within the standard appeal period.

99BRBP Appeals about water connection compliance notices

(1) This section applies if a person is given a compliance notice.

(2) The person may appeal against the decision to the Planning and Environment Court.

(3) The appeal must be started within 20 business days after the water connection compliance notice is given to the person.

99BRBQ Application of relevant court provisions

(1) The relevant court appeal provisions apply, with any necessary changes, to an appeal under this division as if a reference in the provisions to—

- (a) an appellant were a reference to the applicant; and
- (b) a respondent were a reference to the distributor-retailer; and
- (c) a development application were a reference to the application for the water approval; and

- (d) a development approval were a reference to the water approval; and
- (e) an appeal under the Planning Act were an appeal under this Act; and
- (f) an enforcement notice were a water connection compliance notice.

(2) In this section— **relevant court appeal provisions** means—

- (a) the Planning Act, chapter 7, part 1, divisions 11 to 13 other than sections 482 to 490, 493 and 495 (3) to (5); and
- (b) any definitions under that Act relevant to the provisions mentioned in paragraph (a).

99BRBR Notice of appeal to other parties

- (1) The applicant must give notice of the appeal to the distributor-retailer.
- (2) The notice must be given within 10 business days after the appeal is started.
- (3) The notice must state the grounds of the appeal.

99BRBS Stay of operation of water connection compliance notice

(1) If the applicant gives a notice of appeal about a water connection compliance notice, the operation of the compliance notice is stayed until the earliest of the following to happen—

- (a) the Planning and Environment Court, on the application of the distributor-retailer, decides otherwise;
- (b) the appeal is withdrawn;
- (c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the compliance notice is about—

- (a) a work, if the water connection compliance notice states the entity believes the work is a danger to persons or a risk to public health; or
- (b) stopping the demolition of a work; or
- (c) clearing vegetation on freehold land; or
- (d) the removal of quarry material allocated under the *Water Act 2000*; or
- (e) extracting clay, gravel, rock, sand or soil, not mentioned in paragraph (d), from Queensland waters; or
- (f) works the assessing authority reasonably believes is causing erosion or sedimentation; or
- (g) works the assessing authority reasonably believes is causing an environmental nuisance; or
- (h) action required to stop damage or further damage to the distributor-retailer's water infrastructure.

99BRBT Respondent for appeals

The distributor-retailer is the respondent for the appeal and may be heard in the appeal as a party to the appeal.

99BRBU Who must prove case for appeals

In an appeal by the applicant under this division, it is for the applicant to establish that the appeal should be upheld.

99BRBV Lodging appeal stops particular actions

(1) If an appeal, other than an appeal under section 99BRBP, is started under this division, any work under a water approval must not be started until the appeal is decided or withdrawn.

(2) Despite subsection (1), if the Planning and Environment Court is satisfied the outcome of the appeal would not be affected if the work is started before the appeal is decided, the court may allow the work to start before the appeal is decided.

99BRBW Appeals may be combined with appeals under the Planning Act

(1) This section applies if—

- (a) an appeal is started under this division; and
- (b) an appeal is started under the Planning Act for a development application which relates to land the subject of the application of a water approval.

(2) The appeal under this division may be combined and heard with the appeal under the Planning Act.

FOR MORE INFORMATION OR THE LATEST VERSION PLEASE REFER TO:

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-046>