



Complying application for Section 73 certificate

1. Purpose

This procedure enables Water Servicing Coordinators (WSC) and Development Consultants (DC) to determine if a proposed development is 'low-risk' and process the application as a Complying Section 73 application.

Applications able to be lodged as 'complying' include developments that:

- have already met Sydney Water's servicing requirements
- only need to build minor works (sewer)
- only need to build main to meter property service
- only need building plans approved
- only need to sign an MLiM undertaking
- only need to complete other 'low-risk' requirements.

The main steps for a Complying application are:

- WSC determines the scope of requirements is low risk
- WSC project manages the requirements
- WSC submits complying application
- DC reviews the complying application for compliance to criteria
Infrastructure charges are levied and paid where applicable
- WSC receives the S73 Certificate.

2. Scope

Applies for the submission by WSC's of Section 73 Certificate development applications where the requirements meet the criteria of 'low risk'. The application is reviewed for compliance and the issue of the Section 73 Certificate by the PO.

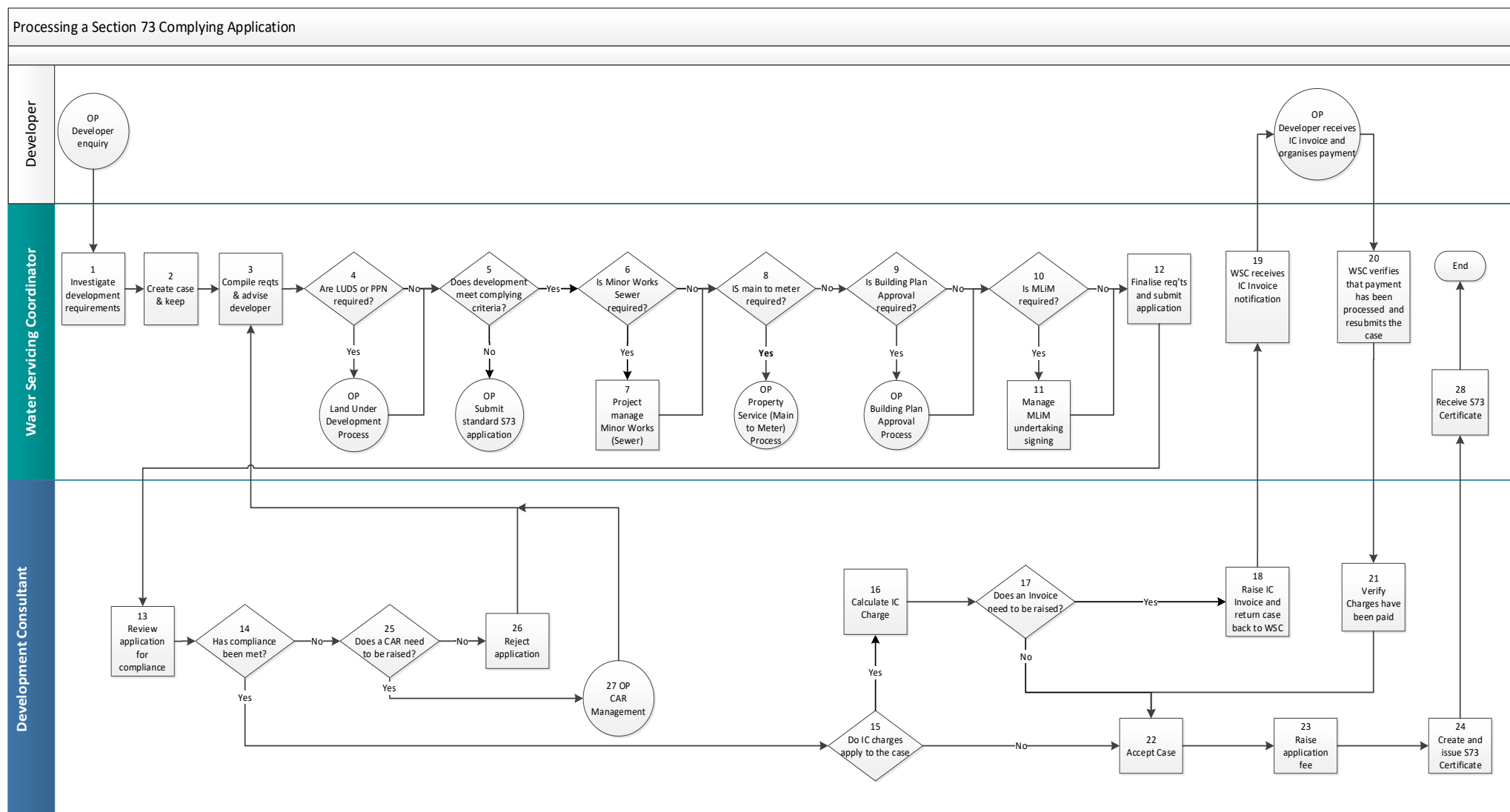
Exclusions: Refer to Attachment 1.

3. Minimum requirements

To reduce the time taken for a developer to receive a Section 73 Certificate for a low risk development application.

4. Procedure in detail

Process overview



Task details

Task details

1. WSC - Investigate development requirements

You need to investigate what requirements are necessary for the proposed development.

- a Review the Development Consent or the Approval Document to make sure it's valid / current.

Notes:

1. Developments with a Deferred Commencement Consent, that otherwise fall within the scope of this work instruction must be submitted as a Complying Application. You do not have to wait for confirmation that the Deferred Commencement conditions have been met before submitting the Complying Application package.
2. You may receive an approval document from a Private Certifier or as a State Environmental Planning Policy (Exempt & Complying Development Code) 2008. These can be submitted as a S73 Complying Application. You will need to attach the approval document to the Consent field in the Complying application work item in e-Developer.
3. Each CDC / DA development consent will require separate cases to be lodged for each development activity.
For example a dual occupancy CDC / DA is granted as development consent, with a separate CDC / DA for the Torrens / Strata subdivision as a separate consent.

Individual cases will be required to be lodged for each CDC / DA.

- b Review the development/subdivision plan(s) to ensure they meet Sydney Water's requirements. To do this, refer to the Section 73 Plan Requirements fact sheet on the Providers page of our website

- c Access Hydra Mapping and Hydra Enquiry from the e-Developer main menu and:

- Identify the existing lot/s in the development
- view and identify the impacts of the proposed development on the existing property boundaries
- View the existing locations for water, wastewater, recycled water and stormwater mains

Note:

If the development is located in a recycled water area, or meets any of the stormwater requirements listed in the Planning requirements checklist for Section 73 developments, it cannot be submitted as a Complying Application. Go to Other Process: Submit standard e-Developer application.

- Determine if each lot has no less than a two-metre frontage to a water main.
- Determine if each lot must have a connection to a water main and a water service and meter
- Determine if each lot has a connection to a wastewater main that is located at least one metre inside the lot's boundaries.

Refer to the Connection policies and guidelines, Standards and Codes to determine wastewater and water requirements for each lot that needs to be provided with services prior to the issue of the S73 Certificate (see Section 4.3 for other supporting documents)

- A field inspection may be required to ascertain site conditions that may affect the proposed development e.g. oversize metering, sewer extension requirements
- You may need to get a Sewer Service Diagrams (SSD) for the development and also the surrounding properties of the development. This is to determine if there is an encroaching customer drain.

Note:

The SSD can be obtained by either Hydra Download in the e-Developer main menu (the SSD is delivered via fax), or buying these products online through Sydney Water Tap in. Go to www.sydneywater.com.au/tapin

Task details

- d Determine if the development requires Multi-Level Individual Metering (MLiM)
- **Step 1: Is the development a [multi-level development?](#):**
 - **No** - there is no MLiM requirement and this instruction ends here.
 - **Yes** - go to step 2.
 - **Step 2: Is there a MLiM requirement?**
Is the 'Development type' and 'Development sub type' in one of the combinations in the table below?
 - **No** - there is no MLiM requirement and this instruction ends here
 - **Yes** - a 'MLiM undertaking' must be signed by the developer (later in this instruction).

Development Sub-type	Development Type		
	Residential	Commercial	Mixed*
Development	MLiM required		
Other/multi-unit/mixed	MLiM required		
Strata subdivision	MLiM required		
Stratum subdivision	MLiM required		
Serviced apartments		MLiM required	
Mixed development subdivision		MLiM required	
Commercial subdivision		MLiM required	
Residential/commercial			MLiM required

* Check if excluded in Attachment 1

Go to step 2.

2 WSC - Create case and keep

- a In e-Developer create a new case and select the application type '*S73 Complying Application*'
- b You can partially complete the S73 Complying Application form. The application will partially auto populate by entering the temporary download number in the 'Hydra Data Auto Population' field. This will auto populate the majority of fields.

Note:

The temporary download number will expire in 30 days

- c Once you create the case you **must** update the following fields:
- Describe current and proposed development as per the description on the Consent document (**do not include additional information in this field**)
 - Attach Development Consent
 - Attach development plan and/or subdivision plan.

Task details

d Complete the 'Development Type' and 'Development sub-type' fields.

- Fill in the relevant development type and sub type
- Click yes or no to the '*strata/stratum*' subdivision button
- In task 1d, did you determine that the development was multi-level, and there was a MLIM requirement?
 - **No** - click 'no' in the '*development contains multi-level building field*' and go to task 2e
 - **Yes** - complete the following fields and then go to task 2e

For the development type and sub-type combinations indicated by a ✓

Development Sub-type	Development Type		
	Residential	Commercial	Mixed*
Development	✓		
Other/multi-unit/mixed	✓		
Strata subdivision	✓		
Stratum subdivision	✓		
Serviced apartments		✓	
Mixed development subdivision		✓	
Commercial subdivision		✓	
Residential/commercial			✓

Complete the fields shown below

Development contains multi-level building	<input checked="" type="radio"/> Yes <input type="radio"/> No
Number of multi-level buildings	<input type="text"/>
No. of levels in tallest building	<input type="text"/>

e Is the application a dual occupancy?

- Yes - go to step 2f
- No - go to step 2h

Task details

f Does the dual occupancy includes subdivision?

	Yes	No
Development type	<ul style="list-style-type: none"> Residential 	<ul style="list-style-type: none"> Res dual occupancy
Development sub-type	<ul style="list-style-type: none"> Torrens Subdivision Or Strata Subdivision 	<ul style="list-style-type: none"> Unsubdivided Future Strata Subdivision Future Torrens Subdivision.

Development Type = 'Residential' AND EITHER

Development sub type =

- Torrens Subdivision
- Or
- Strata Subdivision

g If the dual occupancy does **not** include subdivision, enter the following:

Development Type = 'Res Dual Occupancy' AND EITHER

Development sub type = Select one of the following:

- Unsubdivided
- Future Strata Subdivision
- Future Torrens Subdivision.

h Click **keep** to save the Application Entry form. You can return to it at any time.

Note 1:

You must complete all fields in the Application Entry work-item before releasing it to Sydney Water.

Note 2:

Once you have created the application it is visible to Sydney Water via the e-Developer Case Enquiry function.

Go to Step 3

Task details

3 WSC - Compile requirements and advise developer

- a** Advise the developer of the low risk requirements that apply to the development. These may be one or more of the following:

- Land Under Developer (LUD) process
- Building Over or Adjacent Assets (BOA/BAA)
- Property Service (Main to Meter) installation
- Minor Works (Sewer) construction
- Infrastructure Contribution (IC)
- MLiM (Developer to sign the MLiM Undertaking)

IMPORTANT:

You must:

1. In your requirements letter, use the same words shown in Attachment 3 and
 2. Complete, then attach, the [MLiM Undertaking](#) (found under 'Complying applications') to that requirements letter (NOTE: Type the details in 'Lower case'.)
- Other low risk requirements (e.g. metering, encroaching customer drain, large water connection approval etc.) See attachment 1 for more details.
 - No requirements

- b** Issue the *Section 73 Additional Advice sheet* to the developer. This details other Sydney Water applications, approvals etc. that may be required after the issue of the Section 73 Certificate.

Note:

Trade Waste Advice - If the development is 'Commercial' or 'Industrial', download the Advice Letter *Requirements for Business Customers for Commercial and Industrial Property Developments* and issue it to the Developer.

- c** Do the following:

- If there are no requirements go to step 12.
- For all other requirements, go to step 4.

Note:

You can use the *e-Developer Application Entry work item* for Complying Applications as a checklist to identify the information that Sydney Water requires prior to issue of the Section 73 Certificate

4 WSC - Are LUDS or PPN required?

- a** Determine if the creation of new lots (subdivision) is required. Do the following:

- If yes, go to step 4.2
- If no, go to step 5.

- b** Review the **LUD Column** of the *LUD, PPN and Main to Meter Development Types Checklist* to determine if LUD & PPN is required. The form is located at: sydneywater.com.au/plumbing-building-developing/developing/wsc-documents/

Task details

- c** Go to: Other Process - Land Under Development Work Instruction

d Other Process: Land Under Development (LUD) process

The Land Under Development process enables the early allocation of Sydney Water property numbers for proposed lots in a subdivision and the update of the proposed subdivision layer in Hydra. Once this has been completed applications in Sydney Water Tap in™ can be processed for building related activities.

- Follow the *Land Under Development – Water Servicing Coordinator Work Instruction*.
- Go to step 5.

5 WSC - Does the development requirements meet the criteria for a Complying Application?

- a** Determine if the requirements are within scope of this procedure and that the proposed development does not fall into the **exclusions listed in Attachment 1**.
- b** Do one of the following:
- If none of the exclusions in Attachment 1 apply, go to step 6.
 - If exclusions do apply, it cannot be submitted as a Complying Application. Go to: Other Process - Submit standard e-Developer application

OP Other Process: Submit standard e-Developer application

Submit a standard e-Developer application. You will receive a Notice of Requirement Letter for the proposed development issued from Sydney Water

6 WSC - Is Minor Works (sewer) a requirement?

Confirm that the requirements meet the criteria for Minor Works (sewer). This is located on the Minor Works (sewer) Conditions of Approval template.

Note:

If entry onto third party property is required AND you need Sydney Water's involvement in negotiating entry, then the application cannot be submitted as a Complying S73 application. Refer to the *Entry onto Third Party Property guidelines* for more details.

- a** If the requirements meet the criteria for minor works (sewer), go to step 7
- b** If the requirements do not meet the criteria for minor works (sewer), do one of the following:
- If there are no sewer requirements, go to step 7.
 - If asset creation (Major Works) is required, go to: Other Process: Submit standard e-Developer application.

Task details

7 WSC - Manage Minor Works (sewer)

- a** Follow the instructions in Attachment 2: WSC - Minor Works Process for Complying Applications to manage and certify these works.

8 WSC - Is Main to Meter required?

- a** Review the **Main to Meter Column** of the *LUD, PPN and Main to Meter Development Types Checklist* to determine if a main to meter is required. The form is located at: sydneywater.com.au/plumbing-building-developing/developing/wsc-documents/
- b** If a main to meter (property) service is required, go to Other Process: [Property service \(Main to Meter\) installations](#) work instruction
- c** If a main to meter (property) service is not required, go to step 9.

OP Other Process: Property service (main to meter) installations

Each property needs a frontage to a water main and an independent main to meter (property) service. Follow the *Property Service (Main to Meter) Installations – Water Servicing Coordinator Work Instruction* to manage and certify these works.

Note:

If you cannot meet the standard meter location and connection requirements you must contact the Urban Growth Property Team before you proceed with the works. For more information *refer to the Water Meter Installation Guide* on our website.
WSC - Is Building Plan Approval required?

9 WSC – Is Building Plan Approval required?

- a** If yes, go to Other Process: Building Plan Approval
- b** If no, go to step 10

OP Building Plan Approval process

- Follow the [Building plan approvals procedure](#) on our website.
- Then go to step 10.

Task details

10 WSC – Does MLiM apply to the development?

Note:

In step 1.4 and 2.4, you will have already decided if MLiM applies to the development.

- a
 - If Yes, go to step 11
- b
 - If No, go to step 12

11 WSC – Manage signing of MLiM undertaking

- a Get the developer to sign the MLiM undertaking sent with the requirements.
- b Once signed, make a copy of the signed undertaking for attachment to the application in step 12.3. Keep the original with your office application records.
- c Go to step 12.

*****Help with MLiM enquiries (technical or MLiM exemption)*****

If you need help with the MLiM requirement, contact Sydney Water, MLiM Operations on email MLiMinternal@sydneywater.com.au (preferred) or phone the MLiM Operations Manager (Anthony McMillan) on 8849 6385 and quote the e-Developer case number. **Please make the initial enquiry on behalf of the developer.**

If necessary, they can discuss the requirement with the developer. If the developer is enquiring about an exemption from the requirement, they may need to provide justification in writing.

MLiM Operations will record what has happened and, if needed, will email you with the details and quote the case number. Retain the email with your office records for the case.


If the result is that the MLiM requirement is withdrawn and/ or that the undertaking will NOT be signed, **you must attach a copy of the email in place of the undertaking when you submit the application.**

12 WSC – Finalise requirements and submit compliant S73 application

All requirements have been met and you are ready to submit the S73 Complying Application. Do the following:

Task details

- a** Review the *e-Developer Application Checklist* to ensure that you have all of the necessary documentation required for the submission of the complying application. You need to work through the check list as you complete the Complying Application form in e-Developer.
- b** You will have created the *S73 Complying Application* entry form in e-Developer already.
- c** **If an MLiM requirement applies to the application** – see sections 1.4 and 2.4 - attach a scanned copy of the signed MLiM Undertaking to the 'Attach signed MLiM Undertaking' field in the 'Proposed development' section.

Development contains multi-level building	<input checked="" type="radio"/> Yes <input type="radio"/> No
Number of multi-level buildings	<input type="text"/>
No. of levels in tallest building	<input type="text"/>
Attach signed MLiM Undertaking	<input type="text"/> select 

- d** Complete the **Determine Complying Requirements** section by following steps 12.e to 12.o.
- e** In the **Is Main to Meter Required?** section, do one of the following:
- If no, click the no radio button. Go to step 12.g
 - If yes, click the yes radio button. Go to step 12.f
- f** Scan, zip and attach the Main to Meter PCP and the LUD Version 3 form to the *Attach Main to Meter Package* field.
- Note:**
If there was a LUD requirement but no Main to Meter requirement, then you must attach the LUD Version 2 form to the *Attach Consent Document* section.
- g** In the **Is Building Plan Approval Required?** section, do one of the following:
- If no, click the no radio button. Go to step 12.i
 - If yes, click the yes radio button. Go to step 12.h
- h** Scan, zip and attach the Blue form to the *Attach BPA Requirement Blue Form* field.
- i** For non residential components of Complying developments, the average daily flow rates for water and wastewater services must be included in e-developer case documentation.
- j** In the **Is Minor Works Required?** section, do one of the following:
- If no, click the no radio button. Go to step 12.l
 - If yes, click the yes radio button. Go to step 12.k

Task details

k Complete the following sections:

- **Project Completion Package**

Note:

Complete the Minor Works PCP Checklist.
Zip and attach it with the Connection Report.

- **Financial Details**

- **Installed Assets**

- If **Permission to Enter** was required you must submit your permission to enter form and supporting documents. Attach this with the Restoration Clearance Letter in the Restoration Clearance Letter field.

Notes:

1. Work-As-Constructed plans need to be named according to our conventions - case number and service suffix, e.g. CASE123456WW-1.1. If you fail to do so the application will not be accepted and a **Corrective Action Request (CAR) will be raised**.

2. It is extremely important that the Minor works information is accurate. If any of the above fields are not correct the application will be rejected and a **Corrective Action Request (CAR) will be raised**. This will delay the process and will impact the developer's timeframes.

-
- l
- If there were other low risk requirements (eg metering, rectification of encroaching customer drain), then you must attach all relevant documents to the **Attach Consent Document** section in e-Developer.
 - **If services are being provided under other current e-Developer cases you must advise us.** Use the *Additional Application Information* template and quote case number(s) and dates of when PCP's were submitted or Section 73 Certificates issued.
-

m Review the application entry form for accuracy and completeness.

n Complete the **e-Developer Application Checklist** then zip and attach with the Consent Document.

- o Release the S73 Complying Application work item.
A Windows Internet Explorer message will appear with the following message:
'I have checked and confirmed that the information submitted in the complying application is correct and is reflected in the source documents that I have submitted'.
-

- p Do one of the following:
- If all the information is correct, click **OK**. The application will release. Go to step 13.
 - If the information is not correct, click **Cancel**.
The application will be kept.
Repeat step 12.
-

13 DC – Review application for compliance

Identify requirements are within the scope of this instruction and that the proposed development does not fall into the **exclusions listed in Attachment 1**.

Task details

a From the Define Team Leader Queue at *Assign Case* review the supporting documents.

b The low risk requirements are:

- **Building Over or Adjacent (BOA/BAA) to Sydney Water Assets requirements** – If this was a requirement the blue form will be attached.
- **Main to Meter/Land Under Development (LUD) requirements** – If this was a requirement the Main to Meter PCP and/or the LUD form will be attached.

Note 1

If there was a LUD requirement but no Main to Meter requirement, the WSC will have attached the LUD Version 2 form to the *Consent Document* section

Note 2

If there was a LUD requirement and a Main to Meter requirement, the WSC will have attached the LUD Version 3 form to *Consent Document* section.

- **MLiM requirement** – If this was a requirement, a copy of the signed MLiM undertaking will be attached to the 'MLiM Undertaking Signed' field in the 'Documents' tab in 'Case Enquiry'.

TIP:

The MLiM requirement applies if:

1. the development is 'multi-level' **and**
2. the 'Development type' and 'Development sub-type' is one of the following combinations:

Development Type = 'Residential' AND EITHER

Development sub type = 'Development' OR 'Other/Multi Unit/ Mixed' OR 'Strata or Stratum Subdivision'

Development Type = 'Commercial' AND EITHER

Development sub type = 'Serviced Apartments' OR 'Mixed Development Subdivision' OR 'Commercial Subdivision'

NOTE - These **cannot** be submitted as a S73 Complying application:

Development Type = 'Residential' AND

Development sub type = 'Stratum subdivision'

Development Type = 'Mixed' AND

Development sub type = 'Residential/Commercial'

See steps 1.d and 2.d above for more detail.

Note:

If the requirement to sign an undertaking was waived in step 11 above, a copy of the Sydney Water MLiM Operations email detailing this will be attached instead of the undertaking.

HELP?

If you need to talk to MLiM Operations, see that email for contact details or email

MLiMinternal@sydneywater.com.au or phone the MLiM Operations Manager (Anthony McMillan) on 8849 6385 and quote the e-Developer case number.

- **Other Low Risk Requirements** – this includes any requirements specified in the LUD, PPN and Main to Meter Development Types Checklist and/or Attachment 1. If there were other low risk requirements the additional documents will have been attached to the Consent Document field.
- **Minor Works** – If Minor Works was a requirement do the following:
 - Review the *Project Completion Package* section

Note:

The WSC will have completed the Minor Works PCP Checklist and attached it together with the Connection Report.

Review the Minor Works PCP checklist for completeness and accuracy and to confirm that the Work-As-Constructed plan meets Sydney Water's requirements.

- Review the *Financial Details* section
- Review the *Installed Assets* section

Note 1:

Work-As-Constructed plans need to be named according to our conventions - case number and service suffix, e.g CASE123456WW-1.1. If the WSC fails to do so you must not accept the application and a CAR will be raised against the WSC.

Note 2:

It is extremely important that the Minor works information is accurate. If any of the above fields are not correct, you must reject the application at this step (Assign Case) and a **Corrective Action Request (CAR)** is to be raised against the WSC.

Task details**Note 3:**

The WSC uses checklists to help determine if it is compliant. These checklists are available for you to use also, they are:

- LUD, PPN and Main to Meter Development Types Checklist
- Planning requirements checklist for Section 73 developments
- Minor Works PCP checklist
- Section 73 Plan Requirements fact sheet.

-
- c** Once you accept the case it cannot at any other step be rejected or sent back to the WSC. Go to step 14.

14 DC - Has compliance been met?

- a**
 - If yes, go to step 15.

- b**
 - If no, go to step 25.

15 DC – Do Infrastructure Contribution (IC) apply to the case?

- a** From the 1st July 2024 Infrastructure Contribution (IC) charges have been re introduced for developer works being carried out in SW area of operations.

These apply to water and wastewater services provided within their respective development servicing plan areas

IC charges do apply to recycled and stormwater services, but these types of cases are not managed under the complying process.

The application of IC charges are covered in the Infrastructure Contribution policy.

-
- c** If IC charges apply, go to Step 16

-
- c** If IC charges do not apply, go to Step 22

16 DC – Calculate the IC charge

- a** Use the DSP Calculator in E-developer to calculate the IC charges relevant to the development location
- b** Some Water and Wastewater areas may not attract IC charges, so will show up as a Nil charge in the charge calculations.

17 DC – Does an Invoice need to be raised?

Task details

- a** If the DSP calculator returns a charge, then an invoice will require to be raised.

Go to Step 18

- b** If the calculator returns \$0 for IC charges, then an invoice is not required to be raised.
An advice letter will be required to be prepared to advise the developer of the \$0 charge calculation and attached to the Case File. (Under the *IC Letter folder*)

Go to Step 22

18 DC - Raise IC invoice and return case to WSC

- a** The invoice for IC charges are raised in the financial panels and advice letter prepared and attached to the case documentation. (Under the *IC Letter folder*)

- b** Reject the case back to the WSC.

Go to Step 19

19 WSC- receives invoice notification

- a** WSC notifies the developer by providing them with the IC invoice and advise that payment being required in order to receive development consent.

Go to Step 20

OP Other Process: Developer receives the IC invoice and organises payment

The Developer organises payment for the IC invoice and co ordinates with the WSC once the invoice is paid.

20 WSC - Verifies that payment has been processed

- a** WSC checks the financial panels to verify that the invoice payment has been processed and resubmits the case to the Work Queue.

Go to Step 21

21 DC – Verify charges have been paid

Task details

- a** Development Consultant verifies payment of the invoice to ensure that the case can be progressed.

Go to Step 22

22 DC – Accept case

- a** In the **Can the application be accepted?** section, click **Yes**.

- b** Click **Release**.

The following actions automatically occur:

- If Main to Meter was a requirement, the Main to Meter PCP will go to both the ADI and CSD Locked & Tagged teams
- If Minor Works was a requirement the Minor Works PCP will go both the ADI and Plans Management teams
- If Minor Works was a requirement the financial data will be capitalised into FMIS

- c** Go to step 23.

23 DC - Raise application fee

- a** The **Raise application fee** work item is in your queue.

Note:

The case is now assigned to you for all other steps of the workflow.

- b** Release the activity. The WSC will be invoiced the S73 application fee.

- c** Update the e-Developer timesheet for the case.

- c** Go to Step 24.

24 DC – Create and issue S73 Certificate

- a** The **Create Section 73 Certificate** work item is in your queue.

- b** Check there are no outstanding CARs.

- c** From your work queue in e-Developer click on the **Create the S73 Certificate** work item.

Task details

- d** Enter your name and the approving officer for the second signature, to do this select the approving officer within your team "Please specify approving officer 2".

- e** Click the **Keep** button for the work item, you need to return to it later.

- f** Open the **Create the S73 Certificate** work item and then open and complete the **Section 73 Certificate** template.

- g** Save and upload to **DocuSign** in preparation for approval and issue of the certificate

- h** Forward the **DocuSign** request to the approving officer for review and sign off.

- i** Once you have received the signed certificate attach the word version in Zip file format of the Section 73 Certificate and click the **Keep** button.

- j** Open the **Create the S73 Certificate** work item and click on the **pdf** icon.

- k** Open the **Case Enquiry Documents** tab for the case, update the Section 73 Certificate word version with the certified signed certificate.

- l** WSC receives the certified original of the signed Section 73 Certificate through **DocuSign**.

- m** Update the e-Developer timesheet for the case.

- n** Go to step 28.

25 DC – Does a CAR need to be raised?

- a** If the corrections are of a minor nature go to Step 26.

- b** The application does not fall into the Low Risk categories and needs an NOR, the application cannot be accepted and the WSC advised accordingly and the case rejected

- c** Raise a CAR. Go to Other Process: CAR Management.

The WSC will need to do the corrections, address the CAR and resubmit the Complying S73 Application.

- d** Update the e-Developer timesheet for the case.

- e** Update the e-Developer diary for the case.

Task details

26 DC – Reject application

a If the corrections are of a minor nature, in the **Can the Application be Accepted?** section, click **No**.

b In the mandatory text box that appears, describe to the WSC what you need to be resubmitted

c Click **Release**.

Note:

The work item will go back to the WSC.

The process will restart from step 12 after the WSC has resubmitted what was required.

d Update the e-Developer timesheet for the case.

e Update the e-Developer diary for the case.

f Do one of the following:

- If the application has been resubmitted with the required changes, go to Step 12.
- If the application cannot be submitted as a Complying Application, go to: End of process.

A standard e-Developer application needs to be submitted.

27 OP DC - Car Management Process

a Follow the e-Developer User guides to raise and issue a CAR.

When the CAR process has been completed the WSC will re-submit the Complying S73 application at Step 12.

28 WSC - Receives S73 Certificate

a The WSC receives the S73 Certificate in the e-Developer inbox and the certified original through DocuSign.

b Issue the certified original S73 Certificate to the Developer.

END OF PROCESS

5. Definitions

Term	Definition	Source
BAA	Building Adjacent to Assets. Formerly known as BOS (Building Over Sewer).	
BOA	Building Over Assets. Formerly known as BAS (Building Adjacent to Assets).	
Building Plan Approval (BPA)	Application for approval of building/development plans to check if the proposed construction affects Sydney Water's pipes, structures or assets.	
Complying Application	An application for the issue of a S73 Certificate submitted by the WSC after they have project managed the minor (low risk) requirements for a development.	
Developer	A person who either: <ul style="list-style-type: none"> • has been given an approval under Part 6, Division 9 of the Sydney Water Act 1994 and is seeking a Section 73 Compliance Certificate, or is seeking approval to adjust, deviate or extend an existing Sydney Water asset on whose behalf the WSC has made an e-Developer Application.	
Development Consultant	Staff member area within the development services team, Growth and Development who assists with the Section 73 Complying developer process	
e-Developer	An internet deployed software application that manages and distributes work items to all users according to pre-defined rules.	
Infrastructure Contribution	A contribution towards the cost of systems which serve a development. We calculate them using prices that IPART has registered. We cannot waive or change these contributions. Also known as developer charges.	
Large Water	A connection greater than DN20	
Land Under Development (LUD)	An existing property that is in the process of subdivision and creating new lots.	
Main to Meter	A water property service that connects a dwelling to Sydney Water's water main.	
Minor Works (sewer)	Sewer works of a less complex nature which may be constructed under an agreement for the Construction of Minor Works (sewer).	
Multi-level development (or building)	Development with more than a ground floor that is not a house, townhouse or terrace. (Note: Ground floor is counted as a floor (or 'level').)	
Multi-level individual metering (MLiM)	A requirement that certain types of multi-level development need to either set their plumbing up for, or install, individual metering of each strata or stratum lot.	
Notice of Requirements (NOR)	A formal notice issued to the developer by Sydney Water under Section 74 of the Sydney Water Act 1994, in response to an application for a Section 73 Certificate. Also known as Notice Letter.	
Pre-Allocated Plan Number (PPN)	A letter issued by the Land and Property Information (LPI) division of the Department of Lands advising proposed Deposited Plan / Strata Plan Numbers prior to the registration of new lots.	

Term	Definition	Source
Project Completion Package	Certification and supporting documentation advising Sydney Water that all servicing requirements for the proposed development has been met.	
Section 73 Certificate (S73)	A Subdivider/Developer Compliance Certificate issued under Division 9 Section 73 of the Sydney Water Act, 1994.	
Trade Waste	Any liquid and any substance contained in it, which may be produced at the premises from an industrial or commercial activity. Trade Waste does not include 'domestic' wastewater from premises connected to a Sydney Water sewer.	
Water Servicing Coordinator (WSC)	The Listed Provider who manages the application, design and construction of any water, wastewater or stormwater works for asset creation and asset protection.	
Work-As-Constructed (WAC)	Also known as Work as Executed (WAE), are all drawings defining the physical characteristics of the works constructed.	

6. Context

Accountabilities

Position	Accountabilities
WSC	<ul style="list-style-type: none"> Application of the work instruction
Development Consultant, Development Services	<ul style="list-style-type: none"> Application of the work instruction
Manager Development Services, Growth and Development	<ul style="list-style-type: none"> Authorisation of the work instruction document
Manager Connections and BPA, Development Services	<ul style="list-style-type: none"> Maintenance of the work instruction document

Training and competencies

Position	Training or competency
Development Consultant	One on one training provided by the Connections and BPA team
WSC	Delivered by the Provider Services team.

References

Document type	Title
Compliance obligations	<ul style="list-style-type: none"> Sydney Water Act 1994 Sydney Water Corporation Operating Licence 2024-2028 Sydney Water Customer Contract WH&S Act 2011 & Regulation 2011 NSW Protection of the Environment Operations Act 1997, and the Environmental Planning and Assessment Act 1979

Document type	Title
Policies and procedures	<ul style="list-style-type: none"> • Connections to Sewerage System Policy • Entry onto Third Party Property Policy • Entry onto Third Party Property Guidelines • Property Development Connection Applications Guidelines • Property Development Connection Requirements Policy • Property Development Connection Requirements (Wastewater) Guidelines • Property Development Connection Requirements (Water) Guidelines • Entry onto third party property guide • Land Under Development – Water Servicing Coordinator Work Instruction • Infrastructure Contributions Policy • Building plan approval procedure • Servicing Dual Occupancy and Other Two Dwelling Developments Guidelines • Water Meter Policy • Water Meter Installation Guidelines
Other documents	<ul style="list-style-type: none"> • e-Developer Application Checklist • LUD, PPN and Main to Meter Development Types Checklist • Planning requirements checklist for Section 73 developments • Minor Works PCP Checklist • Minor Works – Work As Constructed report • Multi-level individual metering installation guide

Attachments

Attachment	Title
1	Exclusions for Complying Applications
2	WSC - Minor Works Process for Complying Applications
3	Multi-level individual metering (MLiM) - Requirements letter wording

Attachment 1: Exclusions for complying applications

The following table outlines the exclusions for Complying Applications. Some exclusions can be lodged as a Complying Application if the developer meets the Other Low Risk requirements shown in the table.

If you have enquiries about whether a development can be lodged as a Complying Application, or need approval to lodge a Complying Application, email a Senior DSO in the Property Development team. **You must ensure all requirements have been satisfied and all relevant documents are attached in e-Developer before submitting your Complying Application to Sydney Water.**

Exclusions	Other Low Risk requirements
Existing Property Connections to Wet Vent Lines	<p>Cannot be submitted as a Complying Application</p>
Easements over Sydney Water assets	
All developments in Recycled Water areas	
Asset Creation	
Any storm water requirements (see <i>Planning requirements checklist for Section 73 developments</i> for details)	
Adjustments/Deviations	
Road Closures	
Minor Extensions	
Feasibilities	
Community Title	
Homestead subdivisions	
Vacuum sewer areas	
Staged Developments (including residue lots)	
Developments in mine subsidence, potentially unstable or landslip areas	

Approvals issued by State or Federal Government Agencies (excluding Land & Environment Court)	<p>Approvals by State or Federal Government agencies such as Department of Finance, Department of Housing etc CANNOT be submitted as a Complying Application.</p> <p>Consents issued by the Land and Environment Court should be processed as a Complying Application so long as they meet the other 'low risk' requirements.</p>
Easements over Private Service Lines	<p>Any current or proposed private service line that is not covered by a 'Right of Carriageway and Easement for Services' CANNOT be submitted as a Complying Application.</p> <p>If a 'Right of Carriageway and Easement for Services' needs to be created to serve the development, you can submit as a Complying Application if you attach the draft Section 88B Instrument.</p>
Disuse of sewer	<p>You may email Sydney Water to enquire if the sewer can be disused. If Sydney Water approves the disuse, and the sewer is removed from the ground you may lodge as a Complying</p>

	Application. You must complete the works under the Minor Works process, and attach evidence of the approval and the completed Minor Works WAC plan before submitting the Complying Application.
Encroaching customer drain	You may submit as a Complying Application if the encroaching customer drain is rectified (and you have a Certificate of Compliance signed by a licensed Drainer that the work has been completed, and a drainage diagram showing the change).
Entry onto third party property	<p>If Sydney Water needs to become involved in negotiating entry onto third party property, you cannot submit the application as a Complying Application.</p> <p>If you do not need Sydney Water to become involved, then you may submit as a Complying application.</p>
Rural areas	<p>If the 'Planning requirements checklist for Section 73 developments' shows that the rural development does not need to be referred to Sydney Water's Planning Department, then you may submit the development as a Complying Application.</p> <p>Other rural developments/subdivisions may still be submitted as a Complying Application if agreed to first by Sydney Water. Email a Senior PO in the Property Development team to find out.</p>
Pressure sewer areas	You may only submit as a Complying Application if the development is Commercial or Industrial, and each lot in the development already has a sewer lateral and boundary kit.

Attachment 2: Minor works process for complying applications

You have determined that minor works is a requirement. Where possible avoid the creation of duplicate mains.

Note:

If entry onto third party property is required AND you need Sydney Water's involvement in negotiating entry, then the application cannot be submitted as a Section 73 Complying application. Refer to the *Entry onto Third Party Property guidelines* for more details.

Then, use the e-Developer S73 Complying Application work item to do the following:

Conditions of Minor Works

- You must provide the conditions of approval to the developer/applicant
- Once the developer/applicant agrees to the conditions tick yes to the question 'Does the applicant agree to the requirements detailed in the conditions?'
- As the project manager you must ensure the Minor Works constructor that is chosen to carry out the work is in accordance with the criteria listed on the [Conditions of Approval](#).

Submit commencement request

You must complete the Construction Commencement Notice (CCN) and submit it to Network Operations through the SW Connect portal with a minimum of two (2) full working days prior to the proposed commencement date.

The CCN Notice must be submitted advising of the proposed construction commencement date

Note:

You MUST use the correct template.

- Click on the page icon in the 'Submit Construction Commencement Notice' to retrieve the CCN template.
- When you are ready to submit the CCN, attach the completed CCN in the 'Attach Construction Commencement Notice' field then click the keep button. By clicking the keep button the CCN will be sent via SW Connect the Network Operations team.
- You must also attach the Servicing Solution Plan
- If you need to submit a deferred CCN start date, complete and reattach a new CCN template.

Project Manage all requirements.

Note: A Corrective Action Request (CAR) will be raised for Non-Conformance on Minor Works by the Asset Inspection Services (AIS) team. An email notification will be sent advising you of the CAR. You have 7 days to provide a resolution; once you have completed the CAR you must change the Status to Fixed. This will then send an email notification to AIS so the CAR can be closed or Rescinded.

Compile the PCP package ready for submission in e-Developer.

Attachment 3: Multi-level individual metering (MLiM) - Requirements letter wording

You must use these words in your *Section 73 Complying application requirements letter* (and attach the *MLiM Undertaking*):

Multi-level individual metering

Your development must either allow for or provide individual metering. This means that you must:

1. comply at all times and in all respects with the requirements of Sydney Water's "*Multi-level Individual Metering Guide*" (version 6 dated 1 July 2015);
2. provide and install plumbing and space for individual metering in accordance with Sydney Water's "*Multi-level Individual Metering Guide*";
3. if and when you implement a strata/ stratum plan (or strata/ stratum subdivide) you must:
 - a. engage an Accredited Metering Supplier ("**AMS**") to provide individual metering in accordance with the "*Multi-level Individual Metering Guide*" and meet the cost of the meters and metering system;
 - b. transfer the meters and metering system to Sydney Water once the Testing Certificate has been issued by Sydney Water to the AMS and the AMS has confirmed that payment for the meters and metering system has been paid in full.

Before the Section 73 Certificate can be issued, you must sign the attached Undertaking to show that you understand and accept these metering requirements and associated costs.

All the details about this requirement are available on Sydney Water's website at sydneywater.com.au.