



DEVELOPER CONSTRUCTED HEADWORKS ASSETS

DEVELOPERS INFORMATION PACK



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1- Introduction

1.1 – Purpose and Objectives

This Information Pack aims to give land developers and their appointed engineering consultants an understanding of the Water Corporation's Developer Constructed Headworks Asset Process.

Where guidance is already provided in other Corporation publications, such as the Developers Manual and Information Sheets, these will be referred to rather than being replicated and should be read in conjunction with this Information Pack.

Although, not specifically addressed in this document, the subdivision clearance process is referred to at points where key dependencies exist. It is one of the objectives of this document to have such dependencies better understood, and therefore can be better integrated and managed, within the asset process.

1.2 – The Developer Constructed Headworks Asset Process

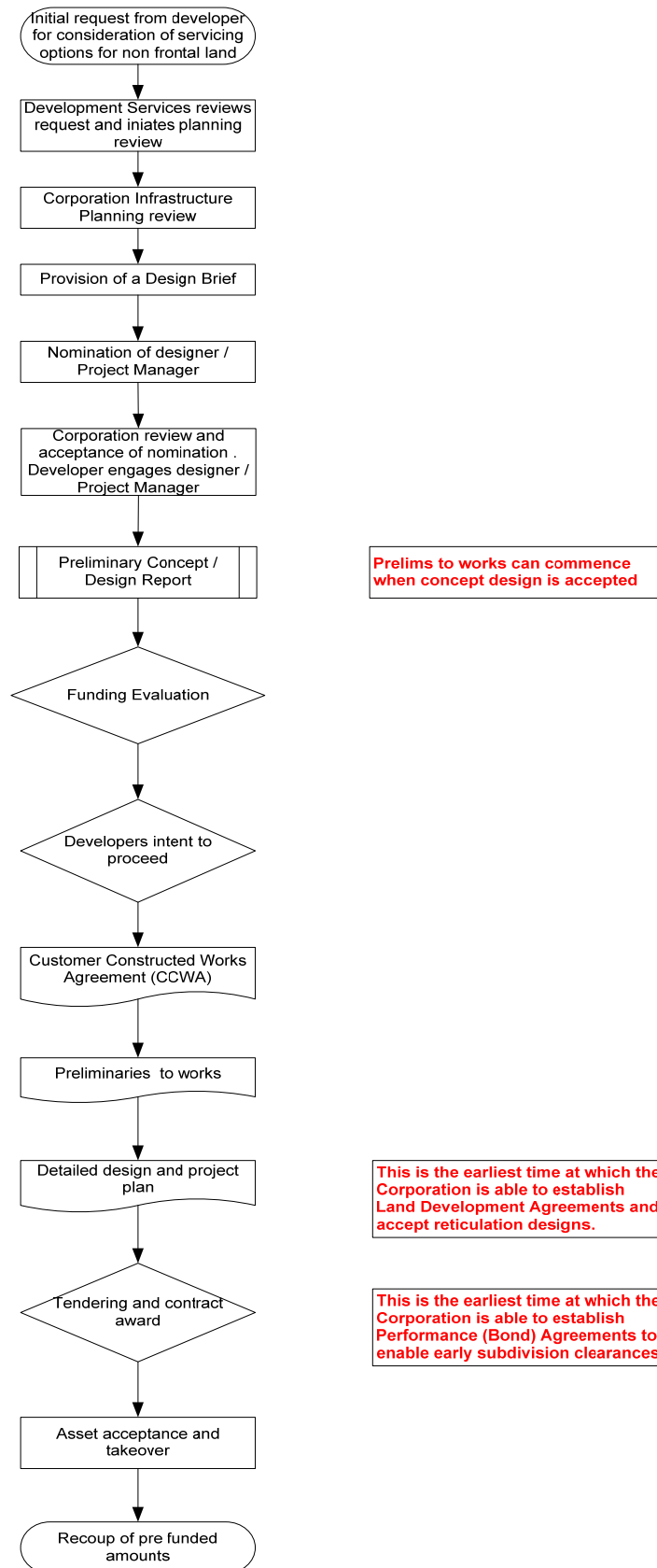
Given the shared need of land developers and the Water Corporation to integrate Corporation assets with subdivision activity, the situation arises where it is both practical and efficient for land developers to construct headworks assets on behalf of the Corporation. The process by which these assets are delivered is known as the Developer Constructed Headworks Asset Process.

In most situations, the developer will be asked to initially fund the assets design and construction, with the Corporation recouping the funds on a pre-agreed basis. This arrangement is known as Prefunding and is described in detail in Information Sheet LDIS 33.

Although this Information Pack is written with Prefunding in mind, the asset delivery steps to be discussed remain relevant irrespective of the funding source.

2 – High Level Process Steps

The following flowchart outlines the Developer Constructed Headworks Asset process.:



2.1 The Initial Request

Where an approach is made to the Corporation to develop land that requires headworks asset/s, a written request must be made to Development Service Branch. In order for the request to be considered, it must include the following key pieces of information:

- Timing of development
- Staging options for development
- Ownership / control of land
- Zoning – Structure planning/ Subdivision Approvals/ DA Etc.
- Demand projection (number of lots, projected flows etc)
- Known constraints.
- Relevant other impacts – Local government requirements, other services etc.

Note: Where an infrastructure planning review/assessment is required, time should be allowed. Although the Corporation will endeavour to provide a timeframe, in the majority of cases, they will be indicative only. In general, terms the better the quality and certainty of information provided the lesser the likelihood of long delays.

2.2 The Corporation's Planning Review

The Corporation will review the status of existing infrastructure planning and its currency.

The review will aim to ensure that planning assumptions are not changed by the information provided by the requestor. It will verify what land use planning information is available for the area/catchment from the Department of Planning and Infrastructure (DPI) or Local Government Association (LGA) etc

The results of the review will conclude the following:

- How the proposed development fits in context to the rest of the catchment
- A validity, where appropriate, of the information provided by the requestor
- The appropriateness of existing infrastructure planning

Note: where existing infrastructure planning is not concluded to be appropriate then a Scheme Planning Review will need to be programmed by the Corporation.

2.3 The Provision of a Planning Pack

The Corporation will provide to the requestor a Planning Pack, which will include:

- the ultimate infrastructure planning
- any interim or temporary strategies
- a general instruction / brief on how to proceed.
- indicative advice on the likely asset funding strategy (who pays for what)

2.4 Nomination and Acceptance of Designer / Project Manager Consulting Engineer

Before work begins on the preliminary /concept design the developer needs to nominate a consulting engineer to undertake the work.

On receipt of a nomination, the Corporation will satisfy itself that the nominated firm or individual has both the capability and capacity to undertake the project. The nominated party will be advised of the Corporation's expectations and asked to provide and/or quantify the cost of their service.

See Section 3 - **Designer / Project Managers Obligations** for details of the obligations.

On acknowledgement of the above, the Corporation will notify the developer of the acceptability of the nominated party.

The Corporation reserves the right to decline a nomination and direct the developer to a select panel deemed capable by the Corporation.

2.5 Preliminary / Concept Design

The Corporation will provide a brief that identifies the concept design work to be undertaken by the accepted consulting engineer. The following is an example based on the most common prefunded asset, a wastewater pumping station.

Tasks to be completed:

1. Prove up a site addressing:
 - Legal aspects (ownership etc)
 - Geotechnical suitability
 - Aboriginal /Heritage assessment
 - LGA matters (overflow etc)
 - Environment assessment (section 38)
2. Develop a concept plan for asset – catchment plan.
3. Cost estimate to a planning level quality (+/- 25%)
4. Overflow to the environment
5. Pressure Main route and concept design
6. Availability of essential services.

In general terms the expected outcome of this activity will be:

1. a set of drawings,
2. a report similar to a preliminary design report and
3. a high level project management plan covering
 - how and when the asset will be constructed,
 - the type of materials that might be used and
 - an estimate of all of the professional fees and services..

As with the planning phase the better the quality and certainty of information provided the less input and time will be required by the Corporation. **Preliminaries to works can commence when the**

preliminary concept design is accepted / approved by the Water Corporation.

Note: only if the project proceeds to completion with the delivery of an interim or permanent asset will this element of work be funded by the Corporation.

2.6 Funding Evaluation

The Corporation will undertake a Prefunding Evaluation of the project in accordance with its current policy. Details of the Corporations approach to Prefunding can be found on Information Sheet LDIS 33.

The Corporation's evaluation will result in a Foundation Letter being presented to the requestor for consideration. The letter will detail

- What will be built
- What will be permanent / interim / temporary
- Who will be funding which components
- The terms under which the Corporation will recoup any prefunded amounts

2.7 Developers Intent to Proceed

The developers written acceptance of the terms outlined in the Foundation Letter will need to be received before any further actions occur.

2.8 Customer Constructed Works Agreement (CCWA)

Generally the Corporation has enough information at this stage to proceed with the production of a CCWA to formalise the asset scope, estimate, schedule and recoup arrangements.

The Corporation will draft a CCWA and forward for the developers signature, which will be followed by the Corporation signatories.

2.9 Preliminaries to Works

Headworks assets are, at a minimum, General Works in accordance with the Water Agencies (Powers) Act 1984. Therefore prior to a design being acceptable the Preliminaries to Works procedures, as defined in the External Approvals Manual must be undertaken.

Before these actions can be commenced, a Notice and plan must be prepared by the appointed consulting engineer and presented to the Corporation for approval and signature. The Preliminaries to Works process can be undertaken either in conjunction with design work or after the design is completed.

The Corporation recommends that the Preliminaries to Works action be undertaken in conjunction with the design work to limit time implications of serving the Notice.

2.10 Detailed Design and Project Plan

The design process to be followed, is as detailed in the Water Corporation's Developers Manual.

The Corporation aims to minimise the time required for internal review and acceptance of design submissions. This can only occur where high quality, well thought out proposals are presented.

Note: This is the earliest point at which the Corporation is able to establish Land Development Agreements and accept reticulation designs

2.11 Tendering and Contract Award

The calling of Tenders should not occur until;

- a. a design has been accepted, and
- b. the Corporation has commented on the tender documents unless specific approval from the Corporation has been received to vary these requirements.

Tender documents should be structured in a manner that clearly differentiates the components previously agreed to be within scope of the prefunding arrangement.

Note: This is the earliest time at which the Corporation is able to establish Performance (Bond) Agreements to enable early subdivision clearances. Refer Information Sheets LDIS 47 and LDIS 58 for further detail.

2.12 Asset Acceptance and Takeover

The Corporation's requirements and procedures for this stage are documented in the Developers' Manual.

With regard to asset take-over the developer should pay particular attention to the mandatory requirements set out in Clause 2.7 of the CCWA, as take-over of the asset and accordingly the commencement of any recoup will not occur until **ALL** criteria are complied with.

On the satisfactory completion of all requirements the Corporation will notify the developer in writing of the asset take-over date.

2.13 Recoup of Prefunded Amounts

The Corporation will manage the recoup of prefunded amounts in accordance with the arrangements established at Schedule 4 of the CCWA.

Where the recoup arrangements are on a performance basis the developer will be required to provide annually information substantiating development that has occurred within the agreed performance area.

In conjunction with the final recoup payment under a CCWA the Corporation will advise the developer in writing that the CCWA is closed.

3. Designer / Project Managers Obligations

In establishing agreements with land developers for the delivery of Corporation funded assets, either prefunded or directly funded, the Corporation has the following expectations of the Consulting Engineer :-

- The interests of both the land developer and the Water Corporation will be equally considered in all decisions related to the delivery of the asset.
- Any cost variations will be referred to the Water Corporation where required under clause 3.1 of the CCWA before any commitments are made.
- The consideration of all options will include an assessment of the benefits and disbenefits associated with each and discussed with both parties before decisions are made.
- Both Tender documentation and claims for costs will clearly differentiate between those works to be funded under the CCWA and those that are attributable to the land development. Temporary assets are the responsibility of (Developer's name)
- All costs not covered by the Construction Contract (design, supervision, contract administration etc) will be documented, established and managed on a time and effort basis (ie: not as a percentage of the Construction Contract value).
- An achievable project schedule will be provided to the Corporation, which takes full account of the input required from all parties.

With regard to the Consulting Engineers capability and capacity to undertake this engagement the Corporation's expectations are that :-

- suitably qualified and experienced personnel are available to undertake this role.
- that the company has the capacity to achieve the components of the project schedule for which it is responsible.
- the company holds and understands the application and requirements of all relevant Water Corporation manuals and standards.