

# Developer Deeds

## Frequently Asked Questions



### Your questions answered

#### Why is Coliban Water changing its current Agreements?

There are several benefits that include:

- Improving relationships – clarity around roles and responsibilities for all parties.
- Ensuring delivery of quality assets – clearer requirements and processes.
- Providing consistency across the water industry and aligning with other water agencies.
- Providing better protection – ensures appropriate insurances are held in line with industry expectations, including provision of public liability policies by the developer/landowner.

#### Will my Letter of Conditions remain current when the new Deeds are introduced?

Yes. All letters that were issued prior to 1 July 2025 will remain in force for the balance of the 9-month validity period or extension period where applicable.

#### Will I be able to request an extension to the existing Letter of Conditions?

Yes. Where an existing Letter of Conditions expires, a request for extension of up to 9 months can be submitted. A resubmission fee may apply.

#### When will Coliban Water sign the Deed?

Coliban Water will sign the agreement when it is returned by the Developer. Coliban Water will fully execute and send back the Deed to the developer within 5 days, which can coincide with the Construction Notification Period.

#### Will 5% Security be taken as default or will it remain no security by default?

There has not been strong opposition to taking 5% Security at Practical Completion, but we are adopting no security by default initially. This marks a large change to current processes and is included to allow for standardisation of security deposits when required under special circumstances.

Coliban Water will ensure that we have systems in place for the return of funds at the end of the Defects period.

#### Is the Registered Consultant the only party able to apply for a Developer Deed where new infrastructure is required (under the "Developer Works" process)?

As per Coliban Water's Developer installed works process, only Registered Consultants can submit mains extension applications. Draft Developer Deeds are supplied after this application has been made.

#### Why does the Registered Consultant need to sign the Developer Deed?

A requirement of the Deed is the Registered Consultant acts as the Developer/ Land Owner's representative and acceptance of this role is by signing the Deed.

#### I'm an infill developer. Do I need to sign a deed?

Developer Works Deeds are required for the construction of all new reticulated assets, or for amendments to existing Coliban Water assets. All other developments works are considered Private Works and are managed through the Consent to Connect process.

#### Why is an application fee being applied?

The application fee is in line with the current fees and ensures Coliban Water is compensated for the service it provides.

### Will it cost more to complete my development?

No, all fees and charges remain unchanged for the current period in line with Pricing Submission 2023 approvals.

### Am I still required to make two applications for a Greenfield development project where a sewer pump station or water supply tank is required in addition to reticulation works?

Yes. Each component of the Developer Works require separate applications and issue of the relevant Deeds for execution which will include one for the reticulation works and the other for major infrastructure.

Due to the introduction of accreditation categories, you may find more than one accredited consultant is required for your development. It is expected that delivery of the sewer pump station or water supply tank works will continue to be delivered in parallel with any reticulation works, and by different contractors and/or suppliers.

### Are the current Consultancy Agreements going to be void or is the new agreement only for consultants that don't already have an agreement in place?

All current Consultancy Agreements will remain in place for works underway under the Letter of Conditions Developer Installed Works Process. For the first application under the Deed of Agreement process, a new Consultancy Agreement will need to be executed to ensure the agreements work together.

### What constitutes a Suitably Qualified Contractor for undertaking Developer Installed Works?

Coliban Water does not currently have an accredited list of contractors to undertake Developer Installed Works. Suitably qualified contractors refers to contractors that would have but are not limited to:

- Appropriate qualifications/accreditations/licences etc to undertake civil works.
- Appropriate insurances should anything go wrong
- Experience related to the scope/complexity of works

Coliban Water's expectation is that contractors are selected depending on the scale of works and do not wish to exclude smaller plumbers from undertaking appropriate developer works.

The Deed wording allows for us to introduce Accredited Contractors at a later date if it is deemed a requirement, which would be known as the Suitably Qualified Contractor list.

### Do Coliban Water intend to implement accreditation codes for different classifications of works? (sewer <3.5m deep, sewer >3.5m deep, etc.)

Current accreditation is limited to water, sewer and pump stations under the new Consultancy Agreements. Contractors undertaking the works will require suitable qualifications for the class of works, such as trenching, confined space etc.

### Does the estimated total cost of the works include design, approvals, Project Management and supervision of the works?

Acknowledging that the design and project management costs are generally for more than Coliban Water works, it is for only the contracted capital works.

#### For more information?

You can learn more about our Developer Deeds on our website [here](https://www.coliban.com.au/developer-deeds).

If you have any questions or require assistance, please call us on 1300 363 200, Monday to Friday between 8am and 5.30pm.

