



Bringing Law
and Business Together

Water 2010 Summit

Solutions to water management projects

16 August 2010,
Crowne Plaza Darling Harbour, Sydney

Key benefits

- Track the developments in the **burgeoning \$2.8 billion trade** of water entitlements
- Seize the **opportunities in** upcoming **urban infrastructure** projects
- Receive comprehensive **debriefs on recycled water** use and **waste water reuse projects**
- Head off the risk of **liability and litigation** with an informed update on land contamination and **environmental degradation**

Speakers

Will Fargher

GM Water Markets, National Water Commission

Ian Hammerton

Recycled Water Development, Sydney Water

Vishal Ahuja

Partner, Mallesons Stephen Jaques

Peter Paradise

Partner, Freehills

Nick Thomas

Partner, Clayton Utz

Grant Parker

Partner, Holding Redlich

Paul Deschamps

Partner, Herbert Geer

Charmian Barton

Partner, DLA Phillips Fox

Paul Vergotis

Senior Associate, DLA Phillips Fox

Early Bird Discount expires 9 July 2010

Register online today: www.lexisnexis.com.au/pd

Endorsed by:



Product of:



LexisNexis
Professional Development

Water 2010 Summit

8.30 **Registration**

8.45 **Opening and welcome**

REGULATION OF RURAL WATER ENTITLEMENTS

9.00 **Update on trade volumes, prices and trends in the National Water Initiative**

The trade of water entitlements doubled last year to \$2.8 billion and given the protracted drought in southern connected Murray-Darling Basin, this major market has continued to grow. With the water entitlement trade in NSW representing 71% of the total national entitlement trade by volume, Departments, Councils and private sector participants are in an informed position to forecast change in the efficiency and effectiveness of water markets.

- Access entitlements and water allocations in theory and practice
- Observations on the strengths and weaknesses of water-sharing plans
- Where to from here for the institutional, legislative and administrative arrangements that enable water trade

Will Fargher, GM, Water Markets & Efficiency Group, National Water Commission

URBAN INFRASTRUCTURE

9.45 **Sydney Water recycling, desalination, water efficiency and dam management**

Dams, recycling, desalination and water efficiency are the four major parts of the Metropolitan Water Plan, the NSW Government's long-term plan to secure Sydney's water future. These measures, combined with the adaptive management approach of the Plan involves opportunities and priorities for the networking and development of water supply in and around Sydney.

This session provides informed insight on the projects and plans underway, as well as the projected needs and targets that take climate change, water reuse and efficiency innovations into account.

- New water sources, including recycling and desalination
- Existing and planned recycling projects for the private sector; technology and processes for consideration
- Impacts and opportunities for water efficiency in businesses and households
- Pressure points: Sydney Water's network of pipes & leak reduction

Ian Hammerton, Strategist – Recycled Water Development, Sydney Water

10.30 **Morning tea**

10.50 **MAJOR PROJECT DEBRIEF**

Project and infrastructure drivers of recycled water in Sydney

Sydney Water has entered into a ground breaking recycled water project with **Jemena** (formerly Alinta). This \$200 million project will supply recycled water to industrial companies in Sydney centred on the Rosehill/Camellia area.

With Jemena as the asset owners of the network and treatment plant, Sydney Water will be the retailer and customer manager, **Agility** will be responsible for network management, operations and development, while **Veolia Water** will manage the water and wastewater technology and operations.

Attend to receive a project briefing on:

- The structure of the project
- The funding and allocation of risk
- Commercial drivers of the deal

John Shirbin, Partner, Clayton Utz

11.40 **Regulatory and commercial lessons from introducing competition in NSW water**

Since August 2008 the new licensing and access regime in the *Water Industry Competition Act 2006* gives private sector third parties the opportunity to become new service providers of water in NSW. What has been the experience in the last two years? What issues are faced by developers, operators, retailers and financiers in the water industry to provide reticulated drinking water, recycled water and sewerage services?

This session provides an overview of the following:

- Licensing regime and obligations on private-sector participants
- Issues with obtaining licences
- Structuring of licences
- Overview of current licensed projects
- Obtaining access - process and problems
- Does the Act meet its objectives? - regulatory issues for projects

Vishal Ahuja, Partner, Mallesons Stephen Jaques

12.30 **Critical contract and tender tips for water works**

Sydney Water as Australia's largest water utility has an area of operations covering 12,700 km² with assets that have a replacement value of more than \$20 billion and capital expenditure program of about \$1.2 billion per annum (2008-09). The competitiveness of contractors to compete for works contracts spanning months to decades and millions of dollars starts and often ends with the tender documentation.

This session is organised to provide insight and guidance on:

- Tendering traps in common infrastructure projects
- An informed overview of tender documentation methodologies
- Key tips for responding to an invitation to tender
- Common commercial contract issues that can be avoided
- Covering claims, disputes and dispute resolution

Peter Paradise, Partner, Freehills

 Register online today:
www.lexisnexis.com.au/pd

 **LexisNexis**[®]
Professional Development

Claim CPD/CLE points with all LexisNexis Professional Development events

16 August 2010

Crowne Plaze Darling Harbour, Sydney

1.00 **Networking lunch**

WASTEWATER, USE & REUSE PROJECTS

1.45 **MAJOR PROJECT DEBRIEF**

The operation of water legislation on development applications

Minimising the consumption of mains water and maximising the recycling of treated wastewater is a key aspect of Green commercial building design, which focuses on the efficient use of energy, lighting, water and material.

Recycling sewage understandably requires a certain level of regulation, given the risks to health and environment when not treated or recycled properly. Receive a project briefing on how to onsite wastewater and sewage treatment was incorporated into an approved development application by:

- Looking at the design, construction and operation of an internal treatment plant: what passed and what wouldn't
- Assessment and approval hurdles for black water treatment in green buildings
- Critical considerations and requirements for ongoing operation and compliance

Nick Thomas, Partner, Clayton Utz

2.15 **Practical legal issues: sewer mining and operating under WICA**

The access and licensing regime introduced by the *Water Industry Competition Act 2006* raises many practical legal issues for **project proponents and licensees**.

Obtaining the relevant WICA licenses is only one issue. Other issues include **effective pricing regimes, property law issues** and **last resort arrangements**.

This session will cover these practical legal issues along with a consideration of **contractual and liability** issues relating to sewer mining.

Grant Parker, Partner, Holding Redlich

2.45 **Afternoon tea**

3.00 **MAJOR PROJECT DEBRIEF**

Water treatment works at Sydney Airport

Herbert Geer assisted with the preparation of the contract documentation for the project including the primary design, construct, operation, and maintenance agreement and the separate agreement for the installation of recycled cold water reticulation.

Project challenges included a constricted site for land, relatively new membrane technology, requirements of authorities and restricted access. Take an inside look at the structure of the deal and how issues were addressed.

Paul Deschamps, Partner, Herbert Geer

LITIGATION & LIABILITY UPDATE

3.45 **Managing the risks associated with land contamination**

There are major direct costs of dealing with land and groundwater contamination, and owners, occupiers or managers of land may find themselves liable for contamination where they previously have no responsibility.

Site contamination presents both valuation and liability risks to businesses either selling or purchasing land. Understand liability and obligations attached to sellers, and receive tips for due diligence as buyers.

This session provides clarification on:

- Questions of liability; obligations of those who ought to have been aware
- Instances of past and present occupiers being responsible for contamination
- Due diligence vs liabilities for off-loading potentially contaminated sites
- Contamination deemed significant enough by the EPA to warrant regulation
- The implications for producers of trade waste and handlers of wastewater
- Intersections between planning law and the contamination of land manage; sepp number 55-remediation of land state environment

Charmian Barton, Partner, DLA Phillips Fox

4.20 **Developments in Australia water-based litigation**

Water-based litigation is focusing on the construction of water structures, the impacts of development on the water environment, the impact of the water environment on development and the sustainable use of water resources.

Now is the time to update on responding to third party objections, appealing against conditions of development approvals, and advising clients on site contamination and remediation strategies.

Paul Vergotis, Senior Associate, DLA Phillips Fox

4.50 **Closing comments**

5.00 **Conference close**

Who should attend?

- Property, Planning & Environment practitioners
- Major Projects, Construction & Infrastructure experts
- Council, Company & water industry executives
- Local and State Government land authorities
- Energy & Environment advisors

Priority registration form Water 2010 Summit

4 easy ways
to register



Online: www.lexisnexis.com.au/pd
Phone: 1800 772 772
Fax: (02) 9422 2338
Mail: Conference Co-ordinator, LexisNexis
Locked Bag 2222,
Chatswood Delivery Centre, Chatswood NSW 2067
or: DX 29590 Chatswood

Please complete sections A, B, C, D

TAX INVOICE

Conference code: PD2910 ABN: 70 001 002 357

A Delegate 1 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Organisation: _____

Postal address: _____

Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 2 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 3 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

Email (required**): _____

** to send conference confirmation

B Please send me more information on:

Loose-leaves

- Local Government, Planning and Environment
- Building Regulation Australia
- Building Contracts Australia
- Climate Change Law & Policy in Australia

Newsletters

- Australian Environment Review
- Local Government Reporter
- Construction Law Bulletin

PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis' cancellation policy applies as follows. If cancellation is notified in writing:

- One calendar month or more prior to the first day of event: LexisNexis will refund your registration fee less \$165.00 administration cost.
- Between one calendar month plus one day and 14 days prior to the first day of event: LexisNexis will refund 50% of the fee paid by you and provide you with a copy of event papers.
- 13 days or less prior to the first day of the event: LexisNexis will not refund any part of your fee. However, you may nominate a replacement delegate to attend in your place.

C Event Pricing (please tick your selection)

EXAMPLE

<input checked="" type="checkbox"/>	One day conference		\$900 + GST = \$990	\$990
-------------------------------------	--------------------	--	---------------------	------------------

Group Booking Price (per person, available anytime)

Please Select	Options	Qty	Price	Subtotal
<input type="checkbox"/>	One day conference		\$900 + GST = \$990	

Early Bird Price (register and pay after the 28 May 2010 and before the 9 July)

<input type="checkbox"/>	One day conference		\$1,050 + GST = \$1,155	
--------------------------	--------------------	--	-------------------------	--

Standard Price (register and pay after 9 July 2010)

<input type="checkbox"/>	One day conference		\$1,150 + GST = \$1,265	
--------------------------	--------------------	--	-------------------------	--

* Early Bird, team discounts and any other discount cannot be taken concurrently

TOTAL

I am a NELA member

Where did you hear about this event?

Please add me to the LexisNexis Monthly Professional Development email list

GROUP BOOKING

Register 3 or more people from the same organisation at the same time and book at the advanced price per person.

CONFERENCE RESOURCES

I am unable to attend but would like to purchase a set of the Water 2010 Summit papers for \$180 + GST = \$198

D Payment details

Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

Enclosed is my cheque for: \$ _____ made payable to LexisNexis

Pay by credit card: Please charge \$ _____ to

Mastercard Visa American Express

Card number: _____/_____/_____/_____

Expiry: ____/____

Name of cardholder: _____

Signature of cardholder: _____

Charge to my LexisNexis account: \$ _____

Account number: _____

Signature: _____

Name of approving manager: _____

IMPORTANT PRIVACY NOTICE:

The information you provide on this form is collected by Reed International Books Australia Pty Limited for the purposes of processing your registration or enquiry and keeping you informed of upcoming products, services and events. The information is disclosed from time to time to our related bodies corporate for these purposes. The provision of this information by you is voluntary but if you do not provide some or all of the requested information we may be unable to properly process your registration. You have both a right of access to the personal information we hold about you and to ask us to correct it if it is inaccurate or out of date. Photographs/audio visual content may be produced at this event and might be used for future LexisNexis Professional Development collateral. Please direct your enquiries to privacyau@lexisnexis.com.au Please note, delegate information will be provided to sponsors.

Please tick here if you do not want sponsors to receive your information

Tick here if you DO NOT wish to receive information about upcoming events