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Lane Cove Council  
PO Box 20,  
LANE COVE NSW 1595

Our ref: IDAS1146040  
Your ref: PAN-259955

[gsamardzic@lanecove.nsw.gov.au](mailto:gsamardzic@lanecove.nsw.gov.au)

1 May 2023

Dear Applicant,

**RE: Integrated Development Referral – General Terms of Approval  
Proposed Development - PAN-259955  
Lots – 33/2/7259, 32/2/7259, 31/2/7259, A/110452, B/110452, 10/2/7259, 11/2/7259,  
12/2/7259, 1232/7259, 14/2/7259  
ADDRESS - 12-20 Berry Road and 13-19 Holdsworth Road ST LEONARDS NSW 2065**

I refer to your recent request regarding an integrated Development Application (DA) proposed for the above location. Please find attached the WaterNSW General Terms of Approval (GTA) for part of the proposed development requiring a Water Supply Work approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.47 (3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, WaterNSW requests these GTA be included (in their entirety) in Council's development consent. Please also note WaterNSW requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities that relate to any excavation which interferes with an aquifer. WaterNSW will ascertain from the notification if the amended plans require review of the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.
- if Council receives an application under s4.55 of the EP&A Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, WaterNSW recommends the following condition be included in the development consent:

**The attached GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000.** The development consent holder must apply to WaterNSW for a Water Supply Work approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to WaterNSW together with any required plans, documents, application fee, and proof of Council's development consent.

Application forms are available from the WaterNSW website which can be found [here](#).

WaterNSW requests that Council provides a copy of this letter to the development consent holder.

WaterNSW also requests a copy of the determination for this development application be provided by Council as required under section 4.47 (6) of the EP&A Act.

#### **Information to the proponent:**

- An extraction limit will be determined by the Department of Planning and Environment (DPE) following a further hydrogeological assessment and included on the conditions applied to the approval authorisation for the dewatering activity.
- Detailed information required to permit the hydrogeological assessment to be carried out is to be provided by the applicant otherwise the issue of the authorisation will be subject to delay. The [Minimum requirements for building site groundwater investigations and reporting](#) (DPE Oct 2022) identify what data needs to be collected and supplied.
- The cumulative effects of this project within the context of other approved developments in the St Leonards South precinct is to be provided for any further application related to the subject property (three dimensional numerical groundwater modelling of both individual and cumulative impacts is recommended for this development).
- The approval will be issued for the purpose of **temporary construction dewatering** only and it does not constitute any form of approval for ongoing pumping of groundwater from basement levels after the building is issued an occupation certificate.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Lauren Preston", written over a light blue circular stamp.

Lauren Preston  
**Water Regulation Officer**  
**WaterNSW**