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Tracey Webb  
Development Planner  
The Council of the City of Newcastle

Our ref: S961133461  
Our file: A-16603  
Your ref: DA2018/01197.02

Attention: Tracey Webb; Holly Hutchens

Dear Ms. Webb

**Construction of a 14-Storey Mixed Use Retail, Office and Residential Apartments  
Development 10 Dangar Street Wickham NSW 2293**

The site proposed for the development is located on an aquifer with a geological formation excluded from water sharing plans gazette under the Water Management Act 2000 and remains under the Water Act 1912.

WaterNSW no longer issues General Terms of Approval under the Water Act 1912 as the Integrated development only applies to the Water Management Act 2000 as per Section 4.46 of the Environmental Planning & assessment Act 1979.

However, WaterNSW can consider granting and issuing a licence under Section 115 and 116 of the Water Act 1912 for dewatering subject to exemptions under the Embargo Gazetted on the 11 April 2008 (p. 2689). The consent holder must obtain the necessary licences from WaterNSW prior to the commencement of any works to extract groundwater.

WaterNSW recommends that the Council include the following as conditions of the development consent:

1. Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
2. Before any Construction Certificate is issued for any excavation under the development consent, the applicant must:
  - a. apply to WaterNSW for, and obtain, a licence under the Water Act 1912, for any bores required by the development, and



- b. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity.
3. All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.
4. The design and construction of the building must prevent:
  - a. any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation
  - b. obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level, and
  - c. any elevated water table from rising to within 1.0 m below the natural ground surface.
5. The following construction phase monitoring bore requirements apply:
  - a. Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting the application for a licence.
  - b. A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW.
  - c. The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval.
  - d. The monitoring bores should be used to develop a water table map for the site and its near environs.
  - e. The monitoring bores must be protected from construction damage.
6. The following construction phase monitoring programme and content apply:
  - a. A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring.
7. Where no guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW):
  - i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six

months prior to the submission of the approval to WaterNSW. The measurements should be used to develop a water table map for the site and its environs. An interpretation of the groundwater flow direction and an assessment of the likely level to which groundwater might naturally rise during the life of the building should also be included with the application.

- ii. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater;
    - iii. iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW;
    - iv. iv. QA: Include details of quality assurance and control
    - v. v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories.
  - b. The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme).
- 8. The following construction phase monitoring requirements apply (Works Approval):
  - a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW.
  - b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme).
  - c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report.
- 9. The following reporting arrangements apply:
  - a. Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW.
  - b. The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW):
    - i. i. All results from the Approved Monitoring Programme; and
    - ii. ii. Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website.
  - c. The completion report must be submitted using WaterNSW's Completion Report for Dewatering work form.
- 10. The following take limit applies:



- a. The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June).
  - b. The applicant may apply to WaterNSW to increase the extraction limit under this condition.
  - c. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment.
11. Any dewatering activity approved under this licence shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering licence).
12. The licence must be surrendered after compliance with all conditions and prior to the expiry of the Term of the licence.

Yours Sincerely

*Saad Khan*  
*On behalf of*

**Wayne Conners**

**Senior Water Regulation Officer**  
**Water Regulatory Operations**  
**WaterNSW**