



Contact: Melissa Moyle
Email: melissa.moyle@waternsw.com.au

Our ref: IDAS1153940
Our file: A-78734
Your ref: DA2023/370

General Manager
Bayside Council
Felicity.Eberhart@bayside.nsw.gov.au
Attention: Planning Department

12 June 2024

Dear Sir/Madam,

RE: Integrated Development Referral – General Terms of Approval

Proposed Development: DA2023/370

Lot 8/D/DP10747, Lot 10 DP11037, Lot 8 DP11037, Lot 7 DP11037, Lot 11 DP11037, Lot 6 DP11037, Lot 9 DP11037 & Lot 55, DP613007

Address: 277 The Grand Parade, Ramsgate Beach NSW 2217

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.
- Site-specific data gathering to meet or exceed the information required by the Minimum Requirements for Building Site Groundwater Investigations and Reporting needs to be continued by the proponent for the period between the determination of the development application by the consent authority and the lodgement of a water supply work approval application with WaterNSW (should a consent be granted).
- Note: This is necessary for the appropriate site-specific information to be supplied with the water supply work approval application so that the volume of water take from the excavation is confirmed and an appropriate extraction limit can be determined by the Department of Planning and Environment. Any report (such as a dewatering management plan) that is provided at the time of the water supply work approval application must demonstrate that new or additional site information has been incorporated into a more detailed water take predictions for the proposed development and include a minimal harm assessment of water table, water pressure and water quality effects in the form required to satisfy the NSW Aquifer Interference Policy.
- An Acid Sulphate Soil Dewatering Management Plan (ASSDMP) should be prepared once the details of dewatering are confirmed. The plan must include specific measures to address the potential generation of acidified groundwater beneath and surrounding the site as a result of excavation and water level drawdown—the treatment of pumped groundwater must be implemented to achieve a pH range between 6 and 8.5, as well as to remove dissolved metals and any other contaminants before any form of discharge to any receiving environment occurs (including infiltrating or reinjecting pumped water to an aquifer).
Note: Should pumped groundwater be proposed to be returned to any aquifer by any means, written demonstration of planned testing and treatment to comply with Part 5.3, Section 120 of the Protection of the Environment Operations Act 1997 (prohibition of pollution of waters) and specifically with Schedule 5 of the Protection of the Environment Operations (General) Regulation 2022 (prescribed matter for the definition of water pollution) must be supplied to WaterNSW prior to commencing excavation.

- 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 (DPIE, 2021) identify what data needs to be collected and supplied.
https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0003/541605/minimum-requirements-for-building-site-groundwater-investigations-and-reporting.pdf
- 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.
- Once the proponent has made application to WaterNSW for the required approvals, the application must be referred to the Department of Planning and Environment for groundwater impact assessment. This also includes applications that are exempt under any of the existing regulated exemptions from requiring an access licence to take water for these types of developments.

Yours sincerely

A handwritten signature in black ink, appearing to read "M. Moyle", written in a cursive style.

Melissa Moyle
Water Regulation Officer
WaterNSW