

Our ref: OUT23/19380

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13 December 2023

Subject: The Edge Estate (SSD-17552047) – Amendment Report

Dear Mr Zhang

I refer to your request for advice sent on 14 November 2023 to the Department of Planning and Environment (DPE) Water about the above matter.

This Amended Report relates to Edge South and comprises a 63.2 ha site that includes a 14 lot industrial development along the western side of Aldington Road. The amended includes estate-wide bulk earthworks, construction and operation of eight warehouse and distribution centres with the remaining six lots

DPE Water has reviewed the Amendment Report and has recommendations regarding water licencing, aquifer interference activities and waterfront land. Please see **Attachment A** for more detail.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments water.assessments@dpie.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "S Francis".

Simon Francis
Senior Project Officer, Assessments, Knowledge Division
Department of Planning and Environment: Water

Attachment A

Detailed advice to DPE Planning & Assessment regarding The Edge Estate (SSD-17552047) – Amendment Report

1.0 Water take and licensing

1.1 Recommendation – pre-determination

The proponent should quantify the maximum annual volume of water take due to aquifer interference activities required for the project and demonstrate sufficient entitlement can be acquired in the relevant water source unless an exemption applies. Water take should be quantified for the construction phase and ongoing operation of the project.

Explanation

Insufficient information has been provided to confirm the potential groundwater inflow volumes. DPE Water notes that the groundwater table will be intercepted. Maximum excavation depths for this project will be 18m. Groundwater seepage was encountered in several boreholes < 3 m deep. Given these estimates, groundwater seepage into the excavation is expected. Quantification of maximum annual water take and demonstration that entitlement can be obtained to account for this take is required.

1.2 Recommendation – post approval

The proponent should ensure a water access licence (WAL) is obtained to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2018.

Explanation

Under the *Water Management Act 2000*, if groundwater is intercepted a WAL must be obtained prior to any water take occurring unless an exemption under Clause 7 of Schedule 4 of the Water Management (General) Regulation 2018 applies. An exemption may be available if water take is less than or equal to 3 ML per water year, subject to the development meeting other exemption requirements, such as:

- the water is not taken for consumption or supply;
- the person claiming the exemption keeps a record of the water taken under the exemption and provides this to the Minister within 28 days of the end of the water year; and
- the records are kept for 5 years.

Further information on these requirements and other information on licensing and approvals, exemptions, including an exemption application form and a form to report and record water taken can be found at:

<https://water.dpie.nsw.gov.au/licensing-and-trade>

2.0 Groundwater impacts and dewatering requirements

2.1 Recommendation – pre-determination

If the take of groundwater is found to be greater than 3 ML per year, the proponent must assess the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy (2012).

2.2 Recommendation – post-approval

The proponent is required to prepare a Dewatering Management Plan that addresses the dewatering requirements in Attachment B. The plan should be prepared in consultation with DPE Water.

Explanation

As per Recommendation 1.1 above, the EIS has not provided a volumetric quantification of groundwater take. Additionally, the EIS has not provided an assessment of impacts to groundwater due to construction or operation of the project. DPE Water notes that without groundwater take estimations it is difficult to assess the level of risk. Therefore, the proponent should determine the estimated take volume.

If this volume is likely to exceed 3 ML per year, a Dewatering Management Plan (DMP) that addresses the dewatering requirements in Attachment B must be prepared and provided to DPE Water. This must include an assessment of the impacts of the project activities against the minimal impact considerations within the NSW Aquifer Interference Policy (2012).

The DMP should also consider the Guidelines for Groundwater Documentation for SSD/SSI Projects (2022) and the Minimum Requirements for Building Site Groundwater Investigations and Reporting (2022) to ensure the documentation required is fit for purpose. These documents are available at:

- https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0003/541605/minimum-requirements-for-building-site-groundwater-investigations-and-reporting.pdf
- https://water.nsw.gov.au/_data/assets/pdf_file/0020/507611/Guidelines-for-Groundwater-Documentation-for-SSD-SSI-Projects.pdf

3.0 Waterfront land

3.1 Recommendation – pre-determination

The proponent should confirm if the mapped 2nd order watercourse in the south-eastern part of the site is within the project area. The proponent should also confirm how this watercourse will be managed to minimise impacts, demonstrating consideration to the Guidelines for Controlled Activities on waterfront land.

Explanation

Insufficient information has been provided to understand the impacts on waterfront land due to the proposed development. There is a mapped 2nd order watercourse in the south-eastern corner of the site. The proponent should confirm if this watercourse will be within the project site and provide details of the management of this watercourse to minimise impacts. The Guidelines for Controlled Activities on Waterfront land should be considered in the design of the project.

End Attachment A

Attachment B

Dewatering Management Plan Requirements

A Dewatering Management Plan should be prepared in consultation with DPE Water prior to the commencement of construction. The Dewatering Management should:

- a. include an estimate of the maximum annual volume of groundwater that would be taken during the construction phase and following construction, to determine the volume of water that must be licensed
 - b. include an estimate of staged (e.g. weekly or monthly) cumulative water take
 - c. provide an assessment against the 'minimal impact considerations' of the Aquifer Interference Policy (2012), including a description of mitigation and remediation options and appropriate scientific studies to demonstrate that the impacts would not prevent the long-term viability of groundwater dependent ecosystems or significant sites if the level 1 minimal impact considerations are exceeded
 - d. describe how actual water take would be measured and reported
 - e. include a trigger action and response procedure (TARP), inclusive of agency notification, that:
 - i. establishes trigger levels based on predicted take for each stage identified in (b) above
 - ii. describes the response actions if groundwater take reaches or exceeds the trigger levels. This should include identifying requirements for obtaining additional licenced water entitlement; re-estimating water take for both the construction and post construction phases if the volume of water extracted during the first 28 days of construction exceeds the predicted take for that period; and documenting and reporting procedures.
 - f. describe how the design and construction of the building/s will:
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- i. prevent obstruction to groundwater flow by using sufficient permanent drainage beneath and around the outside of the structure to ensure that any groundwater mounding shall not be greater than 10% above the pre-development level; and
 - ii. prevent any elevated water table from rising to within 1.0 m below the natural ground surface.
- g. detail mitigation measures to limit post-construction groundwater take to less than or equal to 3 ML/year if the applicant intends to rely on an exemption under section 21(6) of the Water Management (General) Regulation 2018. This may require the structure to be fully watertight for the anticipated life of the building (including when the water table is unusually elevated)
- h. document how dewatering volumes would be reported to DPE Water during and following the cessation of dewatering activities.

End Attachment B