



MERITON
MAKING LUXURY APARTMENTS
AFFORDABLE

MERITON TOWER

Level 11, 528 Kent Street
Sydney NSW 2000
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general@meriton.com.au

10 November 2011.

Mr Anthony Witherdin
A/Director, Urban Assessment
NSW Department of Planning & Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Dear Mr Witherdin

**RE MP 10_0057 MOD 2 - Modification to amend Conditions C34 and C35
132-138 Killeaton Street, St Ives**

We refer to the latest Ku-ring-gai Council and NSW Office of Environment and Heritage response to our proposal for intermittent dewatering of the basement and removal of basement tanking conditions.

The Ku-ring-gai Council submission dated the 4 November 2011 contained conditions relating to maintenance of ground water, to which Meriton currently agree with.

We note that the NSW Office of Water raise no objection to the dewatering of the basement. However, we note that the NSW Office of Environment and Heritage still have outstanding issues.

I have attached letters (**Annexure 1**) from our Engineering Director at Meriton addressing the NSW Office of Environment and Heritage issues and outlines how the limited ground water will be treated behind the basement walls.

As such, we reiterate that conditions contained in **Annexure 2** be amended/deleted to permit intermittent dewatering and remove the need to tank the basement.

As we are currently constructing the basement on site it is imperative determination of our application be achieved as soon as possible to avoid construction being halted.

Your assistance in this matter is most appreciated.

Yours faithfully

MERITON APARTMENTS PTY LIMITED

Walter Gordon
Manager Planning and Development

ANNEXURE 1



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9 November 2011

Ms Lisa Corbyn
Chief Executive
Office of Environment and Heritage
PO Box A290
SYDNEY SOUTH NSW 1232

Dear Ms Corbyn

132-138 KILLEATON STREET, ST IVES (MP_0057 MOD2)

Please find enclosed a letter, prepared by our principal engineer, Mr Geoff Hopkins, dated 9 November 2011, in response to the correspondence that was issued to the Department of Planning by your Jacinta Hanemann dated 26 October 2011.

We believe that our response now satisfies your department's concerns and that your consent to the proposed modified development consent conditions can now be promptly issued.

It is obvious that no tanking is required to the basement at this site and both Ku-ring-gai Council and the NSW Office of Water have no objection to this proposal.

This project is currently under construction and the absence of your consent is causing delays to our construction program which, in turn, will cost us millions of dollars in damages.

Accordingly, we request your urgent approval to our request. We have already suffered in Boondah Road, Warriewood, where your department caused us extensive delays before agreeing with us on the same subject.

We await your reply.

Yours sincerely

MERITON APARTMENTS PTY LIMITED

Peter Spira, AM
General Manager



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9 November 2011

Ms Jacinta Hanemann
A/Manager Metropolitan Infrastructure and Biodiversity
Environment Protection and Regulation
Office of Environment and Heritage
Department of Premier and Cabinet
PO Box 668
PARRAMATTA NSW 2124

Dear Ms Hanemann

132-138 KILLEATON STREET, ST IVES (MP10_0057 MOD2)

We refer to your letter dated 26 October 2011 to Mr Mark Brown of the NSW Department of Planning and Infrastructure regarding the intermittent discharge of groundwater for the basement structure at 132-138 Killeaton Street, St Ives, and in particular:

- (a) *"continual discharge from the basement to the Council stormwater system represent a greater risk of pollution of waters than the current requirements for a fully tanked structure"*

Far from a continual discharge of groundwater for the basement, now that we have excavated for the first stage basement, it is obvious that the basement is almost completely dry and free of the ingress of groundwater through the base and side batters of the excavation. Discharge of groundwater from the pump pit will be intermittent and minimal (2.5m³ / day), requiring discharge at fortnightly intervals.

There is no impact on the water table as a result of the miniscule amount of water to be discharged.

- (b) *"the proponent has not provided any justification as to why the current conditions for a waterproof retention system cannot be met."*

Full tanking of the basement has the result that groundwater entering the site will be of the same quality as the groundwater passing through and leaving the site. Without a fully tanked basement, groundwater collected in the basement will be treated prior to discharge from the basements. This will result in an improvement in water quality.

We propose also, based on the minute quantity of water to be treated, that this water after treatment be reinjected in subsoil drainage trenches behind the shoring walls. This post development system will be an improvement from the predevelopment condition.

The addition of an oil separator in the basement and 3 gross pollutant traps on the boundary will greatly improve the water quality collected from the hardstand surfaces.

The basement, located on top of the hill in Killeaton Street, is excavated in clay and embedded in shale. Basements constructed in this material and remote from creeks and underground streams are always built without tanking and should not be compared with tanked basements built in sand with water charged ground, as is typical in the eastern suburbs of Sydney. The additional cost of tanking this basement is estimated to be in excess of \$1m.

In conclusion, we request that we be permitted to collect basement groundwater seepage and, where necessary, discharge on site behind the perimeter shoring walls as an alternative to tanking the basement.

Should you require any further information, please do not hesitate to contact the undersigned on 9287 2574 (direct).

Yours sincerely

MERITON APARTMENTS PTY LIMITED



G P HOPKINS B.E. MIE Aust. CP Eng

ANNEXURE 2

“C34 NSW Office of Water

Licences under Part V of the Water Act 1912 are required for the works for purposes of temporary dewatering as part of any proposed excavation and construction and in accordance with the following:

~~(a) Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering.~~

- (a) Pumped water (tailwater) shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewage system, etc) without the controlling authorities approval and/or owners consent.
- (b) The licensee shall allow (subject to Occupational Health and Safety Provisions) the NSW Office of Water or any person authorised by it, full and free access to the works (excavation or bore/borefield), either during or after construction, for the purpose of carrying out inspection or test of the works and its fittings and shall carry out any work or alterations deemed necessary by the NSW Office of Water for the protection and proper maintenance of the works, or the control of the water extracted to prevent wastage and for the protection of the quality and prevention from pollution or contamination of the groundwater.
- (c) If the work is abandoned at any time the licensee shall notify the NSW Office of Water that the work has been abandoned and seal off the aquifer by such methods as agreed to or directed by the NSW Office of Water.

The following documents are to be supplied to the NSW Office of Water in a form suitable to the Office:

- (d) A report predicting the impacts of pumping on any licensed groundwater users or groundwater dependent ecosystems in the vicinity of the site. Any adverse impacts will not be allowed and the project will need to be modified.
- (e) A report assessing the potential for salt water intrusion to occur as a result of the dewatering. This report is only required for sites within 250m of any marine or estuarine foreshore area. The generation of conditions leading to salt water intrusion will not be allowed, and the proposal will need to be modified.
- (f) Descriptions of the methods used and actual volume of groundwater to be pumped (kilolitres/mega litres) from the dewatering works, the works locations, the discharge rate (litres per second), duration of pumping (number of days/weeks), the amount of lowering of the water table and the anticipated quality of the pumped water.
- (g) Descriptions of the actual volume of pumped water (tailwater) to be reinjected (kilolitres/mega litres), the reinjection locations, the disposal rate (litres per second), and duration of operation (number of days/weeks) and anticipated quality of treated water to be reinjected.
- (h) Monitoring of groundwater levels (minimum of 3 weekly measurements of depth to water at a minimum of 3 locations broadly distributed across the site) beneath the proposed structure shall extend greater than one floor level into the existing ground level.

C35 Groundwater

~~(a) The design and construction of the structure must preclude the need for permanent dewatering.~~

~~(b)~~(a) The design and construction of the structure that may be impacted by any watertable must include a ~~water proof~~ retention system ~~(i.e. a fully tanked structure)~~ with adequate provision for future fluctuations of water table levels. (It is recommended that a minimum allowance for a water table variation of at least +/-1.0 metre beyond any expected fluctuation be provided). The actual water table fluctuation and fluctuation safety margin must be determined by a suitably qualified professional.

~~(c)~~(b) Construction methods and material used in and for construction are not to cause pollution of the groundwater.

~~(d)~~(c) Monitoring of groundwater levels is to be continued at least weekly during the construction stage and at least weekly over a period of at least 2 months following cessation of dewatering, with all records being provided to the NSW Office of Water on expiration of the licence. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.

~~(e)~~(d) Groundwater quality testing must be conducted (and report supplied to the NSW Office of Water). Samples must be taken prior to commencement of dewatering, and ongoing to the satisfaction of the NSW Office of Water for any extraction and reinjection activities). Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.

~~(f)~~(e) Discharge of any contaminated pumped water (tailwater) that is not to be reinjected, must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority. The method of disposal of pumped water (i.e. street drainage to the stormwater system or discharge to sewer) and written permission from the relevant controlling authority must be presented to the NSW Office of Water in support of the licence application.

~~(g)~~(f) Discharge of any contaminated pumped water (tailwater) that is reinjected, must comply with the provisions of the Protection of the Environment Operations Act 1997. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site. Contaminated groundwater is not to be reinjected into any aquifer. The following must be demonstrated in writing:

- (i) The treatment to be applied to the pumped water (tailwater) to remove any contamination,
- (ii) The measures to be adopted to prevent redistribution of any contamination in the groundwater system. Any reinjection proposal that is likely to further spread contamination within the groundwater system will not be allowed and the project will need to be modified.
- (iii) The means to avoid degrading impacts on the identified beneficial use of the groundwater. Any reinjection proposal that is likely to lower the identified beneficial use of a groundwater system will not be allowed and the project will need to be modified.
- (iv) The means to avoid degrading impacts on the identified beneficial use of the groundwater. Any reinjection proposal that is likely to lower the identified beneficial use of a groundwater system will not be allowed and the project will need to be modified.

- ~~(h)~~(g) Written advice be provided from the Certifying Authority to the NSW Office of Water to certify that the following ground settlement issues have been addressed in reports submitted by the proponent.
- ~~(i)~~(h) Assessment by a suitably qualified geotechnical professional that the proposed dewatering activity does not pose an unacceptable risk of off-site impacts such as damage to surrounding buildings or infrastructure as a result of differential sediment compaction and surface settlement during and following pumping of groundwater.
- ~~(j)~~(i) Settlement monitoring activities to be undertaken prior to, during and for the required period of time following the dewatering pumping to confirm the impact predictions.
- ~~(k)~~(j) Locations of settlement monitoring points, and schedules of measurement.