



OUT21/11393

Thomas Piovesan
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

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Dear Mr Piovesan

**Eastern Creek retail outlet centre (SSD-10457) -
Response to Submissions**

I refer to your email of 20 August 2021 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The project is a Concept Plan proposal for a retail outlet centre on Lot 3 at the Eastern Creek Business Hub, including food and drink premises, an indoor recreation facility and Stage 1 early works.

The recommendations from DPIE Water and NRAR regarding licencing and groundwater management are provided in **Attachment A**.

Any further referrals to DPIE Water and NRAR can be sent by email to landuse.enquiries@dpie.nsw.gov.au, or to the following coordinating officer within DPIE Water:

Simon Francis – Senior Project Officer
E: simon.francis@dpie.nsw.gov.au
M: 0428 926 117

Yours sincerely

A handwritten signature in blue ink that reads 'Liz Rogers'.

Liz Rogers
Manager, Assessments, Knowledge Division
Department of Planning, Industry and Environment: Water
25 October 2021

Attachment A

Detailed advice to DPIE Planning & Assessment regarding the Eastern Creek retail outlet centre (SSD-10457) – Response to Submissions

DPIE Water and NRAR provide the following recommendations.

Water Licencing for Take and Supply

1. Pre-approval Recommendations:

The Proponent should:

- a. Confirm if any groundwater take is predicted, and if so provide an estimate of the water take and any licencing requirements.
- b. Provide further details of water supply requirements for the life of the project (for both construction and operation) and if there are any associated water licencing requirements.

2. Post-approval Recommendation:

The Proponent must ensure that any required water licences are held before commencing any associated works.

Explanation

In the event that groundwater is intercepted or taken (especially during construction), the Proponent must ensure that any take is appropriately licenced unless eligible under an exemption. As such, the Proponent is required to predict groundwater inflows (using existing onsite data) generated by an excavated void, and determine if inflows are 3 ML/year or less (as stated in Schedule 4 of the *NSW Water Management (General) Regulation 2018*). If this is the case, the proponent will be exempt from licensing noting that an application for exemption and some documentation is required.

The Proponent should provide details of water supply requirements for the life of the project (construction and operation) and how these water requirements will be met. The proponent notes that existing watermains would service the site but there is no reference to specific water requirements for the project or how these would be met if required. NRAR is seeking further confirmation of water requirements (especially during construction).

Groundwater Management

3. Pre-approval Recommendations:

- a. If groundwater take is predicted, the Proponent should:
 - i. Describe how groundwater take will be monitored, recorded, and reported in the form of Dewatering Management Plan; and
 - ii. Provide a statement against the 'minimal impact considerations' as required by the NSW Aquifer Interference Policy (2012).
- b. Stormwater treatment basin and culvert construction for new structures (not approved under previous Modifications) should incorporate either:
 - i. Minimum separation distance of at least 1 m from the high water table to the base of any stormwater treatment device, or;
 - ii. An impermeable liner.

Explanation

There are no onsite groundwater data presented for either monitoring or geotechnical bores to support the expected depth to groundwater. In the absence of groundwater data presented in the EIS, a previous JBS&G Site Audit Report (JBS&G, 2015), submitted with EIS 5175 for Mod 1 of the Eastern Creek Business hub, was reviewed and indicates at least 12 groundwater wells have been constructed on the Eastern Creek business hub site.

The groundwater onsite is reportedly present in a shallow aquifer within weathered shales with a depth of 1 m to 3.4 m below ground level across the site or 41.84 m to 35.79 m AHD, relative to the Australian Height Datum. Groundwater is inferred to flow northeast with an approximate groundwater depth of 38 m to 37 m AHD across Lot 3.

Given that the cut depths proposed for building pads and surface water management devices appear to be above previously documented water levels, it is unlikely that works will intercept the water table and hence be considered an aquifer interference activity for the purpose of assessment against minimal impact considerations of the NSW Aquifer Interference Policy. However, this position should be supported by an onsite assessment by the proponent.

For any surface water control device, such as additional culverts or sediment ponds, that haven't been determined under previous site wide consents (cut depths are greater than previously proposed), the DPIE Water recommends a minimum of 1 m separation between the bottom of any control device and the seasonal high groundwater level. Alternatively, an impermeable liner may be used where a separation distance of 1 m can't be achieved.

End Attachment A