

**Department of Climate Change, Energy, the Environment  
and Water**



Our ref: OUT24/18232

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**Subject: Yorktown Parade and Fitzgerald Avenue, Maroubra Affordable Housing  
Redevelopment (SSD-71454960) – Environmental Impact Statement**

Dear Thomas Piovesan,

I refer to your request for advice sent on 7 November 2024 to the NSW Department of Climate Change, Energy, the Environment and Water- (DCCEEW) Water Group about the above matter.

Homes NSW is seeking approval for the redevelopment of existing social housing for the purposes of an in-fill affordable housing development at 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra. The project includes demolition of existing buildings and the construction of four 3 storey and two part 3/part 4 storey residential buildings and a single level basement car park.

NSW DCCEEW Water has reviewed the Environmental Impact Statement and makes recommendations in regard to water take and licensing. Please see Attachment A for more detail.

Should you have any further queries in relation to this submission please do not hesitate to contact DCCEEW Water Assessments at [water.assessments@dpie.nsw.gov.au](mailto:water.assessments@dpie.nsw.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read "Rob Brownbill".

Rob Brownbill  
Manager, Water Assessments, Knowledge Division  
Department of Climate Change, Energy, the Environment and Water

## Attachment A

# Detailed advice regarding the Yorktown Parade and Fitzgerald Avenue, Maroubra Affordable Housing Redevelopment (SSD-71454960) – EIS

## 1.0 Water take and licensing

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### 1.1 Recommendation – Prior to determination

Department of Planning, Housing and Infrastructure requests the proponent to clarify the potential for groundwater interception, and should this be required, quantify the maximum annual volume of water take due to aquifer interference activities. The proponent will also need to demonstrate the ability to acquire sufficient water entitlement to account for water take, unless an exemption applies, or where it can be demonstrated that aquifer interference is not to occur.

#### Explanation

The EIS documentation has inconsistencies in the requirement for aquifer interference that require clarification. Section 7.11 of the main Environmental Impact Statement (EIS) states:

*The basement is located within the area of the existing Fitzgerald Avenue properties. It is approximately up to 3m in depth below natural ground level and therefore will not penetrate the water table indicated to be about 5.2-5.5m as outlined above.*

*The Project is therefore not anticipated to impact on groundwater.*

However, the Geotechnical Investigation (Appendix W) states that a maximum basement bulk excavation of 5.0m below surface is required, and that the ground conditions include loose sands with water seepage and the need for water to be managed during construction. Further clarification is required to confirm the potential for aquifer interference and the requirement for water licensing.

### 1.2 Recommendation – Post determination

Department of Planning, Housing and Infrastructure requests the proponent to 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 and exemptions, including a form to report and record water taken can be found at: <https://water.dpie.nsw.gov.au/licensing-and-trade> and <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/water-access-licences-and-approvals/exemptions-for-water-licences-and-works-and-or-use-approvals>

End of Attachment A