



OUT20/4333

Louise Starkey  
Planning & Assessment  
NSW Department of Planning, Industry and Environment

[louise.starkeyi@planning.nsw.gov.au](mailto:louise.starkeyi@planning.nsw.gov.au)

Dear Ms Starkey

**Residential Flat Buildings at 89 John Whiteway Drive, Gosford (SSD 10321)  
Advice on EIS**

I refer to your email of 15 April 2020 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The following recommendations are provided by DPIE Water and NRAR. Please note Crown Lands, the Department of Primary Industries (DPI) – Fisheries and DPI - Agriculture all now provide a separate response directly to you.

Prior to approval

- DPIE Water (formerly DoI Lands and Water) requested the below details in response to the SEARs which have not been addressed by the proponent. The proponent should therefore provide the following:
  - A detailed and consolidated site water balance (including an estimate of the volume of groundwater that will be removed during the construction phase and life of the building).
  - Assessment of impacts on surface and groundwater water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, water courses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
  - Propose groundwater monitoring activities and methodologies.
  - Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans.
- Demonstrate that the take of groundwater will not exceed three ML. If the investigations show that take of groundwater will exceed three ML then the appropriate licences and approvals should be sought through the Natural Resource Access Regulator (NRAR).
- Provide DPIE Water with the sub-appendices that includes the groundwater information as referred to in the "Detailed Site Investigation by TRACE Environmental" (Appendix H of the EIS).
- Install sufficient permanent drainage beneath and around the outside of the building to ensure that natural groundwater flow is not impeded and ensure that:
  - any groundwater mounding at the edge of the structure should be at a level no greater than 10 % above the level to which the water table might naturally rise in the building location; and
  - any elevated water table should be more than 1.0 m below the natural ground surface existent at the building location; and

- where the habitable, accessible or occupiable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
- The methods and the materials used for construction should be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater beneath the site.
- The method of disposal of pumped water should be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority should be provided in a report to be provided to NRAR with the application for the authorisation. The disposal of any contaminated pumped groundwater (sometimes called “tailwater”) must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority.
- Daily measurements of water levels from existing monitoring bores outside basement support walls, weekly measurements of groundwater and discharge water quality, and weekly measurements of pumped volumes should be recorded by the proponent throughout the construction phase of the development and provided to NRAR in raw data form and in a completion report that demonstrates the amount of groundwater pumped and the effects of the dewatering on the surrounding area prior to building certification

Any further referrals to DPIE – NRAR & Water can be sent by email to:  
[landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

Any further referrals to (a) Crown Lands; (b) DPI – Fisheries; and (c) DPI – Agriculture can be sent by email to: (a) [lands.ministerials@industry.nsw.gov.au](mailto:lands.ministerials@industry.nsw.gov.au);  
(b) [ahp.central@dpi.nsw.gov.au](mailto:ahp.central@dpi.nsw.gov.au); and (c) [landuse.ag@dpi.nsw.gov.au](mailto:landuse.ag@dpi.nsw.gov.au) respectively.

Yours sincerely



Liz Rogers  
Manager, Assessments  
**Water – Strategic Relations**  
8th July 2020