



Department of Planning and Environment

OUT22/213

Kendall Clydsdale
Planning and Assessment Group
NSW Department of Planning and Environment

kendall.clydsdale@dpie.nsw.gov.au

Dear Kendall

**Residential Development at 89 John Whiteway Drive, Gosford (SSD-10321-Mod-1)
Modification Report**

I refer to your email of 13 January 2022 to the Department of Planning and Environment (DPE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The modification (MOD 1) includes proposed changes to basement design, building envelopes (reductions), internal layouts, and other associated elements.

Recommendation provided by DPE Water and NRAR are provided in Attachment A. Of particular note is the recommendation that the proponent demonstrate the predicted impact of the proposed modification on inflows and potential impacts to groundwater.

Any further referrals to DPE Water and NRAR can be sent by email to water.assessments@dpie.nsw.gov.au or to the following coordinating officer within DPE 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
Department of Planning and Environment: Water
16 February 2022

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Residential Development at 89 John Whiteway Drive, Gosford (SSD-10321-Mod-1) Modification Report

1. Groundwater Inflow – Impacts, Management and Licencing

Recommendation – Prior to Determination

- 1.1** Demonstrate the predicted impact of the proposed modification on inflows and potential impacts to groundwater. The “Minimum requirements for building site groundwater investigations and reporting” guidelines will guide this documentation.
https://www.industry.nsw.gov.au/data/assets/pdf_file/0004/343291/minimum-requirements.pdf

Explanation

The information provided by the proponent does not indicate whether the proposed modification, specifically deeper basement excavation, is likely to impact groundwater inflow and take. There is no information regarding groundwater in the report to allow an assessment to be made. The basement depths incorporated in the existing approval range from RL 60.4 – 61.9 and MOD1 proposes changes basement depths to maximum RL 60.1 – RL 61.5. This represents 0.3 – 0.4 m increase in currently approved excavation depths. The MOD1 Report does not include an assessment of potential groundwater impacts from the proposed deeper excavations (the report is completely silent regarding groundwater).

DPE previously noted in its response to the original project proposal EIS (OUT21/4538, letter dated 2 June 2021), that a site water balance and estimation of groundwater take were not provided, however, the proponent did state that the site will not make groundwater and that they did not anticipate the excavation for the basement to be above the 3 ML exemption limit. Additional information is sought regarding predicted inflows and additional investigation is recommended in the case of higher inflows than previously predicted.

Recommendations – Post Approval

- 1.2** If estimates or monitoring indicate that ingress of groundwater (to the development site, at any stage of the development) exceeds, or is likely to exceed, 3ML/year in total volume the proponent must:
- Complete a full investigation of the potential groundwater take (prior to further site development), and provide the take details for the whole of the development site.
 - Prepare a Dewatering Management Plan. This will include full details of: the method used to estimate groundwater volumes; groundwater ingress monitoring; any proposed water treatment; related water quality criteria and controls; and details of the method of water disposal.
 - Obtain the appropriate Water Access Licence(s) and approvals from NRAR.

Explanation

In our response to the original project proposal EIS (OUT21/4538 - letter dated 2 June, 2021), the recommendation that the project must obtain a Water Access Licence (should the project be required to dewater greater than 3ML/year of groundwater) was provided. This recommendation still applies to the modified development so has been included as a post approval recommendation. We note that if groundwater dewatering is under 3ML/year then an exemption under Schedule 4 Clause 7 of the Water Management (General) Regulation 2018 would apply (if the water is not taken for the purpose of consumption or supply). It is also noted that if the exemption does apply, that the proponent must still comply with the measurement, monitoring and reporting obligations of the regulated aquifer interference activity exemption, which can be found at: <https://www.industry.nsw.gov.au/natural-resources-access-regulator/licensing-and-approvals/groundwater-wal/up-to-3-ml>