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General Manager  
Northern Beaches Council  
725 Pittwater Road  
DEE WHY NSW 2099

Our ref: S961135520  
Our file: A-22749  
Your ref: Mod2021/0077

25 June 2021

Dear Sir/Madam

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref: MOD2021/0077**  
**Description: 80mm submersible pump**  
**Location: 49 Frenchs Forest Road East Frenchs Forest**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find the WaterNSW General Terms of Approval (GTA) for part of the proposed development requiring a Water Supply Work approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

The attached GTA's as per the recommendations provided by Department of Planning, Infrastructure and Environment (DPIE), have been assessed by the department as compatible with a drained basement design.

With reference to the proposed modification to remove Conditions 2 and Condition 15, please note these conditions have not been imposed by either DPIE or WaterNSW. They are outside the agencies' respective jurisdictions and are a matter for Council.

Please note Council's statutory obligations under section 4.47 (3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, WaterNSW requests these GTA be included (in their entirety) in Council's development consent. Please also note WaterNSW requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities that relate to any excavation which interferes with an aquifer.

WaterNSW will ascertain from the notification if the amended plans require review of the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

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- if Council receives an application under s4.55 of the EP&A Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, WaterNSW recommends the following condition be included in the development consent:

**The attached GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to WaterNSW for a Water Supply Work approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to WaterNSW together with any required plans, documents, application fee, and proof of Council's development consent.

Application forms are available from the WaterNSW website which can be found [here](#).

WaterNSW requests that Council provide a copy of this letter to the development consent holder.

WaterNSW also requests a copy of the determination for this development application be provided by Council as required under section 4.47 (6) of the EP&A Act.

Lastly, the following recommendations apply:

- An extraction limit will be determined by the Department of Planning, Industry and Environment following a further hydrogeological assessment and included on the conditions applied to the authorisation for the dewatering activity.
- Detailed information required to permit the hydrogeological assessment to be carried out is to be provided by the applicant otherwise the issue of the authorisation will be subject to delay.
- The authorisation will be issued for the purpose of temporary construction dewatering only and it does not constitute any form of approval for ongoing pumping of groundwater from basement levels after the building is issued an occupation certificate.
- Approvals will need to be applied for by the applicant to account for the groundwater take prior to the commencement of dewatering for the following stages of the development
  - for the period of temporary construction dewatering (i.e. prior to assessment for an occupation certificate) and
  - again for the period of ongoing maintenance dewatering for the life of the building.Note that two separate applications will need to be made at the appropriate times.
- The temporary construction dewatering authorisation will be dependent on the implementation of metering of groundwater take, as well as the measurement and reporting of volumes, levels and quality during the construction stage

- The ongoing maintenance dewatering authorisation will be dependent on the implementation of metering of groundwater take, the measurement and reporting of volumes, levels and quality and the establishment of a groundwater management plan in the documented building management system that meets the requirements of the Department of Planning, Industry and Environment.

Yours Sincerely

*Richard Meares*

for

**Wayne Conners**  
**Senior Water Regulation Officer**  
**Water Regulatory Operations**  
**WaterNSW**