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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

General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number: S961135520

Issue date of GTA: 25 June 2021

Type of Approval: Water Supply Work

Description: 80mm submersible pump

Location of work/activity: 49 Frenchs Forest Road East Frenchs Forest NSW 2086

DA Number: Mod2021/0077

LGA: Northern Beaches Council

Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011

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

Condition Number	Details
Dewatering	
GT0116-00001	Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity. Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.
GT0117-00001	A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph 17A, Schedule 4 of the Water Management (General) Regulation 2018.
GT0118-00001	If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.
GT0141-00001	Before any construction certificate is issued for any excavation under the development consent, the applicant must: a. Apply to WaterNSW for, and obtain,

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Location of work/activity:	49 Frenchs Forest Road East Frenchs Forest NSW 2086
DA Number:	Mod2021/0077
LGA:	Northern Beaches Council
Water Sharing Plan Area:	Greater Metropolitan Region Groundwater Sources 2011
	an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development. b. Notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity.
GT0153-00001	The following construction phase monitoring bore requirements apply: a. Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting a water supply work approval. b. A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. c. The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval. d. The monitoring bores should be used to develop a water table map for the site and its near environs. e. The monitoring bores must be protected from construction damage.
GT0154-00001	The following construction phase monitoring programme and content apply: a. A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. The measurements should be used to develop a water table map for the site and its environs. An interpretation of the groundwater flow direction and an assessment of the likely level to which groundwater might naturally rise during the life of the building should also be included with the application. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b. The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme).
GT0155-00001	The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report

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DA Number: Mod2021/0077

LGA: Northern Beaches Council

Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011

GT0156-00001 The following reporting arrangements apply: a. Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. b. The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): i. All results from the Approved Monitoring Programme; and ii. Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c. The completion report must be submitted using WaterNSW's Completion Report for Dewatering work form.

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with Mod2021/0077 as provided by Council:

- JK Report to Forest Central Business Park Pty Ltd
- on
- Geotechnical Investigation
- For
- Proposed Medical Centre
- At
- Lot 7, DP1020015,
- Forest Central Business Park,
- 49 Frenchs Forest Road East,
- Frenchs Forest, NSW
- Date:10 December 2019
- Ref:32505BMrpt Rev3