



## Natural Resources Access Regulator

**Natural Resources Access Regulator**  
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Locked Bag 5123, Parramatta NSW 2124  
[www.industry.nsw.gov.au/natural-resources-access-regulator](http://www.industry.nsw.gov.au/natural-resources-access-regulator)  
**1800 633 362**

Contact: Gina Potter  
Email: [Gina.Potter@nrar.nsw.gov.au](mailto:Gina.Potter@nrar.nsw.gov.au)

Our ref: IDAS1134340  
Your Ref: DA2021/0179  
CNR-19464 A-22783

25 March 2021

The City Of Newcastle

**Re: Request for additional information for proposed development 255 CONDAMINE STREET MANLY VALE 2093**

Reference is made to your recent referral regarding the above integrated development. An initial review of the material provided indicates that additional information relevant to issuing the General Terms of Approval is needed in order Natural Resources Access Regulator (NRAR) to complete the assessment.

NRAR requests that Council **stop the clock as at the date this letter** is received.

Clause 67 of the Regulation allows NRAR to specify a reasonable period within which the information requested must be provided. In this case, NRAR considers 90 days from the date of this letter as a reasonable period of time within which the requested information must be provided.

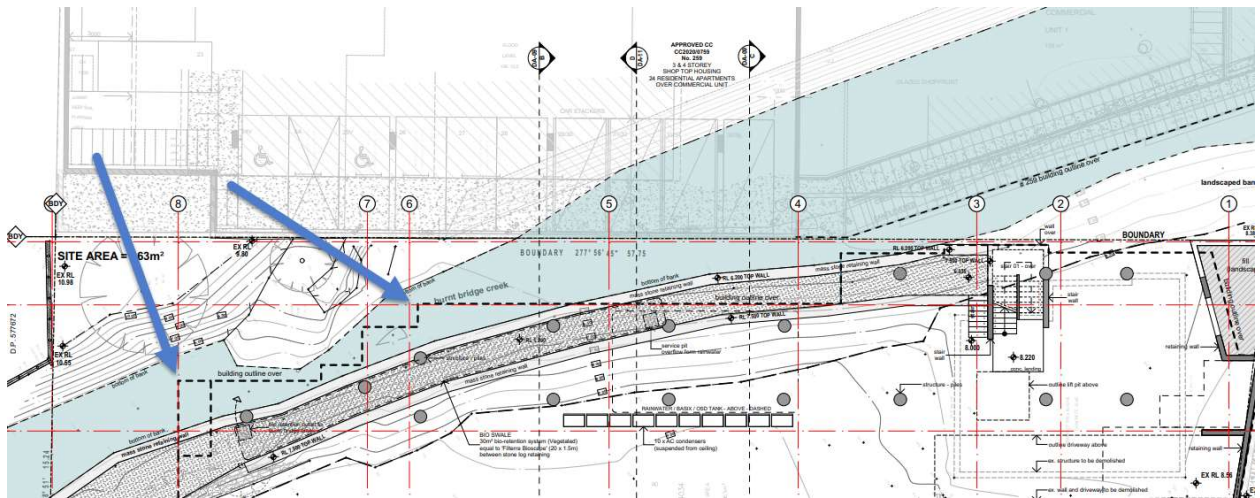
The applicant should notify NRAR, in writing, of their intent to provide the requested information or to arrange for a suitable period to supply this information.

Any questions regarding this correspondence should be directed to **Gina Potter**, [gina.potter@nrar.nsw.gov.au](mailto:gina.potter@nrar.nsw.gov.au).

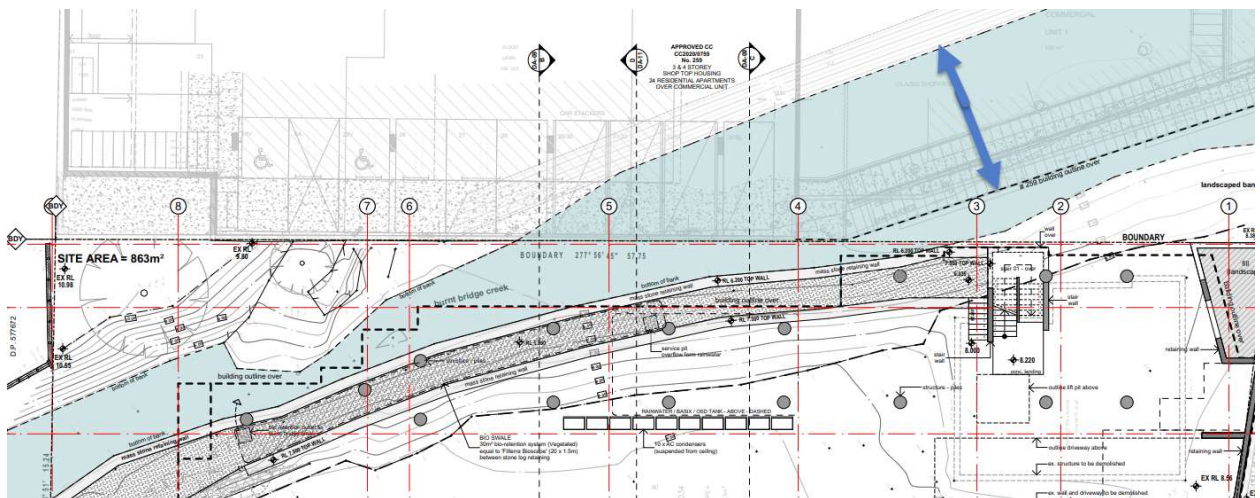
Yours sincerely

**Gina Potter**  
Water Regulation Officer  
Water Regulatory Operations - East  
Natural Resources Access Regulator

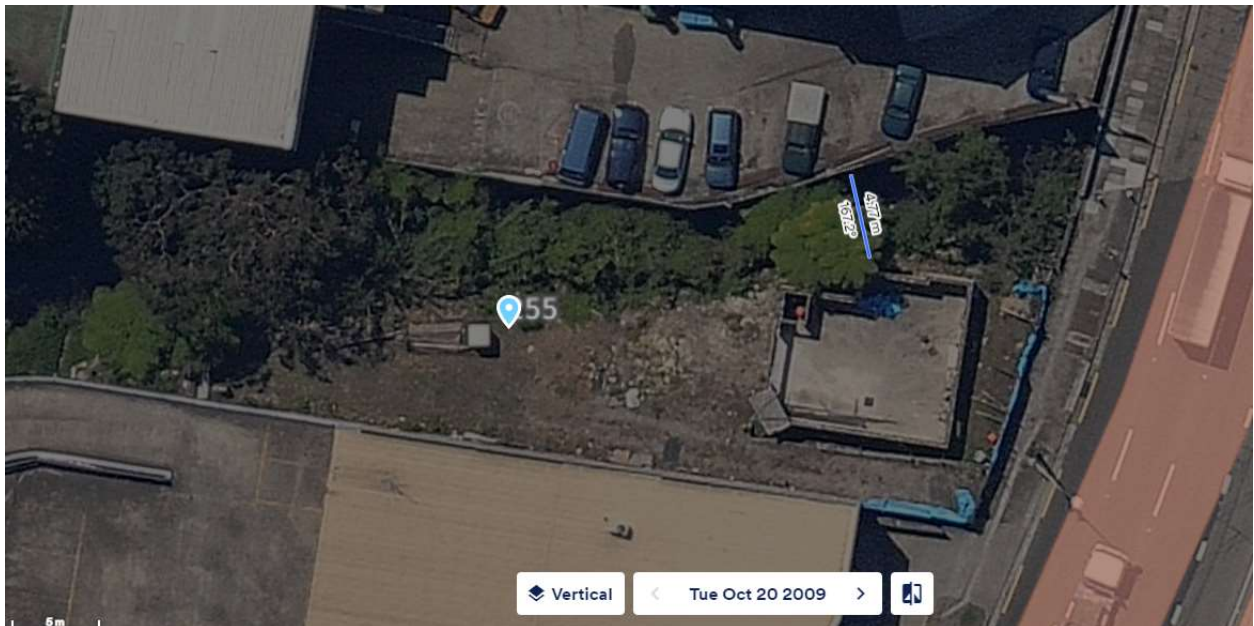
The proposal shows the building overhanging the low flow of the watercourse. The north west corner area is over nearly all of the water flow.



The proponent has made the low flow channel of the watercourse much larger than it actually is to make their proposal seem like less of an impact. The area below is all bank and doesn't go over the water as their proposal plans to.



The adjacent building has replaced itself as it previously was and taken no more room than it did before except in height. See below – previous and current.



The bank works on the adjacent building, or this site, would normally not be supported by NRAR but the previous building was already there and could have remained, and the watercourse is then piped under the road and shopping centre.

I have spoken to the proponent about this site in the past and told them that the building is not to overhang any water, meaning the low flow. The adjacent building is not a justification for their building, as they have tried to show, and they need to show their building is not overhanging the watercourse as submitted to us.

Please show plans in keeping with the above advice.

<https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities>