

Construction dewatering

Information for councils and applicants

Fact sheet

This fact sheet provides local government authorities and applicants with information about construction dewatering and which approvals may be required to authorise dewatering. It also helps those seeking development consent to determine whether a development application is an integrated development application because of the need to obtain approvals relating to dewatering.

What is construction dewatering?

Construction work that requires excavation (such as basements, tunnels and trenches) can often encounter groundwater, particularly where the groundwater table is high or the excavation is particularly deep. Where construction activities will interfere with groundwater aquifers, the groundwater will either build up on the construction site (and potentially adjoining land) or will need to be extracted from the water table. In either case, the groundwater will need to be removed (by bore, pump or other means) - this is referred to as **dewatering**.

The removal of the groundwater from its water source and the taking/using of water (even if the take and use is for disposal) may require approval under the *Water Management Act 2000* (WMA).

Where a development application is lodged for development which requires approvals under the WMA, the development will be an integrated development and local government authorities will typically manage the WMA approval process in conjunction with WaterNSW.

All construction activities that will impact on groundwater aquifers should be referred to WaterNSW as part of the integrated development process to streamline the assessment processes. From 1 January 2020, this should be done via the [NSW Planning Portal](#). If the need for WMA approvals only becomes apparent following development consent, applicants should be referred directly to WaterNSW.



Construction site with excavation work encounters groundwater

What approvals/licences are likely to be required to dewater a construction site?

The following are likely required under the WMA:



1. **Water supply work approval** to construct and use the work(s) required to remove, transport, store, and dispose of the water from a groundwater source, e.g. pumps, bores drainage works.



2. **Water access licence (WAL)** which will authorise a licence holder to take water from a specific groundwater source. WALs usually have an allocation of water attached to them which determines the amount of water that can be taken. Usually, this is in the form of units. The Minister for Water determines annually the amount of water (in megalitres (ML)) which a unit represents for a year. Usually, 1 unit represents 1 ML. Typically, a WAL has a NIL allocation when it is first issued. A WAL and/or units for a WAL, or the annual allocations referable to a particular unit, can be purchased in the market for the relevant water source. Importantly, a WAL is not an approval which is part of the integrated development process. It must be addressed separately. If no exemption applies to your application, then a WAL will need to be obtained prior to dewatering work commencing.



3. **Water use approval** to use or dispose of the water taken from the groundwater source. A water use approval is not required if the use of water is included in the development consent.

Both work approvals and water use approvals under the WMA trigger the integrated development process. When a development application (DA) requires either of these approvals, the DA must be referred to WaterNSW. This referral is done by using [NSW Planning Portal](#).

Some particular dewatering activities may be exempt from the above requirements. There are certain requirements that the applicant must meet and comply with in order to take advantage of the exemptions. Refer to the [exemption for aquifer up to 3ML](#) or [exemption for excavation more than 3ML](#) fact sheets for more information.

Approvals under the WMA to construct and use work(s) to remove groundwater require a dewatering management plan and [recording of groundwater take under the exemption](#). Recording must be weekly and record of water taken submitted to WaterNSW within 28 days of the end of the water year.

What happens once an application is submitted to WaterNSW?

WaterNSW refers all construction dewatering applications to the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW). Once received, NSW DCCEEW undertakes a hydrogeological assessment of the application and provides a hydrogeological report to WaterNSW. WaterNSW considers the hydrogeological report as part of the assessment process to assist in determining whether the WMA approvals should be granted.

Information required for NSW DCCEEW to undertake a hydrogeological assessment

- Geotechnical investigation report describing the results of intrusive investigations at the site.
- Survey plan of the site.

- Architectural plan illustrating accurate design dimensions of the proposed basement and sections (oriented approximately at right angles) illustrating the design depth of the proposed basement(s).
- Environmental site assessment report identifying the contamination status of the property and the general quality characteristics of the groundwater beneath the site.
- Acid sulfate soils assessment and management report identifying the nature, extent and management of acid sulfate soils (where present).

If additional information is required, WaterNSW will contact the applicant directly.

General terms of approvals

Once WaterNSW has received the hydrogeological report for the application and considered all relevant matters, it will determine whether the WMA approvals can be granted.

If the approvals are granted for integrated development, WaterNSW will provide the local council with general terms of approval (GTAs). View the [General terms and conditions fact sheet](#) for more information.

If the local council proposes to grant development consent for the DA, then it must include the WaterNSW GTAs as conditions of the development consent.

The applicant must still separately apply to WaterNSW for the relevant WMA approvals for the particular activity.

What if more time is needed to complete dewatering?

WaterNSW typically grants WMA approvals for dewatering activities for a period of two years. If there are issues completing dewatering within two years, the applicant may submit an application to extend the approval.

If an extension is warranted, WaterNSW will generally extend the approval for a further 12 months. The applicant will be required to submit an interim report to confirm the construction activity is underway. The interim report requires the same information as the completion report. Please refer to the [Completion report fact sheet](#) for more information.

Approvals must usually be extended before the expiry date of the original approval. Approvals which have expired without extension may be referred to the Natural Resources Access Regulator (NRAR) for investigation.

Disclaimer: This fact sheet is provided for general information purposes only and may not cover the precise circumstances of your development. It is only relevant to the particular matters identified in this fact sheet. There may be other processes and relevant fact sheets that are also relevant to your development. Links to all construction dewatering related fact sheets may be found at waternsw.com.au/dewatering. This fact sheet is not legal advice and should not be relied upon as such. Interested persons should obtain their own advice. This fact sheet does not represent the views of any council or the NSW Department of Climate Change, Energy, the Environment and Water or the Natural Resources Access Regulator. This fact sheet represents an interim position and may be updated at any time. Please check the WaterNSW website for the current version. WaterNSW is not liable for consequences of actions taken in reliance of information provided or omitted from this document.

Need help?

If you need more information, please contact our Customer Service Centre on 1300 662 077, Monday to Friday between 8am-5pm or email Customer.Helpdesk@waternsw.com.au

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