

Our ref: OUT25/15557

Max Duncan
Planning Group
NSW Department of Planning, Housing and Infrastructure

Email: max.duncan@dpie.nsw.gov.au

9/12/2025

Subject: TOD – Key Site 6 Macquarie Park (SSD-79017211) – Environmental Impact Statement

Dear Max Duncan,

I refer to your request for advice sent on 27 November 2025 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

The NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and makes recommendations in regard to:

- Quantify the groundwater take from aquifer interference activities and complete a groundwater impact assessment should the water take exceed 3ML/yr.
- Confirm the dewatering infrastructure required.

Please see Attachment A for further detail.

Should you have any further queries in relation to this submission please do not hesitate to contact the DCCEEW Water Assessments team at water.assessments@dcceew.nsw.gov.au.

Yours sincerely



Rob Brownbill,
Manager, Water Assessments, Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the TOD – Key Site 6 Macquarie Park (SSD-79017211) – EIS

1.0 Groundwater assessment and licensing

1.1 Recommendation – pre-determination

That Department of Planning, Housing and Infrastructure (DPHI) request the proponent to:

- Quantify the maximum annual volume of water take due to aquifer interference activities and demonstrate the ability to acquire sufficient water entitlement unless an exemption applies.
- Identify and assess the proposed water supply works to facilitate dewatering.

Explanation

Insufficient information has been provided to confirm the potential groundwater inflow volumes. Appendix 27 (Geotechnical Report) indicated groundwater was identified at 10m below existing ground level in one bore and with a maximum excavation depth ranging from 16.4 to 23.4m groundwater is likely to be intercepted. However, no inflow estimations have been provided. Quantification of maximum annual potential inflow volumes is required for the construction and operation phases. Please see the following links for guidance: [Groundwater assessment toolbox for SSD/SSI](#) and [Minimum requirements for building site groundwater investigations and reporting](#).

No detail has been provided of the proposed dewatering infrastructure eg. pumps/pipelines or the impacts to manage groundwater at the site. This is required to enable exemptions to water legislation approval requirements under section 4.41 of the *Environmental Planning and Assessment Act 1979* to apply.

1.2 Recommendation – pre-determination

If the take of groundwater is found to be greater than 3 ML per year, DPHI should request the proponent to assess impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012). Please refer to the following documents:

- https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0005/151772/NSW-Aquifer-Interference-Policy.pdf
- https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0007/171097/Aquifer-Interference-Assessment-Framework.pdf

Explanation

As per Recommendation 1.1 above, the EIS has not provided a volumetric quantification of groundwater take. Additionally, the EIS has not provided an assessment of impacts to groundwater due to construction or operation of the project. NSW DCCEE Water Group notes that without groundwater take estimations it is difficult to assess the level of risk.

Therefore, the proponent should determine the estimated take volume and assess impacts should the take exceed 3 ML/yr.

1.3 Recommendation – post-determination

That DPHI requests the proponent to obtain a water access licence (WAL) to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the *Water Management (General) Regulation 2025*.

Explanation

Under the *Water Management Act 2000*, if groundwater is intercepted a WAL must be obtained prior to any water take occurring unless an exemption under the *Water Management (General) Regulation 2025* applies. An exemption may be available for water take during construction activities in coastal water sources under Clause 6 of Schedule 4 of the WM Reg, or where the groundwater take during construction or operation is less than or equal to 3ML per water year (cl 19, sch 4 of WM Reg). To claim either of these exemptions certain requirements must be met, such as

- the person claiming the exemption keeps a record of the water taken under the exemption and provides this to the Minister within 28 days of the end of the water year; and
- the records are kept for 5 years.

Further information on these requirements and other information on licensing and approvals and exemptions, including a form to report and record water taken can be found at: <https://water.dpie.nsw.gov.au/licensing-and-trade> and [Groundwater access licence exemptions | NSW Government Water](#).

End Attachment A
