

Our ref: OUT26/1094

Catriona Shirley
Planning Group
NSW Department of Planning, Housing and Infrastructure

Email: Catriona.shirley@dpie.nsw.gov.au

5/02/2026

Subject: Western Sydney Airport Business Park (SSD-64409468) (Liverpool City) – Response to Submissions (RTS)

Dear Catriona Shirley,

I refer to your request for advice sent on 21 January 2026 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

NSW DCCEEW Water Group has reviewed the RTS and has recommendations regarding:

- continuing groundwater level monitoring to assess temporal variations and confirm typical baseline groundwater conditions prior to construction.
- quantifying the maximum volume of groundwater take should the groundwater monitoring indicate groundwater is to be intercepted.
- obtaining a water access licence (WAL) to account for the maximum predicted water take for construction and operation activities

Please see **Attachment A** for details.

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

Yours sincerely

A handwritten signature in blue ink, appearing to read "Z. Baker".

Tim Baker,
A/Manager, Water Assessments, Planning & Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the Western Sydney Airport Business Park (SSD-64409468) (Liverpool City) – Response to Submissions (RTS)

1.0 Water supply, take and licensing

1.1 Recommendation – post-determination

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

- Continue groundwater level monitoring to assess temporal variations and confirm typical baseline groundwater conditions prior to construction.
- Quantify the maximum volume of groundwater take should the groundwater monitoring indicate groundwater is to be intercepted.

Explanation

The groundwater levels are uncertain due to measurements being limited to a period of less than 2 weeks and one of the bores showing a rising level without stabilising. The groundwater level measurements to date have been below the proposed maximum excavation depths indicating the project is low risk, however DCCEE Water supports the recommendations in section 6 of Attachment B for continued groundwater level monitoring to confirm temporal variations and modelling of seepage volumes should groundwater to be intercepted.

1.2 Recommendation – post determination

DPHI should request 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.
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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](https://water.dpie.nsw.gov.au/licensing-and-trade-and-groundwater-access-licence-exemptions) | NSW Government Water.

End Attachment A