

Our ref: OUT26/951

Fadi Shakir
Planning Group
NSW Department of Planning, Housing and Infrastructure

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02 March 2026

Subject: Mixed-use residential and commercial development – 135 Badgerys Ck Rd Bradfield (SSD-77458970) – Environmental Impact Statement

Dear Fadi Shakir,

I refer to your request for advice sent on 2 March 2026 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

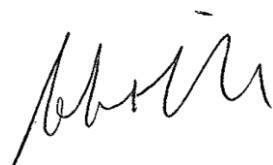
The NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and makes recommendations to:

- Provide further clarification of the maximum annual groundwater take from dewatering during construction and operation of the project.
- Confirm the proposed infrastructure layout meets the buffer requirements of the Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025).
- Clarify the management of drainage from first order watercourses entering the site.

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, Planning and Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the Mixed-use residential and commercial – 135 Badgerys Ck Rd, Bradfield (SSD-77458970) – EIS

1.0 Groundwater take, licensing and management

1.1 Recommendation – pre-determination

That Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to clarify the maximum annual volume of water take due to dewatering activities for the construction and operation period and demonstrate sufficient entitlement can be obtained unless an exemption applies.

Explanation

The proponent has stated in section 4 of Appendix D to the Hydrogeological Report (Appendix EE) that the water take estimates (11.1 ML/yr for the western basement and 14.2 ML/yr for the eastern basement) do not consider excavations required for footings, service trenches, lift pits or crane pads. Further clarification is required of the maximum annual water take based on these additional excavation requirements.

1.2 Recommendation – post-approval

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

The information provided indicates groundwater take of 25.3 ML/yr during construction and operation of the project. This may increase based on the requested information in Recommendation 1.1 above. 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. To claim this exemption 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.

Please note the above exemption does not apply to the operation period and the proponent will be required to obtain an appropriate WAL. 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](#).

1.3 Recommendation - post approval

DPHI should request the proponent to prepare a Dewatering Management Plan in consultation with NSW DCCEEW Water Group.

Explanation

NSW DCCEEW Water Group notes that groundwater inflow volumes are to exceed 3 ML per year. Therefore, a Dewatering Management Plan (DMP) must be prepared and provided to NSW DCCEEW Water Group. The DMP should consider the Guidelines for Groundwater Documentation for SSD/SSI Projects (2022) and the Minimum Requirements for Building Site Groundwater Investigations and Reporting (2022) to ensure the documentation required is fit for purpose. These documents are available at:

- https://publications.water.nsw.gov.au/watergroupjspui/bitstream/100/792/1/Minimum_requirements_for_building_site_groundwater_investigations_and_reporting.pdf
- https://water.nsw.gov.au/___data/assets/pdf_file/0020/507611/Guidelines-for-Groundwater-Documentation-for-SSD-SSI-Projects.pdf

2.0 Waterfront land and surface water management

2.1 Recommendation – pre-determination

That DPHI requests the proponent to confirm the proposed infrastructure layout meets the buffer requirements from watercourses as defined in the Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025) and Development Control Plan (DCP) requirements.

Explanation

Insufficient information has been provided to confirm how the infrastructure layout has addressed the DCCEEW 2025 guidelines. It is recommended the second order watercourse include a naturalised stream design and riparian zone with no encroachments on the inner vegetated riparian zone. It is also noted the DCP outlines that all second order watercourses should be rehabilitated to a natural state.

2.2 Recommendation – pre-determination

That DPHI requests the proponent to clarify how water entering the site from first order watercourses will be managed once those watercourses on site are removed.

Explanation

Insufficient information has been provided to confirm how flows from the first order watercourses is to be conveyed through the site and if the Development Control Plan has been considered. The project will cover two first order streams that extend into adjacent lots and it is unclear how flows sourced from these watercourses will be managed.

End Attachment A
