

Our ref: OUT26/2839

Victor Casasanta
Planning Group
NSW Department of Planning, Housing and Infrastructure

Email: victor.casasanta@dpie.nsw.gov.au

11 March 2026

Subject: Mixed use development with infill affordable housing – 160 Oxford Street, Paddington (SSD-97528708) - Environmental Impact Statement

Dear Victor Casasanta,

I refer to your request for advice sent on 25 February 2026 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

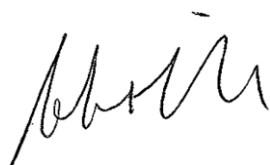
The NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and makes recommendations to:

- Quantify the water take due to aquifer interference activities.
- Identify and assess all water supply works.
- Address requirements for dewatering impact assessments and water licensing.

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

A handwritten signature in black ink, appearing to read "Rob Brownbill".

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 development with infill affordable housing – 160 Oxford St, Paddington (SSD-97528708) – EIS

1.0 Water supply, take and licensing

1.1 Recommendation - pre-determination

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

- Quantify the maximum annual volume of water take due to aquifer interference activities during construction and operation.
- Confirm if the basement is to be tanked or drained.
- Demonstrate the ability to obtain sufficient entitlement unless an exemption applies.

Explanation

Insufficient information has been provided to understand the maximum annual water take for the project during construction and operation. Section 2.3 of the Geotechnical Investigation refers to the preparation of a Site Hydrogeology Report and supporting Groundwater Impact Assessment, however this has not been submitted for review.

The proponent must quantify the maximum water take during construction and ongoing, confirm the design of the basement (tanked or drained) and demonstrate the ability to obtain a water access licence with sufficient entitlement unless an exemption can be identified. Exemptions are listed under Schedule 4 of the Water Management (General) Regulation 2025.

1.2 Recommendation – pre-determination

DPHI requests the proponent to identify all water supply works required for the project and assess the impacts of their construction and operation.

Explanation

Insufficient information has been provided to understand the dewatering infrastructure, including water supply works eg. pumps/pipelines to facilitate the development and the impacts of their construction and operation. This is also required to enable exemptions to water legislation approval requirements under section 4.41 of the *Environmental Planning and Assessment Act 1979* to apply.

1.3 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 (WM Reg).

Explanation

Under the *Water Management Act 2000*, the proponent must hold sufficient entitlement to account for maximum potential water take unless an exemption applies. An exemption may be available for groundwater take for 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](#).

2.0 Groundwater impacts and dewatering requirements

2.1 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://publications.water.nsw.gov.au/watergroupjspui/bitstream/100/2618/1/NSW%20Aquifer%20Interference%20Policy.pdf>
- <https://www.water.nsw.gov.au/sites/default/files/2025-07/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 DCCEEW 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 the impacts.

End Attachment A
