

Our ref: OUT26/3142

Nathan Stringer
Planning Group
NSW Department of Planning, Housing and Infrastructure
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30 March 2026

Subject: Mixed-use development with in-fill affordable housing – Cecil Avenue and Roger Avenue, Castle Hill (SSD-78156221) – Response to Submissions and Amendment Report

Dear Nathan Stringer,

I refer to your request for advice sent on 17 March 2025 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 Response to Submissions, and the proponent is yet to address our recommendations in regard to quantifying water take and assessing impacts from aquifer interference activities. It is noted further monitoring to inform groundwater take estimation is proposed however has not been completed. The proposed deep basement presents unknown risks to the aquifer at this stage and this information is required for DCCEEW Water to advise on the acceptability of impacts and licensing requirements for the project. Previous recommendations are therefore reiterated in this response and are applicable to the proposed amendments that relate to reconfiguration of the building footprint and basement design.

Please see **Attachment A** for more detail.

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 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 in-fill affordable housing – Cecil Avenue and Roger Avenue, Castle Hill (SSD-78156221) – RTS and Amendment Report

1.0 Water take and licensing

1.1 Recommendation – pre-determination

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

- Quantify the maximum annual volume of water take due to aquifer interference activities,
- Confirm if the basement is to be tanked or drained
- Identify the water source where water take is to occur and demonstrate the ability to acquire sufficient water entitlement unless an exemption applies.

Explanation

Insufficient information has been provided to confirm the potential groundwater inflow volumes and the applicable water licensing requirements. The Groundwater Seepage Analysis report indicates that groundwater take is likely to be more than 3 ML/yr however no quantification of the volumes has been provided. It is understood the proponent is awaiting further monitoring to be completed to determine the inflow volumes. However, without the inflow volumes and an assessment against the minimal impact considerations of the NSW Aquifer Interference Policy DCCEEW Water is unable to assess the level of risk and advise on licensing requirements for the project. The proponent should finalise the groundwater impact assessment with quantified volumes for the construction and operation phase and demonstrate the ability to authorise water take for the project.

1.2 Recommendation – pre-determination

DPHI requests the proponent to assess the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012) if the take of groundwater is found to be greater than 3ML per year. Relevant documents are available at:

- <https://www.water.dcceew.nsw.gov.au/sites/default/files/2025-10/NSW-Aquifer-Interference-Policy-2012.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 RTS has not provided a volumetric quantification of groundwater take. Additionally, the RTS has not provided an assessment of impacts to groundwater due to construction or operation of the project.

1.2 Recommendation – post determination

The Department of Planning, Infrastructure and Housing request the proponent to ensure a water access licence (WAL) is obtained 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

Groundwater take for the project is likely to exceed 3 ML/yr however the volumes for construction and operation are yet to be confirmed. 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 water is not taken for consumption or supply;
- 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 coastal water source exemption referred to above only applies to the construction period and should water take exceed 3 ML/yr for the operation period a Water Access Licence with sufficient entitlement will be required. Further information on these requirements and other information on licensing and approvals, exemptions, including an exemption application form and a form to report and record water taken can be found at:

<https://www.water.dcceew.nsw.gov.au/our-work/licensing-and-approvals> and
<https://www.water.dcceew.nsw.gov.au/our-work/licensing-and-approvals/dewatering>

End Attachment A
