

Our ref: OUT26/3297

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NSW Department of Planning, Housing and Infrastructure

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Subject: NEXTDC S4 Data Centre Phase 2, Horsley Park (SSD-108864209)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

Dear Shaun Williams,

The NSW DCCEEW Water Group has developed standard input to SEARs for SSD and SSI projects. Please see **Attachment A** for detailed requirements.

If any of the requirements do not apply to this project, the proponent should describe why in a short statement.

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 "T. Baker".

Tim Baker
Senior Project Officer, Water Assessments, Planning & Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Water Take and Licensing

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
1	A detailed and consolidated site water balance.	
2	Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	NSW Aquifer Interference Policy (2012), section 3 & 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans Clause 46 of the <i>Water Management (General) Regulation 2025</i> Groundwater Guidelines- Water Library: Browsing the Water Group
3	Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly, and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	Section 3 & 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities
4	Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the <i>Water Management Act 2000</i> should be detailed by the proponent.	Water Sharing Plans Sections 3, 5, 60A & 60I of the <i>Water Management Act 2000</i> WAL must nominate a work to satisfy s60D of the <i>Water Management Act 2000</i> and this is completed by a dealing application under s71W of the <i>Water Management Act 2000</i> Exemptions or exclusions information: ○ Schedule 4 <i>Water Management Regulation 2025</i> ○ Sections 4.41 and 5.23 of the <i>EP&A Act 1979</i> ○ Water licensing and works approvals exemptions - https://www.water.dcceew.nsw.gov.au/our-work/licensing-and-approvals and Groundwater access licence exemptions NSW Government Water

Water Impacts

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
5	A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	NSW Aquifer Interference Policy Groundwater Guidelines
6	Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	<i>Water Management Act 2000</i> Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97 <i>Water Management Act 2000</i> Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a)) NSW Aquifer Interference Policy Groundwater Guidelines
7	Proposed surface and groundwater monitoring activities and methodologies.	Groundwater Guidelines NSW Water Quality and River Flow Objectives Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)

Dam Safety

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation Dam Safety NSW - Resources
8	Identify the proposed construction and/or use of a declared dam under Dam Safety Regulations. This is to include existing declared dams with or without physical modifications, new declared dams, modifications to existing dam/s that would require the dam to be declared or the decommissioning of a declared dam.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i> – Part 2 & 3
9	Describe the consequence category of existing declared dam/s and provide an overview of compliance with the requirements of the Dam Safety Regulation, including (but not limited to) requirements for a dam safety management	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i> – Part 3, 4, 5

	system, operations and maintenance plans, and emergency plans.	
10	Include a written consequence category assessment for any proposal involving a new dam, modifications to an existing declared dam/s that are likely to change its consequence category, or changes to downstream property that are likely to change the consequence category of a declared dam.	<i>Dam Safety Regulation 2019 Part 3</i>
11	Describe the decommissioning process of any existing declared dam.	<i>Dam Safety Act 2015</i> <i>Dam Safety Regulation 2019</i>
12	Describe all mining and mining related activities proposed within a Mining Notification Area and assess the impacts of the proposed activities on any declared dam. This is to include proposed mitigating measures and monitoring programs.	<i>Dam Safety Act 2015 – Section 48</i> NSW Declared Dams Interactive Map MinView

Assessment against Policy and Guidelines

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
13	Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025).	Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025)
14	Assessment of project against relevant policies and guidelines	Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025), Groundwater Guidelines