



NSW Department of Climate Change, Energy, the Environment and Water

Our ref: OUT26/4459

Max Tran
Planning Group
NSW Department of Planning, Housing and Infrastructure
Email: max.tran@dpie.nsw.gov.au

16 April 2026

Subject: Residential development with infill affordable housing at 65 Muston St, Mosman (SSD-98068713) – Environmental Impact Statement

Dear Max Tran,

I refer to your request for advice sent on 31 March 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 Environmental Impact Statement and is satisfied with the information provided. A post approval recommendation is made in regard to water licensing. 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 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 & Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the Residential development with in-fill affordable housing at 65 Muston St, Mosman (SSD-98068713) - EIS

1.0 Water take and licensing

1.1 Recommendation – post determination

Department of Planning, Housing and Infrastructure 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 Groundwater Impact Assessment indicates water take from groundwater inflows for the construction and operation period is likely to be less than 3 ML/yr with a worst case long term scenario of 3.83 ML/yr. 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 3 ML 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.

DCCEEW Water advises the exemption above for water take in coastal water sources is limited to the construction period and ceases on 30 June 2029, and ongoing water take will require a Water Access Licence for all the water take if it exceeds 3 ML/yr. Where the dewatering infrastructure was identified and assessed as a part of this SSD, the project would not require a water supply work under the *Water Management Act 2000* as it would meet section 4.41 of the EP&A Act 1979. When this is the case, the proponent must apply for a miscellaneous work from DCCEEW Water to be the extraction point that must be nominated on the WAL. If works were not identified and assessed, a water supply work would 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
