



Our ref: OUT26/8406

Your ref: SSD-76008209

Megan Ramsdale
Planning Group
NSW Department of Planning, Housing and Infrastructure
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10 July 2026

Subject: Comet Park Battery Energy Storage System (SSD-76008209) – Environmental Impact Statement (EIS)

Dear Megan Ramsdale,

I refer to your request for advice sent on 15 June 2026 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter. The assessment has been carried forward to the Water Advisory team of the Development Coordination Authority (DCA) which was established on 1 July 2026.

DCA Water Advisory has reviewed the EIS and considers that groundwater interception is considered to be unlikely for the proposed activities; however, the proponent needs to be aware of the water licensing requirements should this be required.

Please see **Appendix A** for details.

Should you have any further queries in relation to this submission please do not hesitate to contact the DCA Technical Advisory at technical.advisory@dphi.nsw.gov.au

Rob Brownbill
Principal Water Advisor
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Appendix A - Detailed advice to DPHI Planning & Assessment regarding Comet Park Battery Energy Storage System (SSD-76008209) – Environmental Impact Statement (EIS)

1.0 Water supply, take and licensing

1.1 Recommendation – post-approval

The Department of Planning, Housing and Infrastructure (DPHI) should request that the proponent 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 EIS indicates that excavations for the proposal are likely to be less than 3 metres depth, while groundwater levels have been identified from approximately 10 metres depth. On this basis, groundwater interception is considered unlikely.

However, 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 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://www.water.dcceew.nsw.gov.au/our-work/licensing-and-approvals>

End of Appendix A