

Our ref: OUT24/14373

Thomas Bertwistle
Planning Group
NSW Department of Planning, Housing and Infrastructure
Email: Thomas.bertwistle@planning.nsw.gov.au

17/09/2024

Subject: Wallgrove Business Hub (SSD-50972718)– Environmental Impact Statement (EIS)

Dear Thomas,

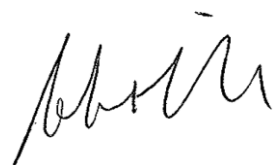
I refer to your request for advice sent on 2 September 2024 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

The concept masterplan seeks to facilitate the staged redevelopment of the site for the purposes of an industrial business hub, consisting of two warehouse buildings with three tenancies, ancillary offices, car parking and associated site works.

NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and has recommendations regarding water supply, take and 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 Water Assessments team at water.assessments@dpie.nsw.gov.au.

Yours sincerely

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

Rob Brownbill,
Manager, Water Assessments, Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the Wallgrove Business Hub (SSD-50972718)- EIS

1.0 Water supply, take and licensing

1.1 Recommendation – pre-determination

The proponent should quantify the maximum annual volume of water take due to aquifer interference activities 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. The proponent provides groundwater level data between 1.34m and 4.7m below ground level in some locations with excavation reaching between 4m and 6m below ground level indicated by the earthworks plans. Quantification of maximum potential inflow volumes is required.

1.2 Recommendation – post approval

The proponent should 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 2018*.

Explanation

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 Clause 7 of Schedule 4 of the *Water Management (General) Regulation 2018* applies. An exemption may be available if water take is less than or equal to 3 ML per water year, subject to the development meeting other exemption requirements, 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.

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://water.dpie.nsw.gov.au/licensing-and-trade>

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, the proponent must assess the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012). These documents are available at:

- https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0005/151772/NSW-Aquifer-Interference-Policy.pdf
- https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0007/171097/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 DCCEE 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.

3.0 Controlled activities on waterfront land

3.1 Recommendation – pre-determination

The proponent should provide evidence that the proposed design meets the riparian buffer requirements from watercourses as outlined in the Guidelines for Controlled Activities on Waterfront Land.

Explanation

All works within waterfront land must be in accordance with the Guidelines for Controlled Activities on Waterfront Land. It is unclear from the provided civil plans if these setbacks have been provided. Setbacks must be measured from the top of bank of the watercourse as outlined in these guidelines. The concept masterplan also indicates a fence is to be installed along the western edge of the site which appears to be within or immediately adjacent to the watercourse, this fence should be relocated to follow the guidelines. The guidelines can be found here <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/controlled-activity-approvals/guidelines>.

3.2 Recommendation – post approval

The proponent should design and construct all works within waterfront land in accordance with the Guidelines for Controlled Activities on Waterfront Land.