

Our ref: OUT25/5430

Michelle Niles
Planning Group
NSW Department of Planning, Housing and Infrastructure

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23 May 2025

Subject: Mixed use development with infill affordable housing, 2-4 Burleigh St and 20-24 Railway Parade, Burwood (SSD-77260958) – Environmental Impact Statement

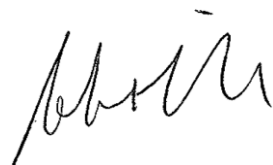
Dear Michelle Niles,

I refer to your request for advice sent on 29 April 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 Environmental Impact Statement and has recommendations regarding water take, licensing and impact assessment. 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@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 Mixed-use development with infill affordable housing, 2-4 Burleigh St and 20-24 Railway Parade, Burwood (SSD-77260958) – EIS

1.0 Water supply, take and licensing

1.1 Recommendation – pre-determination

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

- Quantify the maximum annual volume of water take due to aquifer interference activities during construction and operation.
- 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. NSW DCCEE Water Group notes that the groundwater table will likely be intercepted. Maximum excavation depths for this project are at least 15.6m and water levels in a monitoring well at the site showed groundwater levels between 13.4m and 14.49m below ground level. The proponent has not presented information and analysis on inflows during the construction and ongoing operation of the site, nor has an analysis of the ability to obtain entitlement been provided where the required volume exceeds any available access licence exemption. Quantification of maximum potential inflow volumes is required.

1.2 Recommendation – post approval

The Department of Planning, Housing and Infrastructure requests 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 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.
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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://water.dpie.nsw.gov.au/licensing-and-trade> and <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/water-access-licences-and-approvals/exemptions-for-water-licences-and-works-and-or-use-approvals>

2.0 Groundwater impacts and dewatering requirements

2.1 Recommendation – pre-determination

The Department of Planning, Housing and Infrastructure 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 3 ML per year. Relevant 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 DCCEEW 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.

End Attachment A