

Our ref: OUT25/12632

Erin Matarazzo
Planning Group
NSW Department of Planning, Housing and Infrastructure
Email: erin.matarazzo@dpie.nsw.gov.au

23/09/2025

Subject: Mount Piper to Wallerawang Transmission Line Upgrade (SSI-70279722) – Environmental Impact Statement

Dear Erin Matarazzo,

I refer to your request for advice sent on 22 August 2025 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

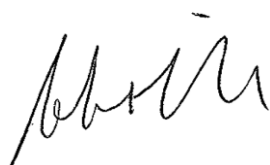
NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and makes recommendations in regard to:

- Reviewing the water licensing requirements for proposed surface water take.
- Ensuring works on waterfront land are in accordance with the Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025).

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@dcceew.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 Mt Piper to Wallerawang Transmission Line Upgrade (SSI-70279722) - EIS

1.0 Water take and licensing

1.1 Recommendation – pre-determination

That Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to review the licensing requirements for the proposed water take from a first order watercourse to enable construction of a crossing between towers 10D and 11D.

Explanation

Section 5.2.1 of Technical Report 1 refers to the requirement to dewater surface water accumulated in a first order watercourse. No reference however has been made to how this water take is to be licensed or an applicable exemption under water legislation. As the water is stored in a first order watercourse it is recommended the proponent review how the water is stored and the applicability of the Maximum Harvestable Rights Dam Capacity (MHRDC) for the landholding. If this is applicable, and the water is only used on the landholding, a water access licence would not be required. Information about MHRDC can be found at: <https://water.dpie.nsw.gov.au/our-work/licensing-and-approvals/basic-landholder-rights/harvestable-rights>

Where a licence is required for the water take, the proponent will need to demonstrate the ability to obtain sufficient entitlement in the water source by identifying willing sellers or available entitlement to purchase.

1.2 Recommendation – post-determination

That DPHI 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 2025 (WM Reg).

Explanation

The EIS has indicated groundwater take for the project is likely to occur and will be below 3 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 WM Reg applies. An exemption may be available under Clause 19, Schedule 4 of the WM Reg 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 [Groundwater access licence exemptions | NSW Government Water](#).

2.0 Works on waterfront land

2.1 Recommendation – post determination

That DPHI requests the proponent to ensure works within waterfront land are in accordance with the Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025).

Explanation

There are multiple locations where works are proposed on waterfront land, including transmission structures, construction compounds, access tracks and new and upgraded watercourse crossings. The proponent has indicated that works will be undertaken in accordance with the relevant guidelines however there is no detailed design in the EIS. It is recommended further detailed design and construction for works on waterfront land be in accordance with the Guidelines for Controlled Activities on Waterfront Land (DCCEEW 2025). The guidelines are accessible at the following link: <https://water.dpie.nsw.gov.au/our-work/licensing-and-approvals/controlled-activity-approvals#guidelines-for-controlled-activity-approvals>

End Attachment A
