

Our ref: OUT25/15474

Fadi Shakir
Planning Group
NSW Department of Planning, Housing and Infrastructure
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26/11/2025

Subject: Berrima Hotel (SSD-66876472) – Environmental Impact Statement (EIS)

Dear Fadi Shakir,

I refer to your request for advice sent on 13 October 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 EIS and has recommendations regarding:

- demonstrating the ability to access sufficient entitlement
- assessment of the basement dewatering pump(s)
- obtaining a water access licence (WAL) to account for the maximum predicted water take
- preparing a Dewatering Management Plan
- ensuring works within waterfront land are in accordance with the Guidelines for Controlled Activities on Waterfront Land

Please see **Attachment A** for details.

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



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 Berrima Hotel (SSD-66876472) – Environmental Impact Statement (EIS)

1.0 Water supply, take and licensing

1.1 Recommendation – pre-determination

The Department of Planning, Housing and Infrastructure (DPHI) should request the proponent to demonstrate the ability to access sufficient entitlement by identifying potential willing sellers or available entitlement to trade with.

Explanation

Trading history within the Sydney Basin Nepean Groundwater Source has been limited over the last 5 water years which may limit the ability of the proponent to find a willing seller to trade with to obtain the required water entitlement for the maximum predicted on-going groundwater take of up to 4.87 ML/y.

1.2 Recommendation – pre-determination

DPHI should request the proponent provide an assessment of the basement dewatering pump(s).

Explanation

Section 4.41(g) of the *Environmental Planning and Assessment Act 1979* excludes a requirement for a Water Supply Works Approval under the *Water Management Act 2000*, provided the water supply works (in this case dewatering pumps) are assessed during the SSD assessment process and prior to determination.

1.3 Recommendation – post approval

DPHI should request 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

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.
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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 Groundwater impacts and dewatering requirements

2.1 Recommendation - post approval

DPHI should request the proponent to prepare a Dewatering Management Plan in consultation with NSW DCCEEW Water Group if the take of groundwater is higher than 3ML per year.

Explanation

The proponent's groundwater inflow assessment demonstrates that take may exceed 3ML per year. The EIS provided an assessment of impacts to groundwater due to construction or operation of the project and found no Category 2 Impacts under the NSW Aquifer Interference Policy. NSW DCCEEW Water Group notes that groundwater inflow volumes will possibly exceed 3 ML per year. Therefore, a Dewatering Management Plan (DMP) must be prepared and provided to NSW DCCEEW Water Group.

The DMP should consider the Guidelines for Groundwater Documentation for SSD/SSI Projects (2022) and the Minimum Requirements for Building Site Groundwater Investigations and Reporting (2022) to ensure the documentation required is fit for purpose. These documents are available at:

- https://publications.water.nsw.gov.au/watergroupjspui/bitstream/100/792/1/Minimum_requirements_for_building_site_groundwater_investigations_and_reporting.pdf
- https://water.nsw.gov.au/_data/assets/pdf_file/0020/507611/Guidelines-for-Groundwater-Documentation-for-SSD-SSI-Projects.pdf

3.0 Activities on waterfront land

3.1 Recommendation - post approval

DPHI should request the proponent to ensure works within waterfront land are in accordance with the Guidelines for Controlled Activities on Waterfront Land.

Explanation

Works including earthworks, new hotel buildings, stormwater infrastructure and landscaping are proposed on waterfront land. The proponent must demonstrate how the relevant Controlled Activity Guidelines have been considered in the concept design. The Controlled Activity Guidelines can be found here [Controlled activity approvals | NSW Government Water](#).