

Our ref: OUT25/12244

Kurtis Wathen
Planning Group
NSW Department of Planning, Housing and Infrastructure

Email: kurtis.wathen@dpie.nsw.gov.au

23/09/2025

Subject: Hunter Transmission Project (SSI-70610456) – Environmental Impact Statement (EIS)

Dear Kurtis Wathen,

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.

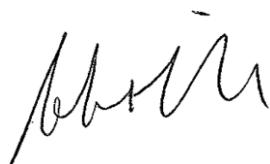
NSW DCCEEW Water Group has reviewed the EIS and has recommendations regarding:

- the ability to obtain the necessary water volumes of both potable and non-potable water
- acquiring a water access licence (WAL) to account for the maximum predicted water take
- an impact assessment of all proposed water supply work for construction and operation
- clarifying the scope of all proposed works on waterfront land
- clarifying the proposed footprints of construction support sites

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

Detailed advice to DPHI Planning & Assessment regarding the Hunter Transmission Project (SSI-70610456) – 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 clarify the ability to obtain the necessary water volumes of both potable and non-potable water from a viable supply via indication(s) of agreement(s) from water supplier(s). Where the water is to be sourced from a currently unauthorised source, an impact assessment and confirmation that the necessary entitlement can be obtained will be required.

Explanation

Whilst the proponent has identified the potential water sources of construction water, no evidence of consultation or supply agreements with potential water suppliers has been provided within the EIS documentation.

1.2 Recommendation – post approval

The Department of Planning, Housing and Infrastructure (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.

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](#).

1.3 Recommendation – pre-determination

DPHI should request the proponent to provide an impact assessment of all proposed water supply work for construction and operation to access water supply for the project.

Explanation

If water supply works are not identified and assessed prior to approval of the project, then the proponent would not be excluded from requiring Water Supply Works Approvals as s.5.23(g) of the *Environmental Planning and Assessment Act 1979* only applies to approved State Significant Infrastructure.

2.0 Activities on waterfront land

2.1 Recommendation – pre-determination

DPHI should request the proponent to clarify the scope of all proposed works on waterfront land.

Explanation

If works on waterfront land are not identified and approved under this SSD approval, then the proponent would not be excluded from requiring Controlled Activity Approval(s) for all works on waterfront land, including temporary and permanent works as s.5.23(g) of the *Environmental Planning and Assessment Act 1979* only applies to approved State Significant Infrastructure.

2.2 Recommendation – pre-determination

DPHI should request the proponent to clarify the proposed footprints of each of the following construction support sites: Wollombi Road, Hebden Road and Freemans Drive.

Explanation

Although exempt from the requirements for a Controlled Activity Approval, the project must comply with NSW DCCEEW's Guidelines for Controlled Activities for Works on Waterfront Land. The indicated layout plans of the each of the specified support site show encroachments into the required Vegetated Riparian Zone (VRZ) buffer widths of Congewoi Creek, Lake Liddel and Lords Creek respectively. Such encroachments are not in accordance with the Department's Controlled Activity Guidelines for Riparian Corridors unless offset with no encroachments into the inner VRZ of these waterways is considered acceptable. This includes encroachments for bushfire Asset Protection Zones. Please see the guidelines here: <https://water.dpie.nsw.gov.au/our-work/licensing-and-approvals/controlled-activity-approvals/guidelines>

2.3 Recommendation – post approval

DPHI should ensure the proponent's works within waterfront land are in accordance with the Guidelines for Controlled Activities on Waterfront Land (NSW DCCEEW).

Explanation

As mentioned above, the scope of works on waterfront land is not clarified within the EIS documentation and Water Group needs more information to assess any impacts. Approval of the project should be conditional on works within waterfront land's compliance with the Guidelines for Controlled Activities on Waterfront Land

End Attachment A
