

Our ref: OUT24/15236

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Planning Group
NSW Department of Planning, Housing and Infrastructure
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1/10/2024

Subject: Westlink Industrial Estate Stage 2 (SSD-46983729) Response to Submissions (RTS)

Dear David,

I refer to your request for advice sent on 19 September 2024 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

The proposed development is for a warehouse and distribution centre as well as earthworks across the site to enable construction of the proposed built form and completion of the internal road network across the Westlink Industrial Estate.

NSW DCCEEW Water Group has reviewed the RTS 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 that reads "Cherelle Brooke".

Cherelle Brooke
Acting 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 Westlink Industrial Estate Stage 2 (SSD-46983729) Response to Submissions

1.0 Water supply, take and licensing

1.1 Recommendation – pre-determination

That the proponent quantifies the maximum annual volume of water take due to aquifer interference activities and demonstrates 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 concept of a 20m excavation and no groundwater interception conflicts with the information provided in the EIS which stated GW seepage was found at 2.5-3m in test pits. Additionally, the EIS noted perched seepage may cause difficulty for excavations and would need to be managed by catch drain methods. The potential for shallow groundwater doesn't seem to be recognised in the RTS response. The proponent has not presented sufficient information and analysis on inflows during the construction and ongoing operation of the site. 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 proponent has not provided a volumetric quantification of groundwater take. Additionally, the proponent 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.

End Attachment A