



NSW Department of Climate Change, Energy, the Environment and Water

Our ref: OUT24/12728

Shaun Williams
Planning Group
NSW Department of Planning, Housing and Infrastructure
Email: shaun.williams@planning.nsw.gov.au

22/08/2024

Subject: **NEXTDC S4 Data Centre Horsely Park (SSD-63741210) – Environmental Impact Statement**

Dear Shaun,

I refer to your request for advice sent on 24 July 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 the staged construction and operation of a data centre development at 16 Johnston Crescent, Horsley Park.

NSW DCCEEW Water Group has reviewed the Environmental Impact Statement 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, 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 NEXTDC S4 Data Centre Horsely Park (SSD-63741210) – Environmental Impact Statement

1.0 Water supply, take and licensing

1.1 Recommendation - post approval

If necessary, 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 (which is likely for this project), 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>

End Attachment A
