



OUT21/16951

Shaun Williams
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

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Dear Mr Williams

**Kemps Creek Data Centre (SSD-10101987)
Environmental Impact Statement (EIS)**

I refer to your email of 17 November 2021 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

This project is for the construction and operation of a Data Centre including two data storage buildings, 61 generators, substation, high voltage switch yard, 30 diesel storage tanks, office, internal access roads and landscaping.

It is unclear whether groundwater take will occur during the project construction and operation. Appendix 10 refers to the potential for groundwater to be accessible for uses such as domestic (non-potable), agricultural, or other purposes, however the volumes and water take infrastructure required, and an assessment of impacts has not been provided. Where groundwater take is to occur the proponent needs to demonstrate the ability to acquire sufficient entitlement.

Therefore NRAR recommends the proponent should:

Prior to Determination

- Confirm if groundwater will be intercepted or extracted during construction and/or operation of the project. If groundwater take will occur provide details of its proposed use, the water extractive works, the maximum annual volume and an impact assessment on water users and the environment. If groundwater take is to occur as an aquifer interference activity the impact assessment needs to address the requirements of the NSW Aquifer Interference Policy.
- If groundwater will be intercepted or extracted please provide an updated site water balance that includes the groundwater take and use.

Post Approval

- Ensure sufficient water entitlement is held in a water access licence/s to account for the maximum predicted take for each water source prior to take occurring unless an exemption applies. The groundwater take is exempt from a water access licence/s if the take is less than or equal to 3ML of water per year for any aquifer interference activities listed in Clause 7 of Schedule 4 of the *Water Management (General) Regulation 2018*. For more information visit <https://www.dpie.nsw.gov.au/nrar/how-to-apply/water-licences/Groundwater>

Any further referrals to DPIE Water and NRAR can be sent by email to water.assessments@dpie.nsw.gov.au or to the following coordinating officer within DPIE Water:

Alistair Drew – Project Officer

E: Alistair.drew@dpie.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink that reads "Liz Rogers". The signature is written in a cursive, flowing style.

Liz Rogers

Manager, Assessments, Knowledge Division

Department of Planning, Industry and Environment: Water

15 December 2021