

Consultation with the department on major projects

Purpose and scope

This guideline assists proponents and consultants liaising with the Department of Planning and Environment's (DPE) Water Group on major projects.

Major projects are State Significant Developments, State Significant Infrastructure, Critical State Significant Infrastructure and associated modifications. This advice targets consultants and companies undertaking work on:

- water monitoring and modelling plans for petroleum and coal exploration
- major project proposals, including requirements for environmental assessments
- post approval management plans such as water management plans, rehabilitation management plans, and water monitoring and modelling plans.

This document does not apply to general licence, approval, or other enquiries. These enquiries should be directed to Water Assist at water.dpie.nsw.gov.au/water-assist or by emailing water.enquiries@dpie.nsw.gov.au.

Why consult?

Consultation with the department's Water Group may be either mandatory or voluntary, and proponents may need to consult with the department for several reasons, including:

- condition of a development consent
- undertaking a development or assessment of a proposal
- understanding detailed water licensing requirements related to a major project.

Through consultation, the department can provide advice to ensure best practice and water related issues are identified and understood, and to ensure development activities are undertaken in accordance with the NSW Government's regulatory and management framework.

Consultation allows for two-way dialogue to ensure appropriate development takes place which supports the sustainable use and management of water resources in NSW.

How to contact the department

Initial contact with the department's Water Assessments team should be through the [Major Projects portal](#) or by email at water.assessments@dpie.nsw.gov.au. If you have an existing contact within this team you may wish to copy them into your correspondence for their information.

When making contact, please ensure your request is as detailed as possible and outlines:

- who you are and who you represent - If you are a consultant, please list the name of the proponent

- the nature, location, and stage of development you are undertaking (including links to relevant online information)
- the specific piece of work you are undertaking (e.g. water management plan, groundwater impact assessment, etc)
- specific requirement or reason to consult with the department (e.g. condition X of consent number Y)
- any earlier communication with the department on this project
- specific requests – for example:
 - review a management plan
 - meeting to discuss application of the Aquifer Interference Policy to a project
- any queries or uncertainties you would like the department to address
- any constraints or critical timeframes for your project. Note that you should plan for sufficient time to consult with government agencies in project schedules where this is a condition of consent or approval.

In many cases the department will be able to address your query quickly by phone, email or video conference.

Meeting with the department

The department has internal rules on meeting with proponents and their consultants. These rules are designed to protect our staff, ensure transparency and probity, and ensure that adequate records are maintained of these meetings. In particular:

- we will decline requests for informal meetings such as at cafes, restaurants and bars. Meetings should be arranged at an official office location, on site, or another appropriate community venue (such as a community hall)
- an agenda should be prepared and circulated by the meeting initiator in advance and a meeting record circulated after the meeting
- in many cases, DPE Water officers will not attend meetings with proponents and their consultants without DPE Planning and Assessment being present.

Providing material for review

All material for review should be made available to the department via the [Major Projects portal](#). Information on how to do this is provided on the portal: planningportal.nsw.gov.au/major-projects/help.

Electronic documents should generally be provided in searchable PDF format. Where requested, data may need to be provided as tables in spreadsheet format, and models and GIS maps need to be provided in appropriate formats for examination.

Confidentiality

Please note that all information provided to NSW Government agencies is subject to the provisions of the *Government Information (Public Access) Act 2009*. The department will handle all information provided in confidence and in good faith, and in accordance with its obligations under this and other statutory obligations. For further information please visit the Information and Privacy Commission website ipc.nsw.gov.au.

We are also subject to oversight by the NSW Parliament which has powers to compel the production of records from government departments and make them public.

Confidentiality does not diminish the responsibility of proponents to provide the information necessary for assessment and review to the department and we will not consider information that has not been formally provided to us in our review.

Proponents are encouraged to make final and approved versions of all management plans available online, even where not legally required to do so.

What you can expect from us

The department's Water Group will endeavour to provide comment and review that is clear, reasonable and practical in its scope. Where our requests or requirements may lead to significant delay or cost to a project, we will consider alternative solutions or options that achieve the desired outcomes of the NSW Government.

Where required, a senior representative of the department will be available to meet with you within a reasonable time of us providing comment that could significantly impact on your project.

Timeframes

During the assessment of a project, DPE Planning and Assessment will lead the whole-of-government assessment process and advise DPE Water on expected timeframes to provide advice.

For post approval requests by the proponent, you should allow 4-5 weeks for DPE Water to undertake a review of a complex document such as a management plan or extraction plan. Minor plans and revisions to earlier plans are likely to be quicker, however please discuss any time constraints with the department's Water Assessments team. We will endeavour to meet time pressures where possible, however it's important that you allow sufficient time for government agencies to undertake a review, make any necessary changes (in consultation with that agency) and seek approval of that plan as required by any relevant conditions.

Where delays are anticipated we will advise you of the expected timeframes and discuss if there are any potential interim options that may help to reduce any subsequent delays to your project.

We will also endeavour to respond to any request for meetings by proponents within three days.

What we expect from you

First and foremost, we expect all consultation to be open and genuine. This includes allowing sufficient time for us to undertake any necessary technical review and for you to consider and respond to our comments.

We expect that you will consult with affected third parties, as necessary, and ensure they are aware of any proposed activities that will impact on them.

Meetings should have a clear purpose, and sufficient time and detail should be provided to the department to allow us to prepare and ensure the appropriate staff are able to attend (who are often located in separate technical teams with other priorities). As we receive many requests for advice and consultation each year, we do not usually engage in general meet and greet type meetings except for very large or complex projects, or where there is minimal disruption to our staff. Project briefings are recommended to be timed to assist the department's review and assessment of an Environmental Impact Statement, management plan or similar.

We expect all documentation to be clear and easy to navigate, and all necessary supporting information to be made available to the department in a timely manner.

More information

Water Assessments Unit, Department of Planning Industry and Environment – Water

Website: water.nsw.gov.au

Email water.assessments@dpie.nsw.gov.au