

Our ref: OUT26/433

Rita Hatem
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NSW Department of Planning, Housing and Infrastructure
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19/02/2026

Subject: Forbes Solar Farm - (SSD-72383210) – Environmental Impact Statement (EIS)

Dear Rita Hatem,

I refer to your request for advice sent on 20 January 2026 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 pre-determination recommendations regarding:

- Assessing the potential for groundwater interception and quantifying the maximum annual volume of water take due to aquifer interference activities.
- Assessing impacts due to aquifer interference activities.
- Reviewing the licensing requirements of all dams that water would be sourced from against the Maximum Harvestable Rights capacity.

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

A handwritten signature in blue ink, appearing to read "Z. Baker".

Tim Baker,
A/Manager, Water Assessments, Planning and Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the Forbes Solar Farm - (SSD-72383210) – 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:

- Assess the potential for groundwater interception due to the project.
- Quantify the maximum annual volume of water take due to aquifer interference activities
- Demonstrate the ability to acquire sufficient water entitlement unless an exemption applies.

Explanation

Insufficient information has been provided to confirm the potential for groundwater interception and the groundwater inflow volumes where interception is to occur. Maximum excavation depths for this project will be up to 2.5 m and no information has been provided on the groundwater levels at the site. The proponent has not presented sufficient information and analysis on the potential for inflows during the construction and ongoing operation of the site. Quantification of maximum potential inflow volumes is required. Please see the following links for guidance: [Groundwater assessment toolbox for SSD/SSI](#) and [Minimum requirements for building site groundwater investigations and reporting](#).

1.2 Recommendation – post approval

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 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 this exemption 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 – post approval

If water from existing dams is sourced, DPHI should request the proponent to undertake a review of the licensing requirements of all dams that water would be sourced from against the Maximum Harvestable Rights capacity of the subject land.

Explanation

The EIS states that all water would be sourced from external contract suppliers, however, also states that “water would be obtained from a council standpipe, dams, or supplied through a contractor”. It is not clear if water is proposed to be sourced from dams, the location of those dams or the existing use and licence requirements of each of those dams.

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, DPHI should request the proponent to assess impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012). Please refer to the following documents:

- 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 EIS has not provided a volumetric quantification of groundwater take. Additionally, the EIS has not provided an assessment of impacts to groundwater due to construction or operation of the project. NSW DCCEEW 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.

3.0 Activities on waterfront land

3.1 Recommendation – post approval

DPHI should ensure the proponent’s works on waterfront land are in accordance with the latest versions of the Department’s Controlled Activity Guidelines.

Explanation

The proponent identifies that designs and works would be undertaken in accordance with the relevant Controlled Activity Guidelines. The proponent should note that these guidelines were updated in 2025 by DCCEEW and can be accessed here:

<https://www.water.dcceew.nsw.gov.au/our-work/licensing-and-approvals/controlled-activity-approvals>