

OUT21/17501

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Dear Mr Robinson

**Forest Glen Solar Farm (SSD-9451258)  
EIS**

I refer to your email of 30 November 2021 to the Department of Planning and Environment (DPE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The proposal is the development of a 110 MW solar farm and associated infrastructure, including battery storage facility.

NRAR has reviewed the EIS and have concerns regarding water supply for construction and operation of the project. Further details can be found in **Attachment A**.

Any further referrals to DPE Water and NRAR can be sent by email to [water.assessments@dpie.nsw.gov.au](mailto:water.assessments@dpie.nsw.gov.au) or to the following coordinating officer within DPE Water:

Alistair Drew, A/Senior Project Officer, E: [Alistair.drew@dpie.nsw.gov.au](mailto:Alistair.drew@dpie.nsw.gov.au)

Yours sincerely



Alistair Drew  
A/Senior Project Officer, Assessments, Knowledge Division  
**Department of Planning and Environment: Water**  
19 January 2022

## Attachment A

# Detailed advice to DPE Planning & Assessment regarding the Forest Glen Solar Farm (SSD-9451258) EIS

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## 1.0 Water Supply/Licencing

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### 1.1 Recommendations

#### Prior to Determination

The proponent should:

- provide clarification of the ability to obtain the necessary water volumes for the project either through accessibility from on-site sources or via an indication of an agreement from a water supplier. Where the water is to be sourced from a currently unauthorised source such as from new water take infrastructure on Whylandra Creek in the Wambalong Whylandra Creek Water source, an impact assessment of its construction and operation will be required. Due to limited entitlement availability in this water source the proponent needs to demonstrate the ability to acquire sufficient water entitlement.

#### Post Approval

The proponent should:

- ensure sufficient water entitlement is held in a water access licence/s to account for the maximum water take for each water source prior to take occurring.
- ensure that relevant nomination of work dealing applications for Water Access Licences proposed to account for water take by the project have been completed prior to the water take occurring.
- be aware of the rules of the relevant water sharing plans.

### 1.2 Explanation

Insufficient information has been provided to confirm a viable water supply is available; hence this represents a commercial risk to the project. The EIS indicates water demand requirements of 42ML over the construction phase and 240kl/yr for the operational phase. A range of water supply options have been proposed, however an assessment of the water availability from these options and an indication of the potential to obtain agreements and/or water entitlement where necessary has not been provided. Options such as dams and unregulated water are subject to climatic conditions which poses a risk to access during low rainfall conditions. Confirmation of the ability to access the necessary volumes when required has not been provided.

A reference is made in the EIS to an option to install infrastructure to access water from Whylandra Creek, however no assessment has been provided of construction or operation of this infrastructure. This assessment is required to enable these works to not require a water supply work approval under the *Water Management Act 2000*. Access to water entitlement is yet to be demonstrated and the limited availability of entitlement represents a risk to this option.

## 2.0 Sediment, Erosion and Construction

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### 2.1 Recommendations – Post Approval

- The proponent should prepare a Construction Environmental Management Plan (incorporating a Soil and Water Management Plan) prior to commencement of activities. This should include measures to address sediment and erosion control in accordance with the guideline; Managing Urban Stormwater: Soils and Construction (Landcom 2004).
- Sediment basins should be designed in accordance with Landcom (2004) and will need to meet an excluded work definition in Sch 1(3) of the *Water Management Regulation 2018* to be exempt from water licensing requirements.
- Erosion and sedimentation mitigating measures and groundcover management should be designed to manage the soil erodibility risks during all stages of the project.
- Watercourse crossings and other works within waterfront land should be in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).

### 2.2 Explanation

The proposal area includes a number of minor watercourses, including seven 1<sup>st</sup> orders and one 2<sup>nd</sup> Order. One new watercourse crossing is specified over the second order, however based on the perimeter road layout a significant number of crossings will be required over first order watercourses. The watercourse crossings will need to be in accordance with the *Guidelines for Controlled Activities on Waterfront Land* (NRAR 2018) (CAA Guidelines). The proposal has included a vegetated buffer for the second order watercourse which is consistent with the CAA Guidelines. Partial construction over some of the first order watercourses will need to ensure the maintenance of flow patterns to maintain downstream flows and to minimise erosion potential.

The site is characterised by erodible soils and there is evidence of sheet and gully erosion and sedimentation in drainage lines. Appropriate management of sediment and erosion control during all stages of the project will be critical to mitigate impacts to waterfront land. This will need to be addressed through development and implementation of site specific mitigating measures with a focus on avoiding surface disturbance in waterfront land and mitigating additional and altered runoff patterns due to infrastructure installation.

**End Attachment A**