Department of Planning and Environment

OUT22/1216

Lander Robinson
Planning and Assessment Group
NSW Department of Planning and Environment

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Dear Mr Robinson

Wallerawang Battery Energy Storage System (SSD-14540514)
Environmental Impact Statement (EIS)

I refer to your email of 8 February 2022 to the Department of Planning and Environment (DPE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

This project proposal is for the construction, operation and maintenance of a Battery Energy Storage System (BESS) within the buffer lands of the decommissioned Wallerawang Power Station site.

DPE Water and NRAR have reviewed the EIS and have concerns regarding riparian corridor characteristics and assessment, compliance of the bioretention basin and construction water take requirements.

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

Alistair Drew – Project Officer
E: alistair.drew@dpie.nsw.gov.au

Yours sincerely

Liz Rogers
Manager, Assessments, Knowledge Division
Department of Planning and Environment: Water
2 March 2022

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Wallerawang Battery Energy Storage System (SSD-14540514) EIS

1.0 Riparian Corridor Characteristics and Assessment

1.1 Recommendation – Prior to Determination

- The proponent should provide further information on the aquatic and riparian corridor characteristics and values within the project site, and the impact due to the proposed piping. It is recommended an option of realigning the watercourse be assessed with the intent to maintain a vegetated riparian corridor.

1.2 Explanation

Inadequate information has been provided to understand the characteristics and values of the watercourses that are to be removed within the project site, and the resultant impact both within the site, and on upstream and downstream connectivity. The EIS has focused on water quality and hydrology assessments of the watercourses but there is a lack of information on aquatic and riparian corridor characteristics. The complete removal of the watercourse is considered by NRAR to be a significant impact to any riparian values at this site with no proposal for diversion or reinstatement. It is recommended further information be provided on the characteristics and values of watercourses at the site and to consider the ability to realign the watercourse and maintain a vegetated riparian corridor. This is to protect and enhance water flow, stream ecology and riparian functioning which is consistent with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).

2.0 Construction Water Take Requirements

2.1 Recommendation – Prior to Determination

- The proponent should quantify the water volumes required for construction and confirm viable sources are available to meet these demands.

2.2 Explanation

Inadequate information has been provided to quantify the water volumes required to meet the construction demands for the project and to confirm a viable authorised supply is available.

3.0 Bioretention basin

3.1 Recommendation – Prior to Determination

- The proponent should review the bioretention basin to ensure either; 1) its capacity is within the Maximum Harvestable Rights Dam Capacity for the property, or 2) that it satisfies a relevant exemption in Schedule 1, *Water Management (General) Regulation 2018*.

3.2 Recommendation – Post approval

- The stormwater management design should consider separation of clean and dirty water runoff.

3.3 Explanation

The proposed bioretention basin will capture runoff from the development site and potentially from clean runoff areas. Separation of clean and dirty water should be incorporated into the stormwater management design.

It is unclear whether the basin is sized within the Maximum Harvestable Rights Dam Capacity (MHRDC) for the property or whether it satisfies a relevant water licensing exemption in Schedule 1, *Water Management (General) Regulation 2018*.

4.0 Post Approval Recommendations

- The proponent should prepare a Soil and Water Management Plan to address stormwater management and sediment and erosion control. The plan is to address the requirements of the guideline *Managing Urban Stormwater: Soils and Construction* (Landcom 2004) and the *Guidelines for Controlled Activities on Waterfront Land* (NRAR 2018).
- Should groundwater be intercepted a Water Access Licence (WAL) under the *Water Management Act 2000* must be obtained unless 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

End Attachment A