

Our ref: OUT22/7310

Kurtis Wathen
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NSW Department of Planning and Environment

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4 July 2022

Subject: **Blind Creek Solar Farm (SSD-13166280) – Environmental Impact Statement (EIS)**

Dear Mr Wathen,

I refer to your request for advice sent on 3 June 2022 to the Department of Planning and Environment (DPE) Water about the above matter.

This project proposal is for the development of a 350 MW solar farm with battery storage and associated infrastructure.

DPE Water has reviewed the EIS and requires further information regarding water take and compliance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018). Further detail can be found in **Attachment A** on the next page.

Please note that the licensing and approval function has now moved from NRAR to DPE Water. Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments 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
Ph: 0429 894 056

Yours sincerely

A handwritten signature in blue ink that reads "Liz Rogers".

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

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Blind Creek Solar Farm (SSD-13166280)

1.0 Water Take & Licensing

1.1 Recommendations – Prior to Determination

The proponent should:

- Quantify the maximum annual volume of water take due to aquifer interference activities required for the project and demonstrate sufficient entitlement can be acquired in the relevant water source unless an exemption applies.
- Provide details of where water will be sourced to meet site water demand and provide evidence this can be obtained.
- Provide an impact assessment of the proposed water supply work construction and operation to access water supply for the project. This needs to assess impacts and to address the relevant trading and access rules in the Water Sharing Plan.

1.2 Recommendation – Post Approval

- The proponent should ensure sufficient entitlements to account for all water take are held prior to the take occurring.

1.3 Explanation

- Insufficient information has been provided to quantify the maximum annual volume of water take due to aquifer interference activities required for the project and to demonstrate sufficient entitlement can be acquired in the relevant water source unless an exemption applies. It is mentioned in the EIS that groundwater interception is possible in deeper excavations but no estimates have been provided. There is an exemption for take less than 3ML, Clause 7 Schedule 4 of the *Water Management (General) Regulation 2018* but it is unclear if this will apply. More information on this exemption can be found at <https://water.dpie.nsw.gov.au/licensing-and-trade/licensing/groundwater-wal-exemptions>
 - The EIS notes that 250ML of water will be required for the 12-18 month construction and ongoing water demand of 70ML. Insufficient evidence has been provided on the ability to obtain water for these requirements. If this is planned to be sourced by licensable methods, please provide evidence these can be obtained. If it is by trucks or potable supply please provide evidence that these suppliers can provide these volumes.
 - Page 89 of the EIS notes a bore is to be constructed for water supply but no details have been provided. To be exempt from requiring a water supply work approval the works must be assessed as a part of the State Significant Development approval. The proponent should provide an impact assessment of the proposed water supply work construction and operation to access water supply for the project. This needs to assess impacts and to address the relevant trading and access rules in the Water Sharing Plan.
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2.0 Activities on Waterfront Land

2.1 Recommendations – Prior to Determination

The proponent should:

- Provide a flow path for Wrights Creek which does not contain solar arrays.
- Confirm setbacks have been planned in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).

2.2 Recommendation – Post Approval

- All works on waterfront land should be in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).

2.3 Explanation

- DPE Water acknowledge that Wrights Creek is a defined creek upstream of the site but does not have a defined channel (bed/banks or vegetation changes) through the site. The site serves as a broad drainage path to Butmaroo Creek/Lake George. DPE Water recommends that a designated flow path which does not contain solar arrays be provided through the site to allow for an unimpeded path flow downstream. The width of the flow path should give due consideration to the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018) as well as site merits.
- All works on waterfront land should be in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018). The Guidelines are mentioned in Appendix I – Hydrological and Hydraulic Analysis in regard to setbacks and offsetting but this has not been demonstrated to be in accordance with these. Confirmation is requested of setbacks from watercourses and offsetting if required. This includes Butmaroo Creek, Lake George and Bridge Creek.

End Attachment A