

Our ref: OUT22/17171

Karl Okorn
Planning and Assessment Group
NSW Department of Planning and Environment

Email: karl.okorn@planning.nsw.gov.au

11 October 2022

Subject: **Marulan Solar Farm (SSD-13137914) – Environmental Impact Statement (EIS)**

Dear Mr Okorn,

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

This project proposal is for the Development of a 100MW solar farm with energy storage and associated infrastructure.

DPE Water has reviewed the EIS and requires more information prior to determination regarding the project's ability to meet the requirements of the Guidelines for Controlled Activities on Waterfront Land (NOW 2012). Our more detailed advice is in Attachment A.

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 "L Rogers".

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

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Marulan Solar Farm (SSD-13137914)

1.0 Buffer Requirements

1.1 Recommendation – Prior to Determination

The proponent should clarify:

- the proposed infrastructure layout to meet the buffer requirements from watercourses as defined in the Guidelines for Controlled Activities on Waterfront Land.
- how the proposed landscape plan will include riparian plantings for 3rd order and above watercourses.

1.2 Explanation

The proposal area includes a number of watercourses, including two 1st Order, one 2nd Order and one 3rd Order Stream. A number of watercourse crossings are proposed, these will need to be in accordance with the Guidelines for Controlled Activities on Waterfront Land (NOW 2012). These guidelines also define vegetated buffer distances between watercourses and infrastructure. It is unclear based on the information provided whether these buffers are to be implemented and how vegetated zones will be implemented for 3rd order and above watercourses. Appendix B – Landscape Plan only notes riparian plantings for 1st and 2nd order watercourses.

2.0 Post Approval Recommendations

2.1 Recommendation – Post Approval

That the proponent:

- obtain a Water Access Licence (WAL) under the *Water Management Act 2000* Should groundwater be intercepted 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://water.dpie.nsw.gov.au/licensing-and-trade/licensing/groundwater-wal-exemptions>
- ensure works within waterfront land are in accordance with the Guidelines for Controlled Activities on Waterfront Land (NOW 2012).
- prepare a Vegetation Management Plan including management and rehabilitation of riparian vegetation along the required vegetated riparian corridors for each watercourse to be retained and protected at the site. This should be prepared in accordance with the Guidelines for Controlled Activities on Waterfront Land – Vegetation Management Plans.

2.2 Explanation

The proponent notes there is the potential for groundwater to be intercepted during construction of the transmission lines due to the depth of footings required. This take is expected to be less than 3ML/year so would likely be exempt under Schedule 4 Clause 7 of the *Water Management (General) Regulation 2018*. Should more groundwater be intercepted than expected, a Water Access Licence will be required with sufficient entitlements.