

Our ref: OUT23/17409

Nestor Tsambos
Planning and Assessment Group
NSW Department of Planning and Environment

Email: nestor.tsambos@dpie.nsw.gov.au

23 October 2023

Subject: Birriwa Solar Farm (SSD – 29508870) – Response to Submissions (RTS) & Amendment Report

Dear Nestor Tsambos

I refer to your request for advice sent on 5 October 2023 to the Department of Planning and Environment (DPE) Water about the above matter.

The amendment to the project includes:

- the addition of a temporary accommodation facility, to provide temporary accommodation for up to 500 construction staff during the construction phase of the project
- a refinement to the development footprint associated with the solar component of the project, to include the south-eastern corner (approximately 5 ha).

DPE Water has reviewed the RTS and Amendment Report and has recommendations regarding water supply, take and licencing and controlled activities on waterfront land. Please see Attachment A for more detail.

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.

Yours sincerely



Tim Baker
Senior Project Officer, Assessments, Knowledge Division
Department of Planning and Environment: Water

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Response to Submissions (RTS) & Amendment Report

1.0 Water supply, licencing and work approval

1.1 Recommendation – prior to approval

The proponent should confirm the maximum water demands for construction of the temporary accommodation facility and demonstrate the ability to obtain a secure and appropriately authorised supply. This is to include relevant agreements where required and to demonstrate sufficient water entitlements can be acquired where necessary.

Explanation

The amendment report mentions that when operating at full capacity, the accommodation facility may require 125,000 L of water per day during the construction phase. This equates to over 100ML if the construction phase continues for 28 months at full capacity. The amendment report states that it may source the water supply for the accommodation facility from the council's potable water supply and or from drilling into underground aquifers. Neither of these two water supply options have been confirmed.

1.2 Recommendation – prior to approval

The proponent should confirm the requirement to construct and operate groundwater supply bores for the project. Should bores be required, the proponent should provide an impact assessment on water users, water source/s and dependent ecosystems.

Explanation

The amendment report indicates that water supply for construction may be accessed from groundwater supply bores. Confirmation of this requirement and an impact assessment of their construction and operation has not been included. DPE Water recommends the inclusion of all water supply works, including bores, within this major project assessment. This is to enable an exemption from the requirement for a water supply work approval under the *Water Management Act 2000* and to provide a clear identification of project impacts, water demands from each water source and water availability.

1.3 Recommendation – post approval

The proponent should acquire sufficient water entitlement in a Water Access Licence (WAL), in the relevant water source/s, to account for the maximum predicted water take prior to any take occurring.

Explanation

This is to meet the regulatory requirements of the *Water Management Act 2000*. The WAL must also be linked to a relevant work. This requires an application to change the WAL which needs to be submitted to WaterNSW.

2.0 Controlled activities on waterfront land

2.1 Recommendation – post approval

The proponent should ensure works within waterfront land (40m of a watercourse) are conducted in accordance with the Guidelines for Controlled Activities on Waterfront Land available at: <https://water.dpie.nsw.gov.au/licensing-and-trade/controlled-activity-approvals/guidelines>.

Explanation

A third order stream runs through the project area that is being used for the temporary accommodation facility. Based on Figure 1.3 of the Amendment report, it appears that a potential crossing may be built over it.