



Department of Primary Industries

OUT17/9157

Ms Nicole Brewer
Resource Assessments
NSW Department of Planning and Environment
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SYDNEY NSW 2001

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Dear Ms Brewer

Jupiter Wind Farm (SSD 6277) Comment on the Environmental Impact Statement (EIS)

I refer to your email of 29 November 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI. Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI has reviewed the EIS for the project and provides the following comments and recommendations:

- The proponent should provide further detailed information on the current agricultural productivity of the project site in order to form a baseline for the Decommissioning and Rehabilitation Plan. Baseline information should include assessment of current:
 - Agricultural practices.
 - Pasture components.
 - Weed levels.
 - Soils survey.
 - Landforms/land assessment.
- The proposed weed management plan should clearly articulate roles and responsibilities during and post the construction stages, current weed baseline levels, and specific management for areas disturbed during construction and any future rehabilitation works.
- The Decommissioning and Rehabilitation Plan should include:
 - Weed management options for disturbed and covered areas (not just fertiliser treatments)
 - Appropriate timing seasonally for pasture revegetation and rehabilitation works (not just any six month period)
 - Appropriate specific indicators for the monitoring program
 - Specific information on monitoring frequency.
- Insufficient information regarding project activities within waterways and riparian areas has been provided to adequately assess suitability of measures for protecting

aquatic ecosystems. The proponent should ensure planned works are in accordance with the requirements listed at **Attachment A**.

- The proponent should consult with DPI Fisheries (ahp.central@dpi.nsw.gov.au) on the following matters prior to works commencing:
 - Progressive Erosion and Sediment Control Plans (ESCP's) for works impacting on 3rd order or above waterways.
 - Dewatering of, or discharge into a 3rd order or above waterway.
 - The Construction Environmental Management Plan.
- Where volumetric water entitlement for the volumes of water sought may be required, the proponent should consider if there is sufficient market depth so that a trade of entitlement can be made. Trading must be consistent with the rules of the relevant Greater Metropolitan Water Sharing Plans and more specifically for this project, the Boro Creek and Reedy Creek Management Zones in relation to surface water.
- It is noted that groundwater is unlikely to be encountered given the project location which is high in the landscape and the relatively shallow depths of excavations required. However, should further investigations indicate that groundwater may be encountered, the proponent should consult with DPI Water (water.referrals@dpi.nsw.gov.au).
- Determination of the project should include the following Conditions of Consent:
 - The design of waterway crossings for access roads and cable installations, and any associated instream works are to be prepared in accordance with DPI Water's Guidelines for Controlled Activities on Waterfront Land (2012), except where the waterway has been identified as [Key Fish Habitat](#) or where the waterway is 3rd order or above, in which case all works should be in accordance with DPI Fisheries' [Policy and guidelines for fish habitat conservation and management \(2013\)](#).
 - Construction Soil and Water Management plans relevant to waterway crossings and other activities on "waterfront land" as defined in the *Water Management Act 2000* are to be prepared in consultation with DPI fisheries and DPI Water prior to the commencement of such activities.

Yours sincerely



Mitchell Isaacs
Director, Planning Policy & Assessment Advice
1 March 2017

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:

<https://goo.gl/o8TXWz>

Attachment A

Jupiter Wind Farm (SSD 6277) Request for Input into Secretary's Environment Assessment Requirements Detailed comments – DPI Fisheries

The proposal footprint is located within the catchment of the Shoalhaven river and is transected by 3rd and 4th order waterways (identified as Key Fish Habitat) including Doughboy, Boro, Reedy and Manar Creeks and their associated tributaries and drainage lines. The potential impact of the development upon the aquatic habitats and fish communities of these waterways is of particular interest to DPI.

To ensure adequate protection of aquatic ecosystems within the project footprint the proponent should ensure the following:

- Open trenching techniques should not be used for traversing waterways of 3rd order or above. Where the proposed cabling network crosses such waterways (as listed in Table 2.2 of Annex I – Water Supply, Water Quality and Hydrology Assessment Report) directional drilling or underboring methods should be undertaken wherever possible. The proponent is requested to consult with DPI Fisheries, including the provision of detailed plans for waterway crossings for review and comment, prior to commencement of any works in or adjacent to waterways.
- Poles for the above-ground portion of the 33kV and optic fibre network must be positioned to avoid excavation within the bed or riparian zone (minimum 10m measured from the top of the bank) of all 3rd order or above waterways.
- Access tracks for construction and maintenance are to be located to avoid crossing 3rd order or above waterways wherever possible. Where unavoidable, the design and construction of all 3rd order and above watercourse crossings must be undertaken in accordance with DPI's Policy and guidelines for fish habitat conservation and management (update 2013 – Section 4.2 Waterway Crossings) and *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (2004). These documents are available on our website www.dpi.nsw.gov.au, under 'Aquatic Habitats' and 'Publications'. The designs for proposed crossings (both permanent or temporary on any 3rd order or above waterway) should be provided to DPI Fisheries prior to works commencing.
- It should be noted that the standard drawing SD 5-1 (Annex C of Annex I - Water Supply, Water Quality and Hydrology Assessment Report) does not meet the DPI Fisheries requirements for waterway crossings and should not be used as a template for 3rd order or above waterway crossings. Waterway crossings should be designed and constructed in accordance with the DPI Fisheries guideline [*Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* \(2003\).](#)

End Attachment A