

OUT16/25136

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NSW Department of Planning and Environment  
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Dear Ms Charteris

**Rye Park Wind Farm (SSD 6693)  
Comment on the Response to Submissions Report**

I refer to your email dated 12 May 2016 to the Department of Primary Industries in requesting comment on the above matter. Comment has been sought from relevant divisions of DPI. Any further referrals to DPI can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

DPI has reviewed the Response to Submissions and provides the following recommendations:

- The Biodiversity Assessment Addendum makes several references to the impacts on Blakney Creek and its tributaries; however Pudman Creek is not a tributary of Blakney Creek and much of the impacts fall within the Pudman Creek catchment and its tributaries. The waters of Pudman Creek (and tributaries) have comparable value and as such should be considered in the same manner as Blakney Creek and its tributaries throughout the documentation.
- Section 6 also refers to the CEMP covering Blakney Creek and its tributaries not Pudman Creek and its tributaries which also need to be included in the CEMP
- Given our sampling records show the distribution of the threatened Southern Pygmy Perch (SPP) includes creeks classified as 1st and 2nd order streams (not typically considered "Key Fish Habitat"), the proponent should consult DPI Fisheries in the development of all creek crossings within the project area to minimise the impacts on SPP populations. Sites such as Urumwalla Creek, Lang's Creek and Little Plains Creek are likely to contain SPP populations, however will not be included in assessments and consultations if the current limitations on 3rd order streams and above are applied.
- There is no mention of fish or fish habitat in the Offset Strategy, however there will be loss of habitat via the construction of road crossings. The inclusion of a monitoring program to assess the impacts that the development may have over time on a SPP population would be critical in ensuring the activities imposed no increased pressure on an already threatened population.
- Section 6.6.7 of the RTS has specified a construction water demand of 900ML for dust suppression and concrete batching. This is a significant increase from the 15.6ML specified in the original EIS. The RTS indicates this water is likely to be sourced from Yass Dam with discussions occurring with Yass Valley Council to progress this water supply. DPI Water assumes this proposal would be utilising Council's water entitlements, hence Council would need to consider the ability of Yass Dam to meet the demands of this project and the town water supply requirements. Formal arrangements to access this water source however are yet to be reached which represents a commercial risk to the project. It is recommended the water supply be secured prior to project approval.
- The RTS also indicates the use of Burrunjuck Dam as an alternative water source if required. DPI Water advises the take of water from Burrunjuck Dam would need to be

consistent with the requirements of the Water Sharing Plan for the Murrumbidgee Regulated River Water Source and obtain any necessary licences under the *Water Management Act 2000*. This would include the need to hold sufficient entitlement (temporary or permanent) in a Water Access Licence and consideration would need to be given to the extraction point and associated pumps/pipelines etc. Where the extractive works are identified and assessed within an approved SSD project the proponent is exempt from the requirement to obtain a water supply work approval. The requirement to hold sufficient entitlement in a Water Access Licence (WAL) however is still required. It is also recommended to contact WaterNSW where access to the water source is proposed directly from Burrunjuck Dam and/or where delivery of water is required.

- Section 6.6.9 refers to WaterNSW specifying guidelines for watercourse crossings. The relevant contact is DPI Water. The proposal to design watercourse crossings consistent with the "*Guidelines for Controlled Activities on Waterfront Land*" is supported.

The department recommends that the following be included as Conditions of Consent in any determination for the project:

1. The proponent must obtain relevant licensing under the *Water Management Act 2000* prior to taking water.
2. The proponent shall prepare a Construction Environmental Management Plan in consultation with DPI (Water and Fisheries) prior to commencement of activities.
3. The design of waterway crossings for access roads and cable installations, and any associated instream works is to be included within the Construction Environmental Management Plan. These designs are to be prepared in accordance with DPI Water's "*Guidelines for Controlled Activities on Waterfront Land*"

Yours sincerely



Mitchell Isaacs  
**Director, Planning Policy & Assessment Advice**  
6 July 2016