



Department of Primary Industries

OUT14/15847

Ms Tracy Bellamy
Infrastructure Projects
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

10 JUN 2014

Tracy.Bellamy@planning.nsw.gov.au

Dear Ms Bellamy,

Paling Yards Wind Farm (MP10_0053) Response to exhibition of Environmental Impact Statement

I refer to your email dated 27 March 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water (NOW) has reviewed the exhibited Environmental Impact Statement (EIS) submitted in support of the Paling Yards Wind Farm Project. Key comments are provided below and recommended conditions of approval are provided in Attachment A.

- The EIS indicates water requirements over the 12 month construction period of 30ML. This is to cover concrete production, road construction and dust suppression. A number of water supply options have been identified however, a secure supply is yet to be determined. This represents a commercial risk to the proponent. The proposal to ensure all regulatory requirements are addressed prior to commencement of activities is supported. The NSW Office of Water advises the information provided in Annex A of Appendix 14 in relation to Part 2 and 5 licensing under the *Water Act 1912* has been superseded due to commencement of water sharing plans for both groundwater and surface water. This has been more accurately interpreted in Section 3 of Appendix 14.
- The Geotechnical Assessment indicated no groundwater was observed in the test pits (maximum depth of 3.5m) or boreholes (maximum depth of 20m) however groundwater levels may vary. The final footing design of either a gravity footing or anchored footing may alter the likelihood of groundwater being intercepted. If anchored footings are selected it is recommended an assessment be carried out on the potential impacts of intercepting groundwater on existing groundwater users and groundwater dependent ecosystems. If appropriate, this assessment should be accompanied by

suitable mitigation measures and will need to consider any licensing requirements under the *Water Management Act 2000*. Dewatering of less than 3ML/yr for construction will generally not require a water access licence, however it is recommended the proponent contact the Office of Water to confirm licensing requirements if groundwater will be intercepted.

- The development of a Construction Environmental Management Plan which is to include a Soil and Water Management Plan is supported in consultation with the Office of Water.

For further information please contact Tim Baker, Senior Water Regulation Officer (Dubbo Office) on 6841 7403 or at tim.baker@water.nsw.gov.au.

Comment from Crown Lands

Crown Lands has responded direct to your Department by letter dated 8 May, 2014.

For further information please contact John Flarrey, Group Leader (Goulburn office) on 4824 3714 or at: John.Flarrey@lands.nsw.gov.au.

Fisheries NSW and Agriculture NSW advise no issues.

Yours sincerely



Kristian Holz
Director Policy, Legislation and Innovation

Attachment A

Paling Yards Wind Farm (MP10_0053) Response to exhibition of EIS Recommended Conditions of Approval by NSW Office of Water

The NSW Office of Water requests the following conditions be included in any determination issued for the Paling Yards Wind Farm Project:

1. The proponent must obtain relevant licensing under the *Water Act 1912* or *Water Management Act 2000* from the NSW Office of Water before commencing any works which intercept or extract groundwater or surface water.
2. The proponent shall prepare a Construction Environmental Management Plan in consultation with and to the satisfaction of the NSW Office of Water 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 NSW Office of Water's "*Guidelines for Controlled Activities on Waterfront Land*".
4. If rock anchoring is selected for wind tower foundations, the Office of Water requests a groundwater assessment be undertaken and endorsed prior to construction. This is to assess the risk of impact on existing licensed groundwater users and groundwater dependant ecosystems and provide suitable mitigation measures. Any necessary licensing requirements under the *Water Management Act 2000* will also need to be obtained.

End Attachment A