



Our ref: DOC25/1022167
Your ref: SSD-80471210

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Dear Rita

Molong Battery Energy Storage System – Environmental Impact Statement

Thank you for your request via the NSW Planning Portal dated 21 November 2025 to the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments on the Environmental Impact Statement (EIS) for the Molong Battery Energy Storage System (the project).

CPHR understands the project includes:

- construction and operation of a battery energy storage system (BESS) facility
- an aboveground transmission line connection to the neighbouring TransGrid substation
- ancillary development including car parking, lay down areas, landscaping, security fencing and lighting.

CPHR notes that Box Gum Woodland Critically Endangered Ecological Community (CEEC), a candidate Serious and Irreversible Impact (SAIL) entity, is the dominant vegetation community within the project area. The project footprint will result in a minor impact to this Threatened Ecological Community (TEC), removing approximately 6 hectares of low condition woodland. Based on the site selection and design, CPHR considers the proponent has taken reasonable steps to avoid and minimise impacts to Box Gum Woodland CEEC by locating the project appropriately and limiting disturbance to a small area of low-condition vegetation.

Issues to be addressed are:

- provide further evidence to justify the classification of exotic vegetation
- revise the species polygon for the pink-tailed worm lizard to encompass all suitable habitat
- update native vegetation extent mapping within the 1500 m buffer
- audit of BAM plot data to correct errors in the BAM calculator (BAM-C)
- finalise and certify the biodiversity development assessment report (BDAR) and BAM-C credit reports within 14 days of submission.

While addressing these matters may influence the final biodiversity credit obligation for the project, CPHR do not anticipate that it will affect our overall conclusion regarding the adequacy of avoidance and minimisation measures undertaken by the proponent.

We recommend that the Department of Planning, Housing and Infrastructure (DPHI) requests an updated BDAR that incorporates all the recommendations listed in **Attachment A**. The updated BDAR should be provided with the Response to Submissions (RTS) report.

If you have any questions about this advice, please do not hesitate to contact Ben Ellis, Principal Project Officer, via ben.ellis@environment.nsw.gov.au or (02) 8275 1838.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Carr', written in a cursive style.

Sarah Carr
Director, North West Branch
Conservation Programs, Heritage and Regulation Group

16 December 2025

Attachment A – CPHR's recommendations and detailed comments

CPHR's detailed comments and recommendations

Molong Battery Energy Storage System – Environmental Impact Statement

1. Provide further justification and evidence to support the classification of exotic vegetation and confirm the absence of Box Gum Woodland CEEC

Section 4.2.3 of the Biodiversity Development Assessment Report (BDAR) provides a description of areas assigned as exotic vegetation, supported by two photos from the northern and southern extents of the project. CPHR notes that the dominant vegetation type within the project area is consistent with White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Critically Endangered Ecological Community (Box Gum Woodland CEEC). This community can occur in a range of condition states, including derived native grassland within degraded landscapes. Therefore, groundcover that is partially exotic and forms part of a derived or disturbed vegetation community should be assessed against the criteria for this CEEC.

We recommend that additional evidence and justification be provided to confirm the classification of exotic vegetation and demonstrate that the vegetation does not conform to Box Gum Woodland CEEC. Additional evidence could include reference to geo-referenced photos, floristic plots, rapid data points and field notes of the floristic composition collected and observed in specific areas of the project. CPHR do not anticipate that additional field surveys will be required provided that this information has already been collected.

Recommendation

- 1.1. Provide further evidence to support the classification of exotic vegetation and justify the absence of Box Gum Woodland CEEC from these areas.

2. Provide further justification that all suitable habitat has been assumed present for the pink-tailed worm lizard

Section 5.3.2.2 of the BDAR assumes the presence of the pink-tailed worm lizard and applies a species polygon with a 10-metre buffer around rocky areas. This approach differs from the requirements within the Threatened Biodiversity Data Collection (TBDC), which identifies suitable habitat as a 50 metre buffer around rocky areas.

The species polygon should be revised to encompass all suitable habitat as defined by the TBDC. If the assessor considered areas within the 50m buffer to be unsuitable for the species this should be justified giving reference to the requirements detailed in section 4.4.3 of the Biodiversity Assessment Method (BAM) Operational Manual - Stage 1. Alternatively, an expert report could be prepared to further assess the areas of suitable habitat within the project area and/or refine the species polygon.

Recommendation

- 2.1 Revise the species polygon for the pink-tailed worm lizard to encompass all areas of suitable habitat, as defined by the TBDC. Alternatively, prepare an expert report to further assess the areas of suitable habitat within the project area and/or refine the species polygon.

3. Revise the landscape native vegetation mapping

Section 3.2.9 of the BDAR identifies native vegetation cover within the project's 1500 m buffer area as 14.7%, assigning the project a cover class of 10–30%. However, there are several instances where the mapping does not include small patches of native vegetation, (open woodland with separated canopies and paddock trees).

This update may result in the project being assigned to a higher vegetation cover class, altering the candidate species list generated for the project.

Recommendations

- 3.1 Revise the native vegetation extent mapping for the project and update the BAM-C native vegetation cover class if relevant. Assess any additional candidate threatened species generated in accordance with section 6 of the BAM.

4. Inconsistencies exist between field data sheets and data in the BAM-C

CPHR have audited a sub-sample of data in field data sheets BAM calculator (BAM-C). For example, the functional scores for plot “BAM 2” includes the stem size class of 50-79cm, however this stem size class has not been added into the BAM-C. The data in field data sheets must be consistent with the data entered into the BAM-C, as any errors can have an impact on the final credit obligation for the project.

We recommend that a full audit of the BAM-C against field data sheets is undertaken to correct this error and any other errors which may be present. CPHR will conduct a comprehensive audit of the amended BAM-C and BDAR during the Response to Submissions (RTS) phase.

Recommendation

- 4.1 Undertake a full audit of the BAM-C against field data sheets to correct any other errors which may be present. CPHR will conduct a comprehensive audit of the amended BAM-C and BDAR during the Response to Submissions (RTS) phase.

5. Certify the BDAR within 14 days of the submission date

In accordance with section 6.15(1) of the *Biodiversity Conservation Act 2016*, a BDAR must be certified by the accredited assessor within 14 days of the relevant submission date of the environmental impact statement (EIS). In addition, the date of submission of the BDAR must be within 14 days of the date shown on the finalised credit report generated using BAM-C. Submission of relevant BAM-C information is detailed within Appendix K of the BAM 2020 as forming part of the minimum requirements for a BDAR.

The BDAR submitted for the project has been certified by the accredited assessor approximately 4 months prior to the exhibition of the EIS and the credit reports appended to the BDAR were finalised approximately 2 months prior.

Recommendation

- 5.1 During the Response to Submissions (RTS) phase, finalise the BAM-C credit report and certify the BDAR within 14 days of submission.

6. Implement stronger commitments to pre-clearing protocols for the superb parrot

Section 8.5 of the BDAR currently states that an ecologist will undertake pre-clearance checks, including inspection of hollow-bearing trees prior to felling. If the superb parrot is detected, clearance works will be scheduled outside the breeding season (September–January).

Given the high abundance of superb parrots recorded in the immediate area, if clearance must occur during the breeding season (September–January), CPHR recommends strengthening pre-clearance protocols. This should include pre-clearance inspections of hollows *in-situ*, either via a cherry-picker or by a qualified arborist using a borescope camera. This approach will improve detection of active nests and breeding birds. Where active nests are identified, clearance of hollow-bearing trees should be deferred until superb parrot chicks are fully fledged.

Recommendation

- 6.1 If clearing is scheduled for September–January, commit to comprehensive inspections of hollows *in-situ*. Where active nests be detected, clearing of hollow-bearing trees should be deferred until superb parrot chicks are fully fledged.

7. Update the BDAR with the project's controlled action determination

Section 12 of the BDAR states that the proponent is preparing a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for a controlled action determination. As CPHR understand, the project has been referred to the Commonwealth Department of Climate Change, Energy, the Environment and Water (Commonwealth DCCEEW) and has been determined as not a controlled action¹.

Comment

- 7.1 Update the BDAR to reflect the controlled action determination.

¹ Commonwealth Department of Climate Change, Energy, the Environment and Water (2025) Molong Battery Energy Storage System project determination. Accessed via: <https://epbcpportal.environment.gov.au/all-referrals/project-referral-summary/project-decision/?id=e92d5dde-4776-f011-b4cc-00224897bf32>