



Our Ref: DOC20/859524-2  
Your Ref: SSD 9619

Planning and Assessment Group  
Department of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta NSW 2150

Attention: Mr Javier Canon

Dear Mr Canon

**RE: Tilbuster Solar Farm– SSD 9619 – Requirement to finalise and resubmit Biodiversity Development Assessment Report**

Thank you for your e-mail dated 16 October 2020 seeking advice from the Biodiversity Conservation Division (BCD) on the biodiversity impacts of the proposed Tilbuster Solar Farm, located within the Armidale Regional Local Government Area. I appreciate the opportunity to provide input.

A Biodiversity Development Assessment Report (BDAR) has been prepared for the proposed development by NGH and is dated September 2020. We note that a Biodiversity Assessment Method - Calculator (BAM-C) case has been prepared by the Accredited Assessor, Mr Brendon True, to support the BDAR, however the case has not been finalised and submitted to the consent authority. Appendix H of the BDAR includes the BAM-C credit report for the proposal which indicates that the calculator was last updated on 28 April 2020 and is 'To be finalised'.

Section 6.15(1) of the Biodiversity Conservation Act 2016 (BC Act) states that '*A biodiversity assessment report cannot be submitted in connection with a relevant application unless the accredited person certifies in the report that the report has been prepared on the basis of the requirements of (and information provided under) the biodiversity assessment method as at a specified date and that the date is within 14 days of the date that the report is so submitted.*'

The currency of the BDAR is important to ensure the most relevant biodiversity updates have been included during the assessment of the proposal. As it stands, the current BDAR is invalid because it does not accord with s6.15(1) of the BC Act and this must be addressed before we can complete our review of the BDAR.

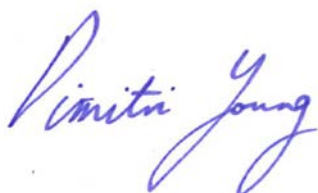
*BCD Requirements:*

1. The BDAR is to be updated to address any relevant threatened entities listed on the schedules of the *Biodiversity Conservation Act 2016* since 28 April 2020.
2. The BAM calculations are to be finalised and submitted by the Accredited Person.

3. An updated BDAR is to be lodged with the Planning and Assessment Group in support of the development application within 14 days of the credit calculations being finalised and submitted.
4. The updated BDAR should be referred to the BCD for review after it is lodged.

If you have any questions about this advice, please do not hesitate to contact Ms Nicky Owner, Senior Conservation Planning Officer, at [nicky.owner@environment.nsw.gov.au](mailto:nicky.owner@environment.nsw.gov.au) or 6659 8254.

Yours sincerely



27 October 2020

**DIMITRI YOUNG**  
**Senior Team Leader Planning, North East Branch**  
**Biodiversity and Conservation**