



Our ref: DOC21/830972

Senders ref: SSD-9874-MOD-1

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Via email: dominic.crinnion@planning.nsw.gov.au

6 October 2021

Dear Mr Crinnion

Subject: Walla Walla Solar Farm – Panel height increase (SSD-9874-MOD-1)

Thank you for your referral dated 21 September 2021 seeking comment from the Biodiversity and Conservation Division (BCD) on the above project.

BCD has reviewed the documentation provided and consider that there may be impacts to threatened biodiversity that have not been identified in the application.

These relate to:

- clearing of vegetation for widening the sub-station 'alternate access' intersection
- possible upgrades required for heavy vehicle use of the unsealed section of Benambra Road to the west of the approved main access. Upgrades to Benambra Road were not assessed in the original Environmental Impact Statement (EIS). Upgrade activities could include trimming of trees for the required vehicle height/width, clearing of vegetation for drainage construction and storage of road construction material.
- it is unclear if additional vegetation clearing is required for oversize vehicles to turn into the sub-station site from Benambra Road via the alternate access.

The Modification 1 Application states in Section 4.2 (page 12) that the proponent considers road upgrades to be unnecessary and proposes to maintain the road during construction in accordance with the development consent. It also states that over-dimensional vehicle access to the substation site is already permitted by the project consent.

Vegetation on the Benambra Road roadside may be part of critically endangered ecological communities listed on the NSW *Biodiversity Conservation Act 2016* (BC Act) and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Modification 1 Application does not provide any discussion about the vegetation at the alternate access location from Benambra Road. Aerial imagery shows that there are no trees in the general location, however native vegetation, threatened species habitat and threatened ecological communities can exist in areas without trees.

If the vegetation is considered not to be native, we would expect to see evidence that plant species richness and cover of the roadside vegetation was surveyed.

An assessment of vegetation outside the development site was not provided with the project EIS but some roadside vegetation with trees has been mapped as 'retained vegetation' in the original project Biodiversity Development Assessment Report (BDAR).

We recommend the proponent provide evidence that the any vegetation to be impacted has been surveyed according to the Biodiversity Assessment Method (BAM), and is either not native, or matches one of the vegetation zones assessed for the BDAR. Any impact to native vegetation or threatened species habitat should be assessed according to the BAM.

Detailed comments are provided in **Attachment A**.

If you have any questions about this advice, please contact Miranda Kerr, Senior Biodiversity Conservation Officer via rog.southwest@environment.nsw.gov.au or 02 6022 0607.

Yours sincerely



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ATTACHMENT A – BCD comments on Walla Walla Solar Farm – Panel height increase (SSD 9874 MOD 1)

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The Walla Walla Solar Farm development consent includes construction vehicle access in the north-eastern corner of the development site. The EIS did not assesses upgrade activities required for the unsealed section of Benambra Road along the northern boundary of the development site, which is now proposed to be used for construction vehicles (EIS Appendix F Traffic Impact Assessment, Section 2.2.1, page 11). However, it did assess the 'sub-station access' point for transformer delivery and operations.

Where grasslands occur naturally, such as in the Riverina region, assessment needs to be undertaken in pasture areas to demonstrate whether they meet the definition of native vegetation. If native species richness and cover are present above the specified measure, the pasture is then assigned to a Plant Community Type (PCT) and assessed according to the BAM. Photographic evidence is to be provided, including aerial imagery and site photos. If native species are not present, then the assessment should provide the following:

- evidence that the land is category 1 (exempt) land and may therefore be disregarded by the BAM consistent with ss.6.8(3) BC Act, but not excluding an assessment of the prescribed impacts
- evidence that the land does not provide suitable habitat for threatened species according to s.6.4 BC Act,

PCTs 76, 277 and 278 are mapped on the development site. These PCTs and can occur without a tree layer and are potential components of the following threatened ecological communities:

- *White Box – Yellow Box – Blakely's Red Gum Woodland* critically endangered ecological community (CEEC), or *Inland Grey Box Woodland* endangered ecological community (EEC) listed under the BC Act.
- *Box-Gum Woodland* CEEC or endangered *Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia* listed under the EPBC Act.

The potential for serious and irreversible impacts (SAIL) on *White Box – Yellow Box – Blakely's Red Gum Woodland* CEEC should also be assessed if it is impacted by the proposal.