



Our ref: DOC24/595664
Your ref: SSD-63207219

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Dear James

Kingswood Battery Energy Storage System – Exhibition of EIS

Thank you for your request via the NSW Planning Portal dated 17 July 2024 to the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments on the exhibited Environmental Impact Statement (EIS) for the Kingswood Battery Energy Storage System (BESS).

BCS has reviewed the EIS and the appended Biodiversity Development Assessment Report (BDAR). We note that the BDAR has been prepared in accordance with the small area module. The site is comprised of predominantly exotic pasture with scattered patches of remnant native vegetation, the development footprint containing 0.16 hectares of native vegetation and 21.36 hectares of exotic grassland.

The BDAR has not adequately addressed the requirements of the Biodiversity Assessment Method (BAM) and missing data has prevented BCS from being able to complete our review. Our recommendations are provided in **Attachment A** and detailed comments in **Attachment B**.

BCS also provides comment, as advice only, on the following matters:

1. State vegetation mapping has been used for the purposes of mapping native vegetation within the 1,500m landscape assessment area. This has under-estimated the native vegetation cover. The assessor should use professional judgement, using whatever information is available including vegetation mapping on the subject site itself and publicly available assessments of other projects within the assessment area. It is noted that in this instance it is unlikely that further assessment will result in the native vegetation cover moving into the next category and changing the current biodiversity credit calculation.
2. Native vegetation within the subject land has been assigned to PCT 3396. Section 3.4.1. of the BDAR provides reasoning as to why PCT 3396, which is associated with White Box- Yellow Box- Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and Riverina Bioregions Critically Endangered Ecological Community (Box Gum Woodland CEEC), is a good fit based on associated canopy species and landscape position. Justification should also have been provided as to why other candidate PCTs were not considered. It is noted that the adjoining BESS projects have assigned other closely aligned PCTs as occurring on their subject land. Given that these PCTs are also associated with Box Gum Woodland CEEC and the credit requirement is very small, BCS regards the PCT choice as

satisfactory in this instance, but encourages the assessor to provide more comprehensive justification in future BDARs.

3. The subject land north of Burgmann's Lane has been mapped as Category 2 in the draft Native Vegetation Regulatory (NVR) map. Figure 3-3 of the BDAR does not align with the draft NVR map. One BAM plot is located north of Burgmann's Lane; however, as the three BAM plots shown in Figure 3-3 are labelled differently to the BAM-C case, we are unable to verify which of the BAM plot sheets relate to this plot. In this instance the vegetation integrity scores for the BAM plots in this vegetation zone are extremely low and do not generate ecosystem credits; therefore, this issue is inconsequential to determining the project credit calculation. The AA must ensure that in future BDARs a full justification of land classified as Category 1, particularly where this differs from the draft NVR map, be provided and that BAM plots are easily identifiable between the BDAR and BAM-C case.

If you have any questions about this advice, please do not hesitate to contact David Geering, Senior Conservation Planning Officer, via david.geering@environment.nsw.gov.au or (02) 6883 5335.

Yours sincerely



Sarah Carr
Director North West
Biodiversity, Conservation and Science

13 August 2024

BCS's recommendations

Kingswood Battery Energy Storage System

Recommendations

- 1.1 The spatial layer should include all individual digital shape files as detailed in Table 24 of the BAM.
- 2.1 Update the BDAR to justify the vegetation zones.
- 2.2 Update Figure 3-3 to clearly delineate the vegetation zones.
- 2.3 Ensure that vegetation zones in the BDAR are consistent with those in the BAM-C.
- 3.1 Revise Figure 3-3 to ensure consistent labelling of the BAM plots.
- 3.2 Provide all field data corresponding to each BAM-C plot, with consistent labels and data on plot locations.

BCS's detailed comments

Kingswood Battery Energy Storage System

1. The spatial data package is incomplete.

A spatial data package was provided to BCS on 24 July 2024. BCS notes that the following information is missing:

- BAM plot layer – including location, field data collected and time of survey
- clear delineation of vegetation zones
- PCT mapping
- a 1500 m buffer around the development.

Without these data files BCS is unable to fully assess the adequacy of the data provided in the BDAR.

Recommendation

- 1.1 The spatial layer should include all individual digital shape files as detailed in Table 24 of the BAM.

2. Vegetation zones in the BDAR and BAM-C are inconsistent.

Two vegetation zones have been entered in the BAM-C case:

- 3396_low
- 3396_mixed_pasture.

However, Tables Table 3-3 and 3-4 of the BDAR describe the vegetation zones as “vegetation zones 3396_low” and “Category 1 land”. These are depicted in Figure 3-3 although the vegetation zones are not labelled appropriately.

BCS is unable to determine the appropriateness of these vegetation zones, particularly considering the uncertainty in regard to land categorisation.

Recommendations

- 2.1 Update the BDAR to justify the vegetation zones.
- 2.2 Update Figure 3-3 to clearly delineate the vegetation zones.
- 2.3 Ensure that vegetation zones in the BDAR are consistent with those in the BAM-C.

3. There are inconsistencies in the plot data between the BDAR and BAM-C.

Three BAM plots are entered into the BAM-C case however only two data sheets are provided in the BDAR (labelled BAM 01 and BAM 02). The rest of the sheets labelled are as “incidentals”.

Plot 1 for “3396_mixed_pasture” in the BAM-C case has not been provided in the BDAR. BCS is therefore unable to verify the plot data for this plot.

As the three BAM plots shown in Figure 3-3 are labelled differently to the BAM-C case BCS has been unable to verify the locations of all 3 BAM-C plots.

Recommendations

- 3.1 Revise Figure 3-3 to ensure consistent labelling of the BAM plots.
- 3.2 Provide all field data corresponding to each BAM-C plot, with consistent labels and data on plot locations.