



Our ref: DOC25/744691

Your ref: SSD-36651552

Ms Megan Ramsdale
Environmental Assessment Officer
Department of Planning, Housing & Infrastructure
megan.ramsdale@planning.nsw.gov.au

Dear Ms Ramsdale

Bendemeer Solar Farm – Memo and Amended Biodiversity Development Assessment Report

Thank you for your request via the NSW Planning Portal dated 21 August 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 Bendemeer Solar Farm post-submissions agency response memo (the memo) and amended Biodiversity Development Assessment Report (BDAR).

CPHR have reviewed the memo and amended BDAR against the recommendations raised in our previous response (dated 23 June 2025) and are satisfied with the approach taken to address the residual issues.

It should be noted that an updated Biodiversity Assessment Method Calculator (BAM-C) case has not been re-submitted, and a finalised BAM-C generated credit report has not been appended to the amended BDAR. CPHR contacted the accredited assessor on 26 August 2025 to resolve this issue. The accredited assessor has since submitted the BAM-C, and a finalised BAM-C credit report has been generated and provided separately with this response. It is the responsibility of the accredited assessor to ensure that a project's BDAR is finalised and valid prior to submission. We will not accept incomplete or un-finalised reports in future submissions.

We recommend that the impact summary in Section 9 of the amended BDAR (certified on 13 August 2025) and the detail within the attached finalised credit reports are used to prepare conditions of consent, if the project is approved. We also recommend that our previous recommendations relating to the proponent's commitment to enhance and restore Box Gum Woodland Critically Endangered Ecological Community (CEEC) are also included; these recommendations have been repeated in **Attachment A** of this response for convenience.

We welcome further consultation on draft consent conditions relating to biodiversity matters if the project is approved. A summary of our review on how residual matters have been addressed is provided in **Attachment A**. The finalised credit reports are provided in **Attachment B**.

If you have any questions about this advice, please contact Liz Mazzer, Senior Conservation Planning Officer, via liz.mazzer@dcceew.nsw.gov.au or (02) 6883 5325.

Yours sincerely

Renee Shepherd
Acting Senior Team Leader, Regional Conservation
Conservation Programs, Heritage and Regulation Group

12 September 2025

Attachment A – CPHR's review of residual matters

Attachment B – Finalised BAM-C Credit Reports

CPHR's review of residual matters

Bendemeer Solar Farm - Memo and Amended BDAR

Memo reference	Summary of CPHR recommendation (23 June 2025)	Addressed in amended BDAR?	BDAR reference	CPHR comments and recommendations
CPHR_01	Review the mapping of scattered trees in the project area. If the scattered trees are non-native, appropriate evidence should be provided in the BDAR.	Yes	Figure 2-1 Section 3.2.4 Figure 3-4 Table 3-8	Thirty-eight additional scattered trees have been identified using aerial imagery. These have been conservatively assigned as Class 3 in the BAM-C and biodiversity credits calculated. Outcome This issue is resolved. No further action required.
CPHR_02	If native trees are identified, these trees should be assessed in accordance with section 4 or Appendix B of the BAM as appropriate			
CPHR_03	Conduct a targeted survey, obtain an expert report or assume presence for the bush-stone curlew.	Yes	Section 4.6 Figure 4-6	The bush-stone curlew has been assumed present. Species polygons consist of vegetation zones containing PCT 510. Biodiversity credits have been calculated for this species. Outcome This issue is resolved. No further action required.
CPHR_04	Correct inconsistencies in the scattered tree assessment relating to the number of trees assessed.	Yes	Figure 2-1 Section 3.2.4 Figure 3-4 Table 3-8 BAM-C credit report	Thirty-eight additional scattered trees have been identified using aerial imagery. These have been conservatively assigned as Class 3 in the BAM-C and biodiversity credits calculated. Outcome This issue is resolved. No further action required
CPHR_05	Ensure all native trees that meet the definition of a scattered tree are assessed and mapped in the scattered tree assessment.			
CPHR_06	Provide a finalised BAM-C case for the scattered tree assessment.			

CPHR_07	Provide further justification for excluding the eastern pygmy possum from the BAM-C. Alternatively, conduct a targeted survey, obtain an expert report or assume presence for the species.	Yes	Section 4.6 Figure 4-5	The eastern pygmy-possum has been assumed present and species credits have been calculated. The species polygon consists of PCT 510, which is the only PCT on-site associated with eastern pygmy-possum in the Threatened Biodiversity Data Collection (TBDC). Outcome This issue is resolved. No further action required
CPHR_08	Provide further justification for excluding the rufous bettong from the BAM-C. Alternatively, conduct a targeted survey, obtain an expert report or assume presence for the species.	Yes	Section 4.1.2 Table 4-3	Additional justification for excluding the rufous bettong has been provided, this justification is considered adequate. Outcome This issue is resolved. No further action required
CPHR_09	Correct and finalise BAM-C credit reports in the amended BDAR, including the scattered tree BAM-C case.	No	Appendix D	A finalised BAM-C generated credit report was not appended to the amended BDAR. CPHR contacted the accredited assessor on 26 August 2025 to resolve this issue. The accredited assessor has since submitted the BAM-C, and a finalised BAM-C credit report has been generated and provided separately with this response. Outcome This issue is resolved. No further action required
CPHR_10	Where possible, design security fencing to be wildlife safe.	Yes	Table 7-7	The mitigation measures recommended in the BDAR have been updated with the requirement that the Biodiversity Management Plan will state that wildlife-safe security fencing should be used, where possible. Outcome This issue is resolved. No further action required.
CPHR_11	The nominated conservation area of 103 hectares (inclusive of the recommended additional area of active management in Figure 1) be secured under a Biodiversity Stewardship Agreement (BSA) to be managed in-perpetuity.	Yes	Section 8.1.2 Section 8.1.2.1	The proponent has included responses to meet all of our recommendations. Recommendations

CPHR_12	A management and monitoring plan for the conservation area should be prepared and implemented prior to construction commencing. This plan should accord with the commitments outlined in section 8.1.2 of the BDAR and include the success criteria of “ <i>actively restoring Box Gum Woodland CEEC in areas of non-native Category 1 land</i> ”. The management plan should be approved by the DPHI Secretary and should be to the satisfaction of CPHR.			If the project is approved, conditions should be prepared that capture our recommendations and the proponent’s commitments, which include: 1.) The nominated conservation area of 103 hectares be secured under a Biodiversity Stewardship Agreement (BSA) to be managed in-perpetuity. 2.) A management and monitoring plan for the conservation area should be prepared and implemented prior to construction commencing. This plan should accord with the commitments outlined in Section 8.1.2 of the BDAR and include the success criteria of “<i>actively restoring Box Gum Woodland CEEC in areas of non-native Category 1-exempt land</i>”. The management plan should be approved by the DPHI Secretary and should be to the satisfaction of CPHR. 3.) All management actions in the management plan should accord with Specific, Measurable, Achievable, Realistic and Timely (SMART) Principles. They also should be fully costed and include contingency measures that would be implemented if monitoring indicates that management actions are not tracking towards success criteria. 4.) The BSA be secured under an in-perpetuity agreement within 1 year of approval, to reduce the time between impacts occurring and the conservation area being secured. 5.) All credits must be retired by the proponent upon generation within the BSA and not used for offsetting.
CPHR_13	All management actions in the management plan should accord with Specific, Measurable, Achievable, Realistic and Timely (SMART) Principles. They should be fully costed and include contingency measures that would be implemented if monitoring indicates that management actions are not tracking towards success criteria.			
CPHR_14	The BSA be secured in-perpetuity within 1 year of construction commencing to reduce the time between impacts occurring and the conservation area being secured.			
CPHR_15	All credits must be retired by the proponent upon generation within the BSA and not used for offsetting.			

Finalised BAM-C Credit Reports

Bendemeer Solar Farm - Memo and Amended BDAR
