



Your ref: SSD-50725708

Our ref: DOC25/717993

Jess Watson
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure - NSW Planning Group

Via Major Projects Portal: PAE-91630467

Dear Jess

Subject: Dinawan Wind Farm – Response to Submissions

Thank you for your email dated 22 August 2025 seeking advice from the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water on the Response to Submissions (RTS).

We have reviewed the RTS against the Secretary's Environmental Assessment Requirements (SEARs) provided by the Department of Planning, Housing and Infrastructure (DPHI) to the proponent on 14 December 2022 and CPHR's advice on the Environmental Impact Statement (EIS) provided to DPHI on 20 August 2024 (DOC25-556164).

The issues relating to flood risk management have been resolved. We are satisfied with the responses provided in the Submissions Report, together with the Amendment Report.

However, CPHR has identified several issues that will need to be rectified in a revised Biodiversity Development Assessment Report (BDAR) for the proponent to meet the SEARs for biodiversity. The key issues that need to be resolved are:

- Ensure an accurate credit liability by updating the spatial data to confirm the impacts assessed in the BDAR are accurate.
- Updating the SAI assessment for Claypan Daisy following Spring surveys and considering impacts to all suitable habitat for Plains-wanderer.

Attachment A contains further detail and recommendations to address the remaining issues.

All plans required as a Condition of Approval that relate to biodiversity and flooding should be developed in consultation with CPHR.

If you have any questions about this advice, please contact Simon Maffei, Senior Project Officer, via planning.southwest@environment.nsw.gov.au.

Yours sincerely

Helen Waudby
7th October 2025
**Acting Director, South West
Regional Delivery
Conservation Programs, Heritage and Regulation Group**

NSW Department of Climate Change, Energy, the Environment and Water

ATTACHMENT A – CPHR comments on Dinawan Wind Farm (SSD-50725708) - Response to Submissions

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In preparing this advice CPHR has reviewed the following documents:

- Dinawan Wind Farm Submissions Report, August 2025. EMM for Spark Renewables.
- Dinawan Wind Farm Amendment Report, August 2025. EMM for Spark Renewables.
- Dinawan Wind Farm, Biodiversity Development Assessment Report, Response to Submissions – Amended BDAR, Final Report, 13 August 2025. Biosis

Detailed feedback about the Applicant’s response to the CPHR EIS submission is provided in the table below. Item numbers correspond to Attachment A and B of that response.

Issues that are not listed below are considered by CPHR to be resolved.

General Issue relating to issues 4, 5, 6	Credit liability unable to be confirmed due to spatial data issues
	Parts of issues 4, 5 and 6 remain unresolved due to issues with the spatial data. The spatial data lacks necessary attributes as set out in Table 7 of the ‘Biodiversity Assessment Method 2020 Operational Manual – Stage 2’. As a result CPHR is unable to determine the extent of impacts and if the credit liability is accurate. Issue 4: Fauna survey tracks spatial data lack attributes such as dates to validate whether survey was completed during the correct period. Issue 5: Flora survey tracks spatial data lack attributes such as dates to validate whether survey was completed during the correct period. Issue 6: The spatial data provided for all flora and fauna species polygons does not align with the BAM-C and BDAR. For example, impacts to <i>Leptorhynchos orientalis</i> is documented as 205.52 ha in the revised BDAR and 234.52 ha in the BAM-C, with the spatial data identifying a larger impact of 240.19 ha. Similarly for Plains-wanderer, the impact is documented in the BDAR as 2.38 ha, but the spatial data identifies a larger impact of 3.32 ha.
Recommend	Review and amend the BAM-C, spatial data and BDAR to ensure that species polygons in the BDAR and BAM-C accurately reflect the spatial data and the survey effort. • Update the fauna survey spatial data to ensure necessary attributes are included. • Update the flora survey spatial data to ensure necessary attributes are included. • Provide flora and fauna species polygon spatial data that reflects the impact presented in the BDAR.

CPHR Issue 1	It is not possible to determine the likelihood of SAIL
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	Additional Spring surveys are currently being completed for Claypan Daisy. A revised BDAR, documenting the outcomes of survey is required to enable the decision-maker to determine if there is a SAIL to this species. Also, the SAIL assessment for Plains-wanderer has not considered impacts to all suitable habitats. As per the NSW Bionet Threatened Biodiversity Data Collection (TBDC), all important habitat mapped areas, areas of associated Plant Community Types (PCTs), and suitable habitat identified through additional surveys should form part of the assessment of a SAIL.
Recommend	• Update the BDAR with the SAIL assessment for Claypan Daisy following completion of the Spring 2025 surveys. • As per the TBDC, update the SAIL assessment for Plains-wanderer at Appendix 5.1 to include all impacts to associated PCTs as impacts to the species.

CPHR Issue 14	Vegetation integrity (VI) scores need to be revised
	A 'Plot justification memo' was provided to CPHR in April 2025 with feedback sent on 28 April 2025 to the accredited assessor (DOC25/224124). The feedback and recommendations related to the separation of plots into stages. For example, 9 plots have been entered into BAM-C for PCT 26 in stage 2, however, 3 were collected from other stages of the project and should be removed. This is necessary to ensure an accurate representation of the vegetation condition for each PCT within each stage and the retirement of credits. This is important because the project only has access rights for 707MW of the proposed 1.2GW project and there is no guarantee that both stages will be constructed. Also, a child case has been created for the entire development in addition to having a BAM-C child case for each stage (Early works, Stage 1, and Stage 2). Doing so duplicates the credit recordings for the parent case and may lead to confusion.
Recommend	• Update each BAM-C child case for each stage to only include VI plots collected for that stage. • Remove the child case for the project in its entirety as it duplicates the credit recordings for the parent case.

CPHR Issue 19	Mitigation Measures
	Table 87 does not include clear commitments to mitigation. Phrases such as 'where practicable', 'should', and 'where possible' must be replaced with commitments. Measures which are unlikely to be actioned post-consent should be removed from the BDAR. Translocation is only supported where there is a clear conservation benefit. Translocation of the Southern Bell Frog is to be removed due to the poor success rates (Koehler et al. 2015¹ and Gould et al. 2023²). The action in

¹ Sally Koehler, Daniel Gilmore, David Newell; Translocation of the threatened Growling Grass Frog *Litoria raniformis*: a case study. Australian Zoologist 1 January 2015; 37 (3): 321–336. doi: <https://doi.org/10.7882/AZ.2014.043>.

² John Gould, Alex Callen, Gregory Knibb, Kate Schmahl, Rachael Donnelly, Bryce Davies, Colin McHenry,

	mitigation measure B2 to allow a minimum of 48 hours for frogs to naturally relocate is the approach supported. The Biodiversity Management Plan (BMP) will need to be developed and agreed in consultation with and CPHR prior to construction.
Recommend	• Update Table 87 with clear commitments to mitigation measures. • Finalise a BMP in consultation with CPHR prior to construction.

CPHR Issues 25 and 26	Bird and Bat Adaptive Management Plan
	The draft BBAMP and will be revised in consultation with CHPR, and finalised once a final design is approved. Key points to include in the final version are: • The development of agreed triggers and commitments to mitigation. For example, the current Tier 2 impact for Wedge-tailed Eagles is if 50% of the annual modelled collision rate is met during a two-month search cycle. It is unclear whether the two-month search cycle includes all turbines or a single turbine. Additionally, this trigger level seems high given Table 84 of the revised BDAR states that 3-6 individuals are at risk of collision per annum. The use of percentages or population estimates are difficult to determine and can lead to confusion. • Commitments to implementing practical evidence-based mitigation measures for individual species. For example, section 7.1.2 of the draft BBAMP states 'transmission line warning markers allow birds to visualise transmission lines during flight. Installation of marker balls, flags or rotating markers would be considered along sections of the transmission lines where avian impact triggers are recorded.' Markers are to be installed at construction when risk to collision is at its highest. Flapper diverters are recommended as they appear to be more effective in reducing collisions than spiral diverters (~70% lower mean mortality rate; Ferrer et al. 2020³). • Monitoring and reporting details require revision. All carcass finds (threatened and non-threatened species), whether identified during targeted carcass searches or incidental finds are reported to CPHR.
Recommend	• Finalise the BBAMP in consultation with CPHR prior to construction.

CPHR Issue 28	Matters of National Environmental Significance (MNES)
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Moved frogs don't settle: Evaluating the impact of translocation on the movement behaviour of a threatened frog. Journal for Nature Conservation, Volume 76, 2023. <https://doi.org/10.1016/j.jnc.2023.126512>.

³ Miguel Ferrer, Virginia Morandini, Ryan Baumbusch, Roberto Muriel, Manuela De Lucas, Cecilia Calabuig, Efficacy of different types of "bird flight diverter" in reducing bird mortality due to collision with transmission power lines, Global Ecology and Conservation, Volume 23, 2020. <https://doi.org/10.1016/j.gecco.2020.e01130>.

	The required MNES information under the Australian Government DCCEEW Bilateral Assessment (provided as Attachment C of the EIS response) is not complete. Section 12 of the BDAR does not provide a complete assessment of the project impacts and offset requirements for EPBC Act listed matters. To determine impacts and residual offset requirement on EPBC Act listed Weeping Myall Woodland the classification of the community needs to be clarified. Section 3.2.4 of the BDAR indicates that partial vegetation zones form part of the EPBC Act listing, however it is not clear what this area is and how it translates to the MNES offset requirements. The BAM-C does not include the EPBC Act listing status of the community or distinguish the credit obligation for the MNES portion of the community.
Recommend	• Update the MNES assessment in Section 12 of the BDAR to include all information required to complete the bilateral assessment. This includes providing summary impact and offset tables as required in Attachment C of the EIS response. • Update the EPBC Act assessment of Weeping Myall Woodland to clarify what area of PCT 26 meets the listing criteria for the community. • Update the BAM-C to reflect the EPBC Act listing status of Weeping Myall Woodland so an accurate credit obligation is recorded.