



Our ref: DOC25/844390
Your ref: SSD-29491142

Cameron Ashe
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Department of Planning, Housing and Infrastructure (DPHI)
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Dear Cameron

Cobbora Solar Farm – Environmental Impact Statement

Thank you for your request via the NSW Major Projects Planning Portal dated 29 August 2025 to the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEE) inviting comments on the Environmental Impact Statement (EIS) for the Cobbora Solar Farm.

CPHR has reviewed the EIS and Biodiversity Development Assessment Report (BDAR) and consider that the BDAR is likely to underestimate the biodiversity impacts of the proposal and is not compliant with the Biodiversity Assessment Method (BAM).

Priority biodiversity issues identified during our review are:

- The land category assessment and native vegetation mapping and cover percentage have not been sufficiently justified and require further review.
- It is unclear if a credit obligation will be generated for indirect impacts.
- Data transcription errors exist between the BDAR, plot data, spatial data and BAM-Calculator (BAM-C) and data entry for benchmark vegetation integrity (VI) plots.
- The spatial data package for fauna survey effort was corrupted. CPHR was unable to review the adequacy of threatened fauna candidate species survey.
- There is inadequate justification for exclusion of survey for candidate flora species and the species polygon for the pine donkey orchid (*Diuris tricolor*) needs further review.

CPHR notes the BDAR identifies the potential for Serious and Irreversible Impacts (SII) on:

- 108.44ha of Box Gum Woodland critically endangered ecological community (CEEC)
- 8.71ha of Fuzzy Box Woodland endangered ecological community (EEC)

CPHR considers that the proponent has taken reasonable steps to avoid and minimise impacts to higher biodiversity value representations of both SII entities within the subject land, based on the iterative design process for the project. The accredited assessors have provided a clear justification of avoidance and minimisation in the BDAR.

CPHR recommends the BDAR be updated to include additional minimisation and mitigation measures, in line with the scale of the project and residual impacts to SII entities prior to project determination. We welcome the opportunity to continue working with the proponent to ensure impacts are fully identified and appropriate mitigation measures are determined.

CPHR recommends that the Department of Planning, Housing and Infrastructure (DPHI) requests an updated BDAR that incorporates all the recommendations listed in **Attachment A**. The updated BDAR should be provided with the Response to Submissions (RTS).

CPHR's biodiversity recommendations are provided in **Attachment A**, preliminary SAI assessments are provided in **Attachment B** and detailed biodiversity comments are provided in **Attachment C**. CPHR's flooding comments are provided in **Attachment D**.

If you have any questions about this advice, please contact Nikki Pridgeon, Senior Conservation Planning Officer, via nikki.pridgeon@dcceew.nsw.gov.au or (02) 5852 6807.

Yours sincerely



Sarah Carr
Director North West
Conservation Programs, Heritage and Regulation Group

15 October 2025

Attachment A – CPHR's Recommendations

Attachment B – CPHR's Advice on Serious and Irreversible Impact Entities

Attachment C – CPHR's Detailed Biodiversity Comments

Attachment D – CPHR's Flooding Comments

CPHR's recommendations

Cobbora Solar Farm – Environmental Impact Statement

AEP	Annual Exceedance Probability
BAM	Biodiversity Assessment Method
BAM-C	Biodiversity Assessment Method Calculator
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BDAR	Biodiversity Development Assessment Report
BMP	Biodiversity Management Plan
CEEC	Critically Endangered Ecological Community
CPHR	Conservation Programs, Heritage and Regulation Group
DNG	Derived Native Grassland
EEC	Endangered Ecological Community
EIS	Environmental Impact Statement
FIA	Flood Impact Assessment
FIRA	Flood Impact and Risk Assessment
LLS Act	<i>Local Land Services Act 2013</i>
LLS Regulation	<i>Local Land Services Regulation 2014</i>
NVR	Native Vegetation Regulatory
PCT	Plant Community Type
PMF	Probable Maximum Flood
RTS	Response to Submissions
SAIL	Serious and Irreversible Impacts
SEARs	Secretary's Environmental Assessment Requirements
SVTM	State Vegetation Type Map
TBDC	Threatened Biodiversity Data Collection
TSSC	Threatened Species Scientific Committee
VI score	Vegetation Integrity Score

Biodiversity Recommendations

- 1.1. Review the land categorisation assessment against the final determination for Box Gum Woodland CEEC and provide justification and evidence that areas mapped as Category 1 – Exempt land are not Box Gum Woodland CEEC.

- 1.2. Reinstate all Category 2 – Regulated land as mapped on the draft NVR map or seek a formal map review.
- 1.3. Ensure any areas of Category 2 – Vulnerable Regulated land mapped in the subject land are retained and assessed in accordance with the BAM.
- 1.4. Update the BDAR and BAM-C to reflect any changes made to the land categorisation assessment.
- 2.1. Conduct a full audit of the spatial data to ensure all native vegetation is assigned to a vegetation zone or the scattered tree streamlined assessment module.
- 2.2. Review both BAM-C cases and ensure that a credit obligation has not been duplicated for trees assessed under the scattered tree module.
- 3.1. Provide evidence in the BDAR that each scattered tree meets the definition of scattered trees as per Appendix B of the BAM streamlined assessment module – scattered trees.
- 3.2. Update the BDAR, BAM-C and spatial data with any changes to areas where the scattered tree module has been applied.
- 4.1. Undertake finer scale native vegetation extent mapping to include all native vegetation within the assessment area.
- 4.2. If the updated vegetation mapping brings the project into the next highest vegetation cover class, the BAM-C case for the project should be updated.
- 4.3. If any additional candidate threatened species are generated in the BAM-C, the species should be assessed in accordance with Section 5 of the BAM.
- 5.1. Review and revise vegetation zone stratification to ensure consistency with VI scores and provide justification where condition classifications differ significantly.
- 5.2. If condition stratification is updated, review other aspects of the assessment that are informed by condition stratification, including the exclusion of candidate threatened species and quantification of impacts to SAI entities.
- 6.1. Audit the data in the BAM-C against vegetation mapping and spatial information.
- 7.1. Conduct and audit of the data within the BAM-C against BAM plot data and average benchmark data.
- 8.1. Provide an ecological justification for the buffer applied to pine donkey orchid populations, or revise the species polygon to be inclusive of all suitable habitat.
- 9.1. Document all vegetation plots located outside the project footprint, including evidence that the plots are in the correct PCT and vegetation zone, and that the plot data is consistent with other plot data collected in that vegetation zone.
- 10.1. Provide justification of the survey effort for threatened flora, specifically addressing the areas identified in this response. Where suitable habitat is present, undertake further targeted surveys, prepare an expert report, or assume presence for relevant candidate flora.
- 11.1. Provide evidence-based justification for the exclusion of candidate threatened flora species from specific vegetation zones due to habitat degradation.
- 12.1. Revise the 'CobboraSFB DAR_FaunaTraps_7855_20250530' spatial file to include the locations and survey attributes of all fauna surveys and provide to CPHR with the RTS.
- 12.2. Provide spatial data for key habitat attributes for threatened fauna.
- 13.1. Conduct targeted surveys for species credit fauna species with suitable habitat in the development footprint, or assume presence or obtain an expert report, in accordance with section 5.2 of the BAM.

- 14.1. Identify areas of potential habitat for the large-eared pied bat and document in the BDAR and spatial data package.
- 14.2. Conduct harp trapping for any potential breeding habitat or assume breeding presence.
- 14.3. Address inconsistencies for the presence of the large-eared pied bat in the subject land and revise Table 61 and Table 62 and remove references to the retirement of ecosystem credits for the large-eared pied bat.
- 15.1. Clarify if any residual indirect impacts associated with the development are expected to generate a credit obligation.
- 15.2. Update the BAM-C to capture any, residual indirect impacts which will generate a credit obligation.

Flooding Recommendations

- 1.1 Present a figure in the EIS showing the location and extent of the 0.01% AEP exclusion zones in relation to the development footprint.
- 1.2 The flood impact assessment should include an assessment of hydraulic categories. Where development is located in floodway zones, indicate where structural modifications may be necessary.
- 1.3 Clarify the outflow boundaries to the north (Golden Highway or Talbragar River) and whether they are located far enough from the hydraulic structures to prevent impact.
- 2.1 Design elements such as levees, berms or flood barriers should be modelled to show extent and impact.
- 2.2 If flooding impacts to nearby residential access and infrastructure are possible, the model should be interrogated for any changes from the existing to the developed case at these locations and reported in the EIS and FIA.
- 2.3 If adjacent lands outside of the project area are subject to flood impacts of the developed scenarios, this should be reported in the EIS and FIA.
- 2.4 The final development footprint and design should include a model check that reflects the findings of the EIS.
- 3.1 Conduct an assessment, with supporting evidence for the impacts of flooding of the Talbragar River on the development site and adjacent lands.
- 4.1 Assess climate change and its impact on development, as described in the updated flood risk assessment.
- 5.1 The site-specific evacuation plan should include short duration flooding events up to the PMF.

CPHR's Advice on Serious and Irreversible Impact Entities

Cobbora Solar Farm – Environmental Impact Statement

The BDAR must present information relating to SAI entities in accordance with section 6.12 of the *Biodiversity Conservation Act 2016* (BC Act) and section 9.1 of the Biodiversity Assessment Method (BAM). The 'Guidance to assist a decision-maker to determine a serious and irreversible impact'¹ (the Guidance) identifies that it is the role of the decision-maker to determine whether a proposal is likely to result in SAI. CPHR provides specialist advice on SAI for the decision-maker to consider in their assessment of the project, based on review of the information presented in the BDAR.

CPHR has reviewed the SAI summary in section 8.2 and detailed SAI assessment in Appendix 5 of the BDAR for entities at risk of SAI within the development footprint. As recommendations in **Attachment C** may result in changes to the level of impact to these entities, the following is a preliminary review of the SAI assessment.

Based on our assessment against the principles in clause 6.7 of the *Biodiversity Conservation Regulation 2017* (BC Reg) and relevant supporting guidance and evidence, such as the Guidance, the advice below indicates whether in our opinion the proposed development is likely or not likely to result in a SAI for both entities.

Risk of SAI as evaluated by CPHR	SAI Entity	CPHR Guidance Summary
Likely	White Box-Yellow Box-Blakely's Red Gum Grassy Box Woodland and Derived Native Grassland critically endangered ecological community (Box Gum Woodland CEEC)	<p>The project proposes to clear 108.44ha of Box Gum Woodland CEEC comprising:</p> <ul style="list-style-type: none"> 9.25ha of moderate condition open woodland (67.2 vegetation integrity (VI) score) 42.3ha of low condition modified woodland (32.2 VI score) 56.88ha of low condition derived native grassland (DNG) (14.4 VI score). <p>To support a more informed assessment, CPHR seeks an updated BDAR at the RTS stage that:</p> <ul style="list-style-type: none"> accurately quantifies the total impacts to the CEEC reviews and, if necessary, revises the stratification of condition zones <p>The BDAR identifies Box Gum Woodland CEEC at risk of SAI against:</p> <ul style="list-style-type: none"> Principle 1 - reduction in geographic extent Principle 2 - environmental degradation or disruption of biotic processes <p>There is the potential for greater impacts than currently identified (See Recommendation 1-4 of Attachment C).</p>

¹ Department of Planning, Industry and Environment (2019) *Guidance to assist a decision-maker to determine a serious and irreversible impact*. NSW Government. <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf>

		<p>The iterative design process has reduced biodiversity impacts, with steps to avoid and minimise impacts to areas of higher condition CEEC.</p> <p>There may be opportunities to further minimise impacts to Box Gum Woodland CEEC. CPHR remains open to discuss these measures with the proponent and the consent authority.</p>
<p>Uncertain</p>	<p><i>Fuzzy Box Woodland on alluvial soils of the South Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions</i> endangered ecological community (Fuzzy Box Woodland EEC)</p>	<p>The project proposes to clear 8.71 ha of Fuzzy Box Woodland EEC, comprising:</p> <ul style="list-style-type: none"> • 2.8ha of moderate condition intact woodland at near benchmark quality (88.8 VI score) • 5.91ha of low condition modified woodland (80.6 VI score) <p>To support a more informed assessment, CPHR seeks an updated BDAR at the RTS stage that:</p> <ul style="list-style-type: none"> • accurately quantifies the total impacts to the EEC • reviews and, if necessary, revises the stratification of condition zones <p>The BDAR identifies Fuzzy Box Woodland EEC at risk of SAI against:</p> <ul style="list-style-type: none"> • Principle 1 - reduction in geographic extent • Principle 2 - environmental degradation or disruption of biotic processes • Principle 3 - very limited geographic distribution <p>Based on information in the BDAR, the consent authority should consider if this is a SAI. While the total impact (8.71 ha) is relatively small in the context of the project, Principle 3 is particularly relevant for Fuzzy Box Woodland EEC.</p> <p>This EEC is now confined to small, isolated stands on colluvial soils on lower slopes of former river channels and exists in small disjunct areas (DCCEEW 2025). As such, small stands of this EEC, especially those in high condition, hold significant conservation value.</p> <p>Given the potential for the total impact to increase following revision of the BDAR at RTS, CPHR considers SAI to be uncertain at this stage. If the total quantum of impact remains unchanged, SAI is unlikely.</p> <p>The iterative design process has reduced biodiversity impacts, with steps to avoid and minimise impacts on areas of higher condition EEC.</p> <p>However, based on the final quantum of impact in the revised BDAR, this community may still need to be incorporated into SAI minimisation and mitigation measures. CPHR remains open to discuss these measures with the proponent and the consent authority.</p>

CPHR's detailed biodiversity comments

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1. Provide further justification and evidence to support the land categorisation assessment

The BDAR and spatial data indicate that approximately 70% of the 2,188ha subject land has been assigned as Category 1 – Exempt land (1,526ha). To ensure compliance with s60F(3) of the *Local Land Services Act 2013* (LLS Act), CPHR recommends that the proponent review the following:

- I. The land categorisation assessment does not demonstrate that the land mapped as Category 1 – Exempt land is inconsistent with Box Gum Woodland CEEC

The BDAR identifies that Plant Community Types (PCTs) consistent with the *White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland* CEEC (Box Gum Woodland CEEC) occur within the subject land. As state-wide mapping of CEECs is not currently published on the transitional or draft Native Vegetation Regulatory (NVR) map, a detailed assessment of areas mapped a Category 1 – Exempt land against the final determination for Box-Gum Woodland CEEC, with supporting floristic data, should be documented.

We note that the NSW Threatened Species Scientific Committee (TSSC) final determination for the Box Gum Woodland CEEC discusses a spectrum of land uses and condition states in relation to the community and does not require the vegetation to be predominantly native.

- II. Areas of Category 2 – Regulated land and Category 2 – Vulnerable Regulated land have been mapped as Category 1 – Exempt land in the land categorisation assessment

The draft NVR map shows parts of the study area which meets Category 2 – Regulated land criteria in accordance with the NVR Map Method Statement,² however some of the Category 2-Regulated land on the draft NVR map has been mapped as Category 1 – Exempt land in the land categorisation assessment (see **Figure 1**).

If the proponent would like to dispute any areas mapped as Category 2 – Regulated land on the draft NVR map, then a formal map review by the DCCEEW Map Team would be required. Information regarding the process for seeking a map review can be found on the DCCEEW website.³

The subject land also contains land mapped as Category 2 – Vulnerable Regulated land on the draft NVR map, which cannot be re-categorised as Category 1 – Exempt land. We understand that small areas of Category 2 – Vulnerable Regulated land along the boundaries of watercourses have been recategorized as Category 1 – Exempt Land (see **Figure 1**). The land categorisation for these areas should be revised to ensure any areas of Category 2 – Vulnerable Regulated land is retained and assessed in accordance with the BAM.

² DPE (2022) Native Vegetation Regulatory Map Method Statement. 4 October 2022.

<https://www.environment.nsw.gov.au/research-and-publications/publications-search/native-vegetation-regulatory-map-method-statement>

³ DCCEEW (2025) How to request a free map review. Accessed via

<https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/native-vegetation-regulatory-map/request-a-free-map-review>

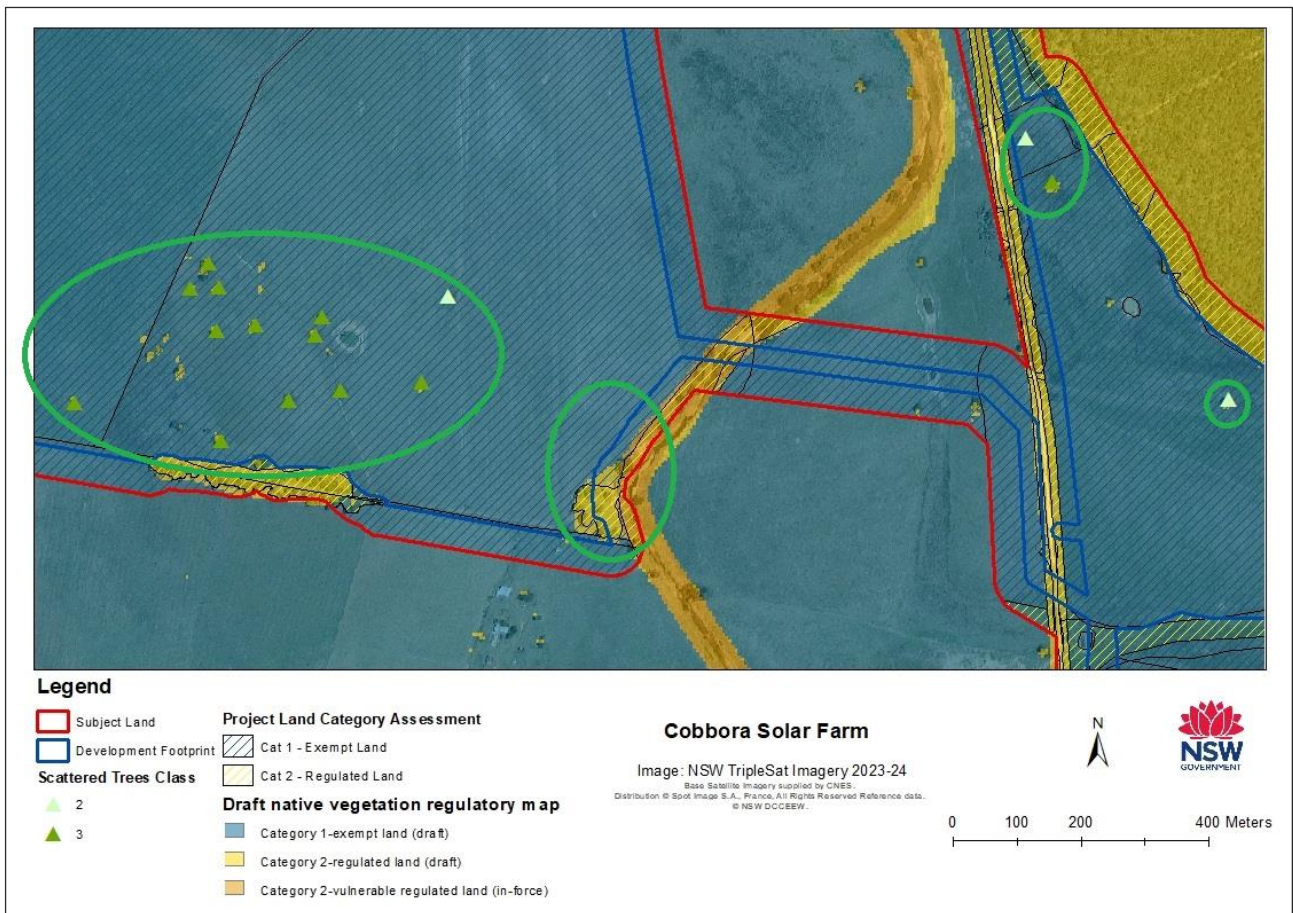


Figure 1 – Examples of areas of Category 2 – Vulnerable Regulated land and woody vegetation (green polygons) mapped as Category 1 – Exempt in the project land category assessment

Recommendations

- 1.1 Review the land categorisation assessment against the final determination for Box Gum Woodland CEEC and provide justification and evidence that areas mapped as Category 1 – Exempt land are not Box Gum Woodland CEEC.
 - 1.2 Reinstate all Category 2 – Regulated land as mapped on the draft NVR map or seek a formal map review.
 - 1.3 Ensure any areas of Category 2 – Vulnerable Regulated land mapped in the subject land are retained and assessed in accordance with the BAM.
 - 1.4 Update the BDAR and BAM-C to reflect any changes made to the land categorisation assessment.
2. Review the vegetation mapping and ensure all native vegetation has been assigned to a vegetation zone or streamlined assessment module.

CPHR has reviewed the BDAR against the spatial data package and note that some patches of vegetation have not been included in any vegetation zones or the scattered tree module. The purple polygons in **Figure 2** below show areas of woody vegetation in the subject land which has not been included in any vegetation zones.

Section 3.3.4 of the BDAR indicates that part of the subject land is assessed under the BAM streamlined assessment module – scattered trees. Spatial data indicates that there are some areas where scattered trees have not been assessed (blue polygons in **Figure 2**) and some areas where

scattered trees have been included in vegetation zones in one BAM-C case and duplicated in the streamlined assessment module BAM-C case (orange polygons).

All native vegetation should be assigned to a vegetation zone or the scattered tree assessment module in the spatial data and BAM-C. The BAM-C cases should also be reviewed to ensure that there is no duplication of scattered trees across both BAM-C cases.

Recommendations

- 2.1 Conduct a full audit of the spatial data to ensure all native vegetation is assigned to a vegetation zone or the scattered tree streamlined assessment module.
- 2.2 Review both BAM-C cases and ensure that a credit obligation has not been duplicated for trees assessed under the scattered tree module.

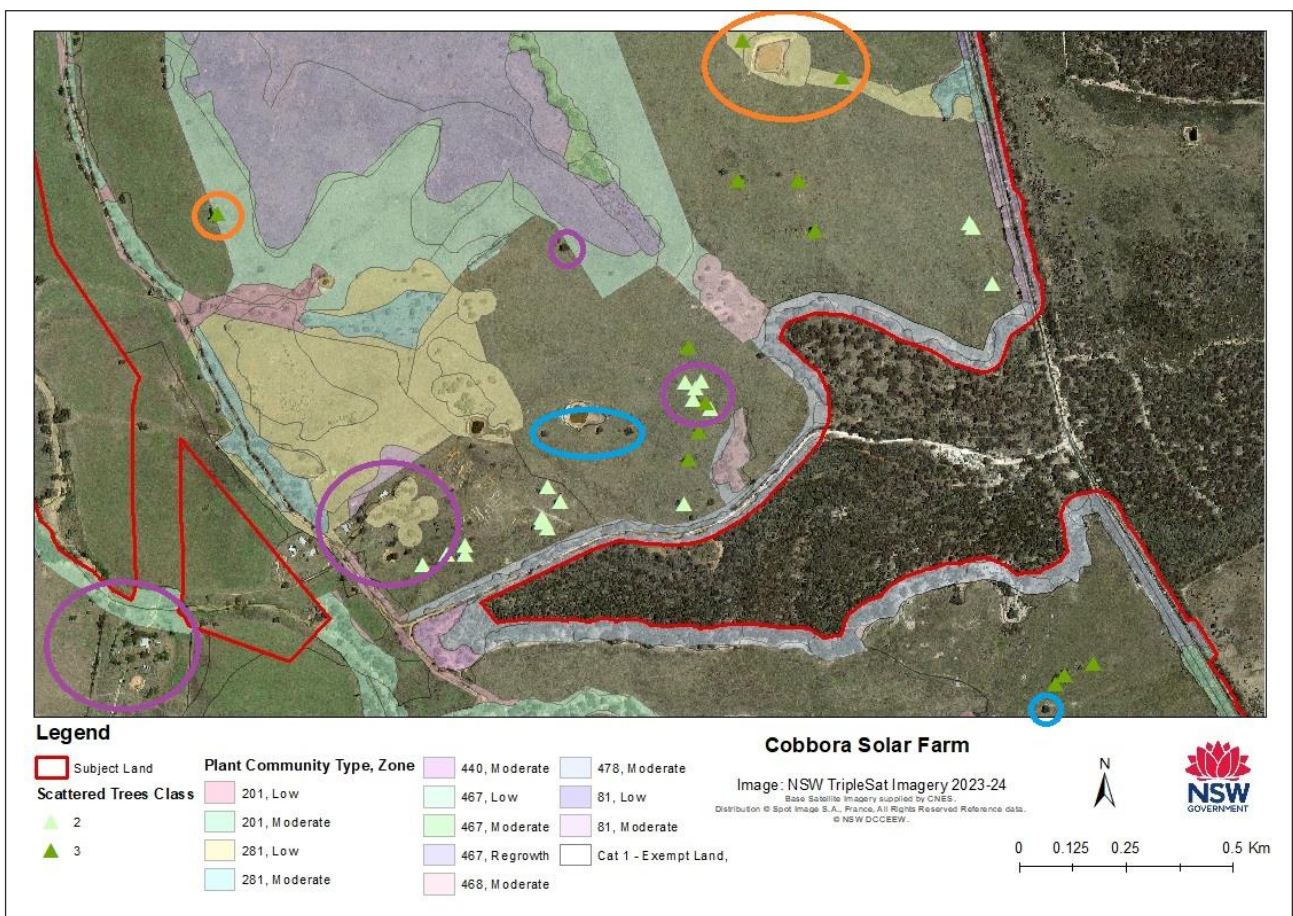


Figure 2 – Examples of woody vegetation which has a duplicated credit obligation (orange polygon), may be suitable to include in a nearby vegetation zone (purple polygon), or not been assessed at all (blue polygon)

3. Use of the scattered tree module must be supported by evidence

Section 3.3.4 of the BDAR acknowledges that 22 ‘unverified’ scattered trees have been included in the streamlined assessment module. These trees were not physically inspected and may contain potential habitat for threatened species. As such, they may not meet the criteria for assessment under the streamlined assessment module.

It is also unclear how the percent native foliage cover has been confirmed for unverified scattered trees. If additional evidence and justification cannot be provided for unverified trees, they should be assessed in accordance with Section 4 of the BAM.

Recommendations

- 3.1. Provide evidence in the BDAR that each scattered tree meets the definition of scattered trees as per Appendix B of the BAM streamlined assessment module – scattered trees.
 - 3.2. Update the BDAR, BAM-C and spatial data with any changes to areas where the scattered tree module has been applied.
4. Native vegetation cover percentage is likely to be underestimated

It appears that the native vegetation cover percentage within the assessment area has been underestimated. The spatial data provided indicates there are several areas that appear to contain woody native vegetation that have not been included in the native vegetation cover class mapping.

Native vegetation cover is an important filter for candidate threatened species within the BAM-C and errors may impact the final credit obligation. Section 2.1.1. of the BDAR reports that native vegetation cover within the 1500m buffer was calculated as 29% (fragmented >10-30% cover class).

The spatial data should be updated to include all woody and non-woody native vegetation in the 1500m buffer. This is expected to bring the project into the next highest vegetation cover class which may in turn impact the candidate species lists generated for the project that would require habitat suitability assessments and potentially field survey in accordance with section 5 of the BAM.

Recommendations

- 4.1. Undertake finer scale native vegetation extent mapping to include all native vegetation within the assessment area.
- 4.2. If the updated vegetation mapping brings the project into the next highest vegetation cover class, the BAM-C case for the project should be updated.
- 4.3. If any additional candidate threatened species are generated in the BAM-C, the species should be assessed in accordance with section 5 of the BAM.

5. The stratification of vegetation condition zones should be reviewed

Section 3.1.9 of the BDAR outlines the stratification of vegetation zones based on condition states. There appear to be discrepancies between the assigned condition states and the corresponding vegetation integrity (VI) scores within the project area, for example:

- PCT 201 – zones classified as low and moderate condition have very high VI scores ranging from 80.6 - 88.6.
- PCT 440 – a zone classified as low condition has a high VI score of 78.
- PCT 467 – a zone classified as high condition has a moderate VI score of 53.

These inconsistencies suggest that the current stratification may not accurately reflect the actual condition of the vegetation. It is recommended that the stratification of vegetation zones be reviewed and aligned with the relative VI scores. Where significant discrepancies exist, a clear justification should be provided.

If vegetation zone stratification is reviewed and altered, other aspects of the assessment that rely on vegetation zone stratification will require review.

Recommendations

- 5.1. Review and revise vegetation zone stratification to ensure consistency with VI scores and provide justification where condition classifications differ significantly.
 - 5.2. If condition stratification is updated, review other aspects of the assessment that are informed by condition stratification, including the exclusion of candidate threatened species and quantification of impacts to SAI entities.
6. Inconsistencies exist between spatial mapping and vegetation data entered into the BAM-C

Some BAM plots (38235_csf_24, 38235_csf_113, 38235_csf_nov1) that have been entered into the BAM-C under a different vegetation zone than the vegetation zone indicated on spatial mapping. For example, plot csf_133 is identified on spatial mapping and in Figure 10.1 of the BDAR as occurring in vegetation zone 281_low; however, the plot data has been included in vegetation zone “281_moderate” in the BAM-C.

Recommendation

- 6.1. Audit the data in the BAM-C against vegetation mapping and spatial information.

7. Errors in BAM-C data transcription will require correction

CPHR have conducted an audit on a sub-sample of plots to determine if any data transcription errors between plot data and the BAM-C are present. Most of the plot and BAM-C data is consistent; however, CPHR have identified cases of inconsistencies which require rectifying to ensure an accurate credit obligation is calculated for the development. Identified errors include:

- Stem Size Class function scores within the BAM-C and plot data.
- Structure and function values date entered into the average benchmark plots used for zones 440_low and 467_low.

CPHR recommends that an audit is conducted of all plots to ensure the correct Stem Size Class, structure and function have been entered into the BAM-C prior to the submission of the RTS.

Recommendation

- 7.1. Conduct and audit of the data within the BAM-C against BAM plot data and average benchmark data.
8. The pine donkey orchid species polygon should include all PCTs which represent suitable habitat

Two populations of pine donkey orchid have been recorded within the development footprint. The BDAR does not contain sufficient ecological justification for the delineation of the species polygon, aside from the application of a 100m buffer around recorded individuals (**Figure 3**).

As per the Threatened Biodiversity Data Collection (TBDC), pine donkey orchids are assessed by “*area of suitable habitat*”. For species assessed by area of suitable habitat, the species polygon should encompass all detected individuals and all suitable habitat on the subject land (s.5.2.5 of the BAM and s.4.4.5 of the BAM Operational Manual Stage 1). Where associated PCTs or vegetation zones are excluded from the polygon, provide clear justification for their exclusion and justify the use of the 100m buffer. Alternatively, the species polygon should be revised to include all suitable habitat.

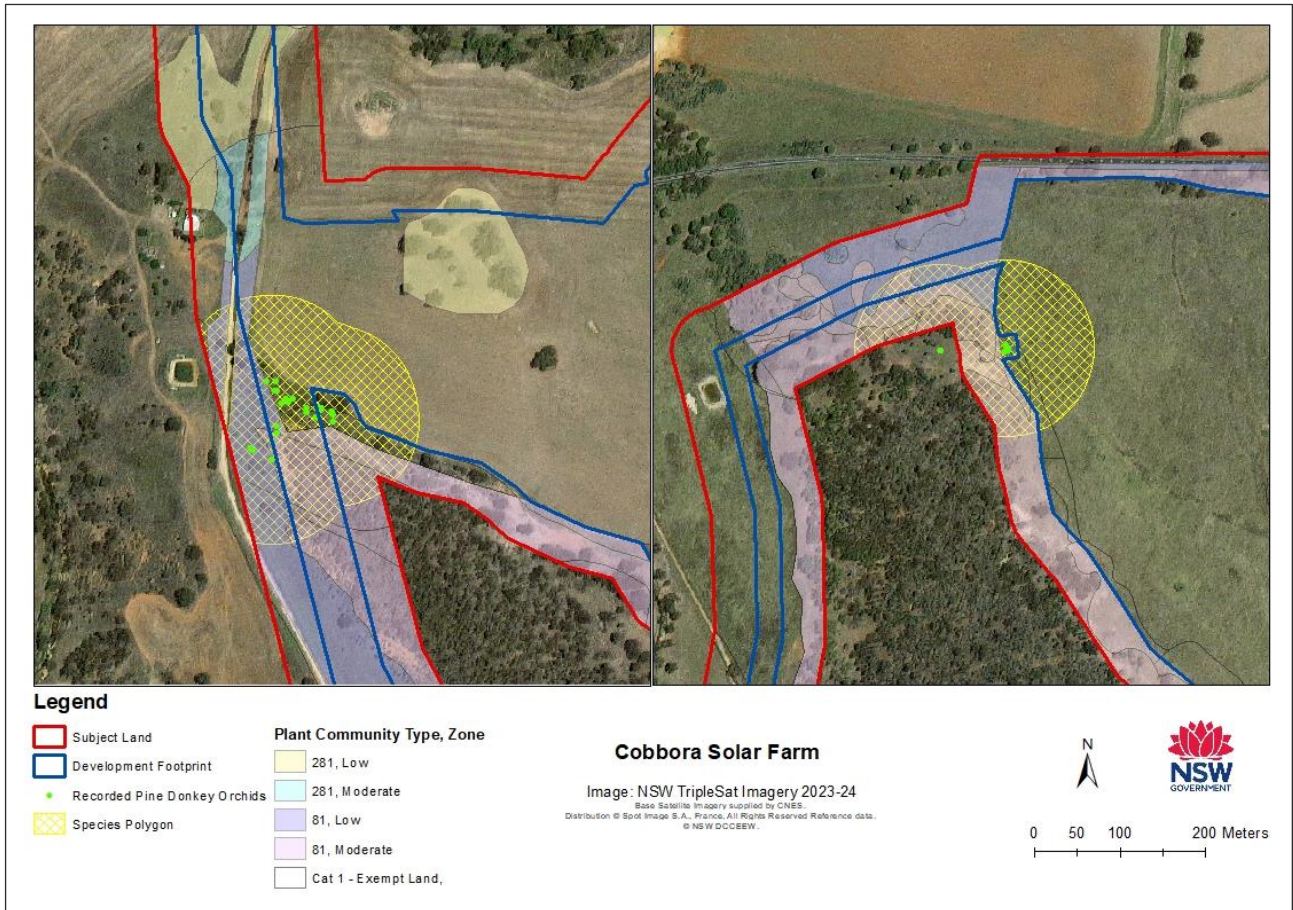


Figure 3– Pine donkey orchids detected within the project and species polygon (100m buffer)

Recommendation

8.1. Provide an ecological justification for the buffer applied to pine donkey orchid populations, or, revise the species polygon to be inclusive of all suitable habitat.

9. Justify inclusion of vegetation plots located outside the project footprint

Section 3.3.2 of the BDAR explains that changes in project design has resulted in several BAM plots being located outside of the final development footprint. Rationale for use of these BAM plots is: *“they are adjacent to the development footprint and are still considered to be representative of the vegetation present within the development footprint.”*

Evidence should be provided which verifies that all plots outside the footprint are adequately representative of impacted vegetation, with similar VI scores and species composition. We recommend that a table is prepared which contains:

- each plot located outside of the subject land,
- the distance between the plot and the nearest area of vegetation within the development footprint the plot is representing
- reference to an informing map.

Recommendation

9.1. Document all vegetation plots located outside the project footprint, including evidence that the plots are in the correct PCT and vegetation zone, and that the plot data is consistent with other plot data collected in that vegetation zone.

10. Justification on the targeted survey effort for threatened flora is required

Generally, the coverage of species-specific survey effort is sufficient, however, two notable areas do not appear to have been surveyed (**Figure 4**). This includes:

- A proposed access road intersecting through approximately 9 hectares of PCT 81. This area is immediately to the south of a detected population of pine donkey orchid.
- A portion of the proposed southern solar panel array comprising approximately 19 hectares of PCT 599.

Demonstrate the targeted survey effort for candidate threatened flora species was sufficient, particularly in the areas identified above. If suitable habitat for threatened flora is present in these areas, conduct targeted survey, assume presence or obtain an expert report, in accordance with section 5 of the BAM.

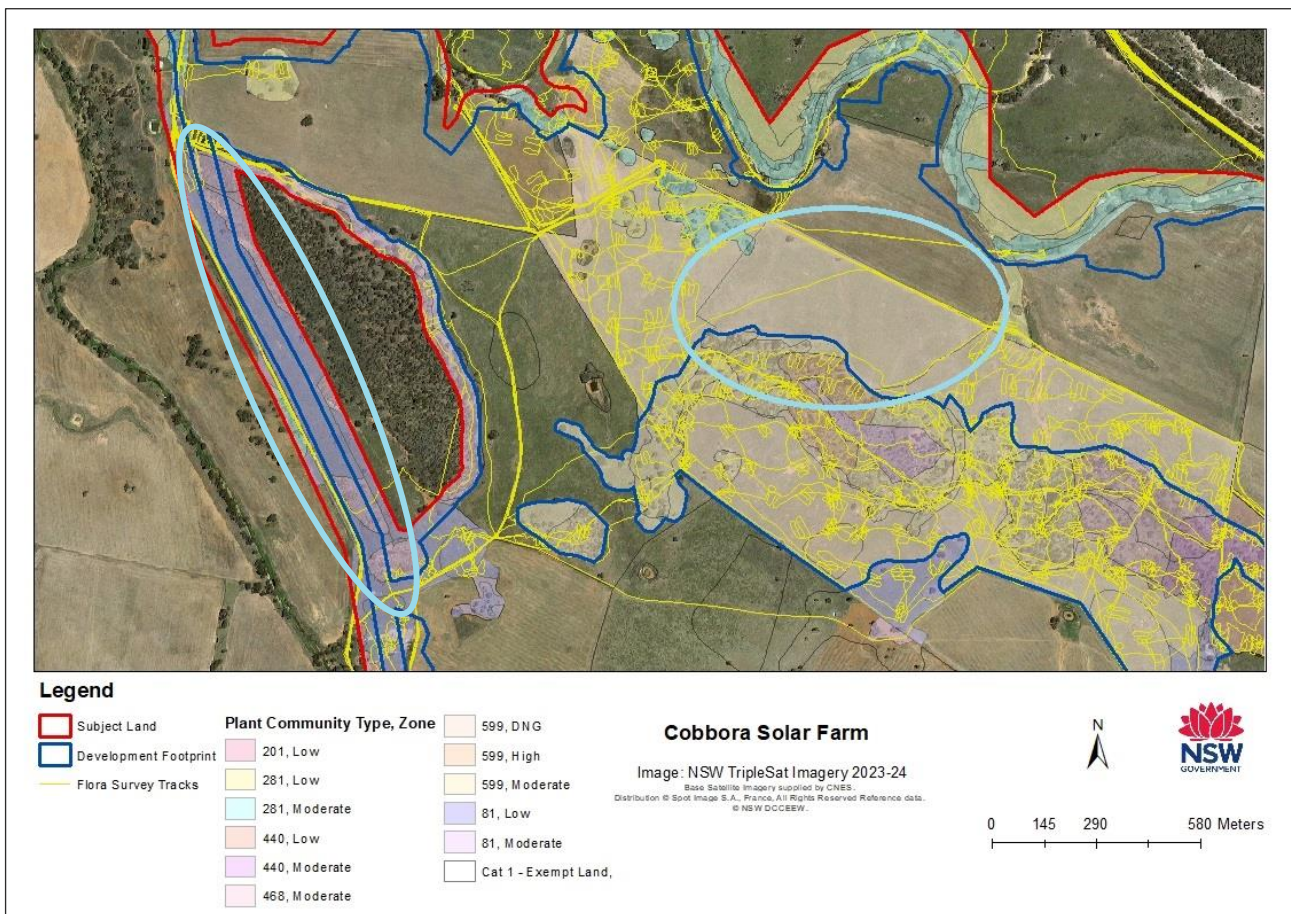


Figure 4 – Areas where targeted survey for threatened flora species has not been conducted (blue polygons)

Recommendation

- 10.1. Provide justification of the survey effort for threatened flora, specifically addressing the areas identified in this response. Where suitable habitat is present, undertake further targeted surveys, prepare an expert report, or assume presence for relevant candidate flora.
11. Further justification is required for candidate threatened flora species excluded based on degraded habitat

Table 22 of the BDAR lists the targeted surveys undertaken for threatened flora. Survey for several threatened flora species has been excluded from specific vegetation zones due to degraded habitat. General statements that a vegetation zone is too degraded to be occupied by a species is not adequate justification for removal (s. 4.4.3 of the BAM Operational Manual Stage 1). Instead, include:

- site photographs demonstrating habitat condition
- reference to vegetation integrity scores
- literature describing the species-specific ecological requirements.

Recommendation

11.1. Provide evidence-based justification for the exclusion of candidate threatened flora species from specific vegetation zones due to habitat degradation.

12. The spatial data package for threatened fauna survey requires review

The spatial data file '*CobboraSFB DAR_FaunaTraps_7855_20250530*' contains the trapping efforts for reptiles and information on camera and ultrasonic detector locations. Each record within this spatial file shares the same *SiteGlobalID* and has been projected together as one point.

The spatial data package does not contain shapefiles with key attributes for threatened fauna such as rocky habitats for reptiles and cave and cliff line habitat for microbats.

Consequently, the review of survey effort could not be completed for:

- pale-headed snake (*Hoplocephalus bitorquatus*)
- pink-tailed legless lizard (*Aprasia parapulchella*)
- eastern pygmy possum (*Cercartetus nanus*)
- squirrel glider (*Petaurus norfolcensis*)
- Sloane's froglet (*Crinia sloanei*)
- large-eared pied bat (*Chalinolobus dwyeri*)
- large bent-winged bat (*Miniopterus orianae oceanensis*)
- koala (*Phascolarctos cinereus*)

We recommend that the spatial data package be reviewed and resubmitted with the corrected locations of targeted survey effort with the revised BDAR.

Recommendations

12.1. Revise the '*CobboraSFB DAR_FaunaTraps_7855_20250530*' spatial file to include the locations and survey attributes of all fauna surveys and provide to CPHR with the RTS.

12.2. Provide spatial data for key habitat attributes for threatened fauna.

13. Survey effort for some species has not occurred within the development footprint

The survey effort for several species has occurred in areas outside of the proposed development (e.g for pink-tailed legless lizard, see **Figure 8**) despite the presence of suitable habitat within the proposed footprint.

CPHR does not support the use of targeted surveys completed in areas of indirect impact as a surrogate for determining species presence or absence within the development footprint.

If the development footprint contains suitable habitat, conduct additional targeted surveys for threatened fauna species in accordance with threatened species survey guidelines. Alternatively, assume presence or obtain an expert report in accordance with section 5.2 of the BAM.

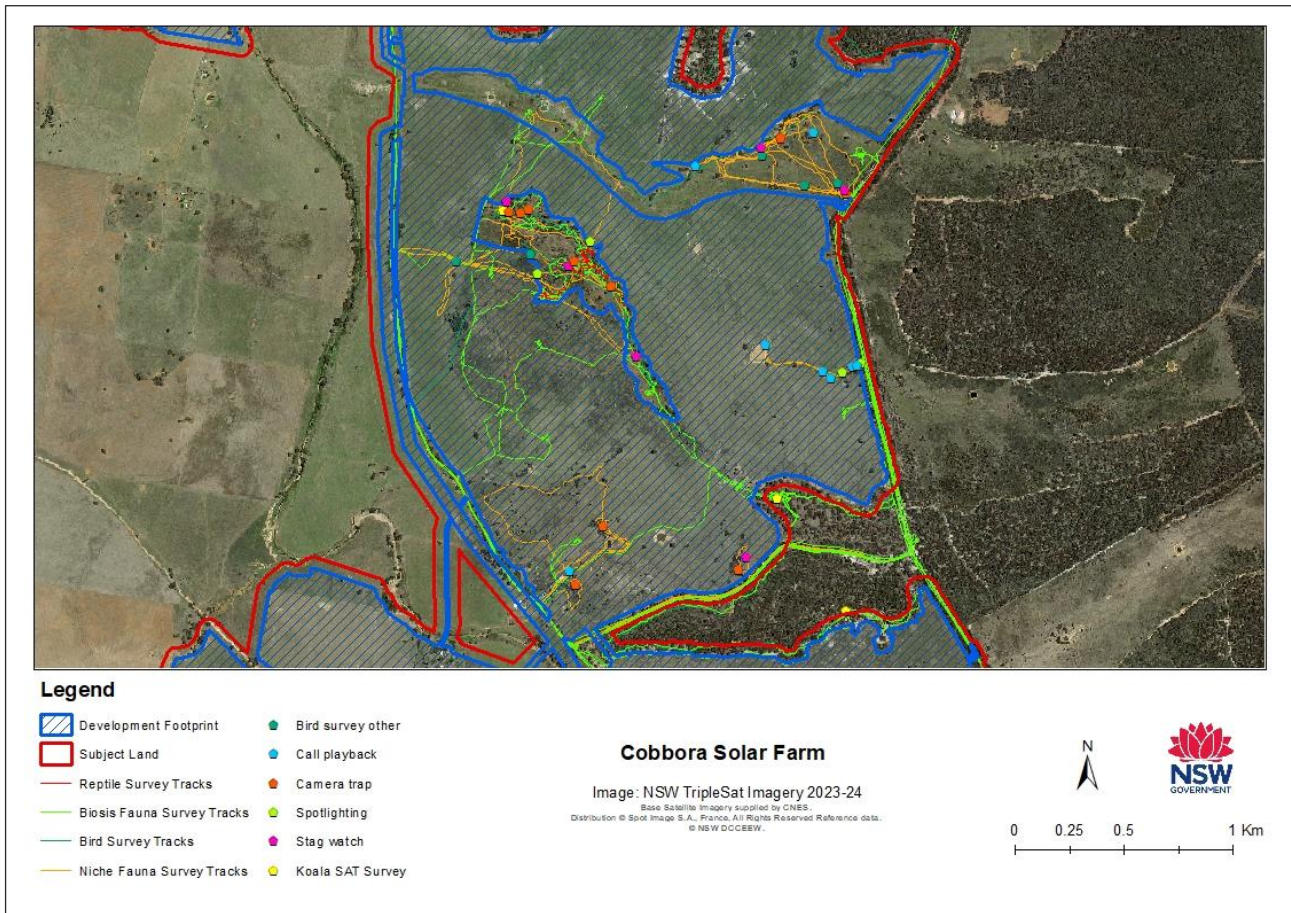


Figure 8 – Subset of targeted fauna species survey which shows survey efforts have not occurred within the development footprint

Recommendation

13.1. Conduct targeted surveys for species credit fauna species with suitable habitat in the development footprint, or assume presence or obtain an expert report, in accordance with section 5.2 of the BAM.

14. Revise the BDAR to address inconsistencies for the large-eared pied bat

Spatial data has not been provided for large-eared pied bat habitat, but the species was retained for assessment in the BDAR and BAM-C, indicating that habitat does occur within 2km of the subject land. It is unclear whether there is potential breeding habitat within 100m of the development footprint.

Section 4.2 of the BDAR states that the species was not recorded. This is inconsistent with Appendix 6.13 which indicates that the species was recorded in the subject land. Table 61 and 62 of the BDAR include ecosystem credits to be retired for the large-eared pied bat. The large-eared pied bat is a species credit species; as such, ecosystem credits cannot be retired for this species.

Recommendations

14.1. Identify areas of potential habitat for the large-eared pied bat and document in the BDAR and spatial data package.

- 14.2. Conduct harp trapping for any potential breeding habitat or assume breeding presence.
- 14.3. Address inconsistencies for the presence of the large-eared pied bat in the subject land and revise Table 61 and Table 62 and remove references to the retirement of ecosystem credits for the large-eared pied bat.

15. Clarify if indirect impacts are intended to generate a credit obligation

Section 6.3 of the BDAR indicates that all indirect impacts can be adequately mitigated via a Biodiversity Management Plan (BMP), however, Figure 20 of the BDAR and the spatial data package show indirect impact areas will require offsetting. Furthermore, the areas of indirect impacts proposed to be offset differ between Figure 20 and the spatial layer 'CobboraSFB DAR_VegZone_TEC_Offset_7855_20250530'.

In the BAM-C, it appears only direct impacts to vegetation within the development footprint have been calculated.

Recommendations

- 15.1. Clarify if any residual indirect impacts associated with the development are expected to generate a credit obligation.
- 15.2. Update the BAM-C to capture any, residual indirect impacts which will generate a credit obligation.

CPHR's flooding comments

Cobbora Solar Farm – Environmental Impact Statement

1. Avoidance of 0.01% Annual Exceedance Probability (AEP) areas and floodway zones is not clear

Section 1.4.3 of the EIS lists the potential environmental constraints present in the subject area that were used to refine the development footprint, including designation of exclusion zones from development in areas subject to flooding of a 0.01% AEP. However, this is not consistent with figures presented in Appendix A of the updated Flood Impact Assessment (FIA) (30 May 2025) which clearly shows development within areas subject to 0.01% AEP.

Consideration should also be given to assessing hydraulic categories and potential exclusion of development in floodway zones. If avoidance is not possible, the report should indicate where structural modifications may be necessary to mitigate impacts.

Recommendations

- 1.1 Present a figure in the EIS showing the location and extent of the 0.01% AEP exclusion zones in relation to the development footprint.
- 1.2 The flood impact assessment should include an assessment of hydraulic categories. Where development is located in floodway zones, indicate where structural modifications may be necessary.
- 1.3 Clarify the outflow boundaries to the north (Golden Highway or Talbragar River) and whether they are located far enough from the hydraulic structures to prevent impact.

2. Hydraulic modelling should consider mitigation strategies and include impacts to adjacent lands

Updated hydraulic modelling is discussed in section 3 of the updated FIA and reflects the latest design developments and arrangements. This includes consideration of design elements such as levees, berms and flood barriers to mitigate flood impacts (Table 5-1). However, it is unclear if these design elements have been included in modelling scenarios. It is also unclear if residences within the subject floodplains, or other flood impacts on adjacent lands have been considered or included in models.

CPHR note that the development design is not finalised and may undergo further refinement.

Recommendations

- 2.1 Design elements such as levees, berms or flood barriers should be modelled to show extent and impact.
- 2.2 If flooding impacts to nearby residential access and infrastructure are possible, the model should be interrogated for any changes from the existing to the developed case at these locations and reported in the EIS and FIA.
- 2.3 If adjacent lands outside of the project area are subject to flood impacts of the developed scenarios, this should be reported in the EIS and FIA.
- 2.4 The final development footprint and design should include a model check that reflects the findings of the EIS.

3. Site impacts from flooding of the Talbragar River should be considered

The EIS and updated FIA describe that flooding of the Talbragar River will impact the site. While concurrent flooding of the Talbragar River and the Sandy Creek and Laheys Creek system has been acknowledged as plausible, no assessment has been conducted on the likelihood of coincident flooding between the Talbragar River and Sandy Creek and the impact this may have on flooding, particularly at the northern end of the site and surrounds.

Recommendation

- 3.1 Conduct an assessment, with supporting evidence for the impacts of flooding of the Talbragar River on the development site and adjacent lands.

4. The impacts of climate change on flood risk have not been assessed or discussed

Where a flood risk for the development site has been identified, project-specific Secretary's Environmental Assessment Requirements (SEARs) require a flood impact and risk assessment (FIRA) be prepared in accordance with the Flood Impact and Risk Assessment – Flood Risk Management Guide LU01. The guide (LU01) describes the need to assess climate change and its impact on the development and surrounds. Climate change impacts have not been assessed or described in the updated FIA for the project.

Recommendation

- 4.1 Assess climate change and its impact on development, as described in the updated flood risk assessment.

5. Evacuation plans should be created for short duration events

Section 7-3 of the updated FIA indicates that a comprehensive, site-specific evacuation plan will be developed in the detailed design phase, pre-construction. CPHR suggests that floods up to the probable maximum flood (PMF) may occur and recommends that consideration be given for the need to manage evacuations, particularly for short duration events.

Recommendation

- 5.1 The site-specific evacuation plan should include short duration flooding events up to the PMF.