



Mr Nicholas Kumar  
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Dear Mr Kumar

**Subject: Willavale Park Battery Energy Storage System (SSD-78100252)**

Conservation Programs, Heritage and Regulation (CPHR) in the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEWS) has received the Environmental Impact Statement (EIS) and Biodiversity Development Assessment Report (BDAR) for the Willavale Park Battery Energy Storage System project.

We have reviewed the exhibited EIS and BDAR against the Secretary's Environmental Assessment Requirements (SEARs) provided by the Department of Planning, Housing and Infrastructure to the proponent on 6 December 2024.

The BDAR has been prepared to a high standard; with the site presenting opportunities for a renewable energy development that avoid and minimise impacts to biodiversity.

Included in this letter is a summary of assessment issues in **Attachment 1** that include recommended actions for Department of Planning, Housing and Infrastructure (DPHI) to consider. CPHR are available to discuss and review any biodiversity associated management plans prior to their implementation if requested by the DPHI.

Advice on Serious and Irreversible Impacts is included in **Attachment 2**.

If you have any questions about this advice, please do not hesitate to contact the South East Planning team via [rog.southeast@environment.nsw.gov.au](mailto:rog.southeast@environment.nsw.gov.au).

Yours sincerely

Allison Treweek  
**A/Director South East  
Regional Delivery  
Conservation Programs, Heritage and Regulation**

17 December 2025

Enclosure: Attachment 1 CPHR Assessment Summary for Willavale Park Battery Energy Storage System Environmental Impact Statement (SSD 78100252); Attachment 2 Serious and Irreversible Impacts – Advice on SAIL entities

## Attachment 1 - CPHR Assessment Summary for Willavale Park Battery Energy Storage System Environmental Impact Statement (SSD 78100252)

In preparing this advice CPHR has reviewed the EIS and the BDAR. The BDAR was prepared to a high standard. The site selection process undertaken by the proponent in this case was also able to demonstrate the project is able to avoid and minimise impacts to biodiversity values.

Following our assessment, we provide the following comments.

1.	<i>The BDAR recommends a Construction Environmental Management Plan (CEMP)</i>	<p>The BDAR recommends a CEMP. The CEMP will make provisions for clearing protocols, construction timing and include measures to minimise soil disturbance, run-off and sediment transfer, artificial light, noise, dust and vibrations as a result of the project.</p> <p><b>Recommended action:</b></p> <p>To ensure the reduction of negative impacts due to vegetation clearing, the CEMP should address potential indirect impacts to native vegetation particularly along the access road.</p>
	<i>Extent and Timing</i>	<i>Pre-construction</i>

2.	<i>The BDAR recommends a Biodiversity Management Plan (BMP)</i>	<p>The BDAR recommends a BMP. The BMP will make specific provisions to limit impacts on biodiversity values.</p> <p><b>Recommended action:</b></p> <p>To ensure the reduction of negative impacts on biodiversity, the BMP should be prepared and implemented prior to construction. The priority focus on the BMP should be on minimising and mitigating impacts to biodiversity along the access road where remnant overstorey vegetation is present.</p>
	<i>Extent and Timing</i>	<i>Pre-construction</i>

3.	<i>The BDAR recommends a Pest Animal Management Plan (PAMP)</i>	<p>The BDAR recommends a PAMP. The PAMP will detail how impacts of introduced predators on resident fauna will be reduced.</p> <p><b>Recommended action:</b></p> <p>CPHR Support the preparation and implementation of a PAMP prior to the commencement of construction.</p>
	<i>Extent and Timing</i>	<i>Pre-construction</i>

4.	<i>The BDAR recommends a Erosion and Sediment Control Plan (ESCP)</i>	<p>The BDAR recommends ESCP. The ESCP will detail mitigation measures to protect soil function and reduce the risks of run-off, erosion and salinity.</p>
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		<p><b>Recommended action:</b></p> <p>To ensure ESCP mitigation measures align with current planning policies, and to minimise the likelihood of impacts to adjacent biodiversity values, a ESCP should be prepared prior to the commencement of construction and updated progressively as construction continues.</p>
	<i>Extent and Timing</i>	<i>Pre-construction</i>

5.	<p><i>The BDAR reports that there is an offset obligation due for both ecosystem credits and species credits</i></p>	<p>Despite the good site selection and micrositing of impacts there is a residual credit obligation:</p> <p>Ecosystem credits for impacts to PCT 3376 Southern Tableland Grassy Box Woodland, 22 credits</p> <p>Species credited for impacts to <i>Delma impar</i> striped legless lizard habitat (native and non-native combined), 16 credits</p> <p><b>Recommended action:</b></p> <p>Should the project receive approval, any conditions of consent should require the proponent to retire their ecosystem credit and species credit obligations prior to the commencement of construction.</p>
	<i>Extent and Timing</i>	<i>Pre-construction</i>

## Attachment 2 – Serious and Irreversible Impacts – Advice on SAI Entities

**SAI Entity: White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland critically endangered ecological community.**

	<b>Steps</b>	<b>CPHR Recommendation</b>
1	Identify relevant entities at risk of SAI	SAI entities assessed by the proponent in accordance with BAM 2020 include White Box – Yellow Box – Blakey's Red Gum Grassy Woodland and Derived Native Grassland in low condition. This Threatened Ecological Community (TEC) is listed at risk of SAI.  CPHR found no issues with the BAM assessment completed by the proponent.
2	Evaluation of the current extinction risk of the impacted entities	The threatened ecological community (TEC) identified by the proponent is listed at risk of SAI under principles 1 and 2 with the CEEC currently in a rapid rate of decline with a very small population size.  The TEC community structure has been substantially modified through disturbance history such as clearing remnants and paddock trees, grazing, cropping, weed invasion and introduction of feral species. The ecological community generally occurs in a degraded condition across the entire extent. Reduced patch size and associated edge with cleared lands has resulted in lower species diversity in remaining patches. The proponent has avoided areas of moderate and high value vegetation.
3	Detail measures taken to avoid impacts on the entity	Through project design, the proponent has avoided and minimised a significant proportion of the TEC. The proponent has implemented a significant design alteration reducing the overall Development Footprint from the initial 172 ha to 26.14 ha. The Development Footprint is now located within areas mostly containing non-native vegetation, ensuring TEC connectivity to surrounding patches has been maintained. An impact on 1.12 ha of this TEC will occur. Additionally, functional habitat (hollows) will be retained within the Subject Land to support the dispersal of fauna species associated with this TEC.  CPHR support the avoid/minimise measures and acknowledge that the TEC will persist in the road corridor.
4	Evaluate the impacts from the proposal	The proposal is not likely to increase the extinction risk of the SAI entity.
5	Provide advice on whether the proposal is <b>likely</b> or <b>unlikely</b> to result in SAI	The project is unlikely to result in SAI because the Development Footprint has been altered to avoid and minimise significant impact on the TEC.
<b>Other Recommendations/Comments</b>		
1	The project is able to minimise the likelihood of a SAI on this entity through diligent site selection. Further reductions to the extent of clearing of this TEC are achievable through the implementation of the proposed management plans.	