

Mr Iain McClea
Octopus Investments

Via email: iain.mcclea@octopusinvestments.com

29 September 2021

Dear Mr McClea

**Darlington Point Solar (SSD-8392)
Further Extension of Time to Retire Biodiversity Credits**

I refer to your letter of 2 September 2021, seeking a further extension of time to retire the biodiversity credits under condition 9 of Schedule 3 of the Darlington Point Solar Farm (SSD 8392) development consent. The Department notes that the minimum biodiversity credit liability is currently due by 30 September 2021.

The Department has carefully reviewed your request to further extend the deadline for the retirement of biodiversity credits to 29 April 2022, acknowledging that:

- you have reached an agreement in principle with a landowner for an application to create a suitable stewardship site;
- advice from the Biodiversity Conservation Trust (BCT) in May 2021 resulted in a further survey program to update vegetation mapping and calculations to reflect the new information;
- the Biodiversity Conservation and Science Directorate of the Department (BCS) is currently re-examining the *Statement of Reasonable Equivalence* for the impacts of the project on the Riverine Plains Grasslands (PCT 45), which may result in a reduced credit obligation; and
- the BCT has advised that the average timeframe to process a BSA Application is 12 – 16 weeks.

Given the above, the Department is satisfied with the proposed approach to offset obligations on the condition that you strictly adhere to your proposed timetable, including BSA lodgement to BCT by 30 October 2021 and that the minimum credit liability is retired, in full, on or before 29 April 2022.

Accordingly, the Planning Secretary approves the proposed extension to retire the minimum biodiversity offset credits as required under condition 9 of Schedule 3 of the development consent by 29 April 2022, to the satisfaction of BCS. The Department requests that you provide a copy of the final *Statement of Reasonable Equivalence* once issued by BCS.

The Department notes that this approval does not affect the requirements or timing of condition 11 of Schedule 3 of the consent. You will be required to assess and potentially offset additional biodiversity credits once the project is operational.

If you wish to discuss the matter further, please contact Natasha Homsey on 02 8275 1264 or via email at natasha.homsey@planning.nsw.gov.au.

Yours sincerely



Iwan Davies
A/Director
Energy Assessments
As nominee of the Planning Secretary