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Via email: iain.mcclea@octopusinvestments.com

23/03/2021

Dear Mr McClea

Darlington Point Solar Farm (SSD 8392) Extension of Time to Retire Biodiversity Credits

I refer to your letter of 9 February 2021, seeking the Planning Secretary's approval to vary the timing of the retirement of biodiversity credits under condition 9 of Schedule 3 of the development for the Darlington Point Solar Farm (SSD 8392).

The Department notes that the conditions of consent require retirement of the minimum biodiversity credit liability within two years of commencing construction. The Department understands that, without an extension, credits would need to be retired by 22 March 2021.

The Department has carefully reviewed your request to extend the deadline for retirement of biodiversity credits to 30 September 2021, acknowledging that:

- work has been underway to identify suitable sites since 2019;
- retirement of biodiversity credits has not been possible within the prescribed timeframes given that drought conditions during this time delayed the identification of the subject Plant Community Types and, as a result, suitable stewardship sites;
- a suitable stewardship site has now been identified, in-principle agreements have been made with the landowner for an application to be made to create the stewardship site and a draft biodiversity stewardship site assessment report, total fund deposit and management plan have been prepared;
- the stewardship site will offset all PCT 45 and PCT 16 credits, with the remaining PCT 6 credits to be retired via payment into an offset fund.

The Department notes that, due to differences in assessment methodology since the conditions of consent, that BCS (formerly OEH) has provided a statement of equivalence for the minimum credit requirement for the project, as follows:

Plant Community Type (PCT) or Species	Minimum Credit Liability under BAM	Proposed means of retirement
PCT 45 – Riverine Plain Grasslands	1,184	Offset by stewardship site
PCT 16 – Inland Floodplain Woodlands	179	Offset by stewardship site
PCT 6 – Riverine Sandhill Woodlands	6	Payment into offset fund
Superb Parrot	60	Offset by stewardship site and/or payment into offset fund

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, and that the minimum credit liability is retired, in full, on or before 30 September 2021.

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 30 September 2020, to the satisfaction of the Biodiversity, Conservation and Science Directorate within the Department.

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

If you wish to discuss the above, please contact Iwan Davies on 02 9274 6296 or via email at iwan.davies@planning.nsw.gov.au.

Yours sincerely



Nicole Brewer
Director
Energy Assessments

As nominee of the Planning Secretary