

22 October 2020

May, Patterson
Team Leader
Planning and Assessment
Department of Planning, Infrastructure and Environment
May.patterson@planning.nsw.gov.au



Dear May,

Re: Request for Secretary Discretion/Agreement - Gregadoo Solar Farm (SSD 8825), (19-590)

Gregadoo Solar Farm Pty Ltd (the proponent) is seeking Secretary discretion/agreement in relation to Schedule 3 Condition 12 of the Development Consent for SSD 9254. Currently this condition provides that biodiversity offsets must be retired "*prior to the commencement of construction, unless otherwise agreed by the Secretary*".

In this case, the consent defines construction as:

The construction of the development, including but not limited to the carrying out of any earthworks on site and the construction of solar panels and any ancillary infrastructure (but excludes road maintenance works to the public road network, building/road dilapidation surveys, installation of fencing, artefact survey and/or salvage, overhead line safety marking and geotechnical drilling and/or surveying.

The consent also notes, regarding staging:

With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.

NGH request, on behalf of the proponent, that biodiversity offsets be retired progressively with the two stages of development:

Stage 1. Construction of connection to Grid infrastructure

Stage 2. Construction of solar farm array and associated infrastructure

This is because of the time delay expected between these two stages. The cost of offset obligations is high, and the proponent wishes to tie the retirement of credits to the impacts of the project more specifically, with regard to timing. This will have a positive impact on the viability of the project's early development and no impact on any aspect of the environment.

This letter has been prepared with the aim of providing information to the Department of Planning Infrastructure and Environment (DPIE) in support of this request. If you would like to discuss further, please feel free to contact me.



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Yours sincerely,



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1 SUPPORTING INFORMATION

1.1 OFFSET OBLIGATION

Gregadoo Solar Farm was approved by the Minister for Planning and Public Spaces as a State Significant Development (SSD) on the 11 December 2018 application number SSD 8825. The conditions of consent were reviewed by NGH in order to support the proponent to meet those conditions. Condition 12, of Schedule 3 requires that:

Prior to the commencement of construction, unless otherwise agreed by the Secretary, the Applicant must retire biodiversity credits of a number and class specified in Table 1 and Table 2 below to the satisfaction of OEH.

The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:

- a) acquiring or retiring 'biodiversity credits' within the meaning of the Biodiversity Conservation Act 2016;*
- b) making payments into an offset fund that has been developed by the NSW Government;*
or
- c) providing supplementary measures.*

Credit requirements listed in the Condition 12, of Schedule 3 are identified below in Tables 1 and 2.

Table 1: Project Ecosystem Credit Requirements

Vegetation Community	PCT ID	Credits Required
Western Grey Box tall grassy woodland on alluvial loam and clay soils in the NSW South Western Slopes Bioregion	76	11
Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	277	25

Table 2: Project Species Credit Requirements

Species Credit Species	Credits Required
Sloane's Froglet (<i>Crinia sloanei</i>)	7
Superb Parrot (<i>Polytelis swainsonii</i>)	3
Glossy Black Cockatoo (<i>Calyptorhynchus lathami</i>)	2
Masked Owl (<i>Tyto novaehollandiae</i>)	2

1.2 STAGES OF CONSTRUCTION

The Gregadoo Solar farm can be divided into the following stages:

- **Stage 1:** construction of connection to grid infrastructure, with commencement of construction expected mid 2021.
- **Stage 2:** the construction of the solar array and associated infrastructure, with commencement of construction expected in Q1 2022.

As such, it is proposed that offsets could also be staged.

The impacts of Stage 1 and 2 can be separated clearly, with regard to the credits that they generate. Some further detail of the proposed stages and benefits of staging are presented below.

Stage 1. Construction of connection to grid infrastructure

The onsite solar farm substation and a 132 kV transmission line will be constructed. The transmission line will connect the new onsite solar farm substation into the existing TransGrid substation. The construction of this infrastructure will take approximately 6-9 months and will occur 6 months prior to the commencement of construction of the remainder of the project.

The credits associated with this Stage 1 are shown in Table 3; 10 ecosystem credits and seven species credits.

Stage 2. Construction of solar farm array and associated infrastructure

The majority of the biodiversity credits for the development are generated for the area where solar panels and infrastructure for the solar farm will be constructed. The credits associated with this Stage 2 are shown in Table 3; 26 ecosystem credits and seven species credits.

Table 3: Credit staging breakdown

Stage	Credit requirement		Credits required
1	Ecosystem	Woodland birds, zone 1 and 2	10
	Species	Superb Parrot (<i>Polytelis swainsonii</i>)	3
		Glossy Black Cockatoo (<i>Calyptorhynchus lathami</i>)	2
		Masked Owl (<i>Tyto novaehollandiae</i>)	2
2	Ecosystem	Paddock trees, zone 3	26
	Species	Sloane's Froglet (<i>Crinia sloanei</i>)	7

Figure 1-1 shows the location of the credits on the project site divided by project stage.

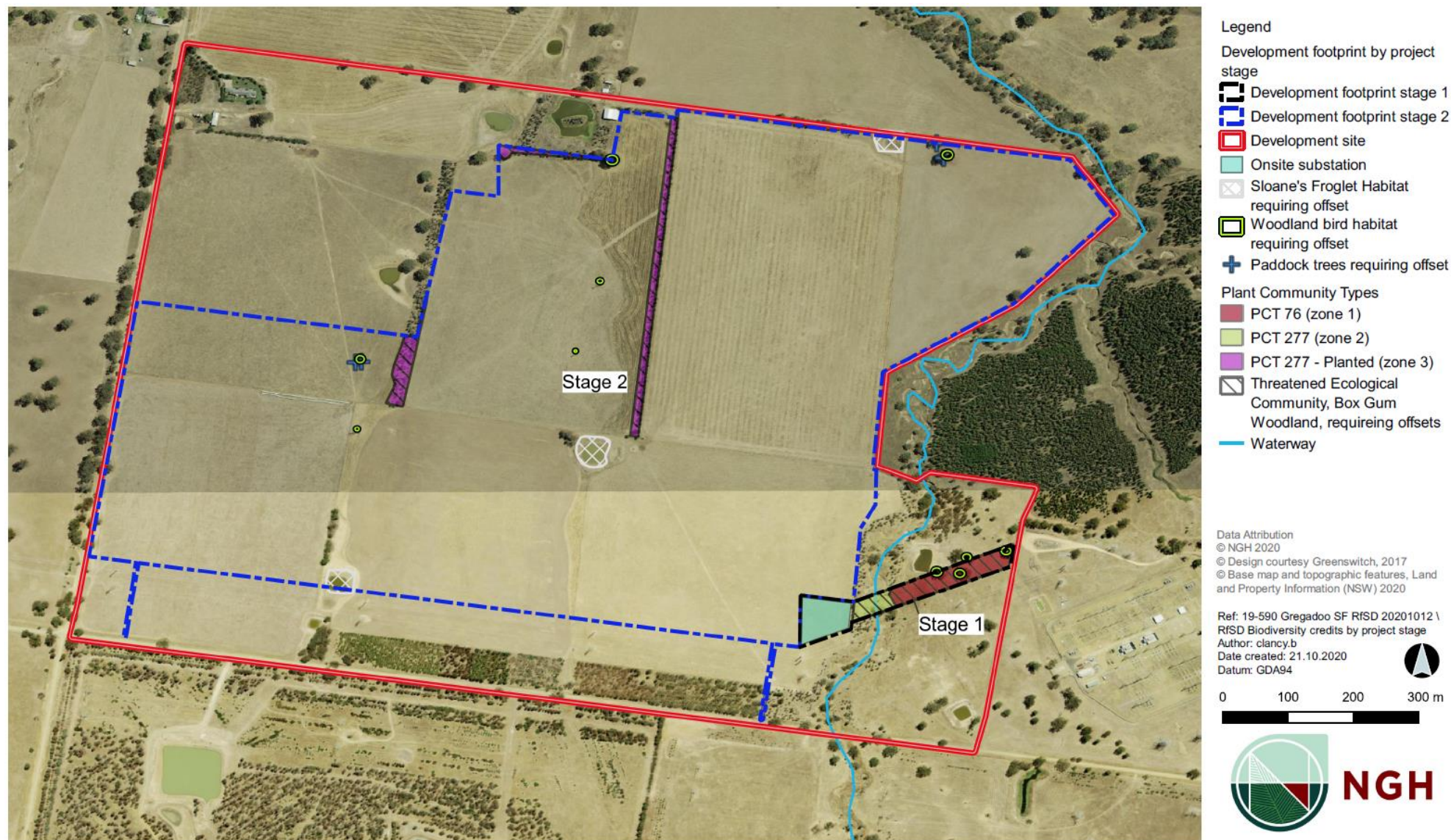


Figure 1-1 Vegetation generating ecosystem and species credits by project stage

1.3 IMPACTS OF STAGING

The request to tie credit retirement to the stages of construction has no impact on any aspect of the environment.

The key impacts of staging would be to the project's financial viability; offset costs would be incurred closer to the actual impacts, benefiting the early development works. It is understood that the credit price of offsets fluctuates, and that staged retirement may affect the cost of credits, if the proponent elects to purchase credits from the market or directly via the Biodiversity Conservation Trust. This risk is understood and borne solely by the proponent.

The intention of the Biodiversity Conservation Act's offset mechanism is to ensure that impacts of development are offset by long term biodiversity management, commensurate with the impacts. The act offers clear retirement options. The intentions of the act would be met by offsetting with the stages of the development.