



DOC18/785365
MP 10_0156

Mr Mike Young
Director, Resource and Energy Assessments
Department of Planning and Environment NSW

Attention: Natasha Homsey – natasha.homsey@planning.nsw.gov.au

Dear Mike,

Collector Wind Farm Modification 2

As requested, we have reviewed Collector Wind Farm's second Modification Application (Mod 2) and advise the following:

The impact of the modification and the resulting offset requirement was not determined using the Biodiversity Assessment Method (BAM) as required by section 7.17 of the *Biodiversity Conservation Act 2016*.

There are savings provisions that allow SSD modification applications to be considered under the previous legislation but only if:

- substantial environmental assessment was undertaken before 25 August 2017 (as determined in writing by the Secretary of the Department of Planning and Environment) and the application is made within 18 months of the Secretary's determination, or
- environmental assessment requirements were issued before 25 August 2017 and the application is made before 25 February 2019. If the environmental assessment requirements are reissued, the application must instead be made within 18 months of the reissue, but no later than 24 August 2020.

I cannot advise on what constitutes substantial environmental assessment. I note that Appendix E states that a total of 7 person hours were spent on the flora component of the assessment. However, as explained below, this survey did not meet the requirements of the Framework for Biodiversity Assessment (FBA).

Biodiversity

The various works proposed under the mod will result in an additional 9.84 ha of native vegetation being cleared.

The assessors did not do plot surveys as required by both the FBA and the BAM. Instead, they used a random meander technique to survey vegetation.

Because the Mod will result in impacts to Endangered Ecological Communities, surveys using required methods and timing should be undertaken to give an accurate measure of offset requirements and detect the majority of species with the potential to occur. In particular, the hollow-bearing trees (HBTs) should be adequately surveyed to determine any threatened species nesting. The proponent has previously committed to providing an adequate assessment of potential likely habitat value of HBTs to threatened species, and threatened species with potential to use identified HBTs.

A series of changes to the offset requirements are described in the Mod. The overall change in credit requirements is a reduction from the original 672 ecosystem credits to 625. The changes include increases in the credit requirements for some vegetation types and the addition of two new types (Snow Gum Woodland and secondary grassland derived from Snow Gum woodland). They propose that two vegetation zones (zone 4 and 6) be no longer offset as they state that the vegetation integrity of these zones is less than 17. While not offsetting vegetation below 17 is consistent with the offset requirements of both the FBA and the BOS, this condition score needs to be validated by undertaking plot surveys preferably in accordance with the BAM.

Aboriginal Cultural heritage

We note the area proposed for relocation of the substation is within an area previously surveyed under the 2015 archaeological assessment. The proposed relocation will not increase harm to Aboriginal objects not already considered during the 2015 assessment. OEH cannot comment on any possible impacts to Aboriginal cultural values as no information has been supplied regarding whether the Registered Aboriginal Parties have been consulted as part of the proposal.

Please do not hesitate to contact me if you would like to discuss.

Yours sincerely



MICHAEL SAXON 9/11/2018

Director

South East Branch

Conservation and Regional Delivery Division