



DOC17/249631
SSD8183

Ms Diana Charteris
Senior Planning Officer
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Charteris

Beryl Solar Farm (SSD 8183) - Exhibited EIS

I refer to your request dated 21 April 2017 seeking comment from the Office of Environment and Heritage (OEH) on the exhibited Environmental Impact Statement (EIS) for the Beryl Solar Farm. Thank you for extending our response due date to 13 June 2017.

We have reviewed the information provided against our requirements sent to the Department of Planning and Environment on 19 January 2017. Our recommendations are provided in **Attachment A** and our detailed comments are provided in **Attachment B**.

OEH notes the efforts made by the proponents to modify the proposal to minimise the impacts to Box Gum Woodland Endangered Ecological Community (EEC) and avoid threatened flora species identified on site.

OEH's comments comprise four requests for additional information to allow OEH to complete its assessment of the project against the Framework for Biodiversity Assessment (FBA). Most notably the EIS does not include a biodiversity offset strategy or any indication of how the proponent plans to meet the offset liability of the Beryl Solar Farm.

If you have any questions regarding this matter please contact Michelle Howarth on 02 6883 5339 or email michelle.howarth@environment.nsw.gov.au.

Yours sincerely

PETER CHRISTIE
Director North West
Regional Operations Division

14 June 2017

Contact officer: MICHELLE HOWARTH
02 6883 5339

OEH Recommendations

Beryl Solar Farm – Environmental Impact Statement

Acronyms

BAR	Biodiversity Assessment Report
DPE	Department of Planning and Environment
FBA	Framework for Biodiversity Assessment
IBRA	Interim Biogeographical Regionalisation for Australia
OEH	Office of Environment and Heritage
PCT	Plant Community Type

Recommendations:

1. Details should be provided to justify the differences between each of the vegetation zones in Table 3.2 mapped by the proponent.
2. Details should be provided to justify why each of the vegetation zones in Table 3.2 have, or haven't been identified as threatened ecological communities.
3. That the requirements of the FBA (section 9.2.5) be satisfied for *Dichanthium setosum*. Either targeted surveys be undertaken for *D. setosum* or justification be provided as to why this is not required.
4. A detailed offset strategy should be provided prior to the approval of the impact so the benefits to biodiversity to compensate for the adverse impacts of the project can be assessed. The offset strategy should propose an offset that is consistent with the *NSW Biodiversity Offsets Policy for Major Projects*.

OEH Detailed Comments

Beryl Solar Farm – Environmental Impact Statement

Vegetation zones have not been explained

Recommendation:

1. Details should be provided to justify the differences between each of the vegetation zones in Table 3.2 mapped by the proponent.

The proponent has mapped five Box-Gum Woodland vegetation zones within the project site but has not provided details of the structural and/or floristic differences between the zones. OEH is unable to determine if the vegetation zones have been identified appropriately which may influence the number of credits generated by the project. The proponent should provide a structural and floristic description of each of the vegetation zones, including notable differences between the zones. Any other differences between the zones (e.g. soil type, past management, etc.) should also be described.

Threatened ecological community identifications have not been explained

Recommendation:

2. Details should be provided to justify why each of the vegetation zones in Table 3.2 have, or haven't been identified as threatened ecological communities.

The BAR simply states whether each vegetation zone is a threatened ecological community or not. The BAR fails to detail why each vegetation zone in Table 3.2 does, or doesn't, form part of the White Box Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (EEC) listed on the *Threatened Species Conservation Act 1995* (TSC Act) or the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Critically Endangered Ecological Community (CEEC) listed on the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The BAR does not provide comparison of the vegetation zones against the threatened ecological community listings. Details should be provided comparing the characteristics of the vegetation zones against the final determinations of the threatened ecological communities. OEH is unable to determine the appropriateness of the threatened ecological community mapping without further explanation by the proponent.

Accurate identification of threatened ecological communities is critical as threatened ecological communities generate higher numbers of credits and have more restrictive offsetting rules.

Dichanthium setosum has not been considered

Recommendation:

3. The potential for *Dichanthium setosum* to occur should be assessed in accordance with section 6.5 of the FBA. If *Dichanthium setosum* does occur the proponent should provide the information required for further consideration of the impacts to the species in accordance with Section 9.2.5 of the FBA.

Dichanthium setosum (Bluegrass) was listed as a species for further consideration by OEH in the SEARs provided to the Department of Planning and Environment (DPE) on 19 January 2017. The BAR does not include assessment of this species potential to occur. The potential for *Dichanthium*

setosum to occur should be assessed in accordance with section 6.5 of the FBA. If *Dichanthium setosum* does occur the proponent should provide the information required for further consideration of the impacts to the species in accordance with Section 9.2.5 of the FBA.

A biodiversity offset strategy is required

Recommendation:

4. A detailed offset strategy should be provided prior to the approval of the impact so the benefits to biodiversity to compensate for the adverse impacts of the project can be assessed. The offset strategy should propose an offset that is consistent with the *NSW Biodiversity Offsets Policy for Major Projects*.

A biodiversity offset strategy (BOS) has not been provided with the Environmental Impact Assessment (EIS) for the project. Instead, the Biodiversity Assessment Report (BAR) indicates (Section 9) that a BOS will be developed in consultation with OEH and provides no details on the proponents intended composition of the offset strategy for the project. Thus, OEH is unable to assess the offset strategy for the project and recommends that the proponent is required to prepare and detail a BOS as part of its response to submissions report.

The FBA states (Section 11.1.1.2) that the BOS should be submitted with the BAR as part of the EIS. The offset strategy should propose an offset that is consistent with the *NSW Biodiversity Offsets Policy for Major Projects*. Offset commitments must be demonstrated prior to approval of the impact and the offset components should be identified and be in place prior to the commencement of construction.