

DOC19/360830  
SSD 9254

Mr Anthony Ko  
Senior Environmental Assessment Officer  
Resource & Energy Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Anthony

**Wollar Solar Farm – SSD 9254**

I refer to your email dated 10 April 2019 seeking comments from the Office of Environment and Heritage (OEH) on the Environmental Impact Statement (EIS) for the proposed Wollar Solar Farm.

OEH understands that the proposal involves the construction, operation and decommissioning of a 290-megawatt solar photovoltaic plant, development of associated infrastructure including grid connection and space for a future 30MWh energy storage facility, an access road and internal access tracks and perimeter security fencing.

OEH has reviewed the Biodiversity Development Assessment Report (BDAR) and notes that that the development will impact 372 ha of Box Gum Grassy Woodland Endangered Ecological Community (BGW). 29 ha of this EEC requires an offset comprising 821 ecosystem credits for the loss of:

- 16.45 ha of White Box - Grey Gum - Kurrajong grassy woodland on slopes of the northern Capertee Valley, Sydney Basin Bioregion (PCT 1303); and
- 12.6 ha of Rough-Barked Apple - red gum - Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion (PCT 281).

An additional 5 ecosystem credits have been generated for the loss of 5 paddock trees.

A commitment has been made to retire the credit requirement in accordance with the NSW Biodiversity Offsets scheme.

Additional areas may require an offset under the EPBC Act. OEH notes that the BDAR states that 232 ha of vegetation on the development site meets the Commonwealth criteria for White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived native grassland – Critically Endangered Ecological Community which will be impacted.

OEH has concerns that large areas of Box Gum Grassy Woodland EEC will be impacted by this development. It is noted that this development will have serious and irreversible impacts on this endangered ecological community.

The Aboriginal Cultural Heritage Assessment (ACH) is adequate and compliant with the project SEARs. OEH accept the findings of the study.

Detailed comments and recommendations for Biodiversity are provided in **Attachment A** and Aboriginal Cultural Heritage in **Appendix B**.

Should you require further information regarding issues that are the responsibility of the OEH please contact David Geering on 02 6883 5335 or [david.geering@environment.nsw.gov.au](mailto:david.geering@environment.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Christie', with a stylized flourish at the end.

**PETER CHRISTIE**  
**Director, North West**  
**Conservation and Regional Delivery**

13 May 2019

Contact officer: DAVID GEERING  
6883 5335

## Attachment A

## OEH review of Wollar Solar Farm EIS - Biodiversity

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### 1. Credit Report provided in DBAR is incorrect

The Biodiversity Development Assessment Report (BDAR) indicates that 29 ha of Box Gum Grassy Woodland requires an offset comprising 821 ecosystem credits for the loss of:

- 16.45 ha of White Box - Grey Gum - Kurrajong grassy woodland on slopes of the northern Capertee Valley, Sydney Basin Bioregion (PCT 1303); and
- 12.6 ha of Rough-Barked Apple - red gum - Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion (PCT 281).

An additional 5 ecosystem credits have been generated for the loss of 5 paddock trees.

OEH notes that the credit report provided as Appendix G in the BDAR is incorrect and does not reflect the credit requirement detailed in the BDAR. The submitted calculator is correct.

#### Recommendation

- 1.1 OEH recommends that the correct BAM credit report be provided.

### 2. Justification as to how further avoidance of Endangered Ecological Communities is required

Section 8.1.1.4 of the BAM specifies the measures that should be addressed in the selection of a project location. Section 6.1.1 of the BDAR provides no specific discussion regarding alternate locations or why this development site was most suitable other than stating that much of the site is devoid of trees and has been subjected to past agricultural use. The development site contains large areas of BGW although much of this is in a derived native grassland state.

Section 8.1.2.1 of the BAM specifies measures that may be undertaken to avoid and minimise impacts on native vegetation and habitat. The BDAR states that most high diversity EEC has been avoided. OEH acknowledges that some areas of EEC have been avoided but requests further information as to why BGW in good condition cannot be further avoided.

OEH notes that there are patches of BGW in good condition in the south-western section of the development footprint. Additional areas of EEC in good condition will be impacted in the eastern section of the development area. It is noted that these latter areas are likely to be associated with an access road and connection to the existing electricity substation although these are not indicated on Figure 1-1 of the BDAR. An explanation as to why these areas cannot be avoided should have been provided.

#### Recommendation

- 2.1 Justification should be provided as to why BGW in good condition, with specific attention to the patches in the south-western section of the development and along Maree Road, cannot be further avoided.

### 3. Credit requirements under the EPBC Act

Additional areas of BGW may require an offset under the EPBC Act. OEH notes that the BDAR states that 232 ha of vegetation on the development site meets the Commonwealth criteria for White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived native grassland – Critically Endangered Ecological Community and will be impacted. Most (87%) of this vegetation is in a degraded condition.

The BDAR indicates that the quantum of impact for treed BGW meeting the EPBC Act criteria has been calculated to be 15.60 ha while the quantum of impact for BGW derived native grassland is 20.30 ha. It is however noted that elsewhere in the BDAR the impact of treed BGW is indicated as

29 ha. This correlates with the impact under BAM. The BDAR further states that the minimum direct offset requirement has been calculated to be 205 ha for treed BGW and 208 ha for BGW derived native grassland.

It should be noted that there may be no need to offset treed BGW under the EPBC Act as an offset requirement has been calculated under BAM. However, where derived native grassland meets the EPBC Act criteria additional offsetting may be required for this impact.

#### Recommendation

- 3.1 The credit requirement for Box Gum Woodland under the EPBC Act be re-calculated to provide better clarification between the State and Commonwealth offset obligations.

## Attachment B

## OEH review of Wollar Solar Farm EIS – ACH

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### 1. Aboriginal consultation

The Aboriginal Cultural Heritage Assessment report description of the consultation process undertaken by the proponent, including the tabled and written correspondence, show that the Registered Aboriginal Parties (RAPs) have been adequately engaged in the project and are supportive of the ACH findings (NGH 2019:8-10, 63-9, 76).

### 2. OEH accept the proposed mitigation to reduce harm to Aboriginal objects

OEH support the ACH assessment recommendations 4 and 5 for collection and relocation of objects at threat from the construction of the proposed solar farm.

OEH acknowledge that the values assessment of Aboriginal objects is well balanced. It recognises the Aboriginal community cultural values placed on the objects discovered within the project area (stone artefacts) but also provides clear scientific interpretations of the artefacts importance (low significance). For example, the RAPs place a high value on those isolated and scattered stone artefacts within the footprint requesting that they are collected and relocated to avoid harm. The archaeological interpretation which, is based on the results of the survey coverage, landform assessment, artefact analysis, land use disturbance and regional context, concludes that no further scientific investigation is necessary. The ACH assessment therefore concludes a practical mitigation outcome which is limited to collection and relocation of the artefacts.

OEH also note that many of the sites discovered during the assessment will not be harmed and that measures are recommended to ensure these features are protected during the construction phases. OEH acknowledge that one of the scarred trees is recorded as a possible Aboriginal object and that another tree described as a birthing tree is based on a view from one of the RAPs. It is noted that despite the ambiguous description of these sites, they occur outside of the footprint and consequently will not be harmed.

### 3. Subsurface testing of Wollar AFT scatter 11 (NGH 2019:42, 59)

The description of AFT scatter 11 indicates that it is the larger of the artefact scatters found within the project (on the edge of the project boundary). It is not clear from the project descriptions if this site will be impacted. The ACH assessment recommends that the site be subject to limited subsurface testing should the site be harmed from the proposed construction. OEH support the recommendation in principle but insist on reviewing further information about the proposed test program in the ensuing Heritage Management Plan, should the site be threatened by the project construction.