



Our ref: DOC21/662085-5

Your ref: SSD-8889679

Mr Jack Turner

Senior Environmental Assessment Officer
Energy Resource Assessment
Planning and Assessment Division
Department of Planning, Industry and Environment
Jack.Turner@planning.nsw.gov.au

Dear Mr Turner

Liddell Battery and Bayswater Ancillary Works Project (SSD-8889679) – Request for Advice

I refer to your e-mail dated 8 April 2021 in which the Planning and Assessment Division (P&A) of the Department of Planning, Industry and Environment (the Department) invited Biodiversity and Conservation Division (BCD) for advice in relation to the Liddell Battery and Bayswater Ancillary Works Project (SSD-8889679).

BCD has reviewed the Environmental Impact Statement, including relevant appendices, in relation to impacts on biodiversity and hydrology. BCD does not have any comments relating to hydrology.

Biodiversity and Conservation Division's (BCD) recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Jayme Lennon, Senior Conservation Planning Officer, on 02 9585 6935 or via email at huntercentralcoast@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Crick'.

STEVEN CRICK
Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division
Date: 24 August 2021

Enclosure: Attachments A and B

BCD's recommendations

Liddell Battery and Bayswater Ancillary Works Project

1. BCD recommends that the hierarchy of avoid, minimise and offset is applied to the development footprint to reduce direct impacts on biodiversity and reduce the need for offsetting.
2. BCD recommends that effort for targeted flora searches is demonstrated in all vegetation zones for Plant Community Type 1691 within the development footprint.

BCD's detailed comments

Liddell Battery and Bayswater Ancillary Works Project

Biodiversity

1. The project development footprint should apply the hierarchy of avoid, offset and minimise hierarchy.

The response to submissions provides two sets of Biodiversity Assessment Method Calculator (BAM-C) credit calculations for the development on the provision that some areas are 'unlikely' to be impacted (Table 4-6). BCD considers that if some areas are unlikely to be impacted, the project should apply the avoid, minimise and offset hierarchy principle to select the version of the design with the smallest development footprint. This will mean that direct impacts to identified Plant Community Types (PCTs) will be avoided and minimised, thus reducing the need to offset.

The proponent can apply for a development modification under 7.17 of the *Biodiversity Conservation Act 2016* (BC Act) if the development needs to be changed from the footprint proposed in this development.

Recommendation 1

BCD recommends that the hierarchy of avoid, minimise and offset is applied to the development footprint to reduce direct impacts on biodiversity and reduce the need for offsetting.

2. Targeted flora surveys should be done in all vegetation zones for PCT 1691.

The targeted flora survey tracks shown in Figure 6-1 (pp. 66-80) and provided as shapefiles do not show that targeted flora surveys were conducted in all vegetation zones for PCT 1691 within the development footprint. This is apparent on pages 68-70, 75-76, 78 and 80.

This PCT is associated with threatened orchids *Pterostylis chaetophora* and Tarengo Leek Orchid (*Prasophyllum petium*) as well as Tall Knotweed (*Persicaria elatior*). Targeted flora searches should be conducted for these species in all vegetation zones for PCT 1691 in accordance with the requirements detailed in Section 4.2 of the *Surveying threatened plants and their habitats - NSW survey guide for the Biodiversity Assessment Method*.

Recommendation 2

BCD recommends that effort for targeted flora searches is demonstrated in all vegetation zones for Plant Community Type 1691 within the development footprint.