



**Office of
Environment
& Heritage**

Your reference: MP 08_0022 Mod 1
Our reference: DOC13/71373
Contact: Miranda Kerr
02 6022 0607

Ms Anna Timbrell
Planning Officer
Infrastructure Projects (Energy)
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Timbrell

Re: Exhibition of Modification Request for Silverton Wind Farm (MP 08_0022 Mod 1)

Thank you for your letter dated 11 October 2013 to the Office of Environment and Heritage (OEH) requesting our submission on the proposed modifications to the conditions of approval for the Silverton Wind Farm (MP 08_0022 Mod 1).

We have reviewed the Modification Report and have determined that we are able to support the Modification to extend the approval expiry date by two years. While we generally agree with the conclusion that increased rainfall since the 2008 survey period does not necessitate changes to mitigation strategies for biodiversity impacts, increased water availability in the landscape is likely to optimise goat breeding conditions. Therefore we consider it still necessary that a number of plans identified in the Statement of Commitments (SOC) to avoid or minimise the impacts on biodiversity are developed, particularly the Goat Management Plan (SOC39) which is critical for the management of the Tawny Crevice Dragon as well as the overall biodiversity values for the entire development footprint.

Other plans that still require development include the Site Restoration Plan (SOC20), the Recovery plan for the Porcupine Grass - Red Mallee - Gum Coolibah hummock grassland vegetation community and associated threatened reptile fauna (SOC38), the Vegetation Management Plan (SOC44) and the Adaptive Management Monitoring Program for bird and bat mortality (SOC55). OEH considers it would be appropriate for these documents and any new documents relating to biodiversity for the project be submitted to OEH for review prior to their finalisation. This would assist in determining the effectiveness of these procedures in mitigating impacts of the overall project, and also whether any changes should be considered to achieve impact mitigation in the future.

The Modification Report (Section 5.3.5, page 41) contains a summary of recent legislative and administrative changes associated with Aboriginal cultural heritage. The explanatory notes associated with this indicate that consultation with OEH is not required when the Cultural Heritage Management Protocol is developed for the area. This statement is not consistent with the Project Approval and the Statement of Commitments and both these documents identify that consultation with the Department of Environment, Climate Change and Water (now OEH) is required as these management protocols are developed. These protocols must be developed in consultation with OEH, as originally outlined in the Project Approval.

Should you wish to discuss these matters further, please contact Miranda Kerr on (02) 6022 0607 or by email at miranda.kerr@environment.nsw.gov.au

Yours sincerely

P.E. 31/10/13

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