

DOC17/287892-1  
SSD 0252

Mr Iwan Davies  
Senior Planner  
Department of Planning & Environment  
iwan.davies@planning.nsw.gov.au

Dear Iwan

### **Flyers Creek Wind Farm Mod 3 - Public Exhibition**

Thank you for your invitation for the Office of Environment Heritage (OEH) to comment on the proposal to modify the Flyers Creek Wind Farm project.

OEH understands that the modification involves:

- the deletion of 4 wind turbines and associated access tracks and cabling
- the removal of the approved 33 kV overhead power line and its alternative alignment to along Errowanbang Road
- minor changes to access tracks and a laydown area location
- minor changes to underground cabling.

OEH is unable to assess the extent of the potential impact of the proposed modification on biodiversity as the ecological assessments provided with the application is inadequate and does not provide sufficient detail. As an example, the ecological assessment doesn't even identify the hectares of impact from the modification.

OEH would like to reiterate that modifications to projects are subject to the same level of assessment as original projects. As the modification involves impacts to areas not previously approved, the proponent must provide sufficient information to allow such an assessment.

In order to carry out the required assessment of the impacts of the proposed modification on biodiversity, OEH requires the following (as a minimum):

- a figure showing only the new modification 3 components of the project
- figures clearly showing the existing environmental features (e.g. watercourses, vegetation types, threatened species records and habitat areas potentially impacted by the modification). Figures should be created at a fine scale on an aerial background where the potential impact on remnant vegetation (including scattered trees) can be clearly seen.
- tables detailing the vegetation communities, identified to Plant Community Type (PCT), and the scale of potential impact to each PCT
- descriptions of PCTs occurring in the project area including:
  - area (hectares) of each PCT to be impacted by the modification
  - evidence used to identify a PCT, including provision of plot data (including cover abundance scores)

- threatened ecological community status of each vegetation type according to the *Threatened Species Conservation Act 1995* (TSC Act) and Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act)
  - descriptions of condition class, including derived native grassland, for each vegetation zone of each PCT
  - identification of PCTs in grassland areas
- details of threatened flora and fauna species potentially impacted by the modification, comprising mapped locations and habitat areas (hectares)
- an assessment of the significance of the potential impacts (revised power line alignment, access tracks, laydown area and cabling) on flora and fauna and their habitat, quantifying the worst case extent of impact
- details of the avoidance and mitigation measures implemented for the modification
  - a table of the area (hectares) of each PCT (including condition class) that will no longer be impacted by the project
  - a table of the reduced impacts to threatened fauna (hectares) and threatened flora habitat (hectares or number of individuals) that will no longer be impacted by the project
- an assessment of the offset requirements for the predicted impacts (revised power line alignment, access tracks, laydown area and cabling), based on a worst case scenario.

OEH does not support the proponent's requested change to Condition D1 which removes the identification of a maximum clearing limit. OEH will provide further advice on the requested changes to the approval conditions during our review of the revised ecological assessment that is provided in response to this letter.

OEH notes that the Aboriginal cultural heritage (ACH) assessment report does not include assessment of the potential alignment of the 33kV overhead powerline along Errowanbang Road. Pole locations and service tracks (if needed) could result in harm to ACH values. As a minimum a due diligence assessment of potential pole locations and service tracks should be undertaken. As pole locations may not be precisely known until post approval an approval condition should be provided that requires an assessment of the potential of the alignment of the 33kV overhead powerline to impact on ACH values prior to construction.

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



**PETER CHRISTIE**  
**Director North West**

Contact officer: DAVID GEERING  
6883 5335

2 June 2017