



Your reference: DA 162/91 MOD 3
Our reference: DOC14/109422
Contact: David Geering 6883 5335
Date: 1 July 2014

Thomas Watt
Mining Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Watt

RE: Airly Mine Modification (DA 162/91 MOD 3)

I refer to your email dated 18th June 2014 requesting comments on the above proposal from the Office of Environment and Heritage (OEH).

OEH has responsibilities under the;

- *National Parks and Wildlife Act 1974* - namely the protection and care of Aboriginal objects and places, the protection and care of native flora and fauna and the protection and management of reserves; and the
- *Threatened Species Conservation Act 1995* which aims to conserve threatened species of flora and fauna, populations and ecological communities to promote their recovery and manage processes that threaten them;
- *Native Vegetation Conservation Act 2003* – ensuring compliance with the requirements of this legislation.

OEH understands that the proposed modification is to extend the lapse date of the development consent for the Airly Mine from 21 October 2014 until 31 October 2015. There will be no changes to the existing surface or underground infrastructure or operations at Airly Mine. No change is proposed to the approved mining footprint and mining zones.

Based on the information provided, the OEH has no specific comments to make on the proposed modification at this stage. We assume that the proposal has adequately considered the requirements under the *Environmental Planning and Assessment Act 1979* of the OEH areas of responsibility (ie. natural and cultural heritage conservation issues). Please note that if subsequent information indicates that these areas within the OEH's responsibility require further investigation, OEH may provide future input.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'SArdill', written in a cursive style.

SONYA ARDILL
Senior Team Leader Planning
North West Region