



Our ref:DOC25/444229
Your ref: 32288-LRWF-Mod-2

Bill Wallach
National Biodiversity Renewables Lead
Umwelt Pty Ltd
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Dear Bill,

Liverpool Range Wind Farm – Modification 2 – Biodiversity Constraints Memo and Letter of Intent

Thank you for your e-mail dated 30 May 2025 to the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments on the Biodiversity Constraints memo and the Letter of Intent for the proposed Modification 2 of the Liverpool Range Wind Farm (SSD 6696-Mod 1).

CPHR has reviewed the memo and understands that Tilt has identified the need to re-instate 15.64 hectares of land which was approved in the original development consent for the Liverpool Range Wind Farm on 27 March 2018 to facilitate micro-siting of ancillary infrastructure. These areas were subsequently removed from the approved development consent for the Liverpool Range Wind Farm Modification 1, which was approved 23 October 2024.

Umwelt conducted a site inspection on 6 and 7 May 2025 to confirm plant community types (PCTs) and identify any threatened species habitat or Threatened Ecological Communities (TECs) in the proposed modification areas. Umwelt identified that some vegetation within the proposed Modification 2 areas was consistent with Box-Gum Woodland Critically Endangered Ecological Communities (CEECs) listed under the *Biodiversity Conservation Act 2016* (BC Act) and threatened habitat features such as hollow-bearing trees and loose rock surfaces were present in the modification areas.

Tilt has stated that the changes are minor in scale and the modification is consistent with Section 4.55(1A) of the *Environment Planning and Assessment Act 1979* (EP&A Act) which enables the consent authority to modify a development consent where the proposed modification is of minimal environmental impact (Section 3 of the Letter of Intent).

We understand that the proponent is proposing to increase the area of impact by 15.6 hectares (Table 3.2 of the Biodiversity Constraints memo) and that the areas proposed to be included in the modification contain native vegetation consistent with Box-Gum Woodland CEEC (a serious and irreversible impact entity). Targeted surveys have been not conducted for threatened species in accordance with the Biodiversity Assessment Method (BAM), so the additional impact on these species (if any) is unknown.

A biodiversity development assessment report is not required to be submitted with an application for modification if the consent authority is satisfied that the modification will not increase the impact on biodiversity values (BC Act s7.17 (c)(i)).

Sufficient information and evidence will need to be provided to the consent authority to enable a determination of whether biodiversity impact will be increased by the modification and whether a BDAR will be required.

If you have any questions about this advice, please do not hesitate to contact Candice Larkin, A/Senior Team Leader Regional Conservation, via candice.larkin@environment.nsw.gov.au or (02) 8217 2065.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sarah Carr', with a stylized, cursive script.

Sarah Carr

Director North West

Conservation Programs, Heritage and Regulation Group

25 June 2025