

Department of Natural Resources and Environment Tasmania

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Our ref: D24-76358

Your ref: DOC/24/28759



Mr John Ramsay
Executive Commissioner
Tasmanian Planning Commission
tpc@planning.tas.gov.au

Dear Mr Ramsay

Thank you for your letter of 13 March 2024 referring the Whaleback Ridge Renewable Energy Major Project to the Department of Natural Resources and Environment (NRE Tas) under section 60Y and 60ZJ of the *Land Use Planning and Approvals Act 1993* (LUPAA).

As you note in your correspondence you seek NRE Tas's input in the following capacities:

- a Relevant Regulator for the purposes of the *Threatened Species Protection Act 1995* (TSPA), and the *Nature Conservation (Wildlife) Regulations 2021* (the Regs) under the *Nature Conservation Act 2002* (NCA);
- a landowner for land within the major project (including the Meredith Range Regional Reserve, the Parting Creek Regional Reserve, the Mount Hemskirk Regional Reserve, Future Potential Production Forest and other Crown land), and
- a relevant State Service Agency.

As a Relevant Regulator for the purposes of the TSPA and the Regs under the NCA and in accordance with section 60ZA(5) of LUPAA NRE Tas has identified matters to be contained in the assessment criteria issued for the Project, to be addressed in the Major Project Impact Statement (MPIS). These are provided in the Assessment Requirement Notice (refer to Attachment 1) and detailed information requirements (refer to Attachment 3).

In accordance with section 60ZJ of LUPAA NRE Tas, in its role as both a landowner for land within and adjoining the Major Project area and as a relevant State Service Agency, the department has identified matters that should be included in the assessment criteria for the project, to be addressed in the MPIS. These are provided in Attachments 2 and 4. We strongly encourage the inclusion of these criteria in the final assessment criteria to avoid the necessity for a duplicate Tasmania Parks and Wildlife Service Reserve Activity Assessment process.

Further guidance can be provided by NRE Tas, as needed, in response to requests from the Development Assessment Panel.

I note that the Director of National Parks and Wildlife and the Director-General of Lands are not Relevant Regulators in relation to the Major Project because the *National Parks and Reserves Management Act 2002* and the *Crown Lands Act 1976* are not project-associated Acts.

Should the Tasmanian Planning Commission have any further questions on this matter please contact Sonia Mellor, Principal Advisor Policy, Strategy and Business Services Division, NRE Tas. Ms Mellor can be contacted via mobile on 0436 636 279 or via email at sonia.mellor@nre.tas.gov.au.

Yours sincerely



Jason Jacobi
SECRETARY

11 April 2024

Attachments:

- 1 Assessment Requirement Notice – Whaleback Ridge Renewable Energy Project – NRE Tas
- 2 General guidance from NRE Tas for the MPIS
- 3 Information to be provided in the MPIS for the Assessment Requirement Notice
- 4 Relevant State Service Agency and landowner assessment criteria requirements