

# NEOEN GOYDER SOUTH

GOYDER RENEWABLES ZONE

## GOYDER SOUTH HYBRID RENEWABLE ENERGY FACILITY – WIND FARM 1B, 5KM SOUTH BURRA

EPBC Approval (2021/8957) Annual Compliance Report: 15 August 2023 – 14 August 2024

FINAL

November 2024

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EPBC Approval (2021/8957) Annual Compliance Report: 15 August 2023 - 14 August 2024

### **FINAL**

Prepared by Umwelt (Australia) Pty Limited on behalf of NEOEN Australia Pty Ltd

Project Director: T. How Project Manager: E. Tremain Report No. Date:

R02 November 2024



Adelaide office: 112 Hayward Avenue, Torrensville, SA, 5031



This report was prepared using Umwelt's ISO 9001 certified Quality Management System.



### Acknowledgement of Country

Umwelt would like to acknowledge the traditional custodians of the country on which we work and pay respect to their cultural heritage, beliefs, and continuing relationship with the land. We pay our respect to the Elders – past, present, and future.

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### **Document Status**

DaviNa	Revi	Reviewer		l for Issue
Rev No.	Name	Date	Name	Date
V0	E. Tremain	31/10/2024	T. How	31/10/2024
V1	E. Tremain	6/11/2024	T. How	6/11/2024



## **Declaration of Accuracy**

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this decision.

Signed:

Full name: Jean-Christophe Cheylus Position: Director Organisation: Neoen Australia Pty Ltd Date: 6 November 2024



## **Abbreviations**

BAMP	Bird Adaptive Management Plan		
CEMP	Construction Environmental Management Plan		
ha	Hectare(s)		
km	Kilometre(s)		
m	Metre(s)		
MW	Megawatts		
MWh	Megawatt hours		
NEOEN	NEOEN Australia Pty Ltd		
OMP	Offset Management Plan		
OTL	Overhead Transmission Line		
PBTL	Pygmy Blue-tongue Lizard (Tiliqua adelaidensis)		
PBTL OMP	Pygmy Blue-tongue Lizard Offset Management Plan		
PBTL Research Plan	Pygmy Blue-tongue Lizard Scientific Monitoring and Research Plan		
PCC	Pre-clearance Check		
SA	South Australia		
TEC	Threatened Ecological Community		
WTG	Wind Turbine Generator		



## Definitions Associated with EPBC 2021/8957

Business day	means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.		
СЕМР	means the Construction Environmental Management Plan required under and currently approved in accordance with the requirements of condition 9 of the <b>SA development approval</b> .		
Clear / Clearing	means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation.		
Commencement of the action / Commence the action	<ul> <li>means the first instance of any specified activity associated with the action including clearing and construction. Commencement of the action/Commence the action does not include minor physical disturbance necessary to: <ol> <li>undertake pre-clearance surveys or monitoring programs;</li> <li>install signage and /or temporary fencing to prevent unapproved use of the projectarea;</li> </ol> </li> <li>protect environmental and property assets from fire, weeds and pests, including installation of temporary fencing, and use of existing surface access tracks;</li> <li>install temporary site facilities for persons undertaking precommencement activities so long as these are located where they have no impact on the protected matters; or</li> <li>undertaking geotechnical investigations if it causes only minor physical disturbance and is required well in advance of most site works to inform design.</li> </ul>		
Commission / Commissioning	means all activities, including turning of turbines, after the components of the first complete wind turbine are installed. The date on which <b>commission/commissioning</b> commences is the first date on which the blades of the first completed wind turbine start rotating.		
Completion data	means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The <b>Department</b> 's preferred spatial data format is <b>shapefile</b> .		
Completion of the action	means the date on which all specified activities associated with the action have permanently ceased.		
Compliance records	means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.		



Compliance report(s)	<ul> <li>means written reports:</li> <li>i. providing accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans;</li> <li>ii. consistent with the <i>Annual Compliance Report Guidelines</i>, Commonwealth of Australia 2014;</li> <li>iii. include a shapefile of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period;</li> <li>iv. annexing a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period; and advising of the identity and current contact details of all persons authorised to act for the approval holder in relation to this</li> </ul>		
Construct / Construction	approval. means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.		
Department	means the Australian Government agency responsible for administering the <b>EPBC Act</b> .		
Environmental Management Plan	means the <i>Environmental Management Plan Guidelines</i> , Commonwealth of Australia 2014.		
Guidelines			
•	means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> <i>Environmental Offsets Policy</i> , Commonwealth of Australia 2012, or any subsequent official revision produced by the <b>Department</b> .		
Guidelines Environmental Offsets	Environmental Offsets Policy, Commonwealth of Australia 2012, or any		
Guidelines Environmental Offsets Policy	<i>Environmental Offsets Policy</i> , Commonwealth of Australia 2012, or any subsequent official revision produced by the <b>Department</b> . means the <i>Environment Protection and Biodiversity Conservation Act 1999</i>		
Guidelines Environmental Offsets Policy EPBC Act Goyder South Hybrid	<ul> <li>Environmental Offsets Policy, Commonwealth of Australia 2012, or any subsequent official revision produced by the Department.</li> <li>means the Environment Protection and Biodiversity Conservation Act 1999 (Cth).</li> <li>is a renewable energy development located between Burra and Robertstown in the Mid North of South Australia. The Goyder South Hybrid Renewable Energy Facility includes, in addition to the action subject of this approval, the proposed actions described in the EPBC Act referrals EPBC</li> </ul>		



Impact (verb)	means any event which has the potential to, or does, impact on one or more <b>protected matter</b> .			
Incident	means any event which has the potential to, or does, impact on one or more <b>protected matter</b> .			
Independent audit	means an audit conducted by an independent and <b>suitably qualified</b> <b>person</b> as detailed in the <i>Environment Protection and Biodiversity</i> <i>Conservation Act 1999 Independent Audit and Audit Report Guidelines,</i> Commonwealth of Australia 2019.			
Iron-grass Natural Temperate Grassland of South Australia TEC	means the <b>EPBC Act</b> listed threatened ecological community (TEC) <i>Iron-</i> grass Natural Temperate Grassland of South Australia.			
Legal securing mechanism	means the legal agreement and/or legally binding mechanism under relevant South Australia state legislation, or equivalent, adopted to provide enduring protection for the offsets against development incompatible with conservation.			
Listed bird species	means all bird species listed under the <b>EPBC Act</b> as a listed threatened species or as a listed migratory species.			
Minister	means the Australian Government Minister administering the <b>EPBC Act</b> including any delegate thereof.			
Monitoring data	means the data required to be recorded under the conditions of this approval.			
New or increased impact	means a new or increased environmental impact or risk relating to any <b>protected matter</b> , when compared to the likely impact of implementing the action management plan that has been approved by the <b>Minister</b> under conditions 3, including any subsequent revisions approved by the <b>Minister</b> , as outlined in the <i>Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental</i> approvals, Commonwealth of Australia 2017.			
Operation	means all activities that occur after the components of the final wind turbine generator are installed.			
PBTL Management Plan	means the Goyder South Hybrid Renewable Energy Facility PBTL Management Plan prepared by EBS Ecology for NEOEN Australia Pty Ltd (version 3 of 28 June 2022 or subsequent versions thereof).			
PBTL Research Plan	means the Pygmy Blue-tongue Lizard Scientific Monitoring and Research Plan, required under condition 9 of <b>EPBC Act</b> approval 2021/8958, and aimed at monitoring and better understanding the potential long-term impacts to the <b>Pygmy Blue-tongue Lizard</b> resulting from wind turbine noise, vibration and shadow flickering.			



Peppermint Box ( <i>Eucalyptus odorata</i> ) Grassy Woodland of South Australia	means the <b>EPBC Act</b> listed threatened ecological community Peppermint Box ( <i>Eucalyptus odorata</i> ) Grassy Woodland of South Australia, whose distribution within and near the <b>project area</b> is mapped in <u>Attachment D</u> (attached to the EPBC approval).
Plan(s)	means any of the documents required to be prepared, approved by the <b>Minister</b> , implemented by the approval holder and published on the <b>website</b> in accordance with these conditions (includes action management plans and/or strategies).
Project area	means the location of the action, represented by the area shown enclosed by the turquoise line labelled 'Wind Farm 1B' on the maps at <u>Attachments</u> <u>A-D</u> (attached to the EPBC approval).
Protected matter(s)	means a matter protected under a controlling provision in Part 3 of the <b>EPBC Act</b> for which this approval has effect.
Pygmy Blue-tongue Lizard (PBTL)	means the EPBC Act listed threatened species Tiliqua adelaidensis.
Pygmy Blue-tongue Lizard habitat	means remnant native grassland or grassy woodland with a sparse overstorey of trees, represented in the map at <u>Attachment C</u> by the areas shown enclosed by the green line labelled as 'Pygmy Blue-tongue Lizard habitat' (attached to the EPBC approval).
SA development approval	means the approved development application number 422/V009/20 R1 (or subsequent approved revisions thereof) granted under section 131 (19) of the <i>Planning, Development and Infrastructure Act 2016</i> (SA) for the <b>Goyder South Hybrid Renewable Energy Facility</b> .
Secure / secured / securing	means to execute a legal agreement and/or legally binding mechanism under relevant South Australia state legislation, or equivalent, to provide enduring protection for the offsets against development incompatible with conservation.
Sensitive ecological data	means data as defined in the <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> , Commonwealth of Australia 2013.
Shapefile	means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Significant impacts	are <b>impacts</b> which are important, notable, or of consequence, having regard to their context or intensity, and assessed within the framework of the <i>Matters of National Environmental Significance – Significant Impact Guidelines 1.1</i> , Commonwealth of Australia 2013.



Suitably qualified bird expert	means a person who has relevant professional qualifications and at least 3 years of work experience designing and implementing plans for the conservation management of birds, who can identify bird species, and who can give an authoritative assessment and advice practices to avoid and mitigate impacts on birds using relevant protocols, standards, methods and/or literature. If the person does not have appropriate professional qualifications, the person must have at least 10 years of work experience identifying bird species, and designing and implementing plans for the conservation management of birds.
Suitably qualified person	means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.
Website	means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.



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# 1.0 Introduction

Goyder Wind Farm 1B Pty Ltd received approval in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the Goyder South Hybrid Renewable Energy Facility – Wind Farm 1B, 5km south Burra (Stage 1B) on 13 July 2022 (EPBC 2021/8957). NEOEN Australia Pty Ltd (NEOEN) is contracted by Goyder Wind Farm 1B Pty Ltd to ensure compliance with the approval, which is subject to specific conditions of approval (refer to **Appendix 1** for the approval documentation). In particular, Condition 15 refers to annual compliance reporting, as follows:

- 15. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder must:
  - a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
  - b. notify the **Department** by email that a **compliance report** has been published on the **website** and provide the weblink for the **compliance report** within 5 **business days** of the date of publication;
  - c. keep all compliance reports publicly available on the website until this approval expires;
  - d. exclude or redact sensitive ecological data from compliance reports published on the website; and
  - e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

### Note: Compliance reports may be published on the Department's website.

As such this document has been prepared to provide an annual **compliance report** for Stage 1B of the Goyder South Hybrid Renewable Energy Facility (EPBC 2021/8957), which commenced on 15 August 2022. This is the second annual **compliance report** for Stage 1B and applies to the second 12 months of the Project, from 15 August 2023 to 14 August 2024. During this timeframe, construction works have continued on site.

A summary of the approved action and **compliance report** details is provided in **Table 1.1** on the following page.



EPBC Act number	2021/8957		
Project name	Goyder South Hybrid Renewable Energy Facility – Wind Farm 1B, 5km south Burra SA (referred to as Stage 1B)		
Approval holder	Goyder Wind Farm 1B Pty Ltd		
Approval holder CAN/ABN	649 965 944		
The approved action	To construct and operate up to 37 wind turbine generators and associated infrastructure as part of the Goyder South Hybrid Renewable Energy Facility, approximately 5 km south of Burra, South Australia.		
Location of the Project	Approximately 5 km south of Burra, South Australia (refer to Figure 1.1).		
Person accepting responsibility for the report	Mr. Jean-Christophe Cheylus		
Date of commencement of the action	15 August 2022		
Annual compliance report reporting period	15 August 2023 to 14 August 2024 (inclusive)		
Date of preparation of this annual compliance report	6 November 2024		

 Table 1.1
 Summary of approved action and compliance report details.

### 1.1 Project background

NEOEN is developing the Goyder South Hybrid Renewable Energy Facility (the Goyder South Project; the Project) between Burra and Robertstown in the Mid North of South Australia (SA). The Project combines wind, solar and energy storage in one integrated project and will be capable of delivering a steady, reliable, dispatchable output of power throughout the day and night. The Goyder South Project will generate more than 4,800,000 Megawatt hours (MWh) of power annually and is comprised of:

- A wind farm of up to 163 turbines with a capacity of up to 1200 Megawatts (MW), a maximum hub height of 121 metres (m), a maximum blade length of 78 m and an overall maximum height (tip height) of 199 m.
- A solar farm (across two sites) of up to 3000 hectares (ha) of solar panels with a capacity of up to 600 MW.
- An energy storage facility (lithium-ion battery) with a capacity of up to 900 MW / 1,800 MWh (2 hours).
- Associated infrastructure for connection to the electricity grid including three substations, access tracks, underground connection cabling and overhead transmission lines (OTLs).
- Permanent operations and maintenance compounds.
- Temporary construction compounds for both wind and solar components, including concrete batching plants.
- A number of meteorological masts (in addition to those already on the site) to record wind speed and other meteorological data, both pre- and post- construction.



As the Goyder South Project will total up to \$3 billion in investment, NEOEN propose to implement the Project in stages, with each stage having its own legal entity, construction contracts and financing packages. An overview of each stage currently proposed for development, along with the corresponding EPBC approvals sought and obtained is outlined in Table 1.2.

Project Stage / Proposed Action	Legal Entity	EPBC Referral Reference	EPBC Referral Decision	Date EPBC Approval Received
Stage 1A (38 WTGs and associated infrastructure)	Goyder Wind Farm 1A Pty Ltd	2021/8958	Controlled Action	5/07/2022
Stage 1B (37 WTGs and associated infrastructure)	Goyder Wind Farm 1B Pty Ltd	2021/8957	Controlled Action	13/07/2022
			Controlled Action	28/07/2022
Common Asset (OTL and Substation)	Goyder Wind Farm Common Asset Pty Ltd	2021/8959	Variation of conditions attached to approval	Variation received 19/12/2022
Battery	NEOEN Australia Pty Ltd	2021/8960	Not a Controlled Action	Not required

 Table 1.2
 Current Proposed Stages and Corresponding EPBC Approvals for the Goyder South Project

Each of the currently proposed stages of the Project are shown in Figure 1.1. Other components of the Goyder South Project, including the remaining wind farm areas, the two solar farms, overhead transmission lines and substations are considered to be potential future stages as they are not currently commercially viable and there is currently no immediate prospect of these components / stages proceeding to construction.

As stated previously, this annual compliance report is for Stage 1B of the Goyder South Project.



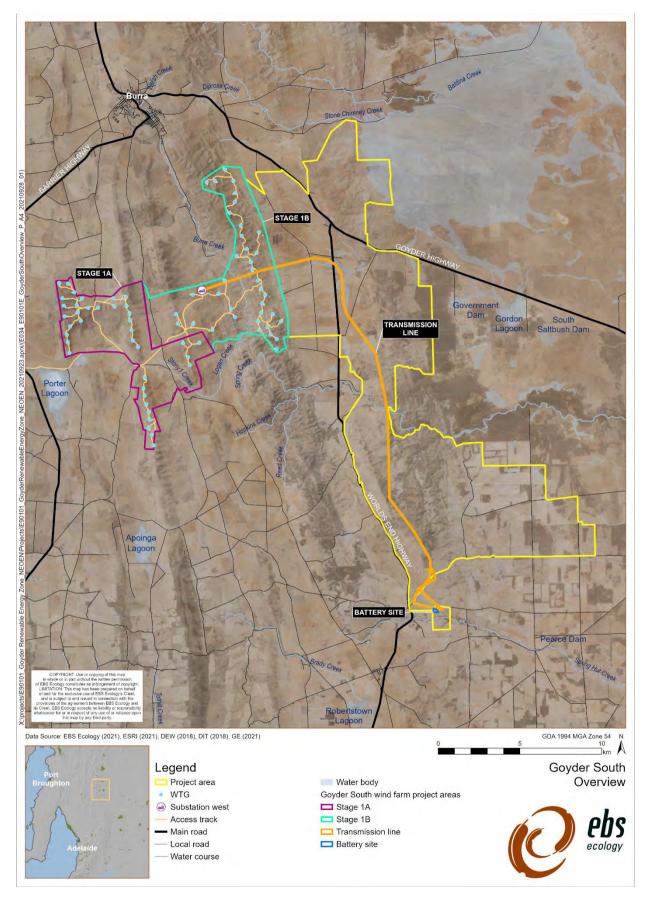


Figure 1.1 Current Proposed Stages of the Goyder South Project



# 2.0 Compliance with conditions of approval

Compliance with the conditions associated with the Stage 1B EPBC approval (EPBC 2021/8957) is presented in **Table 2.1** on the following pages.

Compliance has been achieved for all conditions of approval applicable to the timeframe of this annual compliance report (15 August 2023 to 14 August 2024), while several conditions of approval are not applicable to this annual compliance report.



### Table 2.1 Conditions of approval associated with the Stage 1B EPBC approval (2021/8957)

Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
Part A – Conditions specific to the action		
<ul> <li>Construction/clearance limits</li> <li>1. To minimise impacts to protected matters, the approval holder must not:</li> </ul>		
a. <b>construct</b> more than 37 wind turbine generators within the <b>project area</b> ;	Compliant	The approval holder is <b>constructing</b> 37 wind turbine generators (WTGs) within the Stage 1B <b>project area.</b> Refer to <b>Appendix 2</b> for a map showing the Stage 1B <b>project area</b> and WTGs being constructed.
b. clear outside the project area;	Compliant	The approval holder has not cleared outside the <b>project area</b> .
c. clear more than 2.61 ha of Pygmy Blue-tongue Lizard habitat within the project area; and	Compliant	The approval holder has not <b>cleared</b> more than 2.61 ha of <b>Pygmy Blue-tongue Lizard habitat</b> within the Stage 1B <b>project area</b> . A total of 1.2768 ha of <b>Pygmy Blue-tongue Lizard habitat</b> (PBTL habitat "Pre-EPBC Act Approval") has been cleared since the commencement of the action. A total of 27.3777 ha of <b>PBTL habitat</b> (PBTL habitat "Post-EPBC Act Approval") has been cleared since the commencement of the action. These PBTL habitat impact figures are based on disturbance footprint spatial data (GIS shapefiles) provided by the construction contractor for clearance impacts up to 28/06/2024. No further spatial data is available for the timeframe applicable to this compliance report (15 August 2023 to 14 August 2024).



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
		Refer to Appendix 2 for mapping showing Pygmy Blue-tongue Lizard habitat (PBTL habitat "Pre-EPBC Act Approval") and PBTL habitat "Post-EPBC Act Approval" within the Stage 1B project area and impacts from construction of project infrastructure. Refer to Section 3 and sub-sections 3.1, 3.2 and 3.3 within this compliance report for important information on PBTL habitat "Pre-EPBC Act Approval" and PBTL habitat "Post-EPBC Act Approval", as well as management of compliance with approval conditions.
d. clear any areas of the Peppermint Box ( <i>Eucalyptus odorata</i> ) Grassy Woodland of South Australia threatened ecological community within the project area.	Compliant	The approval holder has not cleared any areas of Peppermint Box ( <i>Eucalyptus odorata</i> ) Grassy Woodland of South Australia threatened ecological community within the project area. While some Peppermint Box ( <i>Eucalyptus odorata</i> ) Grassy Woodland has been cleared to construct project infrastructure, the vegetation did not qualify as the <b>Peppermint Box</b> ( <i>Eucalyptus odorata</i> ) Grassy Woodland of South Australia threatened ecological community. Refer to Appendix 3 for an assessment report. Refer to Appendix 2 for mapping showing the Stage 1B project area and the Peppermint Box ( <i>Eucalyptus odorata</i> ) Grassy Woodland (which did not qualify as the threatened ecological community) within the project area.
Environmental Management Plans	_	
<ol> <li>To minimise impacts to protected matters during the construction and operation, the approval holder must implement the CEMP.</li> </ol>	Compliant	The approval holder has implemented the Construction Environmental Management Plan (CEMP), since the action commenced on 15 August 2022. The approval holder intends to continue to implement the CEMP for the duration of construction. The CEMP is available on the Project's website at: <u>https://goyderenergy.com.au/wp- content/uploads/2023/01/GSWF-ELECNOR-EHS-PLN-0005-Rev-13-Construction-</u> Environmental-Management-Plan.pdf.



a manufacture de	Is the project compliant with this condition?	Evidence / Commentary
<ol> <li>For the protection of the Pygmy Blue-tongue Lizard, the approval holder must implement the PBTL Management Plan for the duration of this approval.</li> </ol>	Compliant	The approval holder has implemented the <b>PBTL Management Plan</b> since the action commenced on 15 August 2022 and intends to continue to implement it for the duration the EPBC approval. The PBTL Management Plan is available on the Project's website at: <u>https://goyderenergy.com.au/wp-</u> <u>content/uploads/2024/02/PBTL Man Plan Final 20231130 Redacted 20240207 opt.p</u>
<ul> <li>4. The approval holder must submit to the Department for the Minister's approval a Bird Adaptive Management Plan (BAMP) within 12 months of the date of this approval. The environmental objectives of the BAMP are to effectively monitor for any impacts to listed bird species during the operation of the wind farm from (but not limited to) wind turbine strikes and, if any impacts are detected, to implement the technology, measures and procedures necessary to ensure that the impacts are accurately measured, reported and remain insignificant.</li> <li>The BAMP must: <ul> <li>a. be consistent with the Environmental Management Plan Guidelines;</li> <li>b. specify relevant protected matters, and reference to the EPBC Act approval conditions to which the BAMP refers;</li> <li>c. include a table of commitments to achieve the BAMP's environmental objectives and a reference to where the commitments are detailed in the BAMP;</li> </ul> </li> </ul>	Compliant	The approval holder submitted a Bird Adaptive Management Plan (BAMP) to the <b>Department</b> for the <b>Minister's</b> approval on 5 July 2023, within 12 months of the date of the EPBC approval (13 July 2022) (refer to <b>Appendix 4</b> for submission email). The BAMP was specifically prepared to satisfy the requirements of this condition of approval. The approval holder received feedback from the <b>Department</b> and revised the BAMP to address the Department's feedback. The final version of the BAMP (version 5, dated 24/01/2024) was approved by the Minister on 23 February 2024 (refer to <b>Appendix 5</b> for details). The BAMP applies to both Stage 1A (EPBC 2021/8958) and Stage 1B (subject of this <b>compliance report</b> ) of the Project. Commissioning of Stage 1B had not commenced within the timeframe applicable to this annual compliance report (15 August 2023 to 14 August 2024). However, commissioning of Stage 1A (EPBC 2021/8958) commenced on 4 April 2024. As such, the approval holder commenced implementing the BAMP prior to 4 April 2024 and intends to continue implementing the approved BAMP until <b>completion of the action</b> . As the BAMP has not yet been implemented for a year, preparation of the proposed BAMP Monitoring and Implementation Report (or similar) is still in progress.



		Is the project compliant with this condition?	Evidence / Commentary	
d.	include an assessment of risks to achieving the BAMP's environmental objectives and risk management strategies that will be applied;			
e.	include a post- <b>commissioning</b> long-term wind turbine generator collision monitoring program to detect and manage potential <b>impacts</b> to <b>listed bird</b> <b>species</b> as a result of collision, which must:			
	<ul> <li>contain details of the nature, timing and frequency of monitoring to inform progress against achieving the environmental outcomes and be sufficient to determine whether the BAMP is likely to achieve those environmental outcomes in adequate time to implement all necessary corrective actions;</li> </ul>			
	<li>include the findings of exhaustive pre- commissioning scavenger activity and searcher efficiency trials;</li>			
	<li>iii. demonstrate how site-specific and species- specific risks and uncertainties (for example, findings of the pre-commissioning scavenger activity and searcher efficiency trials) have informed the design of the monitoring program; and</li>			
	iv. contain commitments to DNA test carcasses that cannot be otherwise identified by a <b>suitably</b> <b>qualified bird expert</b> , to undertake further periodic carcass persistence and searcher efficiency trials to check if assumptions need revision, to maximise turbine collision detection			



onditi	ion of approval	Is the project compliant with this condition?	Evidence / Commentary
1	in a timely manner, and to maximise carcass detection in a timely manner.		
f.	include reporting commitments and timeframes for the provision of site-specific and species-specific information, which must:		
	<ul> <li>contain annual turbine strike reports comprising raw data and strike notifications, survey methodologies, results of detection/persistence trials, environmental/meteorological conditions, and associated statistical analysis; and</li> </ul>		
	ii. contain estimation of annual mortality rate for each <b>listed bird species</b> comprising supporting evidence from case studies of <b>listed bird species</b> carcass size classes, results of persistence trials and searcher efficiency trials, annual probability of detection and monthly strike monitoring, and collision monitoring protocol and survey effort; and		
	<li>iii. contain species occurrence records prepared in accordance with the Guidelines for Biological Survey and Mapped Data.</li>		
g.	include an adaptative management framework designed to:		
	<ul> <li>ensure that no significant impacts to listed bird species are likely to occur as a result of the action;</li> </ul>		
	<ul> <li>ii. clearly demonstrate the linkages between environmental outcomes, implementation and management measures, monitoring, reporting</li> </ul>		



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
and investigations, and implementation of corrective actions to ensure the environmental outcomes will be achieved;		
<li>iii. incorporate site-specific data collected through ongoing monitoring activities, and to take into account changes to turbine risk ratings;</li>		
<ul> <li>iv. propose corrective actions if triggers are reached, such as bird and insect deterrents, low wind speed curtailments, wind turbine generator temporary or permanent shutdown, and/or permanent decommissioning of specific wind turbine generators; and</li> </ul>		
h. commit that, if significant impacts to listed bird species occur, or are likely to have occurred, as a result of the action, the approval holder will, within 3 months of becoming aware of any actual or likely significant impact, submit to the Department for the approval of the Minister a revised BAMP responding to, and accompanied by, an evaluation report prepared by a suitably qualified bird expert of the effectiveness of the BAMP in preventing significant impacts to listed bird species.		
The approval holder must not <b>commission</b> unless the BAMP has been approved by the <b>Minister</b> in writing. The approval holder must commence implementing the approved BAMP before <b>commissioning</b> and continue implementing the approved BAMP until the <b>completion of the action</b> .		



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
Environmental offsets		
<ul> <li>Offset Management Plan</li> <li>5. To compensate for residual significant impacts to the Pygmy Blue-tongue lizard, the approval holder must submit to the Department for the Minister's approval an Offset Management Plan (OMP) within 6 months of the date of this approval.</li> <li>The OMP must: <ul> <li>a. be consistent with the Environmental Management Plan Guidelines;</li> <li>b. include a reference to the EPBC Act approval conditions to which the OMP refers;</li> <li>c. include summary information on the residual significant impacts to the Pygmy Blue-tongue Lizard that will be compensated for by the offset(s);</li> <li>d. identify a suitable environmental Offsets Policy to the satisfaction of the Environmental Offsets Policy to the satisfaction of the Minister;</li> <li>e. include the size of the proposed offset(s) in hectares, maps that visually describe the location and the accurate boundaries of the offset(s), in accordance with the Guide to providing maps and boundary data for EPBC Act projects, and detailed baseline habitat quality information on the proposed offset(s);</li> </ul> </li> </ul>	Compliant	The approval holder submitted a Pygmy Blue-tongue Lizard Offset Management Plan (PBTL OMP) to the <b>Department</b> on 5 January 2023, within 6 months of the date of the approval (13 July 2022). Evidence of submission was provided in the previous annual compliance report (15 August 2022 to 14 August 2023). The PBTL OMP was specifically prepared to satisfy the requirements of this condition of approval. The approval holder received feedback from the <b>Department</b> and revised the PBTL OMP to address the <b>Department's</b> feedback. The final version of the PBTL OMP (version 5, dated 29/09/2023) was submitted to the <b>Department</b> on 29 September 2023. The approval holder received <b>Minister's</b> approval of the PBTL OMP on 29/01/2024 (refer to <b>Appendix 6</b> for details). The PBTL OMP applies to both Stage 1A (EPBC 2021/8958) and Stage 1B (subject of this <b>compliance report</b> ) of the Project. Commissioning of Stage 1B had not commenced within the timeframe applicable to this annual compliance report (15 August 2023 to 14 August 2024). However, commissioning of Stage 1A (EPBC 2021/8958) commenced on 4 April 2024 The approval holder commenced implementing the approved PBTL OMP on 29/01/2024 ar intends to continue implementing it for the period specified in the approved plan. A baseline survey was undertaken as part of the PBTL OMP in the PBTL Offset Areas in 3-5 June 2024. Note that as the PBTL OMP has not been implemented for 12 months yet, preparation of the associated report is still in progress.



		Is the project compliant with this condition?	Evidence / Commentary
f.	specify the nature and timing of the proposed legal mechanism to <b>secure</b> the offset area(s), with proposed contingency measures for if the specified legal mechanism is not established within the specified timeframe;		
g.	commit to measurable and achievable ecological benefits and provide timeframes for their achievement;		
h.	detail how the offset(s) will be protected, and how ecological benefits will be maintained once achieved;		
i,	detail a monitoring program which will determine progress towards achievement and maintenance of the ecological benefits of the proposed offset(s), which must include:		
	<ul> <li>measurable performance indicators to monitor the progress of the offset towards the achievement of the ecological benefits;</li> </ul>		
	ii. trigger values for corrective actions; and		
	<li>iii. the timing and frequency of monitoring to detect trigger values and changes in the performance indicators.</li>		
j.	include an assessment of risks to achieving the ecological benefit(s) and what risk management strategies will be applied to address these;		
k.	specify how and at what frequency offset(s) management results, monitoring program findings and assessments of ecological benefits will be reported to the <b>Department</b> and the public;		



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
<ol> <li>propose corrective actions if trigger values are reached, or if performance indicators are not attained, to ensure ecological benefits are achieved and maintained once achieved;</li> </ol>		
m. include links to referenced plans and applicable conditions of approval (including State approval conditions), if any; and		
<ul> <li>n. justify and specify the period for which the OMP will be implemented.</li> </ul>		
The approval holder must not commence <b>commissioning</b> until the OMP has been approved by the <b>Minister</b> in writing. The approval holder must implement the approved OMP for the period specified in the approved OMP.		
6. If the OMP (required under Condition 5) has not been approved by the <b>Minister</b> in writing within 18 months of the date of this approval, and the <b>Minister</b> notifies the approval holder that the submitted OMP is not suitable for approval, the <b>Minister</b> may, at least 2 months after so notifying the approval holder, approve a version of the OMP revised by the <b>Department</b> .	Not applicable	The OMP (required under Condition 5) was approved by the <b>Minister</b> on 29/01/2024. The Minister has not notified the approval holder that the submitted OMP is not suitable for approval. As such, this condition is not applicable.
7. The approval holder must provide written evidence to the <b>Department</b> that the offset site(s) required under the approved OMP has/have been acquired and secured within 12 months of the OMP approval date. The approval holder must provide written evidence to the <b>Department</b> identifying the <b>legal securing mechanism</b> by which each offset site will be permanently protected for	Not applicable	The OMP (required under Condition 5) was approved by the <b>Minister</b> on 29/01/2024. As the 12-month timeframe applies until 29/01/2025, this Condition is not applicable to this annual <b>compliance report</b> (15 August 2023 to 14 August 2024).



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
conservation within 10 business days of <b>securing</b> the offset. <b>Note:</b> The approval holder may choose to combine the OMPs required as conditions of approval for other proposed elements of the <b>Goyder South Hybrid Renewable Energy Facility</b> . In this case, the approval holder must clearly demonstrate how the offset requirement(s) for each individual proposed element is being met and identify unique offset area(s) for each approved action geospatially.		
8. The approval holder must make a financial contribution to fund the undertaking of the PBTL Research Plan for the purpose of providing an offset for impacts of this action on the Pygmy Blue-tongue Lizard. The approval holder's financial contribution must represent approximately 13% of the total cost of undertaking all aspects of the PBTL Research Plan. The approval holder must provide documentary evidence to the Department showing all financial contributions to the undertaking of the PBTL Research Plan in each compliance report and in a report of the financing and expenditure of the PBTL Research Plan which must be submitted to the Department within 30 business days of completing the PBTL Research Plan and in any case at least 60 business days prior to the expiry of this approval.	Compliant	<ul> <li>The PBTL Research Plan was approved by the Minister on 20 February 2024.</li> <li>Note that the PBTL Research Plan is also required to provide an offset for impacts associated with Stage 1A (EPBC 2021/8958) of the Project.</li> <li>The approval holder commenced the process to make a financial contribution (to fund the undertaking of the PBTL Research Plan for the purpose of providing an offset for impacts of this action on the Pygmy Blue-tongue Lizard) within the timeframe applicable to this annual compliance report (15 August 2023 to 14 August 2024). Refer to Appendix 7 for an invoice (dated 29/07/2024) representing 13% of the start-up payment.</li> <li>While the approval holder's financial contribution must represent approximately 13% of the <i>total</i> cost of undertaking <i>all</i> aspects of the PBTL Research Plan, not <i>all</i> aspects of the PBTL Research Plan have been undertaken yet. As such, this component of Condition 8 is not applicable to this annual compliance report.</li> <li>As the first financial contributions to the undertaking of the PBTL Research Plan are likely to have been made after the timeframe applicable to this annual compliance report (i.e. after 14 August 2024), documentary evidence will be provided with the next annual compliance report.</li> </ul>



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
		A report of the financing and expenditure of the <b>PBTL Research Plan</b> which must be submitted to the <b>Department</b> within 30 <b>business days</b> of completing the <b>PBTL Research Plan</b> and in any case at least 60 <b>business days</b> prior to the expiry of this approval, is not applicable to this annual <b>compliance report</b> as the <b>PBTL Research Plan</b> has not been completed yet.
Part B – Standard administrative conditions	1	
Notification of date of commencement of the action		
9. The approval holder must notify the <b>Department</b> in writing of the date of <b>commencement of the action</b> and the date of <b>commissioning</b> within 10 <b>business days</b> after the date of <b>commencement of the action</b> and after the date of <b>commissioning</b> .	Compliant	<ul> <li>NEOEN (on behalf of the approval holder) notified the Department in writing on 1 August 2022 of the date of commencement of the action, prior to the date of commencement of the action (15 August 2022). Refer to Appendix 8 for correspondence regarding commencement of the action.</li> <li>Commissioning had not commenced within the timeframe applicable to this annual compliance report (15 August 2023 to 14 August 2024).</li> </ul>
10. If the <b>commencement of the action</b> does not occur within 5 years from the date of this approval, then the approval holder must not <b>commence the action</b> without the prior written agreement of the <b>Minister</b> .	Not applicable	<b>Commencement of the action</b> occurred on 15 August 2022. As <b>commencement of the action</b> occurred within 5 years from the date of the approval (13 July 2022), this Condition is not applicable.
Compliance records		
11. The approval holder must maintain accurate and complete compliance records.	Compliant	The approval holder is maintaining accurate and complete <b>compliance records</b> .
12. If the <b>Department</b> makes a request in writing, the approval holder must provide electronic copies of <b>compliance records</b> to the <b>Department</b> within the timeframe specified in the request.	Not applicable	The <b>Department</b> did not make a request in writing for electronic copies of <b>compliance</b> <b>records</b> within the timeframe applicable to this annual <b>compliance report</b> (15 August 2023 to 14 August 2024). As such, this Condition is not applicable to this annual <b>compliance report</b> .



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.		
Submission and publication of plans		
<ul> <li>13. The approval holder must: <ul> <li>a. submit plans electronically to the Department for approval by the Minister;</li> <li>b. unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: <ul> <li>i. of this approval decision if the version of the plan to be implemented is specified in these conditions; or</li> <li>ii. the plan is approved by the Minister if these conditions require that the plan be approved by the Minister; or</li> <li>iii. the plan is approved by a responsible State minister of State authority if the plan is required as part of the SA development approval;</li> <li>iv. a revised action management plan is submitted to the Minister or the Department if the plan is submitted in accordance with condition 23;</li> </ul> </li> <li>c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and</li> </ul></li></ul>	Compliant	The Construction Environmental Management Plan (CEMP) and <b>PBTL Management Plan</b> were provided to the <b>Department</b> as part of the Preliminary Documentation during the EPBC referral assessment process. The CEMP is available on the Project's website at: <u>https://goyderenergy.com.au/wp- content/uploads/2023/01/GSWF-ELECNOR-EHS-PLN-0005-Rev-13-Construction- Environmental-Management-Plan.pdf. The PBTL Management Plan is available on the Project's website at: <u>https://goyderenergy.com.au/wp- content/uploads/2024/02/PBTL Man Plan Final 20231130 Redacted 20240207 opt.pdf</u>. The PBTL OMP is available on the Project's website at: <u>https://goyderenergy.com.au/wp- content/uploads/2024/02/PBTL Man Plan Final 20231130 Redacted 20240207 opt.pdf</u>. The PBTL OMP is available on the Project's website at: <u>https://goyderenergy.com.au/wp- content/uploads/2024/02/EX220805 PBTL OMP v5 20230929 Redacted 20240214 opt.p</u> <u>df</u>. The approval holder intends to keep these plans published on the Project's website until the end date of the EPBC approval.</u>



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
d. keep <b>plans</b> published on the <b>website</b> until the end date of this approval.		
14. The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan is prepared in accordance with the Guidelines for biological survey and mapped data, and submitted electronically to the Department in accordance with the requirements of the plan.	Compliant	The approval holder intends to ensure that <b>monitoring data</b> (including <b>sensitive ecological data</b> ), surveys, maps, and other spatial and metadata required under a <b>plan</b> (such as the PBTL OMP) is prepared in accordance with the <i>Guidelines for biological survey and mapped data</i> , Commonwealth of Australia (2018), and submitted electronically to the <b>Department</b> in accordance with the requirements of the <b>plans</b> . At this stage, only baseline data has been collected for the PBTL Offset Areas. This data will be prepared in accordance with the <i>Guidelines for biological survey and mapped data</i> , Commonwealth of Australia (2018), and submitted to the <b>Department</b> in accordance with the <i>Guidelines for biological survey and mapped data</i> , this stage, only baseline data has been collected for the PBTL Offset Areas. This data will be prepared in accordance with the <i>Guidelines for biological survey and mapped data</i> , Commonwealth of Australia (2018), and submitted to the <b>Department</b> in accordance with the requirements of the PBTL OMP.
Annual compliance reporting		
15. The approval holder must prepare a <b>compliance report</b> for each 12 month period following the date of <b>commencement of the action</b> , or otherwise in accordance with an annual date that has been agreed to in writing by the <b>Minister</b> . The approval holder must:	Compliant	The action commenced on 15 August 2022. This document is the second annual <b>compliance</b> <b>report</b> for Stage 1B and covers the second 12 month period following the date of <b>commencement of the action</b> , from 15 August 2023 to 14 August 2024.
a. publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the relevant 12 month period;	Compliant	This annual <b>compliance report</b> will be published on the Project's <b>website</b> within 60 <b>business days</b> following the second 12 month period, which equates to 7 November 2024. This annual compliance report will be available at the following <b>website</b> page: <u>https://goyderenergy.com.au/documents/</u> .
<ul> <li>notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication;</li> </ul>	Compliant	NEOEN (on behalf of the approval holder) will notify the <b>Department</b> by email that this <b>compliance report</b> has been published on the Project's <b>website</b> and provide the weblink for the <b>compliance report</b> within 5 <b>business days</b> of the date of publication (which equates to 13 November 2024).



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
c. keep all <b>compliance reports</b> publicly available on the <b>website</b> until this approval expires;	Compliant	NEOEN (on behalf of the approval holder) will keep all <b>compliance reports</b> publicly available on the Project's <b>website</b> until the EPBC Act approval expires, which is 31 December 2057.
d. exclude or redact sensitive ecological data from compliance reports published on the website; and	Compliant	Sensitive ecological data will be excluded or redacted from compliance reports published on the Project's website.
e. where any <b>sensitive ecological data</b> has been excluded from the version published, submit the full <b>compliance report</b> to the <b>Department</b> within 5 <b>business days</b> of publication.	Compliant	The full compliance report containing <b>sensitive ecological data</b> will be submitted to the Department within 5 <b>business days</b> of publication (which equates to 13 November 2024).
Note: Compliance reports may be published on the Department's website.		Noted.
Reporting non-compliance		
16. The approval holder must notify the <b>Department</b> in writing of any: <b>incident</b> ; non-compliance with the conditions; or non-compliance with the commitments made in <b>plans</b> . The notification must be given as soon as practicable, and no later than 2 <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance. The notification must specify:		The approval holder notified the <b>Department</b> in writing of a potential <b>incident</b> on 5 October 2023. The notification was given as soon as practicable and no later than 2 <b>business days</b> after becoming aware of the potential <b>incident</b> . The notification was prepared to meet the requirements of this condition of approval. Refer to <b>Appendix 9</b> for the notification.
a. any condition which is or may be in breach;		
<ul> <li>a short description of the incident and/or non- compliance; and</li> </ul>		
c. the location (including co-ordinates), date, and time of the <b>incident</b> and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.		



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
<ul> <li>17. The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying: <ul> <li>a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</li> <li>b. the potential impacts of the incident or non-compliance; and</li> <li>c. the method and timing of any remedial action that will be undertaken by the approval holder.</li> </ul> </li> </ul>	Compliant	The approval holder provided details of the potential <b>incident</b> to the <b>Department</b> as soon as practicable and no later than 10 business days after becoming aware of the potential incident. The information was prepared to meet the requirements of this condition of approval. Refer to <b>Appendix 10</b> for details of the potential <b>incident</b> .
Independent audit		
18. The approval holder must ensure that <b>independent</b> <b>audits</b> of compliance with the conditions are conducted as requested in writing by the <b>Minister</b> .	Not applicable	No independent audit of compliance with the conditions has been requested in writing by the <b>Minister</b> .
<ul> <li>19. For each independent audit, the approval holder must:</li> <li>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;</li> <li>b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and</li> </ul>	Not applicable	Not applicable for this annual <b>compliance report</b> .



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
c. submit an audit report to the <b>Department</b> timeframe specified in the approved audi	- The Manual Andrew Andrew A	
20. The approval holder must publish the audit re website within 10 business days of receiving Department's approval of the audit report an audit report published on the website until the of this approval.	the nd keep the	Not applicable for this annual <b>compliance report</b> .
Revision of action management plans		
21. The approval holder may, at any time, apply t Minister for a variation to an action managen approved by the Minister or as subsequently accordance with these conditions, by submitt application in accordance with the requireme section 143A of the EPBC Act. If the Minister revised action management plan (RAMP) ther date specified, the approval holder must impl RAMP in place of the previous action manage	nent plan revised in ting an nts of approves a n, from the lement the	This document is the second annual <b>compliance report</b> for Stage 1B and covers the second 12 month period following the date of commencement of the action, from 15 August 2023 to 14 August 2024. The approval holder did not apply to the Minister for a variation to an action management plan approved by the <b>Minister</b> , within the second 12 month period following the date of the commencement of the action (15 August 2023 to 14 August 2024), so this condition of approval is not applicable.
22. The approval holder may choose to revise an management plan approved by the <b>Minister</b> of conditions 3, or as subsequently revised in activity with these conditions, without submitting it for under section 143A of the <b>EPBC Act</b> , if the tak action in accordance with the RAMP would not to have a <b>new or increased impact</b> .	under cordance or approval king of the	This document is the second annual <b>compliance report</b> for Stage 1B and covers the second 12 month period following the date of commencement of the action, from 15 August 2023 to 14 August 2024. The approval holder did not revise an action management plan approved by the <b>Minister</b> , within the second 12 month period following the date of the commencement of the action (15 August 2023 to 14 August 2024), so this condition of approval is not applicable.



ondition of approval	Is the project compliant with this condition?	Evidence / Commentary
<ol> <li>If the approval holder makes the choice under condition 22 to revise an action management plan without submitting it for approval, the approval holder must:</li> </ol>	Not applicable	Not applicable for this annual <b>compliance report</b> .
<ul> <li>notify the <b>Department</b> in writing that the approved action management plan has been revised and provide the <b>Department</b> with:</li> </ul>	h s s	
i. an electronic copy of the RAMP;		
<li>ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP;</li>		
<li>iii. an explanation of the differences between the approved action management plan and the RAMP;</li>		
iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a <b>new or increased</b> <b>impact</b> ; and		
v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 <b>business</b> <b>days</b> after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the <b>Department</b> .		
b. subject to condition 25, implement the RAMP from the RAMP implementation date.		



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary	
24. The approval holder may revoke their choice to implement a RAMP under condition 22 at any time by giving written notice to the <b>Department</b> . If the approval holder revokes the choice under condition 22, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 22.	Not applicable	Not applicable for this annual <b>compliance report</b> .	
<ul> <li>25. If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then:</li> <li>a. condition 22 does not apply, or ceases to apply, in relation to the RAMP; and</li> <li>b. the approval holder must implement the action management plan specified by the Minister in the notice.</li> </ul>	Not applicable	Not applicable for this annual <b>compliance report</b> .	
26. At the time of giving the notice under condition 25, the <b>Minister</b> may also notify that for a specified period of time, condition 22 does not apply for one or more specified action management plans.	Not applicable	Not applicable for this annual <b>compliance report</b> .	
<b>Note:</b> conditions 22, 23, 24 and 25 are not intended to limit the operation of section 143A of the <b>EPBC Act</b> which allows the approval holder to submit a revised action management plan, at any time, to the <b>Minister</b> for approval.		Noted.	



Condition of approval	Is the project compliant with this condition?	Evidence / Commentary
Completion of the action		
27. Within 20 days after the <b>completion of the action</b> , and, in any event, before this approval expires, the approval holder must notify the <b>department</b> electronically of the date of <b>completion of the action</b> and provide <b>completion data</b> .		The action has not yet been completed, so this condition of approval is not applicable for this annual <b>compliance report</b> .



## 3.0 Additional PBTL habitat found post EPBC Act Approval

Understanding of PBTL occurrence and habitat within the Goyder South Project Area has evolved significantly over time, particularly after EPBC Act approvals were received and more detailed and targeted pre-clearance check (PCC) surveys and micro-siting surveys were undertaken.

PCC surveys of the proposed infrastructure footprint have been undertaken on site, prior to the commencement of ground disturbance works. In accordance with the environmental management measures outlined in the Project's CEMP, Flora and Fauna Management Plan and PBTL Management Plan, all areas required for construction of project infrastructure, including areas required temporarily during construction, are subject to a PCC survey prior to the commencement of any ground disturbance works, such as vegetation removal, topsoil stripping, excavation and other earthworks. During PCC surveys, additional PBTLs and PBTL habitat have been found in areas that were not previously identified or mapped as PBTL habitat. Furthermore, some additional PBTLs have been found in areas that had previously been identified and mapped as PBTL habitat, but where individual PBTL records had not yet been recorded.

Similarly, in accordance with the environmental management measures outlined in the Project's CEMP, Flora and Fauna Management Plan and PBTL Management Plan, infrastructure which will impact upon PBTLs and PBTL habitat, will be micro-sited (i.e., shifted and/or adjusted slightly) away from PBTLs, wherever possible, to avoid and/or minimise direct impacts to PBTLs and PBTL habitat, as much as possible. As such, when PBTLs have been located within the proposed infrastructure footprint during PCC survey, additional surveys for PBTLs (i.e., micro-siting surveys) have been undertaken within the adjacent areas to determine if the proposed infrastructure footprint could be micro-sited away from the PBTLs. During micrositing surveys, additional PBTLs and PBTL habitat have also been found in areas that were not previously identified and mapped as PBTL habitat. Furthermore, some additional PBTLs have been found in areas that had previously been identified and mapped as PBTL habitat, but where individual PBTL records have not yet been recorded.

As outlined in the **PBTL Management Plan**, a total of 280.45 ha of additional PBTL habitat, consisting of 143.35 ha of *Potential* and 137.11 ha of *Likely* PBTL habitat, was found in the Stage 1B project area during PCC surveys and micro-siting surveys, as outlined in **Table 3.1**.

Table 3.1	Area of Additional PBTL Habitat Found Post EPBC Act Approval
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Potential	Likely	Total
143.35 ha	137.11 ha	280.45 ha

This additional PBTL habitat found during PCC surveys and micro-siting surveys (which were undertaken after EPBC Act approval was received) has been categorised as '*PBTL habitat Post EPBC Act approval*', while initial PBTL habitat (included in the EPBC Act referral and subsequent approval, and defined/referred to as **Pygmy Blue-tongue Lizard habitat** in the *Conditions of Approval* and *Definitions* associated with the EPBC Act approval) is categorised as '*PBTL habitat Pre EPBC Act approval*', both of which are shown in the mapping in **Appendix 2**.



# 3.1 Management of compliance with relevant conditions associated with the EPBC Act approval

Condition 1 c. of the EPBC Act approval requires the approval holder not to clear more than 2.61 ha of **Pygmy Blue-tongue Lizard habitat** within the project area and Condition 3 of the EPBC Act approval requires the approval holder to implement the **PBTL Management Plan** for the duration of the approval. Refer to **Appendix 1** for the EPBC Act approval, as well as a definition of **Pygmy Blue-tongue Lizard habitat**.

The **PBTL Management Plan** outlines a process where any additional PBTLs or PBTL habitat that is found is designated as PBTL habitat, and management measures outlined in the Plan are implemented. For example, Table 14 in Section 7 of the **PBTL Management Plan** outlines management targets, performance indicators and triggers, including the following trigger:

• "Discovery of PBTL individual or population (outside of previously observed areas)."

Section 8 of the **PBTL Management Plan** outlines response measures and corrective actions in the event that one of the triggers in Section 7 occurs, including a process where:

*"If live PBTL individuals or populations are discovered (in areas not previously identified as PBTL habitat), the following actions are to be taken:* 

- All works will cease in the immediate vicinity until an appropriately qualified ecologist provides advice and relocates PBTLs if necessary;
- The area is designated as PBTL habitat and the management measures outlined in Section 11 and Section 12 are to be implemented;"

As outlined previously, additional PBTLs and PBTL habitat have been found during PCC surveys and micrositing surveys, in areas that were not previously identified or mapped as PBTL habitat. As such, the *discovery of PBTL individual or population (outside of previously observed areas)* trigger was reached, and the abovementioned associated response measures and corrective actions process outlined in Section 8 of the **PBTL Management Plan** have been implemented.

Neoen consulted with the **department** regarding the additional PBTLs and PBTL habitat discovered within Stage 1B and compliance with the EPBC Act approval, meeting with representatives from the **department** on multiple occasions, including 18/08/2022, 7/09/2022, 8/09/2022 and 16/09/2022. A letter from the **department** is provided in **Appendix 11** for reference.

After consultation, meetings and correspondence from the **department** (**Appendix 11**), it is the approval holder's understanding that impact to the *additional* PBTLs and PBTL habitat discovered post EPBC Act approval in the Stage 1B project area, does not require a variation to the Stage 1B EPBC Act approval to include the *additional* PBTLs and PBTL habitat with the **Pygmy Blue-tongue Lizard habitat** defined in the approval; or to increase the clearing limit, as impact to *additional* PBTLs and PBTL habitat discovered post EPBC Act approval is covered by the process outlined in the **PBTL Management Plan** (which was approved by the Department on 29/01/2024 – refer to **Appendix 6**). As such, no variation to the Stage 1B EPBC Act approval has been, or will be, sought.



### **3.2** Impact to PBTL habitat Post EPBC Act approval

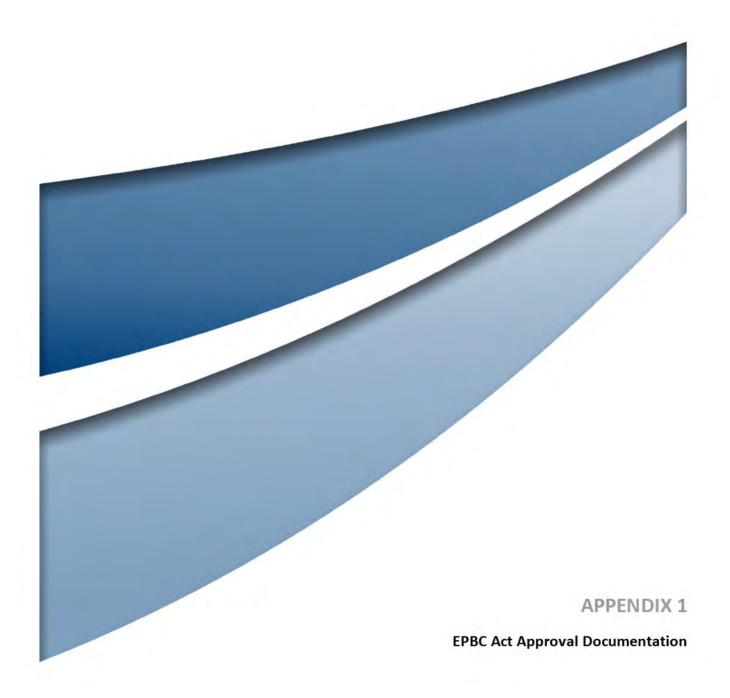
Where 'PBTL habitat Post EPBC Act approval', has been found within the proposed infrastructure footprint during PCC survey, additional surveys for PBTLs (i.e., micro-siting surveys) have been undertaken within the adjacent areas to determine if the proposed infrastructure footprint could be micro-sited (shifted and/or adjusted slightly) away from the PBTLs to avoid and/or minimise impacts to PBTLs as much as possible, in accordance with the **PBTL Management Plan**. However, the proposed infrastructure footprint has not been micro-sited if impact to PBTLs and PBTL habitat could not be reduced, compared to the impact of the initial proposed infrastructure footprint, for example if PBTLs and PBTL habitat were also found in the micro-siting survey area. Where the proposed infrastructure footprint has not been micro-sited, individual PBTLs located within the footprint have been relocated to the nearest suitable release site in accordance with the pBTL Management Plan.

While the proposed infrastructure footprint has been micro-sited as much as possible to avoid and/or minimise impacts to PBTLs and PBTL habitat, a total of 27.3777 ha of 'PBTL habitat Post EPBC Act approval' has been impacted (cleared) during construction works undertaken up to the timeframe applicable to this annual **compliance report** (14 August 2024). Refer to **Appendix 2** for mapping. As this impact is considered a residual impact, an EPBC Offset is required and has been incorporated into the *Goyder South Hybrid Renewable Energy Facility – Stage 1 Pygmy Blue-tongue Lizard (Tiliqua adelaidensis) Offset Management Plan* (EBS Ecology 2023), which has been approved by the **department** (refer to **Appendix 6**).

## 3.3 Revision of PBTL Management Plan

The **PBTL Management Plan** (required under Condition 3) was revised to include the additional PBTLs and PBTL habitat found during PCC and micro-siting surveys (i.e., '*PBTL habitat Post EPBC Act approval*') and to ensure that likely and potential direct and indirect impacts to the PBTLs and PBTL habitat during construction and operation of the Project are avoided, minimised and mitigated as much as possible.

The revised version of the **PBTL Management Plan** (version 5, dated 30/11/2023) was approved by the **department** on 29/01/2024 (refer to **Appendix 6**).





**Australian Government** 

Department of Climate Change, Energy, the Environment and Water

#### APPROVAL

Goyder South Hybrid Renewable Energy Facility – Wind Farm 1B, 5km south Burra SA (EPBC 2021/8957)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the EPBC Act). Note that section 134(1A) of the EPBC Act applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

#### Details

Person to whom the approval is granted (approval holder)	Goyder Wind Farm 1B Pty Ltd
ACN of approval holder	649 965 944
Action	To construct and operate up to 37 wind turbine generators and associated infrastructure as part of the Goyder South Hybrid Renewable Energy Facility, approximately 5 km south of Burra, South Australia [See EPBC Act referral 2021/8957].

#### Approval decision

My decisions on whether or not to approve the taking of the action for the purposes of each controlling provision for the action are as follows.

#### **Controlling Provisions**

Listed Threatened Species and	Communities	
Section 18	Approve	
Section 18A	Approve	
Listed migratory species		
Section 20	Approve	
Section 20A	Approve	

#### Period for which the approval has effect

This approval has effect until 31 December 2057.

#### Decision-maker

Name and position	Kylie Calhoun	
	Assistant Secretary	
	Environment Assessments West (WA, SA, NT) Branch	2
Signature	Lylie Cal	
Date of decision	13 July 2022	

#### Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.

#### **ANNEXURE A – CONDITIONS OF APPROVAL**

#### Part A – Conditions specific to the action

#### **Construction/clearance limits**

- 1. To minimise **impacts** to **protected matters**, the approval holder must not:
  - a. construct more than 37 wind turbine generators within the project area;
  - b. clear outside the project area;
  - c. clear more than 2.61 ha of Pygmy Blue-tongue Lizard habitat within the project area; and
  - d. **clear** any areas of the **Peppermint Box** (*Eucalyptus odorata*) Grassy Woodland of South Australia threatened ecological community within the **project area**.

#### **Environmental management plans**

- 2. To minimise **impacts** to **protected matters** during **construction** and **operation**, the approval holder must implement the **CEMP**.
- 3. For the protection of the **Pygmy Blue-tongue Lizard**, the approval holder must implement the **PBTL Management Plan** for the duration of this approval.
- 4. The approval holder must submit to the **Department** for the **Minister**'s approval a Bird Adaptive Management Plan (BAMP) within 12 months of the date of this approval. The environmental objectives of the BAMP are to effectively monitor for any **impacts** to **listed bird species** during the **operation** of the wind farm from (but not limited to) wind turbine strikes and, if any **impacts** are detected, to implement the technology, measures and procedures necessary to ensure that the **impacts** are accurately measured, reported and remain insignificant.

The BAMP must:

- a. be consistent with the Environmental Management Plan Guidelines;
- b. specify relevant **protected matters**, and reference to the **EPBC Act** approval conditions to which the BAMP refers;
- c. include a table of commitments to achieve the BAMP's environmental objectives and a reference to where the commitments are detailed in the BAMP;
- d. include an assessment of risks to achieving the BAMP's environmental objectives and risk management strategies that will be applied;
- e. include a post-**commissioning** long-term wind turbine generator collision monitoring program to detect and manage potential **impacts** to **listed bird species** as a result of collision, which must:
  - i. contain details of the nature, timing and frequency of monitoring to inform progress against achieving the environmental outcomes and be sufficient to determine whether the BAMP is likely to achieve those environmental outcomes in adequate time to implement all necessary corrective actions;
  - ii. include the findings of exhaustive pre-**commissioning** scavenger activity and searcher efficiency trials;
  - iii. demonstrate how site-specific and species-specific risks and uncertainties (for example, findings of the pre-commissioning scavenger activity and searcher efficiency trials) have informed the design of the monitoring program; and
  - iv. contain commitments to DNA test carcasses that cannot be otherwise identified by a suitably qualified bird expert, to undertake further periodic carcass persistence and searcher efficiency trials to check if assumptions need revision, to maximise turbine

collision detection in a timely manner, and to maximise carcass detection in a timely manner.

- f. include reporting commitments and timeframes for the provision of site-specific and speciesspecific information, which must:
  - i. contain annual turbine strike reports comprising raw data and strike notifications, survey methodologies, results of detection/persistence trials, environmental/meteorological conditions, and associated statistical analysis; and
  - ii. contain estimation of annual mortality rate for each listed bird species comprising supporting evidence from case studies of listed bird species carcass size classes, results of persistence trials and searcher efficiency trials, annual probability of detection and monthly strike monitoring, and collision monitoring protocol and survey effort; and
  - iii. contain species occurrence records prepared in accordance with the **Guidelines for Biological Survey and Mapped Data**.
- g. include an adaptative management framework designed to:
  - i. ensure that no **significant impacts** to **listed bird species** are likely to occur as a result of the action;
  - ii. clearly demonstrate the linkages between environmental outcomes, implementation and management measures, monitoring, reporting and investigations, and implementation of corrective actions to ensure the environmental outcomes will be achieved;
  - iii. incorporate site-specific data collected through ongoing monitoring activities, and to take into account changes to turbine risk ratings;
  - iv. propose corrective actions if triggers are reached, such as bird and insect deterrents, low wind speed curtailments, wind turbine generator temporary or permanent shutdown, and/or permanent decommissioning of specific wind turbine generators; and
- h. commit that, if significant impacts to listed bird species occur, or are likely to have occurred, as a result of the action, the approval holder will, within 3 months of becoming aware of any actual or likely significant impact, submit to the Department for the approval of the Minister a revised BAMP responding to, and accompanied by, an evaluation report prepared by a suitably qualified bird expert of the effectiveness of the BAMP in preventing significant impacts to listed bird species.

The approval holder must not **commission** unless the BAMP has been approved by the **Minister** in writing. The approval holder must commence implementing the approved BAMP before **commissioning** and continue implementing the approved BAMP until the **completion of the action**.

#### **Environmental offsets**

5. To compensate for residual **significant impacts** to the **Pygmy Blue-tongue Lizard**, the approval holder must submit to the **Department** for the **Minister's** approval an Offset Management Plan (OMP) within 6 months of the date of this approval.

The OMP must:

- a. be consistent with the Environmental Management Plan Guidelines;
- b. include a reference to the EPBC Act approval conditions to which the OMP refers;
- c. include summary information on the residual **significant impacts** to the **Pygmy Blue-tongue Lizard** that will be compensated for by the offset(s);
- d. identify a suitable environmental offset(s) to compensate for residual significant impacts to the Pygmy Blue-tongue Lizard which meets the requirements of the Environmental Offsets Policy to the satisfaction of the Minister;

- e. include the size of the proposed offset(s) in hectares, maps that visually describe the location and the accurate boundaries of the offset(s), in accordance with the **Guide to providing maps** and boundary data for EPBC Act projects, and detailed baseline habitat quality information on the proposed offset(s);
- f. specify the nature and timing of the proposed legal mechanism to **secure** the offset area(s), with proposed contingency measures for if the specified legal mechanism is not established within the specified timeframe;
- g. commit to measurable and achievable ecological benefits and provide timeframes for their achievement;
- h. detail how the offset(s) will be protected, and how ecological benefits will be maintained once achieved;
- i. detail a monitoring program which will determine progress towards achievement and maintenance of the ecological benefits of the proposed offset(s), which must include:
  - i. measurable performance indicators to monitor the progress of the offset towards the achievement of the ecological benefits;
  - ii. trigger values for corrective actions; and
  - iii. the timing and frequency of monitoring to detect trigger values and changes in the performance indicators.
- j. include an assessment of risks to achieving the ecological benefit(s) and what risk management strategies will be applied to address these;
- k. specify how and at what frequency offset(s) management results, monitoring program findings and assessments of ecological benefits will be reported to the **Department** and the public;
- I. propose corrective actions if trigger values are reached, or if performance indicators are not attained, to ensure ecological benefits are achieved and maintained once achieved;
- m. include links to referenced plans and applicable conditions of approval (including State approval conditions), if any; and
- n. justify and specify the period for which the OMP will be implemented.

The approval holder must not commence **commissioning** until the OMP has been approved by the **Minister** in writing. The approval holder must implement the approved OMP for the period specified in the approved OMP.

- 6. If the OMP (required under Condition 5) has not been approved by the **Minister** in writing within 18 months of the date of this approval, and the **Minister** notifies the approval holder that the submitted OMP is not suitable for approval, the **Minister** may, at least 2 months after so notifying the approval holder, approve a version of the OMP revised by the **Department**.
- 7. The approval holder must provide written evidence to the **Department** that the offset site(s) required under the approved OMP has/have been acquired and **secured** within 12 months of the OMP approval date. The approval holder must provide written evidence to the **Department** identifying the **legal securing mechanism** by which each offset site will be permanently protected for conservation within 10 business days of **securing** the offset.

**Note:** The approval holder may choose to combine the OMPs required as conditions of approval for other proposed elements of the **Goyder South Hybrid Renewable Energy Facility**. In this case, the approval holder must clearly demonstrate how the offset requirement(s) for each individual proposed element is being met and identify unique offset area(s) for each approved action geospatially.

8. The approval holder must make a financial contribution to fund the undertaking of the PBTL Research Plan for the purpose of providing an offset for impacts of this action on the Pygmy Bluetongue Lizard. The approval holder's financial contribution must represent approximately 13% of the total cost of undertaking all aspects of the PBTL Research Plan. The approval holder must provide documentary evidence to the **Department** showing all financial contributions to the undertaking of the **PBTL Research Plan** in each **compliance report** and in a report of the financing and expenditure of the **PBTL Research Plan** which must be submitted to the **Department** within 30 **business days** of completing the **PBTL Research Plan** and in any case at least 60 **business days** prior to the expiry of this approval.

#### Part B – Standard administrative conditions

#### Notification of date of commencement of the action

- 9. The approval holder must notify the **Department** in writing of the date of **commencement of the action** and the date of **commissioning** within 10 **business days** after the date of **commencement of the action** and after the date of **commissioning**.
- 10. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

#### **Compliance records**

- 11. The approval holder must maintain accurate and complete **compliance records**.
- 12. If the **Department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

**Note:** Compliance records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the **Department**'s website or through the general media.

#### Submission and publication of plans

13. The approval holder must:

- a. submit plans electronically to the Department for approval by the Minister;
- b. unless otherwise agreed to in writing by the **Minister**, publish each **plan** on the **website** within 20 **business days** of the date:
  - i. of this approval decision if the version of the plan to be implemented is specified in these conditions; or
  - ii. the **plan** is approved by the **Minister** if these conditions require that the **plan** be approved by the **Minister**; or
  - iii. the **plan** is approved by the responsible State minister or State authority if the **plan** is required as part of the **SA development approval**.
  - iv. a revised action management plan is submitted to the **Minister** or the **Department** if the **plan** is submitted in accordance with condition 23;
- c. exclude or redact **sensitive ecological data** from **plans** published on the **website** or provided to a member of the public; and
- d. keep **plans** published on the **website** until the end date of this approval.
- 14. The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under a **plan** is prepared in accordance with the **Guidelines for Biological Survey and Mapped Data**, and submitted electronically to the **Department** in accordance with the requirements of the **plan**.

#### Annual compliance reporting

- 15. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder must:
  - a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
  - b. notify the **Department** by email that a **compliance report** has been published on the **website** and provide the weblink for the **compliance report** within 5 **business days** of the date of publication;
  - c. keep all compliance reports publicly available on the website until this approval expires;
  - d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
  - e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

Note: Compliance reports may be published on the Department's website.

#### **Reporting non-compliance**

- 16. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than 2 **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
  - a. any condition which is or may be in breach;
  - b. a short description of the incident and/or non-compliance; and
  - c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
- 17. The approval holder must provide to the **Department** the details of any **incident** or noncompliance with the conditions or commitments made in **plans** as soon as practicable and no later than 10 **business days** after becoming aware of the **incident** or non-compliance, specifying:
  - a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
  - b. the potential impacts of the incident or non-compliance; and
  - c. the method and timing of any remedial action that will be undertaken by the approval holder.

#### Independent audit

- 18. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.
- 19. For each independent audit, the approval holder must:
  - a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
  - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and
  - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.

20. The approval holder must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

#### **Revision of action management plans**

- 21. The approval holder may, at any time, apply to the **Minister** for a variation to an action management plan approved by the **Minister** or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the **EPBC Act**. If the **Minister** approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.
- 22. The approval holder may choose to revise the action management plan approved by the **Minister** under condition 3, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the action in accordance with the RAMP would not be likely to have a **new or increased impact**.
- 23. If the approval holder makes the choice under condition 22 to revise an action management plan without submitting it for approval, the approval holder must:
  - a. notify the **Department** in writing that the approved action management plan has been revised and provide the **Department** with:
    - i. an electronic copy of the RAMP;
    - ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP;
    - iii. an explanation of the differences between the approved action management plan and the RAMP;
    - iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a **new or increased impact**; and
    - v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 **business days** after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the **Department**.
  - b. subject to condition 25, implement the RAMP from the RAMP implementation date.
- 24. The approval holder may revoke their choice to implement a RAMP under condition 22 at any time by giving written notice to the **Department**. If the approval holder revokes the choice under condition 22, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 22.
- 25. If the **Minister** gives a notice to the approval holder that the **Minister** is satisfied that the taking of the action in accordance with the RAMP would be likely to have a **new or increased impact**, then:
  - a. condition 22 does not apply, or ceases to apply, in relation to the RAMP; and
  - b. the approval holder must implement the action management plan specified by the **Minister** in the notice.
- 26. At the time of giving the notice under condition 25, the **Minister** may also notify that for a specified period of time, condition 22 does not apply for one or more specified action management plans.

**Note:** conditions 22, 23, 24 and 25 are not intended to limit the operation of section 143A of the **EPBC Act** which allows the approval holder to submit a revised action management plan, at any time, to the **Minister** for approval.

#### **Completion of the action**

27. Within 20 business days after the **completion of the action**, and, in any event, before this approval expires, the approval holder must notify the **department** electronically of the date of **completion of the action** and provide **completion data**.

#### Part C – Definitions

In these conditions, except where contrary intention is expressed, the following definitions are used:

**Business day** means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

**CEMP** means the Construction Environmental Management Plan required under and currently approved in accordance with the requirements of condition 9 of the **SA development approval**.

**Clear/Clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation.

**Commencement of the action/Commence the action** means the first instance of any specified activity associated with the action including **clearing** and **construction**. **Commencement of the action/Commence the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the **project area**;
- iii. protect environmental and property assets from fire, weeds and pests, including installation of temporary fencing, and use of existing surface access tracks;
- iv. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no **impact** on the **protected matters**; or
- v. undertaking geotechnical investigations if it causes only minor physical disturbance and is required well in advance of most site works to inform design.

**Commission/Commissioning** means all activities, including turning of turbines, after the components of the first complete wind turbine are installed. The date on which **commission/commissioning** commences is the first date on which the blades of the first completed wind turbine start rotating.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **Department**'s chosen spatial data format is **shapefile**.

**Completion of the action** means the date on which all specified activities associated with the action have permanently ceased.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.

Compliance report(s) means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2014;
- iii. include a **shapefile** of any clearance of any **protected matters**, or their habitat, undertaken within the relevant 12 month period;
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period; and

v. advising of the identity and current contact details of all persons authorised to act for the approval holder in relation to this approval.

**Construct/Construction** means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**Environmental Management Plan Guidelines** means the *Environmental Management Plan Guidelines*, Commonwealth of Australia 2014.

**Environmental Offsets Policy** means the *Environment Protection and Biodiversity Conservation Act* 1999 Environmental Offsets Policy, Commonwealth of Australia 2012, or any subsequent official revision produced by the **Department**.

EPBC Act means the Environment Protection and Biodiversity Conservation Act 1999 (Cth).

**Goyder South Hybrid Renewable Energy Facility** is a renewable energy development located between Burra and Robertstown in the Mid North of South Australia. The **Goyder South Hybrid Renewable Energy Facility** includes, in addition to the action subject of this approval, the proposed actions described in the **EPBC Act** referrals EPBC 2021/8958, EPBC 2021/8959 and EPBC 2021/8960.

**Guide to providing maps and boundary data for EPBC Act projects** means the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021.

**Guidelines for Biological Survey and Mapped Data** means the *Guidelines for Biological Survey and Mapped Data*, Commonwealth of Australia 2018.

**Impact** (verb) means to cause any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.

**Incident** means any event which has the potential to, or does, impact on one or more **protected matter**.

**Independent audit** means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

**Legal securing mechanism** means the legal agreement and/or legally binding mechanism under relevant South Australia state legislation, or equivalent, adopted to provide enduring protection for the offsets against development incompatible with conservation.

**Listed bird species** means all bird species listed under the **EPBC Act** as a listed threatened species or as a listed migratory species.

**Minister** means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Monitoring data means the data required to be recorded under the conditions of this approval.

**New or increased impact** means a new or increased environmental impact or risk relating to any **protected matter**, when compared to the likely impact of implementing the action management plan that has been approved by the **Minister** under condition 3, including any subsequent revisions approved by the **Minister**, as outlined in the *Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental* approvals, Commonwealth of Australia 2017.

**Operation** means all activities that occur after the components of the final wind turbine generator are installed.

**PBTL Management Plan** means the *Goyder South Hybrid Renewable Energy Facility PBTL Management Plan* prepared by EBS Ecology for NEOEN Australia Pty Ltd (version 3 of 28 June 2022 or subsequent versions thereof).

**PBTL Research Plan** means the Pygmy Blue-tongue Lizard Scientific Monitoring and Research Plan, required under condition 9 of **EPBC Act** approval 2021/8958, and aimed at monitoring and better understanding the potential long-term impacts to the **Pygmy Blue-tongue Lizard** resulting from wind turbine noise, vibration and shadow flickering.

**Peppermint Box (***Eucalyptus odorata***) Grassy Woodland of South Australia** means the **EPBC Act** listed threatened ecological community Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia, whose distribution within and near the **project area** is mapped in <u>Attachment D</u>.

**Plan(s)** means any of the documents required to be prepared, approved by the **Minister**, implemented by the approval holder and published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

**Project area** means the location of the action, represented by the area shown enclosed by the turquoise line labelled 'Wind Farm 1B' on the maps at <u>Attachments A-D</u>.

**Protected matter(s)** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Pygmy Blue-tongue Lizard means the EPBC Act listed threatened species Tiliqua adelaidensis.

**Pygmy Blue-tongue Lizard habitat** means remnant native grassland or grassy woodland with a sparse overstorey of trees, represented in the map at <u>Attachment C</u> by the areas shown enclosed by the green line labelled as 'Pygmy Blue-tongue Lizard habitat'.

**SA development approval** means the approved development application number 422/V009/20 R1 (or subsequent approved revisions thereof) granted under section 131 (19) of the *Planning, Development and Infrastructure Act 2016* (SA) for the **Goyder South Hybrid Renewable Energy Facility**.

**Secure/secured/securing** means to execute a legal agreement and/or legally binding mechanism under relevant South Australia state legislation, or equivalent, to provide enduring protection for the offsets against development incompatible with conservation.

**Sensitive ecological data** means data as defined in the *Sensitive Ecological Data* – Access and Management Policy V1.0, Commonwealth of Australia 2013.

**Shapefile** means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Significant impacts** are **impacts** which are important, notable, or of consequence, having regard to their context or intensity, and assessed within the framework of the *Matters of National Environmental Significance – Significant Impact Guidelines 1.1*, Commonwealth of Australia 2013.

**Suitably qualified bird expert** means a person who has relevant professional qualifications and at least 3 years of work experience designing and implementing plans for the conservation management of birds, who can identify bird species, and who can give an authoritative assessment and advice practices to avoid and mitigate impacts on birds using relevant protocols, standards, methods and/or literature. If the person does not have appropriate professional qualifications, the person must have at least 10 years of work experience identifying bird species, and designing and implementing plans for the conservation management of birds.

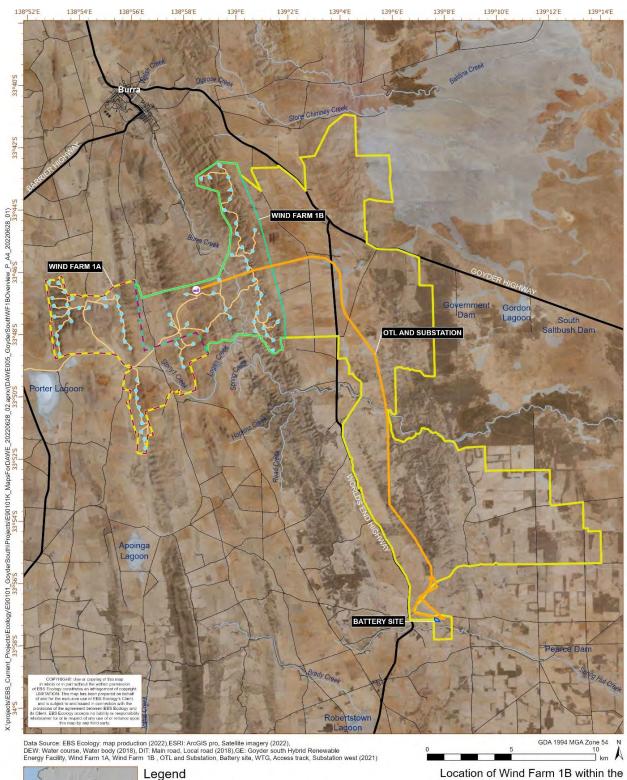
**Suitably qualified person** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

**Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

#### **ATTACHMENTS**

- 1. <u>Attachment A</u> Location of Wind Farm 1B within the Goyder South Renewables Energy Facility.
- 2. <u>Attachment B</u> Project area and Infrastructure footprint.
- 3. <u>Attachment C</u> Pygmy Blue-tongue Lizard habitat.
- 4. <u>Attachment D</u> Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia habitat.

#### Attachment A



Location of Wind Farm 1B within the Goyder South Hybrid Renewable Energy Facility (EPBC 2021/8957)



Substation west

Access track

Main road

- Local road

- Water course

Water body

Goyder south Hybrid Renewable Energy Facility

- Wind Farm 1A

🛄 Wind Farm 1B

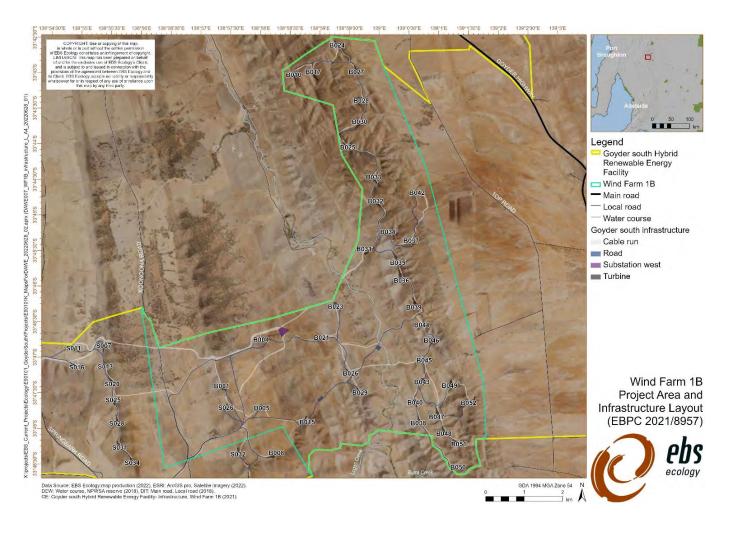
Battery site

• WTG

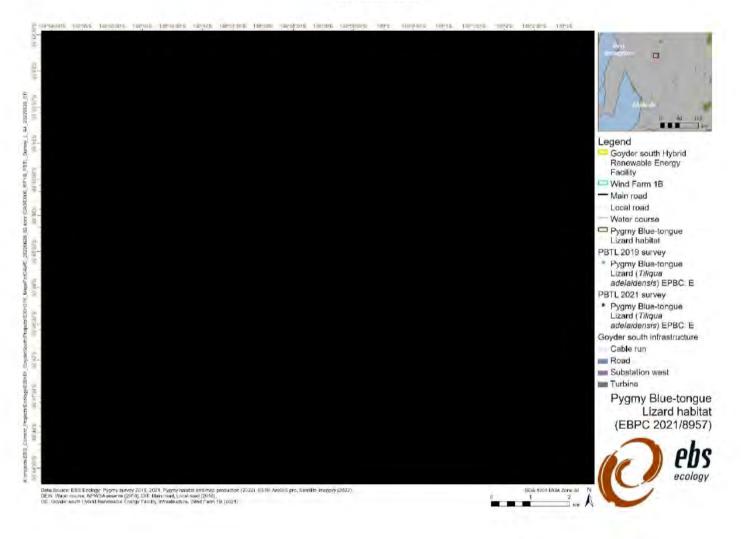
50 100

CTL and Substation

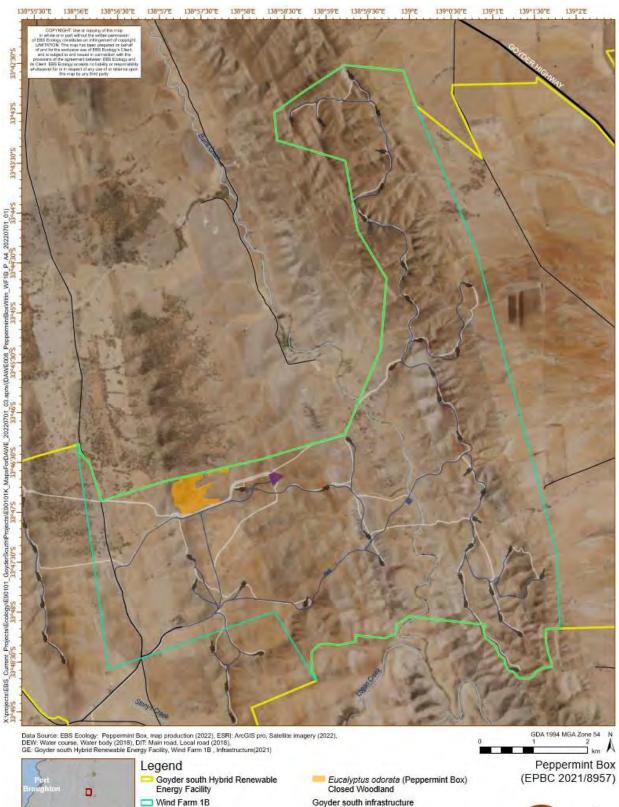
#### Attachment B



#### Attachment C



#### Attachment D





Cable run

Substation west

Road

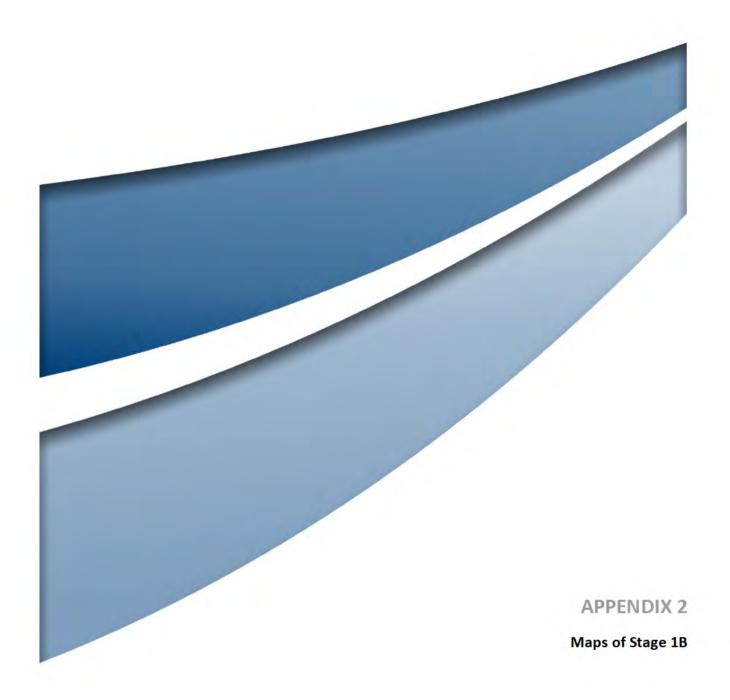
Turbine

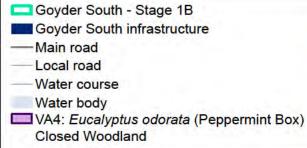
Main road

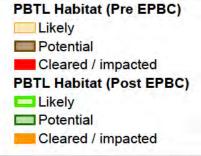
Local road

kn

Water course



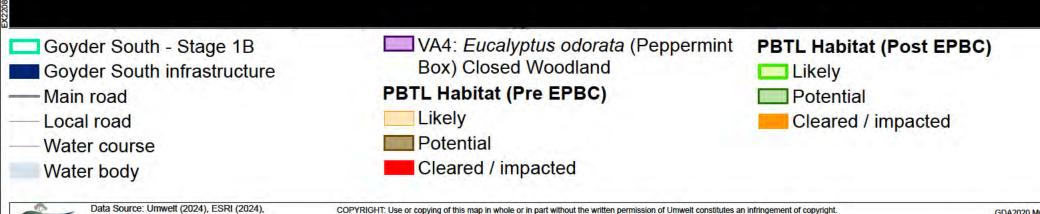








Data Source: Umwelt (2024), ESRI (2024), DEW (2022), DIT (2022) GE (2024), NEOEN (2024) Date Exported: 29/10/2024 12:23 PM Created by: sophie.haswell COPYRIGHT: Use or copying of this map in whole or in part without the written permission of Umwelt constitutes an infringement of copyright. LIMITATION: This map has been prepared on behalf of and for the exclusive use of Umwelt's Client, and is subject to and issued in connection with the provisions of the agreement between Umwelt and its Client. Umwelt accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this map by any third party. GDA2020 MGA Zone 54 N 0 0.5 1



DEW (2022), DIT (2022), GE (2024)

Created by: sophie.haswell

Date Exported: 29/10/2024 12:26 PM

umwelt

GDA2020 MGA Zone 54 0.5 1 km

 Goyder South - Stage 1B
 Goyder South infrastructure Water body

PBTL Habitat (Post EPBC)



Cleared / impacted



Data Source: Umwelt (2024), ESRI (2024), DEW (2022), DIT (2022) GE (2024), NEOEN (2024) Date Exported: 31/10/2024 10:10 AM Created by: sophie.haswell COPYRIGHT: Use or copying of this map in whole or in part without the written permission of Unwelt constitutes an infringement of copyright. LIMITATION: This map has been prepared on behalf of and for the exclusive use of Unwelt's Client, and is subject to and issued in connection with the provisions of the agreement between Umwelt and its Client. Unwelt accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this map by any third party. GDA2020 MGA Zone 54 N 0 50 100 m

**APPENDIX 3** 

Peppermint Box (Eucalyptus odorata) Grassy Woodland TEC Assessment



## MEMO: Goyder South Wind Farm Stage 1B

Peppermint Box (Eucalyptus odorata) Grassy Woodland Threatened Ecological Community Assessment

## MEMO: Goyder South Wind Farm Stage 1B Peppermint Box (Eucalyptus odorata) Grassy Woodland Threatened Ecological Community Assessment

28 October 2022

Version 2 - Final

#### Prepared by EBS Ecology for Neoen

Document Control						
Revision No.	Date issued	Authors	Reviewed by	Date Reviewed	Revision type	
1	24/10/2022	E. Tremain	Dr T. How	24/10/2022	Draft	
2	28/10/2022	E. Tremain	Dr T. How	28/10/2022	Final	

Distribution of Copies					
Revision No.	Date issued	Media	Issued to		
1	25/10/2022	Electronic	Inès Béchameil, Neoen		
2	28/10/2022	Electronic	Inès Béchameil, Neoen		

EBS Ecology Project Number: E90101K

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CITATION: EBS Ecology (2022) MEMO: Goyder South Wind Farm Stage 1B Peppermint Box (Eucalyptus odorata) Grassy Woodland Threatened Ecological Community Assessment. Report to Neoen. EBS Ecology, Adelaide.

Cover photograph: Peppermint Box Grassy Woodland adjacent assessment site.

EBS Ecology 112 Hayward Avenue Torrensville, South Australia 5031 t: 08 7127 5607 http://www.ebsecology.com.au email: info@ebsecology.com.au



## 1 INTRODUCTION

One patch of *Eucalyptus odorata* (Peppermint Box) Closed Woodland was identified within the north-western extent of Stage 1B by EBS Ecology during initial flora and fauna assessment for Goyder South in 2019 (EBS Ecology 2020). This patch has the potential to be the Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia (PBGW) Threatened Ecological Community (TEC) (PBGW TEC) which is protected by the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

When assessed in 2019, this patch did not qualify as the TEC (EBS Ecology 2020). However, at the time of assessment, it was determined that there was potential for the criteria of the TEC to be met. This would require enough native species (15), native broad-leaved herbaceous species resistant to disturbance (3) and native grasses (2) to occur to enable the patch to qualify as Class B and therefore constitute the PBGW TEC (EBS Ecology 2020). The patch had not been assessed further for its TEC status as no Project infrastructure was proposed within it and Neoen had committed to avoiding any direct impact to it.

However, a section of the Koonoona Road to Substation access track is now proposed to go through the patch of *Eucalyptus odorata* (Peppermint Box) Closed Woodland to minimise impacts to the

). As such, the patch of *Eucalyptus odorata* (Peppermint Box) Closed Woodland where the proposed track passes through has been assessed to determine if it qualifies as the PBGW TEC.



MEMO: Goyder South Wind Farm Stage 1B Peppermint Box (Eucalyptus odorata) Grassy Woodland Threatened Ecological Community Assessment



Figure 1. Eucalyptus odorata (Peppermint Box) Closed Woodland, TEC Assessment site and previous and currently proposed access tracks.

## 2 SURVEY SUMMARY

On 10<sup>th</sup> October 2022 EBS Ecology staff (Dr Travis How, Jessica Skewes and Ella West) undertook a TEC assessment of the patch of *Eucalyptus odorata* (Peppermint Box) Closed Woodland, in accordance with the criteria outlined in the *EPBC Act policy statement 3.7 – Peppermint Box (Eucalyptus odorata) Woodland of South Australia and Iron-grass Natural Temperate Grassland of South Australia* (EPBC Act Policy Statement; DEWR 2007). The criteria in the EPBC Act Policy Statement is outlined in Table 1 and enables classification of Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia as the listed TEC which is protected by the EPBC Act, or as a degraded patch that is amenable to rehabilitation but not protected by the EPBC Act.

Minimum size	Diversity of native plant species <sup>1</sup>	No. of broad-leaved herbaceous species <sup>1</sup> in addition to identified disturbance resistant species <sup>2</sup>	No. of native perennial grass species <sup>1</sup>		
community					
≥ 0.1 ha	> 30	≥ 10	≥ 5		
≥ 1 ha	> 15	≥ 3	≥2		
Degraded patches amenable to rehabilitation					
	> 5	No minimum	1		
	community ≥ 0.1 ha ≥ 1 ha	Minimum sizeplant species1community $\geq 0.1$ ha $\geq 1$ ha $\geq 1$ ha $> 15$ amenable to rehabilitation	Minimum sizeDiversity of native plant species1species1 in addition to identified disturbance resistant species2community $\geq 0.1$ ha> 30 $\geq 10$ $\geq 1$ ha> 15 $\geq 3$ amenable to rehabilitation		

Table 1. Condition classes for the Peppermint Box (Eucalyptus odorata) Grassy Woodland of South Australia.

<sup>1</sup> As measured in a 50 m x 50 m quadrat (or equivalent).

<sup>2</sup> The following species are identified as disturbance resistant species: *Ptilotus spathulatus forma spathulatus*; *Sida corrugata*; *Oxalis perennans*; *Convolvulus angustissimus*; *Euphorbia drummondii*; and *Maireana enchylaenoides*.

Classes A and B are indicative of the listed ecological community which is protected by the EPBC Act. Class A patches are considered the highest quality representation of the community, while Class B patches are also of high quality, but do not have the native species diversity of Class A. Class C is indicative of patches that are degraded but could be rehabilitated to the listed ecological community, for example, through measures such as weed control, natural regeneration and protection from grazing. Class C patches are not part of the listed ecological community. For a patch of vegetation to fall within a condition class it must meet or exceed each of the thresholds.

As such, the assessment involved searching for and recording all species found within a 50 x 50 metre (m) quadrat within a representative area of the patch. All species observed within the quadrat were then categorised (i.e., native plant, broad-leaved herbaceous species, disturbance resistant species, native perennial grass species) and compared against the benchmark criteria outlined in the EPBC Act Policy Statement (DEWR 2007).



MEMO: Goyder South Wind Farm Stage 1B Peppermint Box (Eucalyptus odorata) Grassy Woodland Threatened Ecological Community Assessment

## 3 RESULTS

The patch of *Eucalyptus odorata* (Peppermint Box) Closed Woodland is larger than 0.1 ha in size, so warrants TEC assessment. All species recorded during the TEC assessment are listed in Table 2.

A total of twelve native plant species, three disturbance resistant species, one broad-leaved herbaceous species (in addition to identified disturbance resistant species) and two native perennial grass species were recorded. As such, the patch of *Eucalyptus odorata* (Peppermint Box) Closed Woodland does not meet the criteria for the listed PBGW TEC (Table 1). Therefore, it is not protected by the EPBC Act and no EPBC Act approval is required to impact it.

Scientific name	Common name	Native plant species	Disturbance resistant species	Broad-leaved herbaceous species	Native perennial grass species
Amyema sp.	Mistletoe	Yes			1
Arthropodium fimbriatum	Nodding Vanilla-lily	Yes	1		
Atriplex semibaccata	Berry Saltbush	Yes			1
Austrostipa scabra ssp.	Rough Spear-grass	Yes			Yes
Calostemma sp.	Garland-lily	Yes			
Einadia nutans ssp.	Climbing Saltbush	Yes			
Eucalyptus odorata	Peppermint Box	Yes			
Maireana enchylaenoides	Wingless Fissure-plant	Yes	Yes		
Oxalis perennans	Native Sorrel	Yes	Yes	Yes*	
Ptilotus spathulatus	Pussy-tails	Yes	Yes	Yes*	
Rytidosperma sp.	Wallaby-grass	Yes			Yes
Vittadinia gracilis	Woolly New Holland Daisy	Yes		Yes	
Arctotheca calendula	Cape Weed	1	1		
Avena barbata	Bearded Oat				
Brassica sp.					
Capsella bursa-pastoris	Shepherd's Purse				
Carduus tenuiflorus	Slender Thistle				
Carthamus lanatus	Saffron Thistle				
Cicendia quadrangularis	Square Cicendia				
Echium plantagineum	Salvation Jane	11			
Erodium sp.	Heron's-bill/Crowfoot				
Hordeum vulgare	Barley				
Hypochaeris glabra	Smooth Cat's Ear				
Lycium ferocissimum	African Boxthorn				
Marrubium vulgare	Horehound				
Moraea setifolia	Thread Iris				
Petrorhagia sp.	Pink				
Rumex sp.	Dock				
Trifolium sp.	Clover		· · · · · · · · · · · · · · · · · · ·		1
	Totals	12	3	1	2

Table 2. Species recorded during the TEC assessment.

\*As these are disturbance resistant species, they are excluded from the broad-leaved herbaceous species count.



## 4 **REFERENCES**

DEWR (2007) EPBC Act policy statement 3.7 – Peppermint Box (Eucalyptus odorata) Woodland of South Australia and Iron-grass Natural Temperate Grassland of South Australia. Department of the Environment and Water Resources.

EBS Ecology (2020) *Goyder South Hybrid Renewable Energy Facility: Flora and Fauna Assessment*. Report to Neoen. EBS Ecology, Adelaide





EBS Ecology 112 Hayward Avenue Torrensville, SA 5031 www.ebsecology.com.au t. 08 7127 5607



From: Sent:	Inès Béchameil <ines.bechameil@neoen.com> Wednesday, 5 July 2023 3:06 PM</ines.bechameil@neoen.com>
То:	Dowd, Tony
Cc:	Post Approval
Subject:	Goyder South Hybrid Renewable Energy Facility - Bird Adaptative Management Plan
Attachments:	BAMP_20230705.pdf

Dear Tony,

In respect of the Wind Farm 1A and Wind Farm 1B components of the Goyder south Hybrid Renewable Energy Facility, we as the approval holder, submit to the Department of Climate Change, Energy, the Environment and Water (the **Department**) a combined Bird Adaptative Management Plan (**BAMP**). This submission is made pursuant to:

- Condition 5 of the Goyder South Hybrid Renewable Energy Facility Wind Farm 1A, 10km south Burra SA (EPBC 2021/8958), dated 5 July 2022;
- Condition 4 of the *Goyder South Hybrid Renewable Energy Facility Wind Farm 1B, 5km south Burra SA* (*EPBC* 2021/8957), dated 13 July 2022; and

As the EPBC approval conditions state that the approval holder must not *commission* (refer to the definition in relevant approval conditions) until the BAMP has been approved by the Minister in writing, and the current Project schedule involves the commencement of commissioning of the first turbine for Wind Farm 1A in September 2023 and commencement of commissioning of the first turbine for Wind Farm 1B in April 2024, please note that Neoen is aiming for **approval of the BAMP by the end of August 2023**.

Could you please confirm receipt of this email and of the BAMP?

And could you please let us know whether you are available for a meeting within the next 2 weeks so we can present this BAMP and start discussing any comments or questions that DCCEEW would have before approval can be provided?

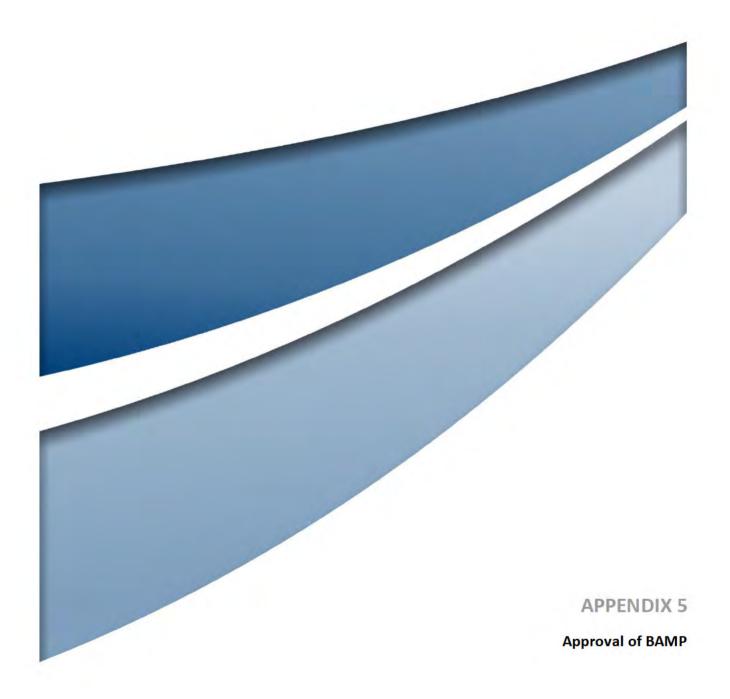
Thank you in advance.

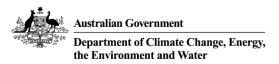
Kind Regards,

Inès Béchameil Project Manager – Australia



Level 21 / 570 George Street, Sydney NSW 2000 M. +61 432 273 429





EPBC ref: 2021/8957 and 2021/8958

Mr Ralph Mitchell Junior Construction Project Manager Neoen Australia Pty Ltd ralph.mitchell@neoen.com

## Approval of Bird Adaptive Management Plan for Goyder South Hybrid Renewable Energy Facility

Dear Mr Mitchell

Thank you for your email dated 5 July 2023 to the Department of Climate Change, Energy, the Environment and Water, seeking approval of the Bird Adaptive Management Plan, in accordance with Condition 4 of approval 2021/8957 and Condition 5 of approval 2021/8958 under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Officers of the department have advised me on the Bird Adaptive Management Plan and the requirements of the conditions of the approval for these projects. On this basis, and as a delegate of the Minister for the Environment and Water (the Minister), I have decided to approve the *Goyder South Hybrid Renewable Energy Facility Stage 1A and Stage 1B Bird Adaptive Management Plan,* Version 5, dated 25 January 2024. This plan must now be implemented.

Approval Condition 22 for EPBC 2021/8957 and Condition 24 for EPBC 2021/8958 allow you (under certain circumstances) to implement revised plans without seeking approval from the Minister. If you require any advice on whether to submit a revised plan for approval, please contact the officer below. When submitting any revised plan to the Minister, please provide a 'tracked changes' version of the plan. I also suggest referring to the <u>new or increased impact factsheet</u> for guidance on changes to management plans approved under the EPBC Act.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

Should you require any further information please contact Tony Dowd by email to <u>PostApproval@dcceew.gov.au</u>.

Yours sincerely

Rachel Short Branch Head Environment Assessments (Vic and Tas) and Post Approvals 22 February 2024

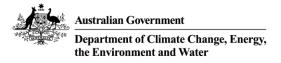
DCCEEW.gov.au John Gorton Building - King Edward Terrace, Parkes ACT 2600 Australia GPO Box 3090 Canberra ACT 2601 ABN: 63 573 932 849 LET 510 v2.3

1

### **OFFICIAL**

**APPENDIX 6** 

Minister's Approval of the PBTL OMP and PBTL Management Plan



EPBC ref: 2021/8957, 2021/8958 and 2021/8959

Ms Inès Béchameil Project Manager - Australia Neoen Australia Pty Ltd ines.bechameil@neoen.com

Approval of Management Plans and Offset Management Plans for: Goyder South Hybrid Renewable Energy Facility - Wind Farm 1B, 5km south Burra SA (EPBC 2021/8957); Goyder South Hybrid Renewable Energy Facility - Wind Farm 1A, 10km south Burra SA (EPBC 2021/8958); and Goyder South Hybrid Renewable Energy Facility - OTL and Substation, Worlds End, SA (EPBC 2021/8959)

### Dear Ms Béchameil

Thank you for your correspondence on 12 June 2023 and for correspondence via Ralph Mitchell on 22 September 2023 and 16 November 2023 to the Department of Climate Change, Energy, the Environment and Water, seeking approval of Management Plans and Offset Management Plans, in accordance with conditions of approvals for 2021/8957, 2021/8958 and 2021/8959 under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Officers of the department have advised me on the Management Plans and Offset Management Plans and the requirements of the conditions of the approval for these projects. On this basis, and as a delegate of the Minister for the Environment and Water (the Minister), I have decided to approve the:

- *Pygmy Blue-tongue lizard Offset Management Plan,* Version 5, dated 29 September 2023, in accordance with Condition 5 of the approval for EPBC Ref 2021/8957, Condition 6 of the approval for EPBC Ref 2021/8958 and Condition 4 of the approval for EPBC Ref 2021/8959;
- *Iron-grass Natural Temperate Grassland of South Australia Offset Management Plan*, Version 5, dated 29 September 2023 in accordance with Condition 6 of the approval for EPBC Ref 2021/8958 and Condition 4 of the approval for EPBC Ref 2021/8959; and
- *Pygmy Blue-tongue Lizard Management Plan*, Version 5, dated 30 November 2023, in accordance with Condition 3 of the approval for EPBC Ref 2021/8959, and in accordance with the requirements of section 143A of the EPBC Act, as meeting the requirements for Condition 3 of the approval for EPBC Ref 2021/8957 and Condition 3 of the approval for EPBC Ref 2021/8958

These plans must now be implemented.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

OFFICIAL

# OFFICIAL

Should you require any further information please contact Tony Dowd by email either to Tony.Dowd@dcceew.gov.au or to PostApproval@dcceew.gov.au.

Yours sincerely

Brendan Linton-Smith A/g Branch Head Environment Assessments (Vic and Tas) and Post Approvals 29/1/2024

**APPENDIX 7** 

Evidence of Financial Contribution to Undertaking the PBTL Research Plan



# TAX INVOICE

ABN: 65 542 596 200 Phone: 08 8201 5450 Email: accounts.receivable@flinders.edu.au Address: GPO Box 2100 Adelaide SA 5001

	Invoice No:	085670
THE TRUSTEE FOR GOYDER TRUST	Date:	29/07/2024
WIND FARM 1B TRUST	Debtor Id:	012174
LEVEL 21, 570 GEORGE STREET SYDNEY NSW 2000	Due Date:	28/08/2024
	Page :	1 of 1

Description	Exclusive GST	GST	Amount
1st invoice payment - Start-up Payment : On execution of this Agreement Goyder Wind Farm 1B Trust - 13% of \$50k Project: Pygmy Bluetongue Lizards Monitoring and Scientific Research plan Flinders CI: Mike Gardner	6,500.00	650.00	7,150.00

For all enquiries please contact cse.finance@flinders.edu.au - 366.46036

Attention: Ralph Mitchell

GST Inc Total: (AUD )	\$ 7,150.00
GST Total	\$ 650.00
Exclusive GST Total	\$ 6,500.00

#### **Remittance Advice**

#### Please quote your invoice number

-	Pay online by Visa or Mastercard at: https://pay.flinders.edu.au/invoice			
EFT	Bank: BSB: A/C No: A/C Name: SWIFT Code: Email Remittanc	NAB 085-458 8658 95181 FLINDERS UNIVERSITY NATAAU3303M ce: eft.remittance@flinders.edu.au		

## Terms Strictly 30 Days Net

Invoice No:		085670
Debtor Id:		012174
Debtor:	THE TRUSTEE TRUST WIND FA	
Date: Exclusive GST:	\$	29/07/2024 6,500.00
GST: Amount: (AUD)	\$ <b>\$</b>	650.00 <b>7,150.00</b>

**APPENDIX 8** 

Notification to the Department of Commencement of the Action

From:	Inès Béchameil <ines.bechameil@neoen.com></ines.bechameil@neoen.com>
Sent:	Monday, 1 August 2022 11:04 AM
То:	EPBCMonitoring@awe.gov.au
Cc:	John Tregear
Subject:	Goyder South Hybrid Renewable Energy Facility - Wind Farm 1B (EPBC 2021/8957) -
	Date of commencement of the action
Attachments:	2021-8957 Final decision letter.pdf; 2021-8957 Approval decision.pdf

Hi EPBC Monitoring,

Please take this email as a notification from Goyder Wind Farm 1B Pty Ltd under Condition 9 of the Approval Decision attached, that the date of commencement of the action will be the 15<sup>th</sup> August 2022.

Please note that moving forward, our contact details will be as detailed in the table below. Please ensure to send all correspondences to those 3 email addresses, when required.

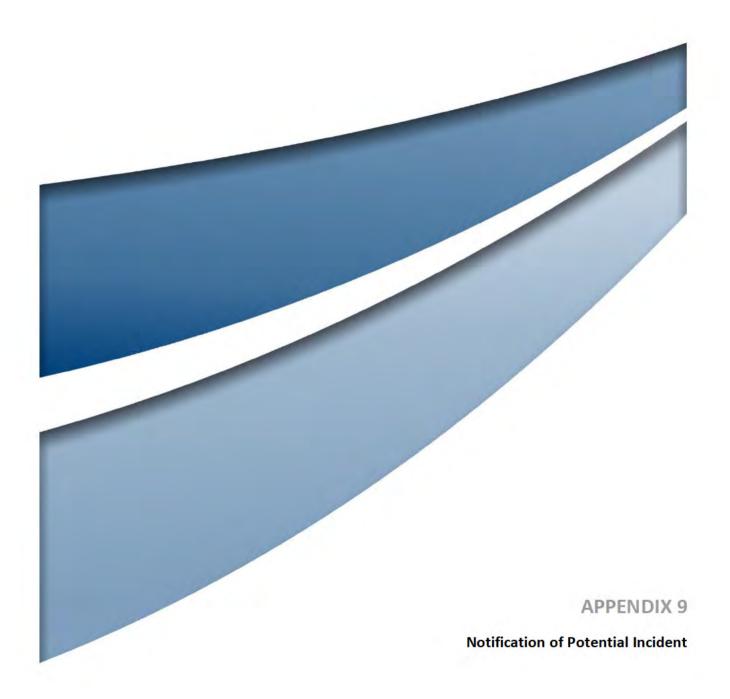
Contacts	Name	Title	Phone number	Email address
Primary Contact	Generic Email	N/A	N/A	contact@goyderenergy.com.au
	address			
Primary Contact	Ines Bechameil	Construction	+61 432 273 429	ines.bechameil@neoen.com
		Project Manager		
Back-Up Contact	John Tregear	Construction	+61 487 688 660	john.tregear@neoen.com
		Project Director		

Kind Regards,

**Inès Béchameil** Project Manager – Australia



Level 21 / 570 George Street, Sydney NSW 2000 M. +61 432 273 429





Goyder Wind Farm 1B Pty Ltd

as trustee for the Goyder Wind Farm 1B Trust Level 21, 570 George Street Sydney NSW 2000

Department of Climate Change, Energy, the Environment and Water John Gorton Building King Edward Terrace Parkes ACT 2600

Attention:Compliance Monitoring TeamBy email:EPBCMonitoring@dcceew.gov.au

05 October 2023

## Notice of Potential Incident – Stage 1B - EPBC 2021/8957

Dear Compliance Monitoring Team,

This notification is made pursuant to Condition 16 of the Goyder South Hybrid Renewable Energy Facility – Wind Farm 1B, 5km South Burra, SA (EPBC 2021/8957), dated 13 July 2022 (**EPBC Approval**).

Capitalised terms used in this notice but not defined have the meaning given in the EPBC Approval.

On Wednesday, 25 September 2023 we, the approval holder, were informed by our principal contractor, GE Renewable Energy Australia Pty Ltd (**GE**), of a health and safety accident (**accident**), where a subcontractor had reportedly a mechanical failure or the brakes failed on an articulated dump truck (**Moxy**), which travelled backwards into a small creek.

This accident occurred at 14:30hrs on Monday 25 September 2023 on the access track to B023. On Tuesday 3 October 2023, GE advised that this accident might have resulted in a potential incident where the Moxy appears to have travelled backwards around 250m off the access track and potentially caused minor damage over retained grassland and an area where PBTL's were found previously.

The detailed investigation into this event is ongoing with the support of GE and other relevant stakeholders on site, and a retrieval plan of the Moxy is currently underway. Neoen is planning to submit further details on the potential incident to the Department as per Condition 17 of the EPBC Approval and by Tuesday, 12 October 2023.

At this stage, we do not currently believe that we are non-compliant with the Approved Conditions or with the commitments made in the plans, however we would like to be transparent and keep DCCEEW informed of any potential impacts resulting from the accident and which will be confirmed following the completion of the investigation.



Please do not hesitate to contact me should you require further information in relation to this matter. We welcome any questions the Department may have regarding this incident.

Yours sincerely

Bechameil

Inès Béchameil **Construction Project Manager** Goyder Wind Farm 1B Pty Ltd as trustee for the Goyder Wind Farm 1B Trust 0432 273 429





Goyder Wind Farm 1B Pty Ltd

as trustee for the Goyder Wind Farm 1B Trust Level 21, 570 George Street Sydney NSW 2000

Department of Climate Change, Energy, the Environment and Water John Gorton Building King Edward Terrace Parkes ACT 2600

Attention:Compliance Monitoring TeamBy email:EPBCMonitoring@dcceew.gov.au

17 October 2023

## Notice of Potential Incident – Stage 1B - EPBC 2021/8957

Dear Compliance Monitoring Team,

We refer to:

- the Goyder South Hybrid Renewable Energy Facility Wind Farm 1B, 5km South Burra, SA (EPBC 2021/8957), dated 13 July 2022 (**EPBC Approval**); and
- our initial notice made pursuant to Condition 16 of the EPBC Approval entitled Notice of Potential Incident Stage 1B EPBC 2021/8957 dated 5 October 2023 (Initial Notice).

This notification is made pursuant to Condition 17 of the EPBC Approval and provides further details of the incident on 25 September 2023 (**Incident**) as reported in the Initial Notice.

Capitalised terms used in this notice but not defined have the meaning given in the EPBC Approval.

### Background Information:

On Wednesday, 25 September 2023 we, the approval holder, were informed by our principal contractor, GE Renewable Energy Australia Pty Ltd (**GE**), of a health and safety accident (**accident**), where a subcontractor had reportedly a mechanical failure or the brakes failed on an articulated dump truck (**Moxy**) lost power and braking ability and travelled backwards into a small creek.

This accident occurred at 14:30hrs on Monday 25 September 2023 on the access track to B023. On Tuesday 3 October 2023, GE advised that this accident might have resulted in a potential incident where the Moxy appears to have travelled backwards around 250m off the access track and potentially caused minor damage over retained grassland and an area where PBTL's were found previously.



Upon notification of the potential incident, detailed investigations have been carried out by GE and by our environmental consultant EBS Ecology (**EBS**). The findings of the investigations are set out in:

- The GE Report contained in **Appendix A** which focuses on the particulars of the Incident and the corrective actions;
- The EBS Report contained in **Appendix B** which focuses on the assessment of the impact to PBTLs and the process for the management of the PBTL's during the recovery of the Moxy.

### Investigation of the Incident and potential impacts:

As detailed in the GE Report, the root cause of the incident is the result of an uncontrolled and unintentional Health & Safety accident. This accident is being investigated separately.

We have not intentionally cleared outside of the project area or within a PBTL habitat and we have implemented the CEMP and PBTL Management Plan to the best of our ability. Therefore we do not believe that we are non-compliant with the Conditions of the EPBC Approval or with the commitments made in the plans.

Site inspections were also undertaken by GE and EBS to assess the potential impact of the incident:

- On 2 October 2023, a fauna handler subcontracted by GE to review the environmental impact of the incident discovered two PBTLs within the area of the Incident.
- On 4 October 2023, EBS attended site and surveyed the path (wheel tracks) where the Moxy went through. EBS Ecology observed that both PBTLs found previously by GE were still alive in their burrows. Only one of these PBTLs was located within the wheel tracks.

Following our investigation, it was determined that movement of the Moxy over the PBTL habitat has had a minor impact on the vegetation (damage / break-up of vegetation (i.e. grasses), and indentation and compaction of soils, as visible in photographs). However, the impact is considered minor and the vegetation and soils are expected to recover and continue to provide habitat for PBTLs. This area is outside of the "PBTL Habitat" defined in the Stage 1B EPBC Approval, as it is additional PBTL habitat found post EPBC Approval. There is also no evidence that PBTLs were impacted.

### **Recovery of the Moxy:**

To avoid any further impact to the 2 PBTLs during the recovery of the Moxy, EBS investigated the potential for an access corridor (wide enough for the Moxy) on the northern side of these 2 PBTLs. During survey works, EBS found an additional 5 PBTLs, but managed to micro-site an access corridor within which no PBTLs occurred. This corridor was marked with blue marker pins and orange marker paint. Refer to the attached EBS Report for further details.

On 10 October 2023, additional space was requested on the southern side of the wheel tracks, for recovery of the Moxy. GE surveyed the additional space requested and found 2 PBTLs.

On 11 October 2023, EBS checked all PBTLs that were previously found in the area, and all PBTLs were still present in their burrows. The Moxy was recovered later that day, avoiding impact to the PBTLs as discussed with EBS.

# GOYDER RENEWABLES ZONE

On 12 October 2023, EBS returned to the incident site and observed that the recovery of the Moxy appeared to have been completed within the areas discussed and agreed upon, with no evidence of impact to PBTLs outside of these areas.

### **Remedial Action:**

In line with the advice from EBS, the following recommendations are to be implemented:

- All soil contamination to be recovered from the incident area and PBTL habitat.
- All foreign objects including glass shards, chains and debris to be removed from the incident area and PBTL habitat.
- No other physical remediation of the area is required.

## Approval Holder's review:

As part of the approval holder's management of the Incident, we have reviewed the GE Report along with EBS and consider that the impact to the PBTLs due to the unforeseen accident has been minimal. We have also ensured that PBTLs were not further impacted during the recovery of the Moxy.

We take our environmental compliance seriously, including by providing the Department with full disclosure. We will continue to ensure that the works are compliant with all permits and approvals.

Please do not hesitate to contact me should you require further information in relation to this matter. We welcome any questions the Department may have regarding this incident.

Yours sincerely

Bechamoil

Inès Béchameil **Construction Project Manager** Goyder Wind Farm 1B Pty Ltd as trustee for the Goyder Wind Farm 1B Trust 0432 273 429



Appendix A – GE Report



and the second se	
ncident Summary	
eference	INC-5143
late Added	5/10/2023 3:31:08 DM
ncident Details	
itatus	Active (Open)
Incident Manager (Reported B	v)
Person's Name	Matt: Moore
Position / Title	HSE Manager
Phone	0418 652 640
Incident Type	
Incident Type	Environmental
Is Near Miss	O Yes I No
Incident Details	
Date & Time of Event	25/09/2023 2:30 PM
Advised of Event	25/09/2023 2:35 PM
Where did the incident occur?	On site
Location where event occurred	
Incident Summary	Minor Environmental Harm
Description of Event	Accidental Incursion into an area where PBTL's were identified due to uncontrolled movement of ADT Water cart. A separate Health and Safety Incident whereby an ADT (Articulated Dump Truck) Water cart has lost power and braking ability causing the vehicle's uncontrolled movement and resulting in the vehicle entering into the area. After losing power and braking capability the ADT Water Cart Travelled approximately I2Dm into an area where PBTL's had previously been identified. Post- incident an ecological survey was undertaken by EBS Ecology to determine if any PBTL's had been impacted by the water carts incursion into the area. Recovery: Drior to recovering the ADT Water Cart, the area was again surveyed to identify a number of possible recovery routes to minimise any impact to the PBTL's that where known to be located in the area. As per images attached, a recovery route was identified after a joint imspection of the area by the recovery subcontractor [Buttrose

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1 of 7



Incident	Details -	COYDER	SOUTH	WIND	FARM

Green Light Contractors

Age / Date of Birth	
Gender	
Home Address	
Position	
Employer	
Shift Start Time	
Break Times	
Shift Finish Time	
Shift	
Roster (# of # days)	
Task Performed	
Time in Occupation	
Time on Project	
Manager / Supervisor	
Drug / Alcohol Test	O Yes O No
lust Culture	O Yes O No
Were there any other persons involved?	O Yes O No
nvestigation Required	
elect the Investigation Level required	Investigation Required
Consequence Rating	
Please select the appropriate rating score definitions below.	for Actual and Potential people and and environmental consequences based on the
Actual Consequence Rating	1-Insignificant

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3 of 7



	7.10
Potential Consequence Rating	2-Minor
Photos	
Jpload photos taken of the incident :	scene / event.
Description	Tracks caused by uncontrolled movement of ADT Water Cart
Photo	Tracks caused by uncontrolled movement of Mony Water Cart.JPG
Description	Route of uncontrolled ADT Water Cart
Photo	Drone Photo - DJL_063 (1) JPG
Description	Route of uncontrolled ADT. Water Cart
Photo	Drane Phota - DJL_0149 (2).3PG
Description	
Photo	
Description	
Photo	
Description	
Photo	
Upload additional photos taken to th	e Additional Attachments section at the bottom of the page.
Contributing Factors	
Absent Defences	DF9 Safety Device Operation

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4.cf7



Incident De	tails - GOYDE	R SOUTH 1	WIND FAR	M
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Green Light Contractors

Failed Defences	DF5 Control Systems	
Individual / Team Actions		
Workplace Conditions		
Human Factors		
- Promoted or passively tolerated en	ors or violations	
Organisational Factors		

#### **Corrective Actions**

Identify the management system reference (Ref) to allow status tracking of the Corrective Actions.

Use the BLUE PLUS button on the right to raise and assign Corrective Actions.

Referen	Subcont ractor	Raised By	Location	Priority	Categor y	Туре	Due Dete	Date Closed	Status
OBS-719 3	GREEN LIGHT CONTRA CTORS PTY, LTD.	Matt Moore		High	Correcti ve Action	Environ ment		77/10/ 2023	Clused
Descriptio Checks	n: Area must	be surveyed	to determine	if there was	any impact to	o PBTL's Ider	tified in pre	evious area Pr	e-Cleararic
085-719 4	GREEN LIGHT CONTRA CTORS PTY. LTD.	Matt Moore		High	Correcti ve Action	Safety		17/JQ/ 2023	Closed
Descriptio	n: ADT Water	Cart to be n	ecovered to de	etermine car	use of brake a	nd emergen	cy brake fail	lures	
085-719 5	GREEN LIGHT CONTRA CTORS PTY, LTD.	Matt Moore		High	Correcti ve Action	Environ ment		17/10/ 2023	Closed
	Res Classes	new Charles	he undertain	an ha EDE E	colores to arrest	CE PACOLIERU P	ruther for Al	OT Water cart	Decision

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5 of 7



Incident Detail	- COYDER SOU	TH WIND FARM
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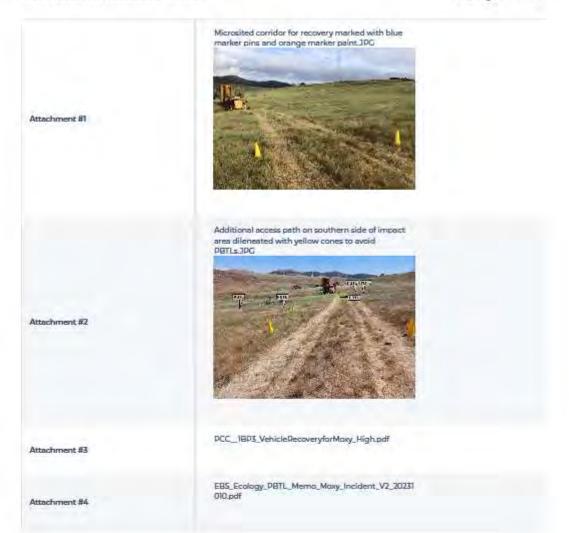
Green Light Contractors

6     UCHT COSS (17)     More (17)     we Action     mens (17)     2023       Description: EBS Ecology to be present when ADT Water Cart is recovered to ensure no impact to known PBTL's       noident: Review and Investigation Approval reject Manager     17/02023       paire Manager     17/02023       ste Reviewed     17/02023       reject Manager     Signed By Soce Jown	Referen	Subcont ractor	Raised By	Location	Priority	Categor y	Туре	Due Date	Date Closed	Status
cident Review and Investigation Approval   giest Manager   wiew Comments   ate Beviewed   oject Manager   biew Comments   biew Beviewed   total approx   biewed   total approx   bi		LIGHT CONTRA CTORS PTY,			High	ve				Closed
tata Reviewed Tr/10/2023 Higher By Jose Joven EE Manager wiew Comments ata Beviewed Tr/10/2023 SE Manager Manager Manager Kident Close Out Extense Completed and ata the review been	Descriptio	m EBS Ecolog	gy to be pres	ient when AD	T Water Cart	is recovered	to ensure na	impact to k	nown PBTL's	
Inview Comments Interiew Comme			Investigat	ion Approva	Ú)					
reject Manager										
ASE Manager Reviewed T//IO/2023 ASE Manager ASE Manager ASE Manager T//IO/2023 Signed By Matthew Moore  Incident Close Out Asas the review been completed and neident can be closed out? Yes No	Jate Review	ed				17/10/2023				
ASE Manager  ASE Manager  ASE Manager  Asigned By Matthew Moore  Incident Close Out  As the review been completed and	Project Mana	ager				Signed By	144 Jose Joven	•		
Aste Reviewed T7/10/2023 ASE Manager August	ISE Manage	a.								
ASE Manager  ASE Manager  ASE Manager  ASE Manager  ASE Manager  Ass the review been completed and neident can be closed out?  Yes  No No	Review Com	ments								
Incident Close Out	Date Reviewed					17/10/2023				
Has the review been completed and neident can be closed out? Yes O No	ISE Manage	r				Signed By	Anthew Mc	) sore	_	
ncident can be closed out? Q Yes Q No	ncident C	lose Out								
ditional Attachments				0	Yes	0	Na			
	ditional A	ttachment	5	-						



Incident Details - GOYDER SOUTH WIND FARM

Green Light Contractors



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7 of 7



Incident I	Details -	COYDER	SOUTH	WIND	FARM
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Green Light Contractors

	Earthmoving) and site ecology consultant (EBS Ecology). On the Tith of October, the ADT water cart was successfully recovered by Buttrose Earthmoving the EBS Ecology in attendance, during the recovery no DBTL's were required to be relocated.
A PBTL was identified in th	Area surveyed by ecologist (EBS) to determine if there was impact to PETL(S). A PBTL was identified in the route of the uncontrolled movement of the water cart however no impact was observed.
Weather Conditions / Temperature	20-28 Degrees, Sunny
Were there any injuries sustained?	O Yes I No
Potential Severity	Low

leeds to be reported to relevant authority	Yes O No
Date Reported	5/10/2023
Reference Num.	TBA
Reported To	DCCEW
Jpload copy of notification	
OFSC Statutory NotiFication required	O Yes INO
invironmental Statutory NotiFication equired	Yes O No
Date/Time Reported	5/10/2023 5:00:00 PM
Authority Reference	DCCEEW
Joload copy of notification	
nvolved Person(s)	
lame	As per information contained in INC-5019 (Health and Safety Incident Report for the uncontrolled movement of the ADT Water Cart)



Appendix B – EBS Report





MEMO: Goyder South Wind Farm Stage 1B Moxy incident in PBTL habitat near - Revised 16/10/2023



MEMO: Goyder South Wind Farm Stage 1B: Moxy incident in PBTL habitat near Revised 16/10/2023

16 October 2023

Version 2

Prepared by EBS Ecology for Neoen

		Document C	Control		
Revision No.	Date Issued	Authors	Reviewed by	Date Reviewed	Revision type
1	9/10/2023	J. Carpenter, E. Tremain	EBS Ecology	9/10/2023	Final
2	16/10/2023	E. Tremain	EBS Ecology	16/10/2023	Final

		Distributi	on of Copies
Revision No.	Date issued	Media	issued to
1	9/10/2023	Electronic	Inés Béchamell, Neoen
2	16/10/2023	Electronic	Ines Bechamell and Ralph Mitchell, Neoen

EBS Ecology Project Number: E90101K

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CITATION: EBS Ecology (2023) MEMO: Goyder South Wind Farm Stage 16: Moxy incident in PBTL habitat near B023 - Revised 16/10/2023. Report to Neoen. EBS Ecology, Adelaide.

Cover photograph: Adult PBTL with two neonate / juvenile PBTLs in the burrow.

EBS Ecology 112 Hayward Avenue Torrensville, South Australia 5031 ± 08 7127 5607 http://www.ebsecology.com.au email: info@ebsecology.com.au



# GOYDER RENEWABLES ZONE

MEMO: Goyder South Wind Farm Stage 1B: Moxy incident in PBTL habitat near - Revised 18/10/2023

## 1 MEMO

#### 4 October 2023

On 4 October 2023, EBS Ecology visited the site where a Moxy water truck had left the infrastructure area (access track) and travelled out of control through Pygmy Blue-tongue Lizard (PBTL) habitat. The incident occurred in **Control through Pygmy** Blue site, the tracks caused by the Moxy water truck were clearly visible and had been marked out by yellow cones, as seen in Figure 1.



Figure 1. Tracks caused by Moxy water truck in PBTL habitat.

Two PBTL had previously been located (as reported by Simon Adamczyk "Phase 2 Incident fauna report – Monday 2/10/2023"), one within the area disturbed by the Moxy water truck and the other within 2 metres (approximately) to the north. Both were marked with a wooden stake painted pink.

EBS Ecology surveyed the remaining extent of the disturbed area between the yellow cones and found no PBTL east of the previously located PBTLs, which were both still located in the burrows. However, when surveying the surrounding habitat, an additional 5 PBTLs were located and marked with pink marker pins and orange paint. These PBTLs, and the previously located lizards, are shown in Figure 2.

EBS Ecology micro-sited an access corridor (wide enough for the Moxy water truck) between PBTL records, within which no PBTLs were located. This corridor was marked with blue marker pins and orange marker paint, as shown in Figure 3. All empty burrows found within this corridor were destroyed (to prevent PBTLs moving into them). The location of the micro-sited access corridor is shown in Figure 2. Due to GPS accuracy, this is an approximate location, with the markers on the ground indicating the exact position of the corridor.



1



MEMO: Goyder South Wind Farm Stage 18: Moxy incident in PBTL habitat near - Revis



Figure 2. Map of incident area, PBTLs and micro-sited access corridor.







Figure 3. Micro-sited corridor, marked with blue marker pins and orange marker paint.

#### Update 10 - 12 October 2023

On 10 October, Sarah Voumard asked EBS Ecology to attend a meeting at the incident site. The subcontractor (Buttrose) requested additional space on the southern side of the initial impact area to use during recovery of the Moxy, which was planned to be driven out of the drainage line and back to the construction area, after the water tank had been lifted back on. EBS Ecology advised that the additional space could be used, but that it would need to be surveyed for PBTLs and that any PBTLs found should be avoided as much as possible, as relocation was the last resort, as it is not known if PBTLs survive post relocation. Sarah Voumard organised Succession Ecology to survey the additional requested space on the southern side of the impact area for PBTLs and 2 PBTLs were found by Succession Ecology (refer to Succession Ecology document "PCC\_1BP3\_VehicleRecoveryforMoxy\_High.pdf" 10/10/2023, for more detail, including mapping).

On 11 October, EBS Ecology met with Taylor Foot (GLC HSE Advisor) and others from GLC and Buttrose to discuss use of the additional space on the southern side of the initial impact area. Buttrose advised that they could avoid impacting the 2 PBTLs that had been found by Succession Ecology the previous day (10/10/2023) and placed yellow cones to delineate the additional space that would be used during recovery of the Moxy (Figure 4). EBS Ecology checked all PBTLs that were found previously (i.e., on 2/10 and 4/10 as explained above) and all were still present within their burrows. The Moxy was recovered later that day.

On the morning of 12 October, EBS Ecology returned to the incident site and observed that the recovery of the Moxy on 11/10/2023 appeared to have been completed within the areas discussed and agreed upon, with no evidence of impact to PBTL habitat outside of these areas (Figure 5).





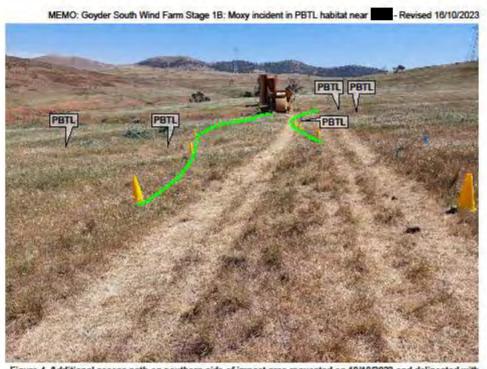


Figure 4. Additional access path on southern side of impact area requested on 10/10/2023 and delineated with yellow cones. The two PBTLs found by Succession Ecology are on the left (south) side of the photo.



Figure 5. Incident area on 12/10/2023 after recovery of the Moxy on 11/10/2023.



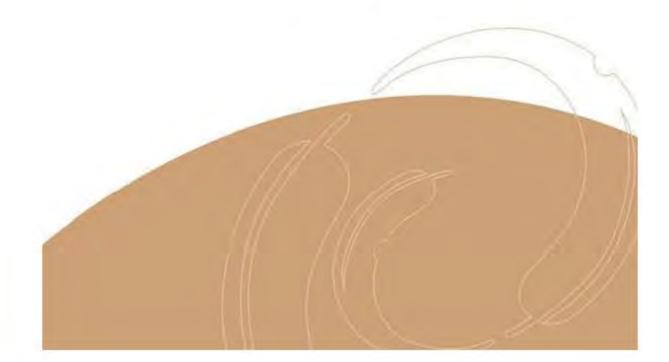
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MEMO: Goyder South Wind Farm Stage 18: Moxy incident in PBTL habitat near - Revised 16/10/2023



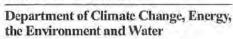
EBS Ecology 112 Hayward Avenue Torrensville, SA 5031 www.ebsecology.com.au t. 08 7127 5607



**APPENDIX 11** 

Letter From the Department 20/09/2022 Regarding Additional PBTLs and PBTL Habitat

Australian Government



Our reference: EPBC 2021/8957-8959

Inès Béchameil Project Manager – Australia Goyder Wind Farm 1B Pty Ltd Level 21 / 570 George Street Sydney NSW 2000

Dear Inès

Environmental Audit Site Visit - Goyder South Hybrid Renewable Energy Facility – Wind Farm 1B, 5km south Burra SA (EPBC 2021/8957), and OTL and Substation, Worlds End, SA (EPBC 2021/8959)

I write in relation to the site visit of the Goyder South Hybrid Renewable Energy Facility project, undertaken by the Department of Climate Change, Energy, the Environment and Water (department) from 7 – 8 September 2022.

Officers of the department met with you and other representatives of the approval holder between the abovementioned dates to discuss, amongst other matters, the:

- recent unanticipated Pygmy Blue-tongue lizard (PBTL) individual findings in the project area;
- actions taken to date in response to these findings (condition 3 of approval 2021/8957 and the PBTL Management Plan); and
- conditions attached to Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approvals 2021/8957 and 2021/8959, with particular emphasis on those relating to the PBTL Management Plan, impacts to the PBTL, and offsets.

Further to this, officers of the department inspected selected areas of the project site to better understand the findings in context, and actions taken to date in response to these findings. During the site visit, officers did not identify any non-compliance with the EPBC Act approval conditions.

We appreciated the opportunity to meet with you and other officers from Neoen and EBS Ecology, and would like to thank you for your time and assistance in facilitating the site visit. We also appreciated the discussion on Friday to determine the next steps to address this matter.

The main points and outcomes of both the site visit and discussion on Friday are as follows:

- The access track between **Construction** has been successfully micro-sited to avoid direct impacts to newly identified PBTL individuals, and as such, no relocation of individuals from this area, in accordance with the PBTL Management Plan, is due to occur.
- While not required, the department is of the view there is benefit in varying the conditions
  of approval for EPBC 2021/8957 in particular to re-define 'PBTL Habitat' to include the area
  of the unanticipated PBTL findings. This would ensure:
  - consistency with the increased area classified as 'PBTL Habitat' according to the PBTL Management Plan; and

- you, as the approval holder and the Minister/their delegate, agree on the impacts to the PBTL that are to be offset— which is expected to expedite review and approval of the Offset Management Plan (OMP) when submitted for approval.
- Pre-clearance surveys of all impact areas are complete but EBS Ecology are conducting further surveys to ensure all PBTL individuals expected to be directly impacted, and the residual impacts to PBTL habitat, are fully captured.
- Surveying of the OTL and substation component of the project (EPBC approval 2021/8959) is complete and approx. 25 PBTL individuals are expected to be impacted by the current design (noting the current inability to micro-site the location of the substation).
- Construction of the OTL and substation infrastructure is a priority for Neoen, and you intend to submit a request to vary the conditions of approval within approximately 2 weeks. This request will be (*inter alia*) to add a disturbance limit for impacts to the PBTL and may also request variations to conditions for:
  - appropriate impact reduction and mitigation measures such as translocation or relocation of PBTL individuals, plus extension and/or revision of PBTL Management measures in the existing PBTL management plan for EPBC approvals 2021/8957-8959; and
  - offset requirements for any permitted impacts to both PBTL individuals and PBTL habitat, including any impacts resulting from relocation or translocation processes.
- As part of the request to vary EPBC 2021/8959 approval conditions, myself, Post-Approvals, and our Assessment colleagues will discuss any potential need to refer translocation as a separate action, should this be the preferred method for impact avoidance and reduction.
- Further and continued engagement with the Post-approvals section will be required to
  progress the request to vary the conditions of approval for 2021/8959 in the first instance,
  and subsequent variations required thereafter.

Please continue to maintain accurate records of all activities associated with, or relevant to, the conditions of the approval so that they can be made available to the department on request. Such documents may be subject to audit and be used to verify compliance.

If you would like to discuss this matter further please contact myself on 0450 578 848 or via email at <u>epbcmonitoring@environment.gov.au</u> or <u>nick.mcnulty@environment.gov.au</u>.

Yours sincerely,

Nick McNulty A/g Assistant Director Environmental Audit Section Environment Compliance Branch

20 September 22



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www.umwelt.com.au