



DEW F0001648601

Date: 24 MAY 2018

Office of the Group
Executive Director, People
and Performance

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001
Australia

Ph: 08 8204 9473

www.environment.sa.gov.au

I refer to your application pursuant to the *Freedom of Information Act 1991* (the Act) received by the Department for Environment and Water (DEW) on 6 April 2018, seeking access to:

- "1. DEWNR advice re DA 422/E003/17 Twin Creek wind farm*
- 2. DEWNR Agency Referral Response to SCAP re DA 422/E003/17 and contributing advice to DEWNR from Northern and Yorke NRM Response to DEWNR re DA 422/E003/17*
- 3. Adelaide and Mt Lofty Ranges NRM Response to DEWNR re DA 422/E003/17 referred to in letter from John Schutz 17SEC821620 to [REDACTED] 31 October 2017"*

As advised via email on 23 April 2018, the time in which to respond to this application was extended under Section 14A(1)(a) of the Act to 6 June 2018.

DETERMINATION

Searches of the Department's records have found five (5) documents held by this agency within scope of your request.

As a DEW Accredited FOI Officer, I have determined to grant you full access to three (3) documents and partial access to two (2) documents. Section 20 of the Act provides that an agency may refuse access to a document if it is an exempt document under the Act.

The documents, or parts of the document to which I am refusing access and the reasons for the refusal are summarised in the attached document schedule and explained in more detail below.

Document number 1 and 3

Information not relating to DEWNR or AMLR Board's response to the application has been marked as out of scope of your request.

In accordance with [PC045 – Disclosure logs for Non-personal information](#) once a determination has been provided, the agency is required to make available on our website information and documents that have been disclosed. Information will be publicized online at <http://www.environment.sa.gov.au/about-us/freedom-of-information/foi-disclosure-log>.

FEES AND CHARGES

There is no charge for processing this application.

YOUR APPEAL RIGHTS

If you are dissatisfied with this determination, you are entitled to exercise your rights to internal review and appeal as outlined in the attached documentation, by completing the attached Application for Review of Determination. If you decide to apply to exercise your rights to review, the completed form must be returned within 30 days to:

Chief Executive
Department for Environment and Water
GPO Box 1047
ADELAIDE SA 5001

If you have any queries in relation to the above please contact Katrina Button on telephone (08) 8463 6625 or email DEWNR.FOI@sa.gov.au.

Yours sincerely



Wiebke Billows
ACCREDITED FREEDOM OF INFORMATION OFFICER
DEPARTMENT FOR ENVIRONMENT AND WATER



Freedom of Information application: F00001648601 - [REDACTED]

DEWNR advice re DA 422/E003/17 Twin Creek wind farm

*DEWNR Agency Referral Response to SCAP re DA 422/E003/17 And contributing advice to DEWNR from Northern and Yorke NRM Response to DEWNR re DA 422/E003/17
Adelaide and Mt Lofty Ranges NRM Response to DEWNR re DA 422/E003/17 referred to in letter from Joh Schutz 17SEC821620 [REDACTED] 31 October 2017 (attached)*

No	Date	Author	Document Description	Determination	Clause	Reason
1	25/09/2017	DEWNR (P O'Leary)	Email	Partial Release	Out of Scope	information not related to DEWNR or AMLR response marked as out of scope
2	29/09/2017	DEWNR (A Sharp)	Email	Full Release		
3	9/10/2017	DEWNR (K Graham)	Email	Partial Release	Out of Scope	information not related to DEWNR or AMLR response marked as out of scope
4	19/10/2017	DEWNR (S Reachill)	Email	Full Release		
5	19/10/2017	DEWNR (A Sharp)	Briefing to Minister - this was delegated to A/Chief Executive for approval	Full Release		

Out of Scope



From: O'Leary, Paul (DEWNR)
Sent: Monday, 25 September 2017 3:22 PM
To: Fels, Rochelle (DEWNR) <Rochelle.Fels@sa.gov.au>
Subject: FW: Twin Creek Wind Farm - NRM referral - Why not Northern and Yorke NRM? [DLM=For-Official-Use-Only]
Importance: High

For Official Use Only

Hi Rochelle,
 As discussed, I'm keen to see if we (NY NRM) were invited to submit any input.

Cheers

From: [REDACTED]
Sent: Monday, 25 September 2017 2:32 PM
To: O'Leary, Paul (DEWNR) <Paul.O'Leary@sa.gov.au>
Subject: FW: Twin Creek Wind Farm - NRM referral - Why not Northern and Yorke NRM?
Importance: High

Hi Paul
 Here is the email I sent to Lee Webb
 Senior Specialist (Environmental) Planner at DPTI outlining our concerns regarding which NRM region is assessing the Twin Creek wind farm.
 Can you please follow up and make sure that NY NRM has input into the agency response.
 Regards

[REDACTED]

From: [REDACTED]
Sent: Monday, 25 September 2017 12:48 PM

To: 'Webb, Lee (DPTI)' <Lee.Webb@sa.gov.au>
Cc: Neldner, Simon (DPTI) <Simon.Neldner@sa.gov.au>; [REDACTED]
'stella.kondylas@sa.gov.au' <stella.kondylas@sa.gov.au>; 'Naismith, Trevor (DEWNR)' <Trevor.Naismith@sa.gov.au>
Subject: RE: Twin Creek Wind Farm - NRM referral - Why not Northern and Yorke NRM?
Importance: High

Hi Lee,

On behalf of the Hansborough and Districts Residents Group (HADRG), I wish to bring to your urgent attention the following matter relating to the NRM referral for Twin Creek wind farm.

The SA planning portal website indicates that the Twin Creek DA has been referred to the Adelaide and Mount Lofty Ranges NRM for response by 10 October 2017. http://www.saplanningportal.sa.gov.au/public_register#view-2321-LUA

Can you please advise whether the Northern and Yorke NRM will take part in the agency response to apply scrutiny and advice on this DA?

HADRG would be concerned if the AMLR NRM was the only agency to respond to the Development Application regarding the Ecology Reports and other Environmental issues.

Unless scrutinised by the Northern and Yorke NRM agency (which is actively engaged in and responsible for Conservation Planning and Management in the specific area targeted for the Twin Creek wind farm), HADRG would be concerned that important conservation matters and issues may be overlooked resulting in unfavourable outcomes which could have been avoided.

The majority of the Twin Creek project (excluding part of the powerline and one substation) lies within the Mid North Agricultural District which is administered by the Northern and Yorke NRM as indicated by the attached maps:

Attachment 1 : Pdf "TWIN CREEK WIND FARM - in NYNRM Mid North CAP" extracted from the NYNRM Mid North Agricultural District Community Action Planning (CAP) Summary 2016

Attachment 2: Pdf "Twin Creek win farm – NRM Region".

The Northern and Yorke NRM 's "Strategic Plan" and "Mid North Agricultural District Summary CAP" reports from 2013, 2014, 2015 and 2016 detail some critical conservation matters relevant to the Twin Creek site which are not part of the AMLR NRM planning and threat management documents.

Two critical examples are the EPBC listed Pygmy Blue Tongue Lizard (PBT) and Large Raptors. The "Regional Recovery Plan for Threatened Species and Ecological Communities of Adelaide and the Mount Lofty Ranges, South Australia" barely mentions the PBT or threats to Large Raptors, yet threats and objectives for these fauna are well documented by the Northern and Yorke NRM.

A related concern is the reluctance by RES to carry out ecological surveys outside of the immediate wind farm footprint to consider "barrier" and "downstream effects" or to refer the project to the EPBC, despite the occurrence of several EPBC listed species and communities within and adjacent to the wind farm site.

The Twin Creek wind farm site lies between significant biodiversity and habitat areas along the Light River and on the Tablelands near Mount Rufus. HADRG have requested that RES carry out ecological surveys in this adjacent areas because the wind farm site contains movement corridors linking the Light River and Tablelands, but RES Project Manager Daniel Leahy declined our request.

It is important to our local community that due diligence and adequate scrutiny is applied to the assessment of the Twin Creek wind farm and any damage to our local environment and biodiversity assets is minimised by appropriate conditions.

Can you please advise as soon as possible whether the Northern and Yorke NRM have been given access to the Ecological Reports for Twin Creek Wind farm and whether they will be collaborating on any referral response provided to you?

Regards

[REDACTED]
[REDACTED]

From: Webb, Lee (DPTI) [mailto:Lee.Webb@sa.gov.au]
Sent: Tuesday, 19 September 2017 10:30 AM
To: [REDACTED]
Cc: Neldner, Simon (DPTI) <Simon.Neldner@sa.gov.au>
Subject: Twin Creek Wind Farm

G'day [REDACTED]

As Simon has recently advised you, I am responsible for coordinating the assessment process for the Twin Creek Wind Farm and Energy Storage Project development application by RES Australia P/L.

The application was lodged on 19 July 2017 and is being processed as a 'Category 2' application, in accordance with the Development Plan zoning policies for the Goyder, Light and Mid Murray Council areas.

The State Commission Assessment Panel (formerly the Development Assessment Commission) is the authority responsible for making a decision on the application.

Thus, adjoining/adjacent landowners will shortly be notified about the application and be given the opportunity to make a submission on the application. Submitters may be given the opportunity to be heard at the SCAP meeting to express their concerns. There are no appeal rights against a decision.

The application has been referred to the three affected Councils, along with relevant government agencies (especially the EPA). Generally, it is anticipated that Council would canvas any concerns expressed by the community as part of its submission. Councils have until 24 October 2017 to lodge a submission.

Regards,

Lee Webb

Senior Specialist (Environmental) Planner
Strategic Development Assessment – Major and Crown Development
Planning and Development
Department of Planning, Transport and Infrastructure - Development Division
T (08) 7109 7066 (97066) • E lee.webb@sa.gov.au
Level 5, 50 Flinders Street, ADELAIDE SA 5000 • PO Box 1815 ADELAIDE SA 5001
DX 171 • www.dpti.sa.gov.au

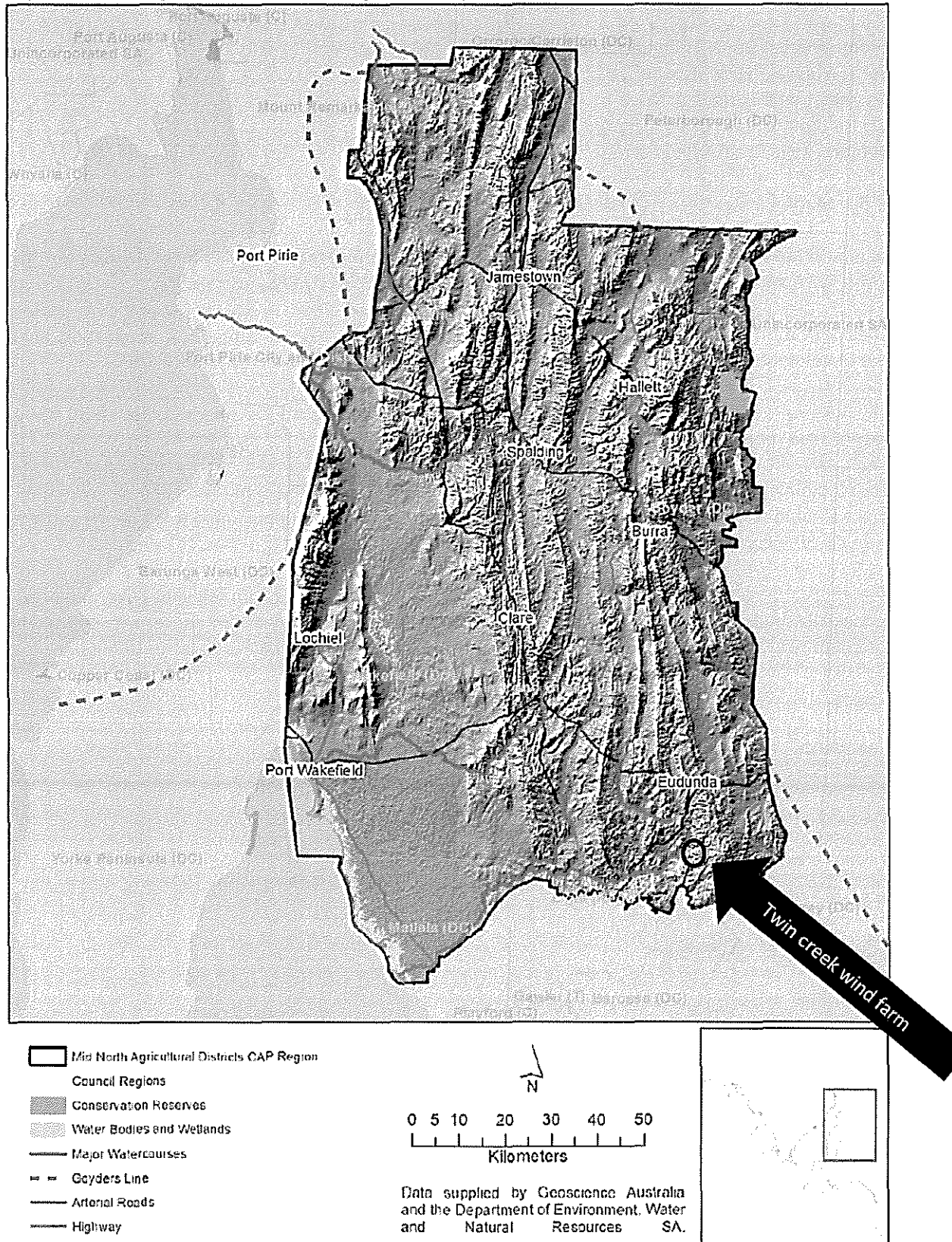


collaboration . honesty . excellence . enjoyment . respect

Information contained in this email message may be confidential and may also be the subject of legal professional privilege or public interest immunity. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any use, disclosure or copying of this document is unauthorised and may be unlawful.

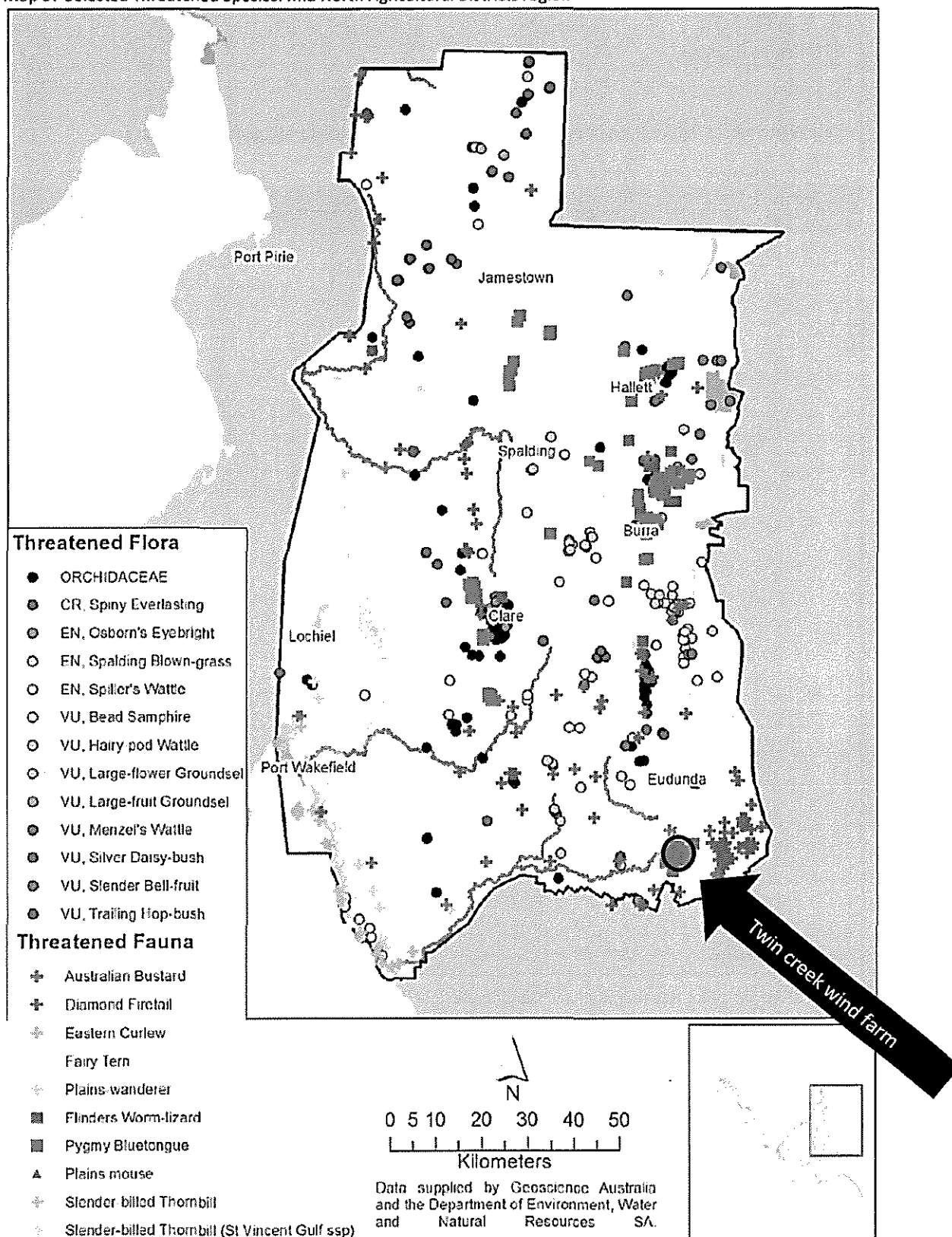
1. Background

Map 2: Mid North Agricultural Districts CAP Project Boundary



1. Background

Map 3: Selected Threatened Species: Mid North Agricultural Districts region



Twin Creek wind farm site in relation to NRM Regions

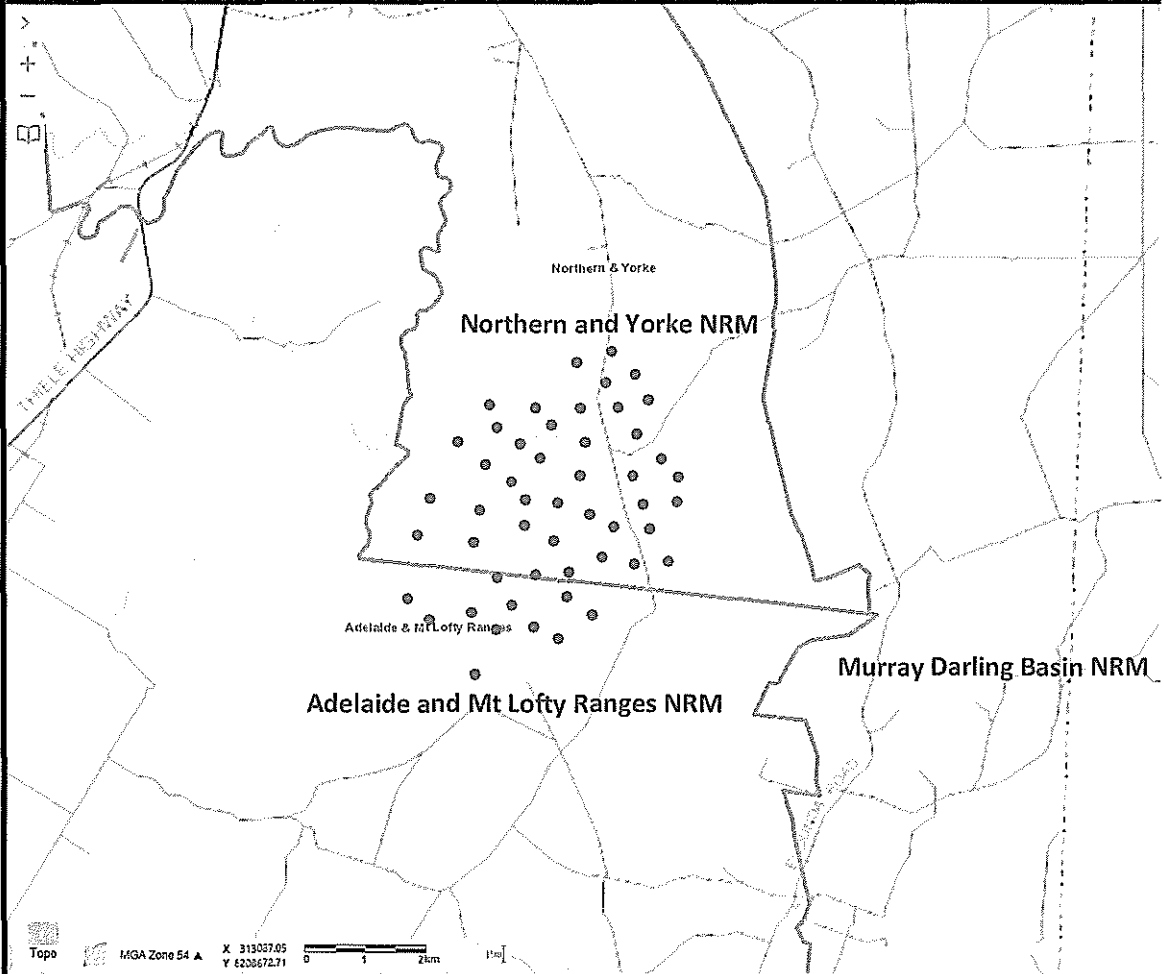
Wind turbine location ●

NRM Region Boundary

Base Map Source: Nature Maps <https://data.environment.sa.gov.au/NatureMaps/Pages/default.aspx>

Turbine Indicative location source: RES

NatureMaps



Map prepared by for Hansborough and Districts Residents Group by M Morris 25/9/2017

From: Sharp, Andy (DEWNR)
Sent: Friday, 29 September, 2017 5:48 PM
To: Reachill, Sarah (DEWNR)
Subject: RE: Twin Creek Windfarm - DA for comment [DLM=For-Official-Use-Only]

For Official Use Only

Hi Sarah,

N&Y have no formal capacity to comment on DA's.

However, I will try to provide comment on the most important ones (if time allows).

In this case, I understand that AMLR have significant resources working on a response, so I leave it in their capable hands.

Ta
Andy

From: Reachill, Sarah (DEWNR)
Sent: Friday, 15 September 2017 3:26 PM
To: Sharp, Andy (DEWNR)
Subject: Twin Creek Windfarm - DA for comment [DLM=For-Official-Use-Only]
Importance: High

For Official Use Only

Hi Andy,

Hope you're well.

We have a DA that's come in for the Twin Creek Windfarm, the Planning and Assessment Unit will coordinate the comments for this one as it sits on the border of two NRM regions (Northern and Yorke and AMLR). The files are available in the AMLR large files folder however if you cannot access it can you please send me the link to Northern and Yorke large file folder and I will transfer for you.

\\env.sa.gov.au\DFSRoot\LSFA\Communities.iShare\BCM301\AMLR Referrals 20MB+

- This is a 5,600ha project, of 51 turbines of 180m to tip.
- There will be two large substations, construction laydown area and around 1ha of battery storage.
- 49km of cable will be undergrounded across the site.
- Grid connection is 15km overhead transmission line.
- The development straddles two NRM districts (AMLR and N&Y) and three council areas

Could you please have your comments back to me by **COB on Monday 2nd October**

Thanks in advance

Sarah

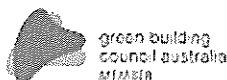
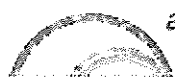
Senior Policy Officer - Assessments

Planning and Assessment Unit
Economic and Sustainable Development Group
Department of Environment, Water and Natural Resources
P (08) 8463 4821
Level 9, 81-95 Waymouth St, Adelaide SA 5001



Government of South Australia
Department of Environment,
Water and Natural Resources

*Helping South Australians
conserve, sustain
and prosper*



From: Graham, Kate (DEWNR)
Sent: Monday, 9 October, 2017 10:19 AM
To: Reachill, Sarah (DEWNR); DEWNR:AMLR Referrals
Cc: Rose, Kylie (DEWNR); Fox, Anthony (DEWNR); VanWeenen, Jason (DEWNR); West, Andrew (DEWNR); Madigan, Chris (DEWNR); O'Leary, Paul (DEWNR); Farmer, Peter (DEWNR)
Subject: RE: FOR COMMENT - Twin Creek wind farm - Referral - 422/E003/17 [DLM=For-Official-Use-Only]
Attachments: NRAMLR Referral Comments Twin Creek wind farm V2 - Referral - 422E00317.docx

For Official Use Only

Hi Sarah

I have just updated the document I sent on Friday as I remembered something else that should have been added

Cheers
 Kate

From: Graham, Kate (DEWNR)
Sent: Friday, 6 October 2017 5:10 PM
To: Reachill, Sarah (DEWNR) <Sarah.Reachill@sa.gov.au>; DEWNR:AMLR Referrals <DEWNR.AMLRReferrals@sa.gov.au>
Cc: Rose, Kylie (DEWNR) <Kylie.Rose@sa.gov.au>; Fox, Anthony (DEWNR) <Anthony.Fox@sa.gov.au>; VanWeenen, Jason (DEWNR) <Jason.VanWeenen@sa.gov.au>; West, Andrew (DEWNR) <Andrew.West@sa.gov.au>; Madigan, Chris (DEWNR) <Chris.Madigan@sa.gov.au>; O'Leary, Paul (DEWNR) <Paul.O'Leary@sa.gov.au>; Farmer, Peter (DEWNR) <Peter.Farmer@sa.gov.au>
Subject: RE: FOR COMMENT - Twin Creek wind farm - Referral - 422/E003/17 [DLM=For-Official-Use-Only]

For Official Use Only

Hi all

Please see attached document that has been collated in response to the request for comment on the Twin Creek Wind Farm development.

Any changes / additions please let me know ASAP

Cheers
 Kate

From: DEWNR:AMLR Referrals
Sent: Thursday, 14 September 2017 3:10 PM
To: Reachill, Sarah (DEWNR) <Sarah.Reachill@sa.gov.au>; Smith, De-Anne (DEWNR) <De-Anne.Smith@sa.gov.au>; VanWeenen, Jason (DEWNR) <Jason.VanWeenen@sa.gov.au>; Graham, Kate (DEWNR) <Kate.Graham@sa.gov.au>; Madigan, Chris (DEWNR) <Chris.Madigan@sa.gov.au>
Cc: DEWNR:AMLR Referrals <DEWNR.AMLRReferrals@sa.gov.au>; Duffield, Trudi (DEWNR)

<Trudi.Duffield@sa.gov.au>; Ellyard, Hannah (DEWNR) <Hannah.Ellyard@sa.gov.au>; West, Andrew (DEWNR) <Andrew.West@sa.gov.au>
Subject: FOR COMMENT - Twin Creek wind farm - Referral - 422/E003/17 [DLM=For-Official-Use-Only]

For Official Use Only

Hi all

Please could you follow the below link to see the Twin Creek wind farm downloaded files, in iShare's large file storage folder. The referral email from Lee Webb at DPTI is copied below this message.

\\env.sa.gov.au\DFSRoot\LSFA\Communities.iShare\BCM301\AMLR Referrals 20MB+

- This is a 5,600ha project, of 51 turbines of 180m to tip.
- There will be two large substations, construction laydown area and around 1ha of battery storage.
- 49km of cable will be undergrounded across the site.
- Grid connection is 15km overhead transmission line.
- The development straddles two NRM districts (AMLR and N&Y) and three council areas

The development plan assessment report mentions the need for a concurrent EPBC referral, principally for pygmy blue tongue lizard, but there are other species for consideration. Trudi – have you received an EPBC referral yet?

AMLR understand Sarah will contact Andy Sharp of Northern and Yorke region to confirm the DA has been made, and to lead the response on behalf of N&Y. AMLR will provide regional comments, as our two ecologists, Jason van Weenan and Kate Graham have been involved with this potential wind farm site for some time now, according to Andrew West.

AMLR review

Jason and Kate – I'd be grateful if you could review the appropriate parts – the EBS Flora and Fauna assessment, the overarching Development Plan Assessment Report by Masterplan for RES etc and advise of any comments. Please forward to anyone else you think should be involved in the review.

Chris – let me know of any comments.

Please could AMLR staff provide comments to DEWNR.AMLRReferrals@sa.gov.au by **COB on Monday 2nd October**.

I have not read through all the documents yet, but there will be potential impacts on species and habitats, and potentially water affecting activities. On the plus side the DPA report does mention that turbines and cabling can be micrositied in some locations to mitigate impacts if required.

I'd be grateful if you could confirm that you can access the files from the iShare drive.

Kind regards
Eilidh

From: DEWNR:AMLR Referrals
Sent: Wednesday, 13 September 2017 11:57 AM

To: DEWNR:AMLR Referrals <DEWNR.AMLRReferrals@sa.gov.au>

Subject: RE: Referral - 422/E003/17 - Due 10/10/2017 [DLM=For-Official-Use-Only]

For Official Use Only

Link to Twin Creeks Wind Farm referral documents here (iShare Large File Storage):

\\env.sa.gov.au\DFSRoot\LSFA\Communities.iShare\BCM301\AMLR Referrals 20MB+\FOR COMMENT Twin Creeks Wind Farm

Out of Scope



Out of Scope

Out of Scope

Twin Creek wind farm - Referral - 422/E003/17

Comments from Natural Resources Adelaide and Mt Lofty Ranges (NRAMLRL)

Firstly Natural Resources, Adelaide and Mt Lofty Ranges (NRAMLRL) would like to commend EBS Ecology for their survey work, in particular for Pygmy Bluetongue Lizards (PBL), and the transparency around burrows surveyed and information on burrow occupancy.

NRAMLRL also recognises and commends RES Australia for making substantial alterations to the footprint of the proposed development in relation to significant biodiversity assets prior to completion of the Development Plan Assessment Report.

Grassland and grassland management

Most of the pre-European native grasslands in the AMLR region have been destroyed or heavily modified. They are an under-recognised vegetation type and there is very little formally conserved in the state. This project area contains the largest, contiguous patch of native grassland in the Adelaide and Mt Lofty Ranges NRM region and is therefore of great importance. The EBS Ecology 'Twin Creek Wind Farm Flora and Fauna Assessment' focusses on the 2 EPBC listed Threatened Ecological Communities (TEC) which are certainly important but there are also large areas of other types of native grasslands that, although may be degraded, are some of the best condition grassland that we have in the region. We need to maintain areas of even degraded grassland to ensure the vegetation type still exists in the region.

DEWNR has vegetation mapping of the area (in a private report) that shows other grassland communities that have not been mapped in the EBS report so these should be incorporated.

In relation to sites containing the EPBC listed vegetation community 'Iron-grass (*Lomandra* spp). Natural Temperate Grassland of South Australia' the Development plan assessment report by Masterplan failed to mention that while one site (18) qualified for the listing another 2 (19 and 21) are likely to qualify if they were surveyed early / mid spring and Site 20 may also possibly qualify. EBS also mention that *Lomandra* Sites 2, 14, 15, were within 1-3 native species of meeting the condition class B threshold. These sites should be resurveyed at an appropriate time of year and the Development plan assessment report updated. (the following paragraphs in blue highlight the differences in the reports.)

EBS Flora and Fauna Report (page v in Executive summary)

There were 21 sites assessed within the *Lomandra* Grasslands across the project site in 2015; these were assessed to confirm whether they qualified as a nationally listed threatened ecological community. One of the sites assessed for the terminal substation (18), qualified as EPBC listed and another two sites (19 and 21) are considered likely to qualify if surveyed when more plants are in their visible life phase (early/mid spring), as they were only a few species short of qualifying. Site 20 may also possibly qualify. None of the other sites met criteria qualified as either condition A or B, and therefore, do not qualify as a threatened ecological community. Of the 21 *Lomandra* sites, 13 come under Condition class C, which are considered degraded patches amenable to rehabilitation. Five of the sites (*Lomandra* Site 2, 14, 15, 19 and 21) were within 1-3 native species of meeting the condition class B threshold.

Development plan assessment report (page 23)

21 sites were assessed within the *Lomandra* Grasslands across the development site, to confirm whether they qualified as the nationally listed threatened ecological community. One of the 21 sites assessed for the terminal substation qualified as a EPBC threatened ecological community. None of the other sites qualified as a threatened ecological community. 13 of the Iron-Grass sites and some of the Peppermint Box sites come under Condition Class C, which are considered degraded patches amenable to rehabilitation.

Track construction should not bring in incompatible soil types which promote exotic weed and vegetation growth.

The project could have some positive outcomes if it promotes stewardship of well managed grasslands in the area as part of offset considerations and where possible, extend the best practice grasslands management across the entire project site. In particular, changing the management practices on the

northern property to improve the condition of native grassland and PBTL habitat would be a positive outcome from the project.

Pygmy Bluetongue Lizards and their management

PBTLs are a nationally endangered species that we are actively trying to recover. This project area contains the most significant population of PBTLs at the southern extent of their current known range. In light of future climatic changes and the likelihood of a range contraction of the species southward (Delean et.al. 2013) this is a vitally important population and refuge area for the species that needs to be protected. **For this reason NRAMLR recommends that any sites containing PBTL's should not be impacted by the development.**

Translocations as suggested in this assessment seem inappropriate given their proximity to existing occupied sites and the high probability that the proposed translocation sites would already be occupied by the lizards if they contained suitable habitat. There are likely to be some other attributes making these areas unsuitable.

The PBTL survey work has focussed within the properties but the PBTL's also occur in roadside (very recent surveys by NRAMLR have picked them up on Flagstaff Hill and Mosey Road roadside reserves – not yet entered into the Biological Database of SA) and so **further survey work is needed anywhere impacts associated with the development may occur.**

The PBTL search area should be extended to thoroughly cover all of the proposed track network, tower and infrastructure sites, powerline corridor and any other areas, like roadsides, subject to changes linked to the project.

Population fragmentation is an important issue that was raised in the EBS report and NRAMLR would like to see measures taken to reduce fragmentation where possible. **It is recommended that some tracks that split large areas of good PBTL habitat are removed.** These tracks are between the turbines 14 and 7, and between 29, 21 and the intersection of 22 and 23, between 51 and 22 to 17. Track width should also be the minimum necessary. Stretches of track containing novel track types that facilitate lizard movement across them could also be considered. There should be no off track movement of vehicles for parking, material storage etc.

Council development plans seek to minimise adverse impacts on native vegetation, conservation, the natural environment, geological or natural heritage significance and wildlife. It is noted that parts of this project are at variance with these objectives.

Wording Changes

The following wording changes in the EBS Flora and Fauna assessment report are requested

On page 127

Short term impacts dot point 1 - Potential direct loss of individuals (add '**and habitat**') through habitat clearance during construction

Long term impacts dot point 1 - Potential loss (add '**or degradation**') of habitat

plus - add another dot point 'changes in land management that results in altered grazing regimes and subsequent changes in grassland composition and structure'

Reference

Steven Delean, C. Michael Bull, Barry W. Brook, Lee M. B. Heard and Damien A. Fordham. (2013). Using plant distributions to predict the current and future range of a rare lizard. Diversity and Distributions, (Diversity Distrib.) (2013) 1–13

From: DEWNR:AMLR Referrals
Sent: Monday, 9 October, 2017 12:10 PM
To: Reachill, Sarah (DEWNR)
Subject: RE: Twin Creek Windfarm Referral - 422/E003/17 [DLM=For-Official-Use-Only]

For Official Use Only

Thanks Sarah

From: Reachill, Sarah (DEWNR)
Sent: Monday, 9 October, 2017 12:09 PM
To: DEWNR:AMLR Referrals <DEWNR.AMLRReferrals@sa.gov.au>; Sharp, Andy (DEWNR) <Andy.Sharp@sa.gov.au>
Subject: FW: Twin Creek Windfarm Referral - 422/E003/17 [DLM=For-Official-Use-Only]

For Official Use Only

Hi Kylie and Andy,

DEWNR's response for your records.

Thanks
 Sarah

From: Reachill, Sarah (DEWNR)
Sent: Monday, 9 October, 2017 12:08 PM
To: Webb, Lee (DPTI) <Lee.Webb@sa.gov.au>
Cc: Delmenico, Zoe (DPTI) <Zoe.Delmenico@sa.gov.au>; DL:DEWNR E&SD Planning & Assessment <DLDEWNRSDPlanning&Assessment@sa.gov.au>
Subject: Twin Creek Windfarm Referral - 422/E003/17 [DLM=For-Official-Use-Only]

For Official Use Only

Hi Lee,

DEWNR provides the following comments regarding the Twin Creek Windfarm referral, this is a consolidated DEWNR response incorporating comments from AMLR and Northern and Yorke (noting that the proposal spans both regions);

- DEWNR wishes to remind the Proponent of their obligations under the *National Parks and Wildlife Act 1972*. This project area contains the most significant population of Pygmy Blue Tongue Lizard at the southern extent of their current known range. The EBS Ecology report notes that an impact assessment will be completed as part of the EPBC referral (pg 130). As this particular species is State-listed as well as nationally-listed, it is requested that the impact assessment and translocation plan are provided as part of the State assessment process. DEWNR defers comment on the level of impact of the proposal and suitability of proposed translocations until this information is provided.
- Population fragmentation is an important issue that was raised in the EBS report and it is requested that the Proponent's consider measures to reduce fragmentation where possible. It is suggested that some tracks that split large habitat areas are removed or rerouted. Specifically tracks between turbines 14 and 7, and between 29, 21 and the intersection of 22 and 23, between 51 and 22 to 17. Track width should also be the

minimum necessary. Stretches of track containing novel track types that facilitate lizard movement across them could also be considered. There should be no off track movement of vehicles for parking, material storage etc. this is particularly relevant given the potential use of concrete batching plant on site. Efforts to minimise impacts from construction should be furthered in the management plans. The risk of impacts to threatened species such as the Pygmy Blue Tongue is increased from activities such as concrete batching and laydown of materials.

- The EBS report notes several management plans to be developed as part of the project and DEWNR acknowledges that this is an appropriate means of addressing some risks. However, the report notes the potential impacts to birds, bats and pygmy blue tongue lizard including increased fatalities from collision with wind turbines. With this in mind DEWNR suggests that a monitoring program is put in place to allow for monitoring of fatalities and adaptive management measures to be put in place should this aspect become a major problem.
- The project may have some positive outcomes if it promotes stewardship of well managed grasslands in the area as part of offset considerations and where possible, extend the best practice grasslands management across the entire project site. In particular, changing the management practices on the northern property to improve the condition of native grassland and Pygmy Blue Tongue Lizard habitat would be a positive outcome from the project and may be worthwhile considering as part of offset obligations under the EPBC Act or *Native Vegetation Act 1991*.

If you have any questions please let me know.

Regards
Sarah

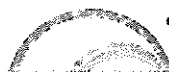
A/Director, Economic and Sustainable Development Group.

Economic and Sustainable Development Group
Department of Environment, Water and Natural Resources
P (08) 8463 4821
Level 9, 81-95 Waymouth St, Adelaide SA 5001



Government of South Australia
Department of Environment,
Water and Natural Resources

*Helping South Australians
conserve, sustain
and prosper*



green building
council australia
ANALYST



Reconciliation
South Australia Inc



Government of South Australia
Department of Environment,
Water and Natural Resources

Document No. 17SEC821620

TO MINISTER FOR SUSTAINABILITY, ENVIRONMENT AND CONSERVATION

FOR APPROVAL

RE: Hansborough and Districts Residents Group concerns regarding
the Twin Creek Wind Farm development application.

THROUGH:  CHIEF EXECUTIVE,
GROUP EXECUTIVE DIRECTOR, PARKS AND REGIONS

1. ISSUE:

That you:

- Note this briefing on correspondence from [REDACTED] of the Hansborough and Districts Residents Group, regarding the group's concerns about the Twin Creek Wind Farm development application.
- Approve the draft response to [REDACTED].

2. PRIORITY:

Routine

3. BACKGROUND:

The Minister is in receipt of an email from [REDACTED] dated 3 October 2017 on behalf of the Hansborough and Districts Residents Group (HADR Group), regarding their concerns around the level of response provided by DEWNR to the Twin Creek Wind Farm development application.

RES Australia Pty Ltd (RES Australia) has proposed the development of a 51 turbine wind farm and energy storage facility across 5,600 hectares of farm land in the state's Mid North (90km north east of Adelaide and north east of Kapunda). The development application (422/E003/17) is currently under review, with comments being sought by the Department of Planning, Transport and Infrastructure. The proposed wind farm site straddles both the Northern and Yorke and Adelaide and Mount Lofty Ranges NRM regions.

The project's development application contains an assessment of the flora and fauna located at the proposed site, undertaken by EBS Ecology. Surveys confirmed that the project site retains numerous species and ecological communities listed as threatened under the Federal *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

The proposed wind farm development is aligned with:

- the South Australian Strategic Plan target for renewable energy: "support the development of renewable energy so that it comprises 33% of the state's electricity production by 2020",
- the South Australia Government Energy Plan: "provide South Australia with large-scale storage for renewable energy so power is available when it is needed, beginning the transformation to next-generation renewable technology",

4. DISCUSSION:

The HADR Group have expressed their concerns regarding the suitability of the wind farm, due to:

- The occurrence of Pygmy Blue-tongue Lizard (endangered under the EPBC Act), Wedge-tailed Eagles (SA *National Parks and Wildlife Act 1972*) and Southern Hairy Nose Wombat (SA NPW Act 1972) on the site.
- The absence of an assessment of the potential effects of the wind farm across the broader landscape, in particular there was no flora and fauna surveys carried out on adjacent lands, and no evaluation was made on the potential impacts on the Light River.

However, the main concern of the HADR Group centres on whether the Northern and Yorke NRM Board have had the opportunity to comment on the development application, arguing that without input from Northern and Yorke staff important conservation matters and issues may be overlooked.

Natural Resources Northern and Yorke received a request from the DEWNR Planning and Assessment Unit to provide feedback on the Twin Creeks development application on 29/2/2017.

Requests for comments on any development applications are reviewed by the region's Landscape Programs Coordinator and, if regional input is considered critical, a (desktop) review and response is prepared.

In the case of the Twin Creek Wind Farm, it was ascertained that Natural Resources AMLR were devoting sufficient resources to an assessment of the impacts of the development. Given that Natural Resources AMLR have competent staff experienced in responding to development applications, a decision was made that there was no need for Natural Resources Northern and Yorke to replicate the response process.

A response for [REDACTED] is attached, outlining structural arrangements between NRM Boards and DEWNR, and the need to limit duplicating actions.

5. CONSULTATION:

Natural Resources AMLR

6. FINANCIAL IMPLICATIONS:

Are there financial implications?

No

ATTACHMENTS

N/A

7. RECOMMENDATIONS:

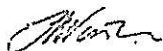
It is recommended that you:

- 7.1 Note this briefing on correspondence from [REDACTED] of the Hansborough and Districts Residents Group, regarding the group's concerns about the Twin Creek Wind Farm development application.

NOTED

- 7.2 Approve the draft response to [REDACTED]

APPROVED/ NOT APPROVED



Trevor Naismith
Regional Director – Northern & Yorke
Department of Environment, Water and Natural Resources

13 October 2017

Minister's Office use: Comments

Comments:

APPROVED / NOT APPROVED or NOTED

Hon Ian Hunter MLC

/ / 2017



Government of South Australia

Department of Environment,
Water and Natural Resources

17SEC821620

Date: 31 October 2017

Chief Executive

Level 10

81-95 Waymouth Street

Adelaide SA 5000

GPO Box 1047

Adelaide SA 5001

Australia

Ph: +61 8 8204 9323

www.environment.sa.gov.au

[REDACTED]
Hansborough and Districts Residents Group

Email [REDACTED]

Dear [REDACTED]

Thank you for your email dated 3 October 2017 to the Hon Ian Hunter MLC, Minister for Sustainability, Environment and Conservation regarding the Twin Creek Wind Farm (the wind farm).

As you are aware, the proposed wind farm location includes land in both the Adelaide and Mount Lofty Ranges and the Northern and Yorke Natural Resources Management (NRM) Regions. I am advised that the application for the wind farm has been reviewed and comments were submitted by Natural Resources Adelaide and Mount Lofty Ranges in conjunction with Natural Resources Northern and Yorke.

The staff of each NRM Board are employed by DEWNR. These staff work in collaboration to ensure that appropriate knowledge and expertise are aligned to issues as they arise, including with this development application.

The staff involved in the review, had the required expertise to critically evaluate the development application. I can advise that this included staff who had been members of the Pygmy Bluetongue Lizard and *Lomandra* Tussock Grasslands Recovery Teams.

Thank you for taking the time to write, I trust this information is of assistance.

Yours sincerely

John Schutz

A/ CHIEF EXECUTIVE