



Your ref: SSD-53293710

Our ref: DOC24/925566

David Way
Senior Planning Officer
Department of Planning, Housing and Infrastructure
Via Major Projects Portal: PAE-77767344

Dear David

Subject: Mallee Wind Farm Environmental Impact Statement (SSD-53293710)

Thank you for your email dated 11 November 2024 seeking advice from the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water about the Environmental Impact Statement (EIS).

BCS received a complete spatial data package for the project on the 29 November 2024 and therefore required an extension to complete the review of the EIS.

We have reviewed the exhibited EIS against the Secretary's Environmental Assessment Requirements (SEARs) issued to the proponent on 17 March 2023, the supplementary SEARs dated 7 June 2023 (EPBC 2023/09500) and the BCS and National Parks & Wildlife Services (NPWS) SEARs advice dated 7 February 2023.

BCS considers that the EIS is consistent with the SEARs requirements for flood risk management, contingent on the applicant addressing issues 1 to 4 identified in Attachment A prior to construction.

BCS considers that the EIS does not meet the SEARs requirements for biodiversity because the Biodiversity Development Assessment Report (BDAR) is not currently consistent with the Biodiversity Assessment Method (BAM). The issues and recommendations identified in Attachment A will need to be addressed in a revised BDAR to meet the SEARs for biodiversity.

BCS is available to meet with the proponent and their BAM accredited assessor during the Response to Submission (RTS) stage to help them address the recommendations identified in Attachment A and to help ensure the amended BDAR is consistent with the BAM and SEARs.

In summary, the key issues are:

- The conceptual Bird and Bat Adaptive Management Plan (BBAMP) presented lacks the detail required by the BAM to address the uncertain impacts of turbine strike.
- The impact of operation on birds and bats at risk of turbine strike has not been fully assessed and is based on insufficient survey.
- Additional and more specific detail is needed for BCS to assess if the proposed mitigation measures will be effective in managing residual impacts.

A summary of our assessment and recommended actions are provided in **Attachment A**. Detailed advice in **Attachment B**.

All plans required as a Condition of Approval that relate to flood risk management or biodiversity should be developed in consultation with BCS, so our issues are adequately addressed.

If you have any questions about this advice, please contact Simon Maffei, Senior Project Officer Planning, South West, via planning.southwest@environment.nsw.gov.au or 02 6022 0646.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adam Vey', with a stylized, cursive script.

Adam Vey

20 December 2024

Director South West

Regional Delivery

NSW Department of Climate Change, Energy, the Environment and Water

ATTACHMENT A – BCS Assessment Summary for Mallee Wind Farm Environmental Impact Statement (SSD-53293710)

ATTACHMENT B – Detailed advice for Mallee Wind Farm Environmental Impact Statement (SSD-53293710)

ATTACHMENT A BCS Assessment Summary for Mallee Wind Farm Environmental Impact Statement (SSD-53293710)

In preparing this advice BCS have reviewed the following documents:

- Mallee Wind Farm Environmental Impact Statement, Umwelt (Australia) Pty Ltd, November 2024. (EIS)
- Mallee Wind Farm Biodiversity Development Assessment Report, Umwelt (Australia) Pty Limited, November 2024. (BDAR)
- Mallee Wind Farm Water Resources Impact Assessment, Umwelt (Australia) Pty Ltd, 20 September 2024. (WRIA)
- Mallee Wind Farm Draft Traffic and Transport Impact Assessment, Access Traffic Consulting, 25 September 2024.

Key Issues

The following issues and recommendation are to be resolved prior to determination.

Flood Risk Management

- 1.1. Provide additional detail on the loss values adopted from the hydrologic analysis. The additional detail must describe how the loss values adopted are consistent with AR&R.
2. The WRIA has failed to map the hydraulic (flood function) categories.
 - 2.1. Define and map the flood function categories for both the existing and proposed condition scenarios.
3. The WRIA hydraulic model needs to include the proposed project infrastructure to adequately inform flood behaviour and the assessment of flood risk.
 - 3.1. Conduct hydraulic modelling that includes the detailed design of the proposed project infrastructure to ensure the impact of the project on flood behaviour and the flood risks to on-site project infrastructure and existing off-site infrastructure are adequately addressed.
4. The WRIA fails to demonstrate how emergency management has been considered and discussed with Council and the NSW State Emergency Services (SES).
 - 4.1. Actively engage with Wentworth Shire Council and the NSW SES to demonstrate that emergency management matters have been discussed and supported. This should inform the development of a site-specific flood emergency response plan.

Biodiversity

Survey effort for threatened birds and flight path mapping do not meet the requirements of the BAM

- 5.1. Demonstrate that targeted bird surveys have been completed in accordance with the BAM and Threatened Biodiversity Profiles data collection (TBDC) for candidate bird species or complete additional surveys.

- 6.1. Map likely flight paths for avifauna on and through the development site.

A draft Bird and Bat Adaptive Management Plan (BBAMP) is needed to address the uncertain impacts of turbine strike (as per BAM section 8.5)

- 7.1. Prepare a draft BBAMP using the information from Appendix B of the BDAR.
- 7.2. Ensure the draft BBAMP meets the requirements of section 8.4 of the BAM.
- 7.3. Ensure the monitoring duration is ecologically defensible and will accurately capture species distribution across variable climatic conditions.
- 8.1. Review the collision risk assessment for microbat species and revise the collision risk rating where appropriate.

Expert reports to exclude candidate fauna need revision to meet BAM section 5.3

- 9.1. Update the expert report for Painted Burrowing Frog and Desert Mouse to include additional justification for species absence from the approved expert based on local site conditions and the approved expert's assessment of the subject land and associated PCTs. Where additional justification from the expert cannot be provided, species assumed presence may have to be considered.

Identification and assessment of some direct, indirect and prescribed impacts require review and more specific detail

- 10.1. Provide details in s1.2.2 of the BDAR about requirements and commitments to asset protection that are likely to impact native vegetation, including APZ and security fencing.
- 10.2. Update the BDAR, BAM-C and spatial data to include any direct impacts to native vegetation that have not been addressed.
- 11.1. Assess the potential indirect impacts on Mallee Cliffs National Park and the feral predator-free area.
- 11.2. Commit to ongoing pest management actions in conjunction with NPWS. Pest management actions should not be delayed until triggers are met.
- 11.3. Assess the potential indirect impacts on Gol Gol Swamp and Lake Gol Gol and the species that rely on these waterbodies, particularly in relation to bird movement to and from the waterbodies.
- 11.4. Define edge effects and outline how impacts will be measured.
- 12.1. Revise the prescribed impact assessment for vehicle strike to consider all vehicle movements associated with the development.

Mitigation measures need to include specific detail to be effective in managing impacts and need to include binding terms

- 13.1. Clarify the timing of mitigation measures to be completed during detailed design. Provide an auditable list of all actions that have been, or will be, completed during detailed design and how the proponent will demonstrate that the outcomes have been achieved.

- 13.2. Specify the target weeds to be controlled, locations and outcomes, addressing all impacts relating to weeds.
- 14.1. Review the BDAR and appendices to ensure all proposed measures are detailed in Table 9.1.
- 14.2. Demonstrate the proponent's commitment to these measures by using binding language.
- 15.1. Remove the funding of operational mitigation and monitoring measures as a possible conservation measure to offset the impact of turbine strike.

Matters of National Environmental Significance (MNES)

- 16.1. Revise the significant impact assessment after further assessment of Pink Cockatoo (as detailed in Issue 5).

ATTACHMENT B Detailed advice for Mallee Wind Farm Environmental Impact Statement (SSD-53293710)

Flood Risk Management

BCS has reviewed the flood risk management component in Section 6.9 of the EIS and Appendix 13, Water Resources Impact Assessment (WRIA). BCS acknowledges that the proponent has conducted a basic quantitative assessment of flood risk at the subject site. However, further assessment is required to adequately address all of Secretary's requirements for flood risk management.

The EIS does address the SEARs for flood risk management, contingent on the proponent addressing the issues listed below prior to construction.

1. The WRIA lacks sufficient detail regarding the hydrologic analysis and consistency with Australian Rainfall and Runoff (AR&R)

The WRIA lacks sufficient detail on the initial loss (IL) and continuing loss (CL) values adopted from the hydrologic analysis. The AR&R data hub does not provide loss values for the arid zone and the Probability Neutral Burst Initial Loss values presented in Table 5.4 of the WRIA do not appear to be consistent with the values available through the AR&R data hub.

Recommendations:

- 1.1. Provide additional detail on the loss values adopted from the hydrologic analysis. The additional detail must describe how the loss values adopted are consistent with AR&R.

2. The WRIA has failed to map the hydraulic (flood function) categories.

BCS requires the mapping of the hydraulic (flood function) categories and demonstration of the project's compatibility with the hydraulic functions of flow conveyance in floodways and storage to be assessed. The mapping of flood function categories under both the existing and proposed condition scenarios do not appear to have been completed.

Recommendations:

- 2.1. Define and map the flood function categories for both the existing and proposed condition scenarios.

3. The WRIA hydraulic model needs to include the proposed project infrastructure to adequately inform flood behaviour and the assessment of flood risk.

The WRIA provides a low-resolution overview of flood behaviour on the existing site conditions. The WRIA fails to model the effect of the proposed project infrastructure on flood behaviour. BCS are therefore unable to determine the impact of the proposed project on flood behaviour both on-site and off. Hydraulic modelling incorporating the detailed design of the project infrastructure, including all aspects of the development is required to demonstrate the impact of the project on flood behaviour. In addition, the large model grid size used should be reviewed to ensure that the resolution is appropriate to accurately determine the impacts.

Recommendations:

- 3.1. Conduct hydraulic modelling that includes the detailed design of the proposed project infrastructure to ensure the impact of the project on flood behaviour and the flood risks to on-site project infrastructure and existing off-site infrastructure are adequately addressed.

4. The WRIA fails to demonstrate how emergency management has been considered and discussed with Council and the NSW State Emergency Services (SES).

The proponent has not actively consulted with Wentworth Shire Council and NSW SES to ensure that emergency management matters are both discussed and supported. This consultation is necessary to inform the development of a site-specific flood emergency response plan. BCS recommends that the above recommendations are implemented before actively engaging with Wentworth Shire Council and NSW SES. In doing so, the proponent will develop an understanding of the emergency management matters that require discussion and support.

Recommendations:

- 4.1. Actively engage with Wentworth Shire Council and the NSW SES to demonstrate that emergency management matters have been discussed and supported. This should inform the development of a site-specific flood emergency response plan.

Biodiversity

The BDAR at Appendix 6 does not meet the SEARs for biodiversity.

Specific advice on the BDAR and related sections in the EIS are:

[Survey effort for threatened birds and flight path mapping do not meet the requirements of the BAM](#)

5. There has been insufficient targeted survey for threatened birds

Sections 5.2.5.2 and 5.2.5.3 of the BDAR state that targeted and opportunistic surveys were completed for raptor nests, Pink Cockatoo and Regent Parrot breeding sites respectively. Opportunistic surveys are not consistent with sections 5.1.2 or 6.1.5 of the BAM which requires targeted surveys, and it is unclear in the BDAR and the spatial data, what, if any specific targeted surveys were completed. While four tree hollows have been mapped, it is not clear what specific survey has been conducted for this habitat feature throughout the site. Tree hollow searches should be an important component of targeted search effort for breeding Pink Cockatoo. Similarly, there has been no evidence provided of targeted survey effort for threatened raptor candidate species.

Sections 5.2.5.2 and 5.2.5.3 of the BDAR also state that "opportunistic searches were undertaken concurrently during all biodiversity survey effort across the Biodiversity Study Area. Where habitat features were identified, GPS locations and relevant ecological data was recorded within digital survey platforms". Based on the above, it appears that additional survey effort was only completed if habitat features were identified during these opportunistic surveys. This does not qualify as targeted surveys on their own.

While BCS note that minimal areas of native vegetation will be cleared by the development, assessing for the presence of breeding habitat for threatened species adjacent to or between turbines should be used to inform collision risks and enable identification of potential very high and high-risk turbines and subsequent appropriate monitoring and mitigation measures. Without targeted survey, it is not clear how species are using the site.

Recommendations:

- 5.1. Demonstrate that targeted bird surveys have been completed in accordance with the BAM and Threatened Biodiversity Profiles data collection (TBDC) for candidate bird species or complete additional surveys.

6. Mapping of bird and bat flight paths needs to be included to provide turbine-free corridors and areas of regular avifauna movement (BAM s7.2.1)

The mapping of flight paths for avifauna across the development site is a requirement under section 6.15 of the BAM but has not been completed in the BDAR. While Appendix B of the BDAR provides an assessment of turbine strike, Figures 8.3.0 to 8.4.5 show only the direction of flight, but no flight paths have been predicted or mapped across the project site. Given the network of native vegetation remnants on site there is likely to be potentially important corridors and flightpaths that need to be considered in the turbine layout. Especially important is a demonstration that important movement corridors have been retained between habitat features such as the Mallee Cliffs National Park, Southern Mallee Reserves and between native vegetation remnants, as required by BAM s7.2.1.

Recommendations:

- 6.1. Map likely flight paths for avifauna on and through the development site.

[A draft Bird and Bat Adaptive Management Plan \(BBAMP\) is needed to address the uncertain impacts of turbine strike \(as per BAM section 8.5\)](#)

7. To meet BAM section 8.4, a draft Bird and Bat Adaptive Management Plan (BBAMP) must be provided before the project is determined

Section 2 of Appendix B of the BDAR notes that an eighth season of bird and bat surveys was completed in August 2024 and will be incorporated into the revised BDAR during Response to Submissions (RtS). BCS expect to see the results of all bird and bat surveys used to inform the draft BBAMP. Currently, only a conceptual BBAMP has been presented that lacks the detail required by the BAM. The information in Appendix B of the BDAR should be used as the basis to develop the draft BBAMP prior to project determination.

In accordance with section 8.4 of the BAM, the BDAR must:

- a) document mitigation measures proposed to manage impacts, including techniques, timing, frequency and responsibility for implementing each measure
- b) identify any measures for which there is risk of failure
- c) evaluate the risk and consequence of any impacts likely to remain after mitigation measures are applied
- d) document any proposed adaptive management strategies, including:

- i. baseline data against which monitoring will occur
- ii. any seasonal changes to the resource that are relevant to the impacts being monitored
- iii. monitoring methods, including frequency, timing and reporting
- iv. trigger values for when adaptive management actions should be initiated
- v. adaptive management actions proposed to reduce or eliminate the impact, which may include actions to retire additional biodiversity credits
- vi. information that will be necessary to measure the impact over time.
- vii. how the results of the adaptive management strategy will be applied to the ongoing management of the proposal to reduce the extent of indirect and/or prescribed impacts.

The proposal in Table 7.6 to only monitor half of the turbines for carcasses over two years is not sufficient to identify issues if they occur. The monitoring period needs to accurately capture species distribution across variable climatic conditions such as drought and high rainfall years. As such, BCS recommends extending the initial monitoring period to five years over a subset of all risk categories, after which an additional five years of monitoring is recommended for all turbines classified medium risk and above. However, given the uncertainty around flight paths and turbine risk ratings, it is important that all turbines are monitored for collision impacts.

Recommendations:

- 7.1. Prepare a draft BBAMP using the information from Appendix B of the BDAR.
- 7.2. Ensure the draft BBAMP meets the requirements of section 8.4 of the BAM.
- 7.3. Ensure the monitoring duration is ecologically defensible and will accurately capture species distribution across variable climatic conditions.

8. Collision risk for microbats requires review

Section 8.4 of Appendix B contains the assessment of likelihood and consequence for the impact of turbine strike on threatened bat species. The evidence provided does not support the likelihood of collision rating and the consequence of this collision. Based on the BBUS data and known collision risk, the predicted risk for several species may not reflect the actual risk. For example: Yellow-bellied Sheath-tailed Bat and Inland Forest Bat are rated as 'moderate risk'. Yellow-bellied Sheath-tailed Bat and Inland Forest Bat are species known to fly within the Rotor Swept Area (RSA) height and collisions have been reported several times at wind farms already in operation in NSW. This would suggest that a risk rating of 'high' may be more appropriate.

Recommendations:

- 8.1. Review the collision risk assessment for microbat species and revise the collision risk rating where appropriate.

Expert reports to exclude candidate fauna need revision to meet BAM section 5.3

9. The expert report for Desert Mouse and Painted Burrowing Frog lacks the required analysis and justification from the approved expert.

The expert report for Painted Burrowing Frog and Desert Mouse has not been prepared by the approved expert in accordance with Box 3 of the BAM. The outcomes in the expert report for these species relies almost solely on the desktop review and field investigations completed by a third party who is not listed as the approved expert for these species.

The justifications for the outcomes of the expert report must be supported by evidence including a site visit completed by the approved expert. The expert report makes no assessment of the associated PCTs and vegetation zones for each candidate species within the subject land and the potential for these associated PCTs to support these species. The expert report should reference the associated PCTs for each species and how the condition of these PCTs and associated microhabitats in the subject land may or may not support the species and why.

Recommendations:

- 9.1. Update the expert report for Painted Burrowing Frog and Desert Mouse to include additional justification for species absence from the approved expert based on local site conditions and the approved expert's assessment of the subject land and associated PCTs. Where additional justification from the expert cannot be provided, species assumed presence may have to be considered.

Identification and assessment of some direct, indirect and prescribed impacts require review and more specific detail

10. Confirm if all asset protection measures are included in the assessed development footprint.

Section 1.2.2 of the BDAR does not specify if the development footprint includes the location of asset protection features, such as:

- All permanent fencing, including any barbed wire-topped security fencing (mentioned in EIS section 3.5.8 and section 3.5.9.2).
- Commitment in measure BF12 (in EIS section 6.13.2.2) to maintaining clearance of all woody vegetation within two metres of power poles, and clearance of all woody vegetation within three metres of transmission tower structures or 12 metres from the centre of the tower (whichever is greater).

Mitigation measures include some potential impacts that have not been described or assessed. For example, measure B32 (bushfire protections) includes "ongoing vegetation management", an activity that has not been fully described, assessed for biodiversity impacts, or located.

All impacts associated with ancillary infrastructure should be identified and addressed in the BDAR. While not explicitly stated in the BDAR, the consolidated development footprint provided appears to include minimum bushfire asset protection zones specified in the EIS (BF11 and Figure 6.28):

- accommodation 25 metres
- operation and maintenance facilities - 20 metres
- turbines, substations, switchyards and BESS - 10 metres

Recommendations:

- 10.1. Provide details in s1.2.2 of the BDAR about requirements and commitments to asset protection that are likely to impact native vegetation, including APZ and security fencing.
- 10.2. Update the BDAR, BAM-C and spatial data to include any direct impacts to native vegetation that have not been addressed.

11. Indirect impacts need to be identified and assessed

BCS acknowledges that substantial efforts have been made to reduce the impacts on the adjacent Mallee Cliffs National Park, most notably through the implementation of a 700-800 metre buffer, however potential indirect impacts may have been overlooked. Table 8.5 in the BDAR lists predators as a potential indirect impact, and mitigation measures have been included in Tables 9.1 and 9.2 to monitor feral populations, but there has been minimal discussion on the issue. Table 8.5 does not consider the impacts of turbine strike on increasing food resources for predators. Nor has it considered potential impacts of increased predators on the adjacent Southern Mallee Reserves and Mallee Cliffs National Park.

The Australian Wildlife Conservancy, in partnership with NSW NPWS have constructed a 37.2-kilometre feral predator-proof fence in Mallee Cliffs National Park, creating a 9,570-hectare enclosure to house at least 10 regionally extinct mammals. The BDAR should assess potential for indirect impacts on Mallee Cliffs National Park and potential risks to the feral predator-free area and the species within.

While Gol Gol Swamp and Lake Gol Gol have been listed as landscape features in the BDAR, the indirect impacts to fauna using these waterbodies have not been discussed. This is despite the Turbine Strike Prescribed Impact Assessment at Appendix B noting that many threatened waterbirds have been recorded at these waterbodies.

Edge effects and a discussion around reduced viability of adjacent habitat is raised in Table 8.5. However, edge effects are not defined or characterised in the BDAR. Mitigation measure B38 in Table 9.1 specifies the identification of edge effects as an outcome of using exclusion zones to mitigate indirect impacts. To determine an outcome based on this mitigation measure, edge effects first need to be documented to ensure relevant indicators can be monitored and measured. Without this, it is unlikely that specific indirect impacts to adjoining vegetation and habitats due to construction and operation of the wind farm will be identified or managed.

Recommendations:

- 11.1. Assess the potential indirect impacts on Mallee Cliffs National Park and the feral predator-free area.
- 11.2. Commit to ongoing pest management actions in conjunction with NPWS. Pest management actions should not be delayed until triggers are met.

- 11.3. Assess the potential indirect impacts on Gol Gol Swamp and Lake Gol Gol and the species that rely on these waterbodies, particularly in relation to bird movement to and from the waterbodies.
- 11.4. Define edge effects and outline how impacts will be measured.

12. Revise the prescribed impact assessment of vehicle strike to include at-risk species and identify effective mitigation measures

The prescribed impact assessment indicating that no threatened entities are likely to be affected by vehicle strikes as vehicle movements will be at low speed is not justified in the BDAR. The threatened species at risk of vehicle strike are not identified and there are no associated locations where this impact is most likely or where the measures will be implemented. BCS considers that numerous species are at risk of vehicle strike, including but not limited to: Malleefowl, Pink Cockatoo, Regent Parrot, and Western Blue-tongue Lizard. There is no commitment in the mitigation measures to implement a speed limit, only a commitment to consider a 40km/h speed limit on newly formed access tracks.

Even with a commitment to limit speeds to 40km/h on new access tracks (measure B22 in Table 9.1), the predicted additional 200-400 daily one-way vehicle movements expected over a 10-month construction period suggests that threatened entities are at risk of vehicle collision. Also, potential impacts associated with the Over Sized Over Mass movements (up to 3,122 vehicles to site) have not been considered.

Recommendations:

- 12.1. Revise the prescribed impact assessment for vehicle strike to consider all vehicle movements associated with the development.

Mitigation measures need to include specific detail to be effective in managing impacts and need to include binding terms

13. Update Section 9 of the BDAR to include mitigation measures that follow the SMART principles and address the identified impacts

BAM section 8.4 requires that all measures to mitigate and manage impacts are documented in detail in the BDAR. All mitigation measures should follow the SMART principles (specific, measurable, achievable, relevant, and time-bound) and be detailed in the BDAR. This should not be deferred to post-approval management plans (such as the Biodiversity Management Plan or Construction Environmental Management Plan). The measures need to be detailed enough for BCS to be confident that impacts will be successfully managed.

The timing of some measures is confusing and unlikely to be auditable. Actions B01 to B03 are proposed to be completed during 'detailed design'. However, the Executive Summary (page vii) states that "impact to biodiversity has been avoided as far as practicable through detailed design and refinement of the proposed disturbance area", indicating that detailed design has been completed.

Success ratings for mitigation measures are unlikely to be meaningful without specific details. For example, the stated outcome for B22 (consider reducing speed limits to 40 km/h on new roads) is 'no wildlife vehicle strikes' but without a wildlife strike log or reporting

protocol there is no way to assess if this measure has been successful. Measures B12 and B13 lack sufficient detail about species and locations to assess if weed control will be successful.

The spread of weeds into adjacent native vegetation leading to reduced habitat viability has been assessed in Table 8.5 as being likely. The PCT descriptions in section 4.3 include common environmental weeds such as London rocket (*Sisymbrium irio*), Ward's weed (*Carrichtera annua*), smooth catsear (*Hypochaeris glabra*), medics (*Medicago* sp.) and wiry noon-flower (*Psilocaulon granulicaule*). This impact is proposed to be mitigated in Table 9.1 through weed control but there is no measure for managing environmental weeds – measures B12 and B13 state that priority weeds (typically meaning those listed on the Biosecurity Act 2015) will be controlled.

BCS also question the likelihood of success of weed control measures, listed as 'effective' for B12 and B13. The likelihood of success of control measures will not be the same for all weed species, and typical weed control measures targeting priority or agricultural weeds may not address loss of adjacent vegetation condition due to non-agricultural (environmental) weeds. It does not appear that any priority weeds were recorded on the site.

Recommendations:

- 13.1. Clarify the timing of mitigation measures to be completed during detailed design. Provide an auditable list of all actions that have been, or will be, completed during detailed design and how the proponent will demonstrate that the outcomes have been achieved.
- 13.2. Specify the target weeds to be controlled, locations and outcomes, addressing all impacts relating to weeds.

14. Some measures proposed in the BDAR to avoid, minimise or mitigate impacts have not been included as commitments in Table 9.1

Some measures proposed in the BDAR to avoid, minimise or mitigate impacts have not been included as commitments in Table 9.1.

For example, as described in issue 12, Table 7.5 describes design refinements to avoid or minimise the prescribed impact of vehicle strike, including limiting speed of vehicles within the project area to 80 km/hr and avoiding or minimising driving at dawn and dusk and during high rainfall periods. Table 9.1 includes measure B22 as "consider 40 km/h speed limits on newly formed access tracks to reduce the risk of fauna specifically surrounding permanent water bodies and close to farm dams, particularly after periods of rain."

The BDAR should be reviewed to ensure that all proposed actions for mitigating biodiversity impacts are provided in Table 9.1. Terms such as "consider" and "where possible" should be replaced with language that demonstrates a commitment to implementing actions.

Recommendations:

- 14.1. Review the BDAR and appendices to ensure all proposed measures are detailed in Table 9.1.
- 14.2. Demonstrate the proponent's commitment to these measures by using binding language.

15. Measures proposed for offsetting the impact of turbine strike must be additional to existing commitments

Section 10.1.4 proposes conservation actions to offset the prescribed impact of turbine strike if detected during operation. BCS do not consider actions such as “funding the implementation and monitoring of operational mitigation measures (such as curtailment) to assess the interaction with birds and bats” or “funding of testing technological advancements, such as IdentiFlight, Robin Radar or similar technology” as an appropriate offset mechanism. Implementation and monitoring of operational mitigation measures is the responsibility of the proponent as part of the BAM and not an offset.

Recommendations:

- 15.1. Remove the funding of operational mitigation and monitoring measures as a possible conservation measure to offset the impact of turbine strike.

Matters of National Environmental Significance (MNES)

BCS appreciates provision of a separate MNES report (BDAR Appendix C) providing the information required by the Supplementary SEARs.

16. The significant impact assessment for Pink Cockatoo may be underestimated and requires revision after further targeted surveys are completed.

Table 3.6 of Appendix C of the BDAR concludes that there would be no significant impact on Pink Cockatoo and Table 3.5 (item vi) states that no species credit offset is required for impacts to Pink Cockatoo because “the proposed action is not expected to disrupt the breeding cycle of the pink cockatoo”. The conclusions are based on neither suitable breeding habitat nor the species being detected “during the extensive surveys in the breeding season”, which are described in Table 3.5 (item ii). As identified in Issue 5, the BDAR does not demonstrate adequate targeted survey for Pink Cockatoo so the MNES assessment may need to be revised with further Pink Cockatoo surveys and assessment.

Recommendations:

- 16.1. Revise the significant impact assessment after further assessment of Pink Cockatoo (as detailed in Issue 5).