SOUTH AUSTRALIA

Government of South Australia

Department for Energy and Mining

Consultation by the Minister

Cape Hardy Green Hydrogen Project: Meteorological Masts



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Acknowledgement of Country
As guests here on Kaurna land, we acknowledge everything this department does impacts on Aboriginal country, the sea, the sky, its people and their spiritual and cultural connection which have existed since the first sunrise. Our responsibility is to share our collective knowledge, recognise a difficult history, respect the relationships made over time, and create a stronger future. We are ready to walk, learn and work together.

Date:	Comment:
25/09/2025	First published

Public consultation – Act requirements

Under section 72 of the *Hydrogen and Renewable Energy Act 2023* (the Act), the Minister must undertake public consultation on an environmental impact report (EIR), statement of environmental objectives (SEO), and a scoping report (where a scoping report has been developed). Regulation 39 of the *Hydrogen and Renewable Energy Regulations 2024* (the Regulations), set out the requirements for public consultation.

This report has been developed pursuant to regulation 39(5), which requires that copies of written submissions and responses made during the consultation by the Minister be available for inspection on the register. Note that, under regulation 39(6) the Minister may refuse to publish submissions made on grounds that the submissions are irrelevant, offensive, or on any other grounds the Minister thinks fit.

Section 73 and regulation 40 of the Act requires that an EIR, SEO, and scoping report (where developed), refer the documents to prescribed bodies for a response. The Act and Regulations do not require that submissions and responses made during the referral period are published on the register, however, these have been included in this document for transparency and completeness.

Submissions received during the public consultation and referral period and the proponent's responses are reported below in Appendix A and B.

Public consultation – Cape Hardy: Meteorological Masts EIR and SEO

In accordance with the Act and Regulations, the **Cape Hardy Green Hydrogen Project: Meteorological Masts Environmental Impact Report (EIR)** and **Statement of Environmental Objectives (SEO)** were published for public consultation and referred to relevant prescribed bodies and agencies for a minimum of 30 business days, between 30 June 2025 and 8 August 2025.

Pursuant to regulation 39(2), a notice was published specifying a place at which a copy of the relevant report and statement could be obtained and invited written submissions in relation to these reports. The notice was published in The Advertiser (28 June 2025), Port Lincoln Times (3 July 2025), and Eyre Peninsula Tribune (3 July 2025).

The documents were provided to the following referral bodies and stakeholders for comment:

- Airservices Australia
- Civil Aviation Safety Authority (CASA)

- District Council of Tumby Bay
- Department for Energy and Mining – Mineral Exploration
- Department for Environment and Water (DEW)
- Department for Housing and Urban Development (DHUD)
- Department of Primary Industries and Regions (PIRSA)
- Eyre Peninsula Landscape Board (EPLB)
- Native Vegetation Council (NVC)
- South Australian Country Fire Service (CFS)
- Attorney Generals Department – Aboriginal Affairs and Reconciliation (AAR)
- Commissioner of Highways (DIT)

One public submission was received pursuant to regulation 39 from Eyre Peninsula Cooperative Bulk Handling Limited. The submission is provided below in Appendix A.

Responses were received from referral bodies pursuant to regulation 40 from Airservices Australia, AAR, CFS, DEW, DHUD, District Council of Tumby Bay, NVC, and PIRSA. The submissions are provided below in Appendix A.

Responses to these submissions by the proponent have been extracted from the EIR and provided in Appendix B of this report. The full versions of the EIR and SEO are available on the Hydrogen and Renewable Energy Register.

Appendix A – Submissions received

7 August 2025

Department of Energy & Mining
Response to public consultation
Application: Renewable Energy Feasibility Permit (REFP)
Applicant: Revera Energy (formerly Amp Energy)

Cape Hardy Green Hydrogen Project: Meteorological Masts

We are a farmer co-operative based on Eyre Peninsula with active farmer members located across the region.

We are providing our support to the application by Revera Energy (formally AMP Energy) to install MetMasts within the Cape Hardy, Moody/Ungarra district.

Our cooperative has signed an access agreement with Revera for our land located nearby to the Cape Hardy proposed port on Eyre Peninsula. A number of our cooperative members are also within the MetMast and environmental monitoring zone.

We have been working closely with Revera Energy (formally Amp Energy) over the past couple of years and have found their conduct to be very respectful. Their team has made a concerted effort to engage with farmers and understand our industry and any concerns we have surrounding their renewable energy and hydrogen development plans.

Kind Regards

[redacted]
Managing Director
Eyre Peninsula Cooperative Bulk Handling Limited
[redacted]

Eyre Peninsula Co-operative Bulk Handling (EPCBH)
44 Eyre Highway, Wudinna SA 5652
T: 0431 683 900 E: admin@epcbh.com.au

Date:	06/08/2025
Our reference:	20250718-01jp
Your reference:	NA

SA CFS Development Assessment Services
BUSHFIRE PLANNING HAZARD PROTECTION RESPONSE

Application	Crown Development (Energy Infrastructure Facility)
Nature of Development	Construction and operation of up to 3 meteorological masts as part of the proposed Cape Hardy Green Hydrogen Project (Cape Hardy GHP).
Development Number	N/A
Development/Property Name	Cape Hardy Green Hydrogen Project: Meteorological Masts
Location	Location spread across two sites: Moody Ungarra Precinct located approximately 30km from the proposed Cape Hardy hydrogen electrolyser plant made up of 15 land parcels and Cape Hardy Precinct 3km north of Port Neill made up of 23 land parcels.
Owner	Revera Energy
Applicant	Revera Energy

LEGISLATIVE FRAMEWORK

Instrument	*Hydrogen and Renewable Energy Act 2023 (HRE Act) and Hydrogen and Renewable Energy Regulations 2024 (HRE Regulations)*
Overlay	Hazards (Bushfire – General) Overlay, Hazards (Bushfire – Outback) Overlay
Fire Authority/ Response Area	South Australian Country Fire Service

DECISION/SUMMARY

The South Australian Country Fire Service (SACFS) welcomes and supports development in regional and rural areas of South Australia. SACFS has no direct concerns with the proposal and provide these comments for your consideration.

This advice/comment is relevant to the following documents:

- Cape Hardy Green Hydrogen Project: Meteorological Masts Environmental Impact Report, Rev I, 23 May 2025
- Cape Hardy Green Hydrogen Project: Meteorological Masts Statement of Environmental Objective, Rev F, 23 May 2025

An officer of the SACFS has undertaken a review of the aforementioned document(s) provided on the Plan SA portal, for the planning application.

SACFS has regard for the bushfire hazard(s) to and from the site, and any mitigation measures required to prevent spread of fire to the site, or the environment as a result of the activities within the site. SACFS provides the following comments:

Bushfire Hazard Overlay

The site is located within the areas designated:

- Hazards (Bushfire – General) Overlay

The Desired Outcomes (DO) for the Hazards (Bushfire – General) Overlay identifies:

DO 1 Development, including land division responds to the relevant level of bushfire risk and is sited and designed to mitigate the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change.

DO 2 To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Fire Response Capability

The sites are within the SACFS Lipson & District Brigade and Ungarra Brigade response areas.

Land Use

Performance outcomes for Land Use do not apply in this hazard overlay.

Siting

The SACFS recommends establishing and maintaining an Asset Protection Zone (APZ) to create a setback/buffer to any infrastructure using mineral earth breaks, roadways and/or areas of managed vegetation to prevent or prohibit the spread of bushfires to and from the site, minimising the risk to life, and or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and firefighters.

SACFS recommends all buildings and infrastructure such as Substation, Inverter stations, and Control Buildings or alike should be located no less than 10 metres from the property boundaries or existing remnant vegetation being retained, for the purposes of maintaining an APZ.

See Access/Egress and Vegetation Management recommendations for more detail.

Access/Egress

Any future internal road networks should be designed to achieve compliance with the 'Roads' Performance Outcome relevant to the hazard overlay.

Perimeter roads with a minimum formed road width of 6 metres should be incorporated to achieve adequate separation between infrastructure and areas of bushfire hazard to support safer access for the

purposes of fire fighting or provide mineral earth breaks for passive protection from spread of fire to and from the site.

All access/egress roads on the project site:

- Shall be constructed with a formed, compacted, self-draining, all-weather surface.
- Roads shall have a minimum formed road width of 6 meters, or if constructed less than 6 metres wide, access shall include appropriately sized passing bays or turning areas, spaced no more than 200 meters apart to support safer access for the purposes of fire fighting:
    - Passing bays minimum width of 6 metres and length of 17 metres, or
    - 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
- Incorporating cul-de-sac endings or dead end roads has either:
    - A turning area with a minimum formed surface radius of 12.5m, or
    - 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
- Shall be constructed with a minimum external radius of 12.5m for all road curves.
- Shall not exceed a gradient of 16 degrees (29%).
- Shall incorporate solid all-weather crossings over any water-course capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres width and a vertical height clearance of 4 metres.
- Shall allow fire-fighting vehicles to safely enter and exit the site in a forward direction by incorporating a loop road around the site.
- All access gates to be readily accessible to attending fire service units, this maybe with the use of a Lockwood 003 type padlocks.

Note: Other fire safety measures pertaining to roads may be prescribed by the National Construction Code.

Vegetation Management (buildings and infrastructure such as Substation, Inverter stations, BESS and Control Buildings or alike):

- Vegetation management shall be established and maintained within 10 metres of each Substation/Control Building or alike as follows:
    - The understorey plants within the Vegetation Management Zone (VMZ) shall be maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous.
    - No understorey vegetation shall be established within 10m of the Substation/Control Building site (Understorey is defined as plants and bushes up to 2m in height).
    - Grasses within the zone shall be reduced to a maximum height of 10cm during the fire danger season (e.g. by grazing, slashing or chemical treatment)
    - The VMZ shall be maintained to prevent the accumulation of dead vegetation during the fire danger season.

Emergency Response Planning

The Bushfire Management Plan and the Emergency Management Plan will need to be established and reviewed and updated every 12 months by the company and/or its operators. Revised versions to be forwarded to the relevant SACFS Regional Office to use as a reference.

During the construction and decommissioning phases and whilst undertaking maintenance, proponents should provide the provision of basic fire-firefighting equipment at each site, including fire extinguishers, knapsacks, and other equipment suitable for initial response actions.

SACFS as the referral agency, reserves the right to request additional information and provide further comment, under the Planning Development and Infrastructure Act and Regulations, in particular, but not limited to Regulation 45 (3) during the Building Rules approval process.

Prepared By:	Signature:	Date:
[redacted] **Manager DAS**	[redacted]	06/08/2025

DISTRICT COUNCIL of TUMBY BAY

Our Ref: R25/12497
Contact: Damian Windsor

21 July 2025

Department for Energy and Mining
GPO Box 618
Adelaide South Australia 5001

Department for Energy and Mining

RE: Cape Hardy Green Hydrogen Project: Meteorological Masts

Thank you for the opportunity to make formal comment on the EIR and SOE submitted as part of Revera Energy's approval pathway for the construction of meteorological masts in the Moody Ungarra and Cape Hardy Precincts of their Cape Hardy Green Energy Project.

The District Council of Tumby Bay has received periodic briefings from Revera Energy (formerly AMP Energy) in relation to this project, commencing from 2023. The Council has appreciated the early awareness of and access to draft documentation associated with this application for the installation of meteorological masts.

It is noted that early review of the documents by State Government agencies and other key stakeholders has occurred, and the Council does not seek to comment on areas already covered by other agencies.

The Council notes the following two areas, as already identified within Section 5.3.10 of the Environment Impact Report, where additional information is sought or Council permits may be required.

1. **Tumby Bay Aerodrome**
   The proposed meteorological masts may impact on published Instrument Flight Procedures for the Tumby Bay Aerodrome. These Flight Procedures are critical for the safe and effective operation of the Aerodrome.
   The Council has requested Revera Energy to prepare and provide an Aviation Impact Assessment for consideration of the Council, as owner of the Aerodrome, along with evidence of engagement with CASA Airspace Protection and Airservices Airport Development and Instrument Flight Procedure Teams. The Council understands that this documentation is under preparation at the date of this submission.

DISTRICT COUNCIL of TUMBY BAY

2. **Local Area Traffic Management**

   The Environmental Impact Report notes the potential impacts of project traffic, including on noise, air quality and road safety. Project related traffic is identified as a 'small increase in traffic volumes during construction, including some large loads and potential requirement to turn into site access tracks from public roads'. The Council requests additional detail on anticipated types and volumes of vehicles to be generated by the installation of the meteorological masts. It is noted that any requirement for access by restricted access vehicles ie oversize or overmass vehicles will require specific consultation with and approval from the Council, via application through the National Heavy Vehicle Portal.

If further detail is required in relation to this submission, please contact me through the Council office or at the email address provided below.

Yours sincerely

[redacted]

[redacted]
General Manager Works and Infrastructure
[redacted]

Revera Energy Cape Hardy Green Hydrogen Project Met Masts

Department of Primary Industries and Regions South Australia (PIRSA) feedback

PIRSA Lead: Peter Appleford, Executive Director, Major Programs and Regions	**Reference page of document**
Environmental Impact Report Regional Development	
• The consideration of social values in the EIR is limited, focusing only on non-Aboriginal heritage. While Revera outlines stakeholder consultation and social licence (pg. ix), broader social and regional impacts are not addressed. Noting, the immediate proposal has minimal effects on employment, community infrastructure, local businesses/industries, and community wellbeing, these aspects should still be acknowledged. This is particularly important given the potential longer-term social impacts associated with the broader Cape Hardy GHP project.	**Page 36**
• Social impacts are considered only as a landholder. Given the proximity of the met masts to a Conservation Park, potential impacts on tourism values should be addressed. A clear timeline for decommissions is important.	**Page 88** – Section 5.3.9
General Comments: *Livestock Act 1997* The documentation addresses biosecurity risks related to plant pests and pest animals, it does not reference or consider risks associated with livestock diseases. Given that the property is used for livestock grazing, it would be appropriate to include consideration of livestock biosecurity risks—particularly considering the mandated referral under the *Livestock Act 1997*.	

PIRSA Lead: N/A	**Reference page of document**
Statement of Environmental Objectives	
Nil	

Attachment A – Department for Environment and Water submission – Cape Hardy Green Hydrogen Project (DEW-D0031538)

Documentation for Review: Draft Environmental Impact Report and Statement of Environmental Objectives for the Cape Hardy Green Energy Project

Relating to the Application for: Renewable Energy Feasibility Permit (REFP) under the *Hydrogen and Renewable Energy Act 2023* (HRE Act)

Project Name: **Cape Hardy Green Energy Project, Stage 1, meteorological masts**

Application: Renewable Energy Feasibility Permit (REFP) - proposal for up to three meteorological masts to collect long term wind and meteorological data as part of feasibility investigations for the wider project

Applicant: Revera Energy

Location: 38 parcels of land over 2 precincts near the Port Neill and Ungarra townships on the Eyre Peninsula, SA (80 km north / north east of Port Lincoln).

Project Area: The Project Area is located across 2 precincts with a total of 36 parcels of land and a total area of 6, 298 hectares. The land is mainly used for agriculture, cropping and grazing and has existing transmission line, substation and transformer station infrastructure on these parcels (see Figure 1-1 in the Environmental Impact Report (EIR), Pg 4). The Moody Ungarra Precinct is located to the north and west of the township of Ungarra, about 28 km north west of the township of Tumby Bay and 51 km north of Port Lincoln. The Cape Hardy Precinct is located 10 km south west of the township of Port Neill, 33 km north east of the Township of Tumby Bay and 80 km north east of Port Lincoln.

The Department for Energy and Mining (DEM) is the State Agency responsible for administering the *Hydrogen and Renewable Energy Act 2023* (HRE Act) and applications for a Renewable Energy Feasibility Permit (REFP). Revera Energy (the applicant) has applied to DEM for a REFP for consideration under the HRE Act for up to three meteorological masts as part of the Cape Hardy Green Energy Project and as part of this application process has provided a draft Environmental Impact Report (EIR) and Statement of Environmental Objectives (SEO) for consideration.

Under the new HRE legislation the 'administrative unit of the Public Service, under a Minister, responsible for the administration of a prescribed Act' is considered a prescribed body, which means that applications for licences will be referred to the Department for Environment and Water (DEW) for review and comment on matters relevant to the legislation DEW administers. The relevant prescribed Acts administered by DEW related to this project are the *Landscape South Australia Act 2019, Heritage Places Act 1993* and the *National Parks and Wildlife Act 1972*.

DEM has referred this matter to DEW as a prescribed body under the HRE Act and has requested that DEW provide comment on the draft EIR and SEO, under section 73 and regulation 40 of the HRE Act and regulations, and in doing so consider the following questions:

1. has the applicant adequately described the existing environment, as far as this is relevant to the proposed operations?
2. has the applicant adequately identified the potential impacts on the environment that may arise from the proposed operations?
3. are the proposed environmental objectives acceptable?
4. are the proposed mitigation measures practical and likely to achieve the desired objectives?
5. are the proposed assessment criteria suitable to demonstrate achievement of the proposed objectives?

Attachment A – Department for Environment and Water submission – Cape Hardy Green Hydrogen Project (DEW-D0031538)

Report Reference	Topic / Biodiversity Value / Species / Heritage value
EIR Pg 10-11	**Meteorological Masts – locations and number** The exact locations, clearance requirements and number of met masts is yet to be determined by the applicant. Until this information is known DEW cannot fully assess the potential impact or whether the proposed mitigation measures are appropriate. The applicant has advised in the EIR that met masts sites are proposed to be sited within cleared paddocks to avoid native vegetation where possible. The EIR also references that an inspection for native vegetation will be carried out at each proposed met mast site and clearance applications sought from the Native Vegetation Council if required. DEW seeks clarity on whether this inspection will be carried out by a suitable qualified professional and that this inspection will include impacts on flora and fauna? DEW can provide support to the applicant in considering biodiversity values for the final siting of the met masts and can further assess potential impacts and appropriateness of mitigation measures once these details are known. DEW requests detailed site plans and information in order to assess this further, prior to construction approval.
	Biodiversity Values • DEW's preliminary biodiversity values analysis shows that the area contains several biodiversity values including nationally and state listed species. DEW suggests early discussion on biodiversity considerations to inform the final siting of the met masts. Further survey work is required to inform the siting and design of the wider Cape Hardy Green Energy Project whose footprint will have a much greater area of disturbance. • HRE Regulation 32(2)(c) requires that an EIR must contain: data relating to biodiversity within the area of land to which the report relates that can reasonably be expected to be affected by authorised operations. DEW advises that the applicant will be required to submit biodiversity data collected throughout the project, via on-ground surveys. • DEW has previously advised the applicant that DEW can assist with biodiversity mapping in order to consider siting of met masts and invited the applicant to make contact with DEW's Science and Information team on DEWCorrespondenceScience@sa.gov.au
EIS – Impact ID B1003 pg 70	**EIS – Impact ID B1003** DEW is supportive of the control measure: *"Significant areas for native fauna (including but not limited to nesting areas for water birds) are identified during the planning process and are avoided, either spatially or temporally."* With regard to this control measure, DEW would like to mention the following birds of prey: Wedge-tailed eagle (NPW Act protected), Square-tailed kite (NPW Act endangered) and Little eagle (NPW Act vulnerable) in particular. While these species have not yet been identified within the threatened fauna searches of the two precinct areas (EIR, Table 4-4, Figure 4-10, Tables 4-5 and 4-6), they are known to occur in nearby areas. Applying what is known about the species distribution and/or typical breeding home ranges needs,

Attachment A – Department for Environment and Water submission – Cape Hardy Green Hydrogen Project (DEW-D0031538)

	it's foreseeable that some or all these species overlap parts of the two project precincts. Similarly, however with less understanding of their movements, DEW raises Grey Headed Flying Foxes (EPBC Act vulnerable and NPW Act protected), a species which in recent months has been observed across Eyre Peninsula (e.g. SA Power Networks has control measures in place for infrastructure it manages). DEW suggests the Grey Headed Flying Fox is considered in the EIR given this recent activity in the region.
EIS – Impact ID B1004 Pg 72	**EIS – Impact ID B1004** DEW is supportive of the control measure: *"Design and engineering controls are put in place to avoid threatened and migratory species and their habitats as much as reasonably practicable."* While not 'a result of collision' directly, DEW questions whether consideration is being given to the design on how to prevent birds of prey from establishing nests on the met masts? Met masts may make for attractive nest sites. Within the region DEW is aware of examples of Osprey nests being built on communication towers, a range of birds of prey nests been built on high voltage transmission lines, all of which become problematic for the proponent and the birds involved. If possible, avoiding this type of new infrastructure being used by birds as a new nest site in the first instance would be desirable.
EIR Table 4-4, 4-5, 4-6, Section 4.4.2, Figure 4-8	**Threatened Fauna** General comment related to threatened fauna (EIR, Table 4-4, Figure 4-10, Tables 4-5 and 4-6) and flora EPBC threatened ecological communities (Section 4.4.2, Figure 4-8): Due to the low survey effort and low number of opportunistic records held within databases for the project precinct areas it is likely that, as environmental survey work is undertaken these lists will expand. By way of example, DEW anticipates potentially wombat, microbat, and reptile species richness to be higher with the precincts than what appears currently in the desktop data retrieval.
	Native Vegetation • In relation to any clearance of native vegetation that is associated with this project, approval will need to be sought from the Native Vegetation Council in accordance with the *Native Vegetation Act 1991*, and its regulations.
EIR Pg 17	**Surface water** • It is noted that the Hincks Conservation Park is located on the north boundary of the project area and won't be accessed as part of this project. • The project area is not within any prescribed surface water area or contains any prescribed watercourses. • The Tod River catchment is south-west of the project area and includes a defined 'Water Protection Area'. Based on Figure 4-2 of the EIR, the Moody Ungarra Precinct and Cape Hardy Precinct appear outside the Tod River catchment Water Protection Area. • No surface water monitoring sites are located within the Project Area. Tod River gauging station (A5120500) is around 30km south-west of the Project Area.

Attachment A – Department for Environment and Water submission – Cape Hardy Green Hydrogen Project (DEW-D0031538)

Appendix A - Pg 122	• As the final met mast locations are not known, DEW notes that only a number of 'suitable' installation parcels within the Project Area are identified. It is further noted that the applicant will avoid surface water features ephemeral drainage lines (Pg 122 EIR Appendix A) for met mast locations as well as a minimum of 100m from surface water features and have a small base footprint area of only a few metres square.
EIR pg 20	**Groundwater** • DEW advises that there is a minor risk of shallow groundwater contamination from construction works that will be required to be monitored. • DEW notes that there is no detail on the source of water for concrete batching, the source of water needs to be included in the EIR.
	Freshwater aquatic ecology • No comment in regard to aquatic ecology although DEW requests the applicant makes contact with the Department's Water Science and Monitoring Branch on email: DEWCorrespondenceWaterScienceandMonitoring@sa.gov.au to discuss this area of the project in more detail and for the applicant to provide updated spatial layers of the project area.
EIR pg 38	**Heritage** DEW reiterates previous comments provided to the applicant at the pre-lodgement stage that on the basis that the met masts will be located within cleared paddocks there will be no heritage impact on the Water Tank at Moody Rocks, Moody Tank Conservation Park (SHP 14249).
	Coast DEW notes and supports that following the previous round of consultation at pre-lodgement stage, the four coastal parcels originally identified have been removed from the REFP application, resulting in no met masts on the coastal parcels and no application of the *Coast Protection Act 1972*. As a result, DEW has no further comment in relation to coastal matters.
	Department for Environment and Water - Contact details Environmental Science and Research Partnerships (*formerly Science and Information*) Branch, Biodiversity & Nature Economy Division, DEW Email: DEWCorrespondenceScience@sa.gov.au Water Science and Monitoring Branch, Water and River Murray Division, DEW Email: DEWCorrespondenceWaterScienceandMonitoring@sa.gov.au

Attachment A – Department for Environment and Water submission – Cape Hardy Green Hydrogen Project (DEW-D0031538)

	Native Vegetation Branch – for native vegetation clearance application information Alison Wright, A/ Manager, Native Vegetation Branch, Native Vegetation & Pastoral Management Division, DEW Email: [redacted] and cc DEWNVC@sa.gov.au Phone No: (08) 7424 5740 Planning & Assessment Team, Planning and Heritage Branch, Corporate, Heritage and Climate Action Division, DEW [redacted] Email: DEWplanningandassessment@sa.gov.au [redacted]

Native Vegetation Council

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001

Ph| 08 8303 9777

nvc@sa.gov.au

Our ref
Your Ref

[redacted]

13 August 2025

[redacted]
Senior Environmental Compliance Officer
Department for Mining and Energy
Email: DEM.EnergyRegulation@sa.gov.au

Dear Ms Matthews

Thank you for the opportunity to provide comments on Revera Energy's application under the *Hydrogen and Renewable Energy Act 2023* for a Renewable Energy Feasibility Permit for the construction of the Cape Hardy Green Hydrogen Project on Eyre Peninsula.

The Native Vegetation Council (Council) is an independent statutory body established under the *Native Vegetation Act 1991* (NV Act). Its functions include keeping the condition of native vegetation in the State under review and advising in relation to the preservation, enhancement and management of existing native vegetation. Further functions involve encouraging the re-establishment of native vegetation and research, considering applications to clear native vegetation, determining offsets, and enforcing compliance with the NV Act.

The Council notes:

- Revera Energy (formerly Amp Energy) is proposing to construct the Cape Hardy Green Hydrogen Project (Cape Hardy GHP) on Eyre Peninsula, including wind farms, solar arrays, transmission lines, a 1 GW hydrogen electrolyser, ammonia plant and facilities for hydrogen and ammonia storage export facility, with the potential to increase in scale.
- The Cape Hardy GHP involves constructing a 1 GW electrolyser and associated solar and wind infrastructure across two designated areas: the Moody Ungarra Precinct and the Cape Hardy Precinct.
- Feasibility studies, including the installation of up to three meteorological (met) monitoring masts to gather wind and weather data, are essential to support the proposed works.
- Installation of the met masts is proposed within land designated as the 'Permit Area' which is located within the Moody Ungarra and Cape Hardy Precincts. The Permit Area covers 38 land parcels and 6,298 hectares.

- While met masts may have a small footprint and are intended to be constructed within cleared paddocks to avoid any native vegetation clearance, vehicle access for 4WD vehicles, trailers and trucks will need to be provided.
- There are database records of threatened flora and fauna species (both at the Commonwealth and State level) within and near the precincts and Permit area.
- The Native Vegetation Clearance Data Report has not been prepared as the placement of met masts has not been determined yet.

Noting that whilst the Council is unable to fully consider whether the impacts on the environment have been adequately identified as the Native Vegetation Data Report has not yet been provided, the Council provides the following comments:

- Under the NV Act, the Council cannot act in any manner that is Seriously at variance with the Principles of clearance, and, therefore, it cannot give approval to proposed clearance that is Seriously at variance. As there is no Data Report, the Council is unable to verify whether the proposed clearance would be Seriously at variance with the Principles of clearance.
- There are three Native Vegetation Heritage Agreements in the Moody Ungarra Precinct. A buffer area of at least 50 m is to be provided around the land covered by these agreements. As the Precinct is adjacent to public protected areas, the Council recommends noting the public protected area buffer as well.
- While the proponent intends to construct met masts in cleared paddocks, this development may still have direct and indirect as well as cumulative impacts on biodiversity. These need to be addressed in the Data Report.
- When submitting applications for clearance under the *Native Vegetation Regulations 2017,* the proponents must have regard to, and give effect to, the mitigation hierarchy. In line with the mitigation hierarchy, and as part of the clearance application, the Council will consider whether to include restoration/rehabilitation of temporary tracks and construction zones as a condition of approval.
- Significant Environment Benefit (SEB) is a condition of approval to clear native vegetation, whereas the SEB must outweigh the value of keeping the native vegetation. As part of the clearance application, the Council will require information about the proposed offset, noting that the Council whenever practical prefers on-ground offsets over payments into the Native Vegetation Fund. The proponent may also wish to consider using services of an accredited third party provider or broker. The proponents are also encouraged to check the Native Vegetation Credit Register to offset the clearance.
- Under Regulation 12 of the *Native Vegetation Regulations 2017,* infrastructure applications are risk assessed.
- In regard to the Environmental Impact Report:
    - The Council is concerned over the assessment in Table 5.1 that '*Regional long-term decrease in abundance of some species and / or local loss of some species diversity resulting in some change to the community structure. Local long-term decrease in listed-species abundance without reduction in their regional population viability*.' as 'moderate' impact. The Council recommends removing the text '*and / or local loss of some species diversity*' as loss of one or more species cannot be assessed as a 'moderate' impact.
    - Please consider adding the *Biodiversity Act 2025* to Table 5.9.

- On page 66, control measures, please consider changing '*Any areas of clearance will be rehabilitated where necessary*' to '*Any areas of clearance will be rehabilitated where reasonably possible*'.

- In regard to the Statement of Environment Objectives:
  - On page 4, under 2.1 Objectives, the proposed objective is: '*No loss of abundance or diversity of native vegetation and/or fauna unless prior approval under the relevant legislation is obtained*'. As the current wording implies that the objective is to solely comply with the legislation, this could be improved by having adding an objective to adhere to the mitigation hierarchy.
  - It is recommended to change: '*No significant impacts to threatened or migratory fauna*' to read '*No significant impacts to threatened flora, or threatened or migratory fauna*'.
  - The Council recommends referring to the mitigation hierarchy in Table 2.1 as well.
  - The Council also recommends adding a reference to rehabilitation in the Environmental objective and assessment criteria, especially since it is referenced within the Leading performance indicator ('Visual inspections are undertaken to ensure that project areas are appropriately rehabilitated.).

Thank you again for the opportunity to provide comments. If you have any questions about this submission, please contact Ms Zeljka Danilovic, Secretary, Native Vegetation Council, on telephone number [redacted]

Yours sincerely

[redacted]

[redacted]

Presiding Member

NATIVE VEGETATION COUNCIL

Sent: Wednesday, July 2, 2025 8:04:03 AM

Subject: CM: RE: HRE Act referral - Request for comment: Cape Hardy GHP Met Masts EIR/SEO, application for Renewable Energy Feasibility Permit

Attachments: AAR letter - Amp Energy - Renewable Energy Feasibility Permit - SEO and EIR (A2762393).pdf (251.24 KB)

Thank you for your email.

AAR provided the attached feedback to Revera Energy (formerly Amp Energy) in February 2025 in relation to the above-referred EIR and SEO. AAR notes that Ravera Energy has considered AAR's recommendations in that correspondence.

Minor comment – regarding section 3.2.4 of the SEO, reference to "Department of Premier and Cabinet – Aboriginal Affairs and Reconciliation (DPC AAR)" should be changed to "Attorney-General's Department – Aboriginal Affairs and Reconciliation (AGD-AAR)".

Kind regards,

A/Principal Project Officer (Heritage)

Aboriginal Affairs and Reconciliation

Government of South Australia
Attorney-General's Department

Aboriginal Affairs & Reconciliation

Level 16
30 Wakefield Street
Adelaide SA 5000

GPO Box 464
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DX 336

Tel 08 7322 7057

If calling, please ask for: [redacted]
Telephone: [redacted]
Document: **A2762393**

19 February 2025

[redacted]
Green Hydrogen Approvals Manager
Amp Cape Hardy (Project Co) Pty Ltd

By email only: [redacted]

Dear Ms Barkla,

Amp Energy – Renewable Energy Feasibility Permit – SEO and EIR

I refer to your email of 13 January 2025 seeking comments from Aboriginal Affairs and Reconciliation (**AAR**) about a proposed Statement of Environmental Objectives (**SEO**) and Environmental Impact Report (**EIR**), both prepared by Amp Energy (**Amp Energy**).

Specifically, Amp Energy is applying for a Renewable Energy Feasibility Permit (**REFP**) under the *Hydrogen and Renewable Energy Act 2023* (SA) (**HRE Act**) so that it may install, operate and decommission meteorological monitoring masts in the Moody Ungarra and Cape Hardy regions on the Eyre Peninsula. The proposed activities include installing, operating and decommissioning up to three met masts associated with the collection of wind resource data. The SEO and EIR are required under the HRE Act to obtain the REFP.

Please find AAR's feedback below.

<u>Aboriginal consultation and heritage management</u>

The EIR notes Amp Energy's advice that, prior to placing any met masts, Amp Energy will consult with the Barngarla People through Barngarla Determination Aboriginal Corporation RNTBC (**BDAC**) about Aboriginal heritage matters and the EIR and SEO. The consultation is aimed at informing final siting of the met masts and reducing the risk of impacts to unknown Aboriginal sites, objects or remains (together, **heritage**). AAR notes that BDAC is included in the list of stakeholder groups on page 104.

Engagement with Traditional Owners and their representative bodies is crucial to understanding the extent, location, and nature of Aboriginal heritage protected by the *Aboriginal Heritage Act 1988* (SA) (**Heritage Act**), as well as to understand other culturally sensitive landforms and areas that may be affected Amp Energy's proposed feasibility activities.

The following references in the EIR are noteworthy:

- Amp Energy has conducted a search of the AAR's central archives, which identified a number of Aboriginal sites in the vicinity, but outside, of the proposed REFP areas (pg. 37)

- all Aboriginal heritage, whether known or unknown, is protected under the Heritage Act and it is an offence to damage, disturb or interfere with any Aboriginal heritage without the authorisation from the Minister for Aboriginal Affairs (**Minister**) (pg. 37 and 81)

- Amp Energy will develop a Cultural Heritage Management Plan (**CHMP**) to be endorsed by BDAC prior to REFP activities occuring to ensure appropriate procedures are in place to meet the requirements under both the Heritage Act and the HRE Act (pg. 37)

- Amp Energy has assessed that expected impacts to Aboriginal heritage are negligible, noting that "*Events such as damage or loss to heritage are unlikely to occur due to the siting of infrastructure and control measures to be implemented*" (pg. 79).

- Amp Energy proposes to implement various control measures to avoid and mitigate risks to heritage, namely (pg. 80):
    - undertaking searches of AAR's central archives to ensure recorded heritage is avoided
    - limiting ground disturbing activities to already disturbed areas
    - undertaking a heritage survey before carrying out activities to ensure any potential new, unrecorded heritage is appropriately identified
    - engaging cultural heritage monitors to observe any land clearing/ground disturbance
    - engaging with BDAC in line with Amp Energy's Consultation Plan
    - developing and implementing a CHMP in consultation with BDAC
    - implementing procedures consistent with the Heritage Act and the *Coroners Act 2003* (SA) to appropriately report and respond to heritage discovered during its activities
    - implementing measures to identify and protect known heritage during activities, including creating exclusion zones
    - ensuring proponents and their contractors have reporting systems in place relating to heritage discoveries.

Amp Energy considers there to be "*high certainty that proposed control measures will be effective*" in avoiding impacts to heritage (pg. 80).

In relation to reporting requirements under the Heritage Act, the EIR should explicitly state that any discovery of potential human remains must be immediately reported to SAPOL, as required by the *Coroner's Act 2003* (SA).

Regarding heritage surveys and CHMPs, while they are effective tools to help protect, and avoid impacts to, known heritage within a project area, there is a risk that unknown heritage may be encountered and inadvertently disturbed during ground-disturbing activities. Please further note that CHMPs do not have any formal status under the Heritage Act. Even where a CHMP has been specifically prepared to deal with heritage within a particular area and/or endorsed by Traditional Owners, it will not afford Amp Energy any legal authority to impact Aboriginal heritage.

The following references in the SEO are noteworthy:

- the masts will be constructed within cleared paddocks thereby avoiding any native vegetation clearance and reducing the risk of damaging, disturbing or interfering with any unknown heritage

- Amp Energy emphasises that the placement of the masts will not be finalised until consultation with BDAC has occurred (pg. 2)

- Objective 5 (of 9) says that no damage, disturbance or interference with heritage will occur unless authorised under the Heritage Act (pg. 4).

In relation to reporting requirements in the SEO:

- Table 3-1 on pg.12 – AAR recommends that reporting the discovery of potential human remains to SAPOL should be listed under 'immediately reportable incidents' and reporting the discovery of sites and objects to AAR as soon as practicable should be listed under 'reportable incidents'

- Section 3.2 on pg.12 – AAR recommends that in addition to the reporting requirements under the HRE Act, EPA and SafeWork SA legislation, reference to section 20 of the Heritage Act should also be included.

Section 20 requires that any heritage discovered on land that is subject to a HRE Act licence or permit must be reported to the Minister (through AAR) as soon as practicable. This includes where heritage discoveries are made by Aboriginal people engaged by Amp Energy. Amp Energy should note that penalties for non-compliance with section 20 of the Heritage Act were recently increased to up to $500,000 and/or two years in jail.

Obligations under the Heritage Act and other legislation

AAR notes that the EIR and SEO acknowledge select obligations under the Heritage Act, such as not damaging, disturbing or interfering with Aboriginal heritage without authorisation.

Amendments to the Heritage Act commenced on 1 January 2025. These include enhanced and increased penalties, clearer reporting requirements, and changes to the scope of authorisations, which will allow the Minister for Aboriginal Affairs an opportunity to protect heritage discoveries not known about when an authorisation was granted.

AAR suggests that Amp Energy familiarises itself with the amendments to the Heritage Act, particularly when developing its CHMP with BDAC for its REFP activities.

Please note that the amendments to the Heritage Act also impose an obligation to report new information about known sites and remains to the Minister, where authorisations have been granted. If after new information or a heritage discovery it becomes apparent that the REFP activities may impact heritage, Amp Energy should work with BDAC and its heritage consultants to determine whether authorisations under the Act may be required. In making this assessment, Amp Energy should consider the historical uses of the REFP areas, and the long history of Aboriginal occupation in this area prior to colonisation.

More information about the recent changes to the Heritage Act can be found here.

Please note that the authorisation process typically takes between 9 and 12 months for the Minister to decide the application from the time AAR receives a completed application.

If you have any questions or wish to discuss this letter, please contact [redacted] Senior Project Officer (Heritage), AAR, on 0[redacted]

Yours sincerely

[redacted]
Manager Aboriginal Heritage
Aboriginal Affairs and Reconcilation
Attorney-General's Department

Appendix B – Responses to submissions received (excerpt from EIR)

Appendix B Summary of issues raised – HRE Act consultation undertaken under Sections 72 and 73 (June – August 2025)

Table C1: Summary of Stakeholder comments post-public Consultation and Revera responses

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
PIRSA	EIR	The consideration of social values in the EIR is limited, focusing only on non-Aboriginal heritage. While Revera outlines stakeholder consultation and social licence (pg. ix), broader social and regional impacts are not addressed. Noting, the immediate proposal has minimal effects on employment, community infrastructure, local businesses/industries, and community wellbeing, these aspects should still be acknowledged. This is particularly important given the potential longer-term social impacts associated with the broader Cape Hardy GHP project.	Aboriginal Cultural Heritage and Non-Aboriginal Cultural Heritage are both covered in the EIR in separate sections (4.7 and 4.8), and have both been assessed using the Environment Impact framework, under Section 5.3.8 (Impact IDs #HER01 and #HER02 respectively). While outside the scope of this immediate proposal due to the noted minimal impacts, Revera has in place a specific stakeholder engagement strategy and plan for the broader Cape Hardy GHP. This outlines how Revera addresses the aspects noted over the lifetime of the broader project. Revera acknowledge the long-term nature of the proposed broader Cape Hardy GHP, and is in regular contact with Council and key community stakeholders to ensure they are aware of any activities, including this proposal, that are underway.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
PIRSA	EIR	Section 5.3.9 - Social impacts are considered only as a landholder. Given the proximity of the met masts to a Conservation Park, potential impacts on tourism values should be addressed. A clear timeline for decommissions is important.	The met masts' potential visual amenity impacts to the local community and visitors to the region (including tourists) are contemplated in Table 5-5 and Section 5.3.7, and considered/assessed under #VIS01. To highlight the specific consideration of these stakeholders and the Conservation Park, the Impact Event has been amended to also include 'visitors to the region'.	Impact ID #VIS01
PIRSA	N/A	The documentation addresses biosecurity risks related to plant pests and pest animals, it does not reference or consider risks associated with livestock diseases. Given that the property is used for livestock grazing, it would be appropriate to include consideration of livestock biosecurity risks—particularly considering the mandated referral under the *Livestock Act 1997*.	Impact ID #SOC2 assesses livestock biosecurity risks, proposes control measures and specifically lists livestock as a potential receptor to biosecurity issues (weeds, pests, pathogens). To make the consideration of this potential receptor clearer, Impact Events in Section 5.3.9 of the EIR has been amended to include: *Introduction and spread of weed(s), pest(s) and/or pathogen(s) impacts to land use or to livestock on the land.* Additionally, Table 5-14 has been updated to include the *Livestock Act 1997* to Applicable Legislation.	EIR Table 5-14 EIR Section 5.3.9
Tumby Bay Council	EIR	The Council notes the following two areas, as already identified within Section 5.3.10 of the Environment Impact Report, where	Noted and confirming that Revera is actioning the Council's requests and the assessment and requested information will	SEO Objective 7; EIR Section 5.3.10 #SAF01

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		additional information is sought or Council permits may be required. 1. Tumby Bay Aerodrome The proposed meteorological masts may impact on published Instrument Flight Procedures for theTumby Bay Aerodrome. These Flight Procedures are critical for the safe and effective operation of the Aerodrome. The Council has requested Revera Energy to prepare and provide an Aviation Impact Assessment for consideration of the Council, as owner of the Aerodrome, along with evidence of engagement with CASA Airspace, Protecon and Airservices Airport Development and Instrument Flight Procedure Teams. The Council understands that this documentation is under preparation at the date of this submission	be submitted to its satisfaction prior to the final placement of the met mast/s.	
Tumby Bay Council	EIR	2. Local Area Traffic Management The Environmental Impact Report notes the potential impacts of project traffic, including on noise, air quality and road safety. Project related traffic is identified as a '*small increase in traffic volumes during construction, including some large loads and potential requirement to turn into site access tracks from public roads*'. The Council requests additional detail on anticipated types and volumes of vehicles to be generated by the installation of the meteorological masts. It is noted that any requirement for access by restricted access vehicles i.e. oversize or over mass vehicles will require specific consultation with and approval	While subject to final design and site conditions and the pre-construction assessment noted in Section 3.2.2 of the EIR, it is expected that there will be less than 12 vehicles required per met mast on a daily basis for 4 -6 weeks. For the met mast, these will nominally be 4WD vehicles, trailers and a 6-tonne truck and crane, as well as concrete trucks. Revera will need to prepare and supply an Operational Management Plan (OMP) to DEM for approval prior to any construction works, which will contain the confirmed vehicle requirements and detailed site plans. A copy of the OMP can	SEO Objective 7; EIR 5.3.10 #SAF03

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		from the Council, via application through the National Heavy Vehicle Portal.	also be supplied to Tumby Bay Council, and any traffic management procedures will be developed in consultation with Tumby Bay Council. It is not anticipated that oversize or overmass vehicles will be required for the met mast construction, operation or decommissioning. However, in the case over mass or oversize vehicles are required, Revera confirms that it will apply for the relevant approval through the National Heavy Vehicle Portal, as noted by Council.	
Eyre Peninsula Co-operative Bulk Handling (EPCBH)	N/A	We are a farmer co-operative based on Eyre Peninsula with active farmer members located across the region. We are providing our support to the application by Revera Energy (formally AMP Energy) to install Met Masts within the Cape Hardy, Moody/Ungarra district. Our cooperative has signed an access agreement with Revera for our land located nearby to the Cape Hardy proposed port on Eyre Peninsula. A number of our cooperative members are also within the Met Mast and environmental monitoring zone. We have been working closely with Revera Energy (formally Amp Energy) over the past couple of years and have found their conduct to be very respectful. Their team has made a concerted effort to engage with farmers and understand our industry and any concerns we have	Revera appreciates the acknowledgement of its team conduct/engagement with the local Eyre Peninsula farmer co-operative (and future neighbours) at Cape Hardy.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		surrounding their renewable energy and hydrogen development plans.		
Airservices: Airspace Development and Protection	N/A	Airservices Australia has no comments at this stage regarding the proposed Cape Hardy GHP meteorological masts. Please note that proposals involving meteorological masts may require an Aviation Impact Assessment (AIA). It is recommended that the applicant engage an aviation consultant to facilitate submission of the application to Airservices for the assessment of any potential impacts on Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) and Communication, Navigation, and Surveillance (CNS) systems.	Noted – in line with Tumby Bay Council's requirements, Revera will submit an Aviation Impact Assessment, which will be prepared by an aviation consultant.	SEO Objective 7; EIR Section 5.3.10 #SAF01
Department for Housing and Urban Development – Crown & Impact Assessment Team	EIR	The EIR does not identify specific locations for the met masts; however, both the Moody Ungarra and Cape Hardy Precincts are located entirely within the Rural Zone. The Rural Zone of the Planning and Design Code (the Code) anticipates a range of primary production activities and renewable energy facilities. The Zone seeks to protect and maintain the productive value of rural land, with renewable energy facilities and ancillary development sited to minimise significant fragmentation or displacement of existing primary production. Temporary met masts are considered relatively low impact (with respect to land use) and not expected to prejudice existing or envisaged land uses in zone. <u>Recommendations:</u> NA	Noted.	N/A
Department for Housing and Urban	EIR	The final siting of the met masts will be critical to avoiding / minimising environmental impacts, in particular the clearance of native vegetation and disturbance of native fauna. The control	Noted.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
Development – Crown & Impact Assessment Team		measures identified in the EIR and SOE are generally appropriate, however actual impacts cannot be assessed at this time and will depend on the micro-siting process. With respect to visual, interface and aviation impacts, the P&D Code identifies set back requirements for wind turbines and solar infrastructure, but not specifically for met masts. The setback criteria listed in section 3.1.1 of the EIR / section 3.1 of the SOE are considered reasonable and appropriate, noting the following: ▪ The minimum setback of 500m from conservation areas is appropriate to mitigate impacts to the Moody Tank Nature Reserve which is directly adjacent the Ungarra permit area. ▪ As noted in DHUD's 18 Feb 2025 stakeholder feedback to AMP Energy, is it recommended that the EIR / SOE include a setback to landing areas / private airstrips. Notwithstanding, the control measures listed in #SAF01 of the EIR (which include identification of private landing areas / airstrips, consultation with owners, and an aeronautical risk assessment for met masts taller than 150), are generally acceptable. The suite of control measures provided in the EIR (#SAF01) are expected to mitigate risk to low-lying aircraft, including CFS fire bombers and aerial spraying craft. The met masts should be designed and constructed in accordance with relevant CASA guidelines, including the *National Airports Safeguarding Framework Guideline D* (DITRDCA 2012). <u>Recommendations</u>	Revera acknowledges DHUD's advice that the set-back criteria proposed (including the minimum set-back of at least 500m from conservation areas such as the Moody Tank Nature Reserve) is considered appropriate, and that the suite of controls noted are expected to mitigate potential risks to low-lying aircraft. Revera confirms that the met masts will be designed and constructed in accordance with the relevant CASA guidelines, including the referred to *National Airports Safeguarding Framework Guideline D* (DITRDCA 2012). Revera also acknowledges that final siting of the met masts, and confirmation that the setbacks proposed have been complied with is formalised in a condition of Permit. Revera has no objection to this recommendation.	

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		If a permit is granted, a condition relating to the final siting of the met masts is recommended to confirm compliance with the setback criteria listed in the EIR, and to demonstrate that relevant Environmental Objectives are achieved.		
Department for Housing and Urban Development – Crown & Impact Assessment Team		The subject site is within the Eyre and Western Region planning area. The current policy framework relevant for the subject site is the Eyre and Western Region Plan (April 2012). The proposal is generally consistent with the principles of the plan, to protect the region's energy resources, and encourage the development of renewable energy and supporting infrastructure. As required by s64(1) of the PDI Act, the State Planning Commission has initiated the process to prepare a new regional plan. The draft Eyre and Western Regional Plan confirms the region as a significant generator of renewable energy. Recommendations: NA	Noted.	N/A
Department for Housing and Urban Development – Crown & Impact Assessment Team		The proposal directly relates to State Planning Policy 12 (Energy) which seeks the facilitation of renewable energy facilities where the impact on surrounding land uses, regional communities and the natural and built environment can be minimised. Recommendations: NA	Noted.	N/A
		The northeastern portion of the Cape Hardy Precinct is on land owned by IRD Port Assets Pty Ltd and subject of an approved Major	Noted.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		Development initially issued to Iron Road Ltd under the *Development Act 1993* (repealed) – refer image below. Iron Road's current approval is for a deep-sea port associated with the Iron Road Central Eyre Iron Project and would be capable of loading various bulk sized carriers. Supporting infrastructure includes a 150km infrastructure corridor (transmission line, sea water supply pipeline and rail line), and an accommodation village at the township of Wudinna. This development was approved on 3 May 2017 by the Governor of South Australia. Iron Road Ltd has until 3 May 2027 to commence construction. Further information on the project is available on the PlanSA website (Cape Hardy - Deep-Sea Port | PlanSA). If the Iron Road and/or Revera Energy projects proceed, amendments may be required to the existing Iron Road development approval to accommodate the project footprint(s). Recommendations: NA		
AAR – AGD	SEO	AAR provided the attached feedback to Revera Energy (formerly Amp Energy) in February 2025 in relation to the above-referred EIR and SEO. AAR notes that Revera Energy has considered AAR's recommendations in that correspondence. Minor comment – regarding section 3.2.4 of the SEO, reference to "*Department of Premier and Cabinet – Aboriginal Affairs and Reconciliation (DPC AAR)*" should be changed to "*Attorney-General's Department – Aboriginal Affairs and Reconciliation (AGD-AAR)*".	Noted and updated the SEO with corrected reference.	SEO Section 3.2.4
SA CFS Development	N/A	The SACFS recommends establishing and maintaining an Asset Protection Zone (APZ) to create a setback/buffer to any infrastructure using mineral earth breaks, roadways and/or areas of managed	Noted. No substations, inverter stations and/or control buildings are proposed as part of these activities. Notwithstanding,	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
Assessment Services		vegetation to prevent or prohibit the spread of bushfires to and from the site, minimising the risk to life and or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and firefighters. SACFS recommends all buildings and infrastructure such as Substation, Inverter stations, and Control Buildings or alike should be located no less than 10 metres from the property boundaries or existing remnant vegetation being retained, for the purposes of maintaining an APZ.	Revera will include site specific details incorporating the recommendations noted here into the Operational Management Plan that will require approval by DEM prior to any construction works, as required.	
SA CFS Development Assessment Services	N/A	Any future internal road networks should be designed to achieve compliance with the 'Roads' Performance Outcome relevant to the hazard overlay. Perimeter roads with a minimum formed road width of 6 metres should be incorporated to achieve adequate separation between infrastructure and areas of bushfire hazard to support safer access for the purposes of firefighting or provide mineral earth breaks for passive protection from spread of fire to and from the site.	Noted. While it is not envisaged that future internal roads will be established for the construction or operation of met masts, as Revera will need to supply an Operational Management Plan to DEM for approval prior to any construction works. This will include site specific details incorporating the recommendations noted, if required.	N/A
SA CFS Development Assessment Services	N/A	All access/egress roads on the project site: • Shall be constructed with a formed, compacted, self-draining, all-weather surface. • Roads shall have a minimum formed road width of 6 meters, or if constructed less than 6 metres wide, access shall include appropriately sized passing bays or turning areas, spaced no more than 200 meters apart to support safer access for the purposes of fire fighting: o Passing bays minimum width of 6 metres and length of 17 metres, or	Noted. It is not envisaged that roads will need to be established for the construction or operation of met masts, as the intention is to utilise existing road networks. However, if required, Revera will include these noted recommendations noted into the Operational Management Plan that will require approval by DEM prior to any construction works.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		o 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres. • Incorporating cul-de-sac endings or dead end roads has either: o A turning area with a minimum formed surface radius of 12.5m, or o 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres. • Shall be constructed with a minimum external radius of 12.5m for all road curves. • Shall not exceed a gradient of 16 degrees (29%). • Shall incorporate solid all-weather crossings over any water-course capable of supporting firefighting vehicles with a gross vehicle mass (GVM) of 21 tonnes. • Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres width and a vertical height clearance of 4 metres. • Shall allow fire-fighting vehicles to safely enter and exit the site in a forward direction by incorporating a loop road around the site. • All access gates to be readily accessible to attending fire service units, this maybe with the use of a Lockwood 003 type padlocks. Note: Other fire safety measures pertaining to roads may be prescribed by the National Construction Code.		
SA CFS Development Assessment Services	EIR	Emergency Response Planning The Bushfire Management Plan and the Emergency Management Plan will need to be established and reviewed and updated every 12 months by the company and/or its operators. Revised versions to be	Confirming that Emergency Management Plans (including Bushfire Management) will be in place. Section 6.7 of the EIR details that these will be reviewed every 12 months at a minimum, which aligns with the review	EIR Section 6.7; EIR 5.3.10 #SAF02; SEO Objective 7.

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		forwarded to the relevant SACFS Regional Office to use as a reference. During the construction and decommissioning phases and whilst undertaking maintenance, proponents should provide the provision of basic fire-firefighting equipment at each site, including fire extinguishers, knapsacks, and other equipment suitable for initial response actions. SACFS as the referral agency, reserves the right to request additional information and provide further comment, under the Planning Development and Infrastructure Act and Regulations, in particular, but not limited to Regulation 45 (3) during the Building Rules approval process.	period nominated by the SA CFS. Control measures in Impact #SAF02 of the EIR and Objective 7 has been updated to reflect this. The requirement to supply these plans to the relevant SACFS Regional office (including any revisions) is noted, and has been included under Section 6.7 of the EIR. Incorporation of basic fire-fighting equipment at each met mast location during construction, decommissioning and maintenance activities will be included in the Operational Management Plan.	
DEW	EIR/SEO	DEW advises that it had the opportunity to provide Revera Energy with comments on an early draft of the EIR and SEO. DEW confirms that these comments have been addressed by the applicant in these latest draft documents.	Noted	N/A
DEW	EIR (pp10 - 11)	The exact locations, clearance requirements and number of met masts is yet to be determined by the applicant. Until this information is known DEW cannot fully assess the potential impact or whether the proposed mitigation measures are appropriate. The applicant has advised in the EIR that met masts sites are proposed to be sited within cleared paddocks to avoid native vegetation where possible. The EIR also references that an inspection for native vegetation will be carried out at each proposed met mast site and clearance applications sought from the Native Vegetation Council if required. DEW seeks clarity on whether this inspection will	While micro-siting of the met masts is yet to occur, the EIR document (and permit application) confirms that between 1 -3 met masts will be sited within the land parcels identified in the application and EIR. Revera confirms that per the SEO and EIR Impact #BIO01: "*All biodiversity data collected by an appropriately qualified professional and reported to the Biological Databases of South Australia and DEM*	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		be carried out by a suitable qualified professional and that this inspection will include impacts on flora and fauna? DEW can provide support to the applicant in considering biodiversity values for the final siting of the met masts and can further assess potential impacts and appropriateness of mitigation measures once these details are known. DEW requests detailed site plans and information in order to assess this further prior to construction approval.	*pursuant to HRE Regulation 32(2)(c)..*", and this data will be assessed and include potential impacts on flora and fauna . Noted. Revera will need to prepare and supply an Operational Management Plan (OMP) to DEM for approval prior to any construction works, which will contain the confirmed final location/s and site assessments, including ecological assessments and surveys. A copy of the OMP can also be supplied to DEW.	
DEW	N/A	Biodiversity Values DEW's preliminary biodiversity values analysis shows that the area contains several biodiversity values including nationally and state listed species. DEW suggest early discussion on biodiversity considerations to inform the final siting of the met masts. Further survey work is required to inform the siting and design of the wider Cape Hardy Green Energy Project whose footprint will have a much greater area of disturbance. HRE Regulation 32(2)(c) requires that an EIR must contain: data relating to biodiversity within the area of land to which the report relates that can reasonably be expected to be affected by authorised operations. DEW advises that the applicant will be required to submit	Noted.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		biodiversity data collected throughout the project, via on-ground surveys.		
DEW	N/A	DEW has previously advised the applicant that DEW can assist with biodiversity mapping in order to consider siting of met masts and invited the applicant to make contact with DEW's Science and Information team on [redacted]	On 21 February 2025, DEW advised: "*DEW welcomes future engagement regarding this project by Amp and the Department for Energy and Mining. We reiterate that on request, relevant DEW officers can work with Amp to support the identification of biodiversity values/considerations to assist Amp to meet its legislative obligations under the HRE Act and other relevant legislation.*" Subsequent to this advice in early 2025, Revera, through the DEW assigned contact in Planning & Assessment has contacted and met with the wider DEW teams regarding the met masts on 4 April 2025. Revera would be pleased to meet with DEW again once micro-siting of the met masts is further progressed – whether this is with the wider DEW teams, or with the Science and Information team directly.	N/A
DEW	EIS – Impact ID B1003 72	DEW is supportive of the control measure: "*Significant areas for native fauna (including but not limited to nesting areas for water birds) are identified during the planning process and are avoided, either spatially or temporally*."	Noted.	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
		With regard to this control measure, DEW would like to mention the following birds of prey: Wedge-tailed eagle (NPW Act protected), Square-tailed kite (NPW Act endangered) and Little eagle (NPW Act vulnerable) in particular. While these species have not yet been identified within the threatened fauna searches of the two precinct areas (EIR, Table 4-4, Figure 4-10, Tables 4-5 and 4-6) they are known to occur in nearby areas. Applying what is known about the species distribution and/or typical breeding home ranges needs, it's foreseeably that some or all these species overlap parts of the two project precincts. Similarly, however with less understanding of their movements, DEW raises Grey headed flying foxes (EPBC Act vulnerable and NPW Act protected), a species which in recent months has been observed across Eyre Peninsula (e.g. SA Power Networks have control measures in place for infrastructure they manage). DEW suggests the Grey Headed Flying Fox is considered in the EIR given this recent activity in the region.	The species mentioned are noted but at this stage are not considered specifically for inclusion in the EIR as it is considered the Environmental Significance Assessments for Flora, Fauna and Biodiversity adequately cover the management of potential risks of species that have not (or not yet) been found in the region. Impact #BIO04 of the EIR related to Flora, Fauna and biodiversity specifically contemplates migratory species and is not exclusive of species that have not (or not yet) been observed in the two precinct areas. Revera reiterates that per Impact ID #BIO01 and the proposed leading criteria: "*Prior to undertaking regulated activities, appropriately trained and experienced personnel have assessed or scouted proposed project area and have identified and flagged significant (or rare, vulnerable or endangered) species and communities*"; and assessment criteria regarding #BIO04: "*Records of audits/inspections carried out in accordance with the OMP (e.g. ecological assessments and clearance data) demonstrate significant habitat for listed threatened or migratory species has been avoided.*"	

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
			In summary, Revera will need to prepare and supply an Operational Management Plan (OMP) to DEM for approval prior to any construction works, which will contain the confirmed final location/s and site assessments, including ecological assessments and surveys in line with the above. A copy of the OMP can also be supplied to DEW.	
DEW	EIS – Impact ID BIO04 Pg 72	DEW is supportive of the control measure: "*Design and engineering controls are put in place to avoid threatened and migratory species and their habitats as much as reasonably practicable*." While not 'a result of collision' directly, DEW questions whether consideration is being given to the design on how to prevent birds of prey from establishing nests on the met masts? Met masts may make for attractive nest sites. Within the region DEW is aware of examples of Osprey nests being built on communication towers, a range of birds of prey nests been built on high voltage transmission lines, all of which become problematic for the proponent and the birds involved. If possible, avoiding this type of new infrastructure being used by birds as a new nest site in the first instance would be desirable.	While nesting has not been an issue with met masts, based on prior experience of Revera staff in other regions, this has been considered in the design and operation of the mast/s. Revera has confirmed with our met mast supplier, who has had noted knowledge regarding ospreys and nesting requirements that the planned design of "*our masts do not have enough room inside the lattice for them to be comfortable to make a nest inside. The mast top has a riser in the middle so there is not enough flat area for an osprey to nest*". If required, Revera's met mast supplier can supply either physical or optical bird deterrents as control measures to reduce the risk of potential birds nesting in the mast. Inspection of the temporary masts for the	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
			presence of birds and nests will also be incorporated into maintenance checks and site inspections of the area throughout the permit period, and will be noted in the Operational Management Plan (OMP) which will be supplied to DEM. A copy of the OMP can also be supplied to DEW.	
DEW	EIR Table 4-4, 4-5, 4-6, Section 4.4.2, Figure 4-8	Threatened Fauna General comment related to threatened fauna (EIR, Table 4-4, Figure 4-10, Tables 4-5 and 4-6) and flora EPBC threatened ecological communities (Section 4.4.2, Figure 4-8): Due to the low survey effort and low number of opportunistic records held within databases for the project precinct areas it is likely that, as environmental survey work is undertaken these lists will expand. By way of example, DEW anticipates potentially wombat, microbat, and reptile species richness to be higher with the precincts than what appears currently in the desktop data retrieval	Noted. Please refer to EIR - Impact Assessment #BIO01 and the proposed leading criteria: "*Prior to undertaking regulated activities, appropriately trained and experienced personnel have assessed or scouted proposed project area and have identified and flagged significant (or rare, vulnerable or endangered) species and communities";* and assessment criteria regarding #BIO04: *"Records of audits/inspections carried out in accordance with the OMP (e.g. ecological assessments and clearance data) demonstrate significant habitat for listed threatened or migratory species has been avoided."* Revera will need to prepare and supply an Operational Management Plan (OMP) to DEM for approval prior to any construction	N/A

Stakeholder	Draft Document	Stakeholder Comment	Revera Response	Document Section Amended
			works, which will contain the confirmed final location/s and site assessments, including ecological assessments and surveys in line with the above. A copy of the OMP can also be supplied to DEW.	
DEW	N/A	Native Vegetation In relation to any clearance of native vegetation that is associated with this project, approval will need to be sought from the Native Vegetation Council in accordance with the Native Vegetation Act 1991, and its regulations.	Noted. Revera advises that the EIR contains the commitment to avoid constructing the met masts within areas which require native vegetation clearance, in the first instance. In the unlikely event this cannot be avoided, these documents (EIR Impact ID #BIO01) and the SEO (Objective 2) also include the commitment to ensure that the relevant approvals/permits from the Native Vegetation Council will be sought and in place prior to any native vegetation clearance works, in line with the request noted here.	N/A
DEW	EIR Pg 17, Appendix A – pg 122	Surface water It is noted that the Hincks Conservation Park is located on the north boundary of the project area and won't be accessed as part of this project. The project area is not within any prescribed surface water area or contains any prescribed watercourses. The Tod River catchment is south-west of the project area and includes a defined 'Water Protection Area'. Based on Figure 4-2 of the EIR, the Moody Ungarra Precinct and Cape Hardy Precinct appear outside the Tod River catchment Water Protection Area.	N/A	N/A

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		No surface water monitoring sites are located within the Project Area. Tod River gauging station (A5120500) is around 30km south-west of the Project Area. As the final met mast locations are not known DEW notes that only a number of 'suitable' installation parcels within the Project Area are identified. It is further noted that the applicant will avoid surface water features ephemeral drainage lines (Pg 122 EIR Appendix A) for met mast locations as well as a minimum of 100m from surface water features and have a small base footprint area of only a few metres square.		
DEW	EIR, Pg 20	Groundwater DEW advises that there is a minor risk of shallow groundwater contamination from construction works that will be required to be monitored. DEW notes that there is no detail on the source of water for concrete batching, the source of water needs to be included in the EIR	Section 4.3.2 of the EIR notes that the "*depth to the shallowest aquifer is variable across the locality and is generally deeper than 20 m below the soil surface (SARIG, 2024)*" and based on the construction works and materials to be used for construction, there is no S-P-R linkage between construction and groundwater. Notwithstanding, once micro-siting of the met masts has occurred, the known groundwater depths in the area, and in areas within the vicinity will be checked to confirm this understanding and incorporated in to the OMP. Section 3.2.1 of the EIR notes that concrete batching (and therefore a water source for it) may/may not be required depending on the final site conditions. Concrete batching may	N/A

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			occur on site, or pre-fabricated concrete forms may be used. Notwithstanding, if concrete batching is to occur during construction, water will be responsibly and legally sourced, and will be fully detailed in the subsequent Operational Management Plan (OMP) submitted for approval to DEM prior to construction. A copy of this OMP can also be supplied to DEW.	
DEW - Freshwater aquatic ecology	N/A	No comment in regard to aquatic ecology although DEW requests the applicant make contact with the Department's Water Science and Monitoring Branch on email: [redacted] to this area of the project in more detail and for the applicant to provide updated spatial layers of the project	Shapefiles of the proposed REFP land parcels have already been provided via email to the DEW Water Science unit on 6 March 2025 through Revera's nominated DEW contact, in follow up to the initial request in February 2025. There are no additional or updated spatial layers at this point in time. If the spatial layers are updated in future, Revera will advise DEW and would be pleased to provide these to the email address nominated.	N/A
DEW – Heritage Unit	EIR, 38	DEW reiterates previous comments provided to the applicant at the pre-lodgement stage that on the basis that the met masts will be located within cleared paddocks there will be no heritage impact on the Water Tank at Moody Rocks, Moody Tank Conservation Park (SHP 14249).	Noted	N/A

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DEW – Coast Unit		DEW notes and supports that following the previous round of consultation at pre-lodgement stage, the four coastal parcels originally identified have been removed from the REFP application, resulting in no met masts on the coastal parcels and no application of the Coast Protection Act. As a result DEW has no further comment in relation to coastal matters.	Noted	N/A
Native Vegetation Council	N/A	Under the NV Act, the Council cannot act in any manner that is Seriously at variance with the Principles of clearance, and, therefore, it cannot give approval to proposed clearance that is Seriously at variance. As there is no Data Report, the Council is unable to verify whether the proposed clearance would be Seriously at variance with the Principles of clearance.	Noted. Revera highlights met masts are to be constructed within freehold agricultural paddocks, and the EIR contains the commitment to avoid constructing the met masts within areas which require native vegetation clearance, in the first instance. In the unlikely event this cannot be avoided, these documents (EIR Impact ID #BIO01) and the SEO (Objective 2) also include the commitment to ensure that the relevant approvals/permits from the Native Vegetation Council will be sought and in place prior to any native vegetation clearance works, so that an assessment of the proposed clearance works can be undertaken.	N/A
Native Vegetation Council	N/A	There are three Native Vegetation Heritage Agreements in the Moody Ungarra Precinct. A buffer area of at least 50 m is to be provided around the land covered by these agreements. As the Precinct is adjacent to public protected areas, the Council recommends noting the public protected area buffer as well.	Noted – and the public protected area adjacent to the Moody Ungarra Precinct (Moody Tanks Conservation Park) has a listed buffer of 500m, which is included in 3.1.1 of the EIR. The Native Vegetation	3.1.1 EIR

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			Heritage Agreement buffer area of 50m has now also been included in Section 3.1.1 of the EIR.	
Native Vegetation Council	N/A	While the proponent intends to construct met masts in cleared paddocks, this development may still have direct and indirect as well as cumulative impacts on biodiversity. These need to be addressed in the Data Report.	Noted.	N/A
Native Vegetation Council	N/A	When submitting applications for clearance under the Native Vegetation Regulations 2017, the proponents must have regard to, and give effect to, the mitigation hierarchy. In line with the mitigation hierarchy, and as part of the clearance application, the Council will consider whether to include restoration/rehabilitation of temporary tracks and construction zones as a condition of approval.	Noted.	N/A
Native Vegetation Council	N/A	Significant Environment Benefit (SEB) is a condition of approval to clear native vegetation, whereas the SEB must outweigh the value of keeping the native vegetation. As part of the clearance application, the Council will require information about the proposed offset, noting that the Council whenever practical prefers on-ground offsets over payments into the Native Vegetation Fund. The proponent may also wish to consider using services of an accredited third party provider or broker. The proponents are also encouraged to check the Native Vegetation Credit Register to offset the clearance.	Noted.	N/A

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		Under Regulation 12 of the Native Vegetation Regulations 2017, infrastructure applications are risk assessed.		
Native Vegetation Council	EIR Table 5.1, 5.9 and pg 66	The Council is concerned over the assessment in Table 5.1 that 'Regional long term decrease in abundance of some species and / or local loss of some species diversity resulting in some change to the community structure. Local long-term decrease in listed-species abundance without reduction in their regional population viability.' as 'moderate' impact. The Council recommends removing the text 'and / or local loss of some species diversity' as loss of one or more species cannot be assessed as a 'moderate' impact. Please consider adding the Biodiversity Act 2025 to Table 5.9. On page 66, control measures, please consider changing 'Any areas of clearance will be rehabilitated where necessary' to 'Any areas of clearance will be rehabilitated where reasonably possible'.	EIR Table 5 -1 Removed text : '*and / or local loss of some species diversity' as* suggested. Table 5-9 *Biodiversity Act 2025* (once commenced) has been added. The control measure regarding areas of clearance on pg 66 of the EIR has been considered, and wording has remained the same to align with the need to take into account landholder requests and the need to meet all applicable regulatory and legal requirements under legislation and land access and use agreements.	EIR, Table 5-1 EIR, Table 5-9
Native Vegetation Council	SEO, Table 2.1	On page 4, under 2.1 Objectives, the proposed objective is: '*No loss of abundance or diversity of native vegetation and/or fauna unless prior approval under the relevant legislation is obtained*'. As the current wording implies that the objective is to solely comply with the legislation, this could be improved by having adding an objective to adhere to the mitigation hierarchy.	Noted and considered. However, the wording of the environmental objectives, without direct reference to the mitigation hierarchy is consistent with other approved SEOs. However, this has been added to	SEO Table 2-1 : Objective #2, Leading Performance Criteria

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		It is recommended to change: '*No significant impacts to threatened or migratory fauna*' to read '*No significant impacts to threatened flora, or threatened or migratory fauna*'. The Council recommends referring to the mitigation hierarchy in Table 2.1 as well. The Council also recommends adding a reference to rehabilitation in the Environmental objective and assessment criteria, especially since it is referenced within the Leading performance indicator ('Visual inspections are undertaken to ensure that project areas are appropriately rehabilitated.).	Table 2-1, Objective #2's Leading Performance Criteria. Impact to threatened flora is already covered by the existing proposed Objective #2 "*No loss of abundance or diversity of native vegetation and/or fauna unless prior approval under the relevant legislation is obtained*", as the specific assessment criteria covers "*Records (e.g. ecological assessments) demonstrate no listed threatened flora species removed (unless appropriate approval has been obtained).*" Rehabilitation is an aspect specifically covered under Objective #9 on page 10 of the SEO. A note to the Leading Performance Criteria, under Objective #2 has been added for clarity.	

Further information

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