



Government
of South Australia
Department for
Energy and Mining

Consultation by the Minister

Kincraig BESS



Department for Energy and Mining

Level 7, 30 Gouger Street, Adelaide

GPO Box 618, Adelaide SA 5001

Phone +61 8 8463 3000

Email dem.energyregulation@sa.gov.au

www.energymining.sa.gov.au

South Australian Resources Information Gateway (SARIG)

SARIG provides up-to-date views of mineral, petroleum and geothermal tenements and other geoscientific data. You can search, view and download information relating to minerals and mining in South Australia including tenement details, mines and mineral deposits, geological and geophysical data, publications and reports (including company reports).

map.sarig.sa.gov.au



© Government of South Australia 2025

With the exception of the piping shrike emblem and where otherwise noted, this product is provided under a [Creative Commons Attribution 4.0 International Licence](https://creativecommons.org/licenses/by/4.0/).

Disclaimer

The contents of this report are for general information only and are not intended as professional advice, and the Department for Energy and Mining (and the Government of South Australia) make no representation, express or implied, as to the accuracy, reliability or completeness of the information contained in this report or as to the suitability of the information for any particular purpose. Use of or reliance upon the information contained in this report is at the sole risk of the user in all things and the Department for Energy and Mining (and the Government of South Australia) disclaim any responsibility for that use or reliance and any liability to the user.

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:
14/10/2026	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 - Kincraig BESS EIR and SEO

In accordance with the Act and Regulations, the **Kincraig Battery Energy Storage System (BESS) Environmental Impact Report (EIR)** and **Statement of Environmental Objectives (SEO)** were published for public consultation and referred to relevant prescribed bodies and agencies meeting the minimum of 30 business day requirement, between 18 October 2025 and 1 December 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* (18 October 2025), *Limestone Coast Today* (17 October 2025), *The News Naracoorte* (17 October 2025) and *Border Watch* (17 October 2025).

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

- Attorney Generals Department – Aboriginal Affairs and Reconciliation (AAR)
 - Commissioner of Highways (DIT)
 - Department for Environment and Water (DEW)
-

-
- 
- Department of Primary Industries and Regions (PIRSA)
 - Limestone Coast Landscape Board
 - Department for Housing and Urban Development (DHUD)
 - Native Vegetation Council (NVC)
 - Office of the Technical Regulator (DEM-OTR)
 - South Australian Country Fire Service (CFS)
 - Environmental Protection Authority (EPA)
 - The Naracoorte Lucindale Council (NLC)

No public submissions were received pursuant to regulation 39. Responses were received from referral bodies pursuant to regulation 40 from AAR, DIT, DEW, PIRSA, Limestone Coast Landscape Board, DHUD, NVC, DEM-OTR, CFS, EPA and the NLC. 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

OFFICIAL

DEW-D0033196



Government of South Australia

Department for Environment
and Water

Mr [REDACTED]
Manager, Environmental Regulation
Department for Energy and Mining
GPO Box 618
ADELAIDE SA 5001
By email: DEM.EnergyRegulations@sa.gov.au

Office of the Chief Executive

81-95 Waymouth Street
Adelaide

GPO Box 1047
Adelaide SA 5001
Australia

Ph: +61 8 8204 1910

www.environment.sa.gov.au

Dear [REDACTED]

Project: Kinraig BESS
Application: Associated Infrastructure Licence under the HRE Act
Applicant: Ace Power
Project Area: 164 and 505 Fogartys Road Naracoorte SA 5271
CT 5578/400 and CT 6154/338
333 km south-east of Adelaide in South Australia's South East Region.

Thank you for your email dated 20 October 2025 inviting the Department for Environment and Water (DEW) to comment on TagEnergy's (formerly ACE Power) application for an Associated Infrastructure Licence under the *Hydrogen and Renewable Energy Act 2023* (HRE Act) for the Kinraig Battery Energy Storage System (BESS) and substation.

DEW has reviewed the applicant's draft Environmental Impact Report (EIR) and Statement of Environmental Objectives (SEO) and associated documentation. Comments on the potential impact of the project on matters within the DEW's area of responsibility pursuant to section 73 and regulation 40 of the HRE Act and Regulations are provided in Attachment A.

Comments are provided to assist you with the environmental assessment of this application and DEW officers are available to work with you and the applicant to consider any measures that may be implemented to reduce potential impacts of the project at this location.

For further information regarding this matter, please contact [REDACTED] Director, Planning and Heritage, DEW on [REDACTED]

Yours sincerely

[REDACTED]
CHIEF EXECUTIVE

23/12/2025

Attachment A: DEW submission – Kinraig BESS Project

Attachment A – Department for Environment and Water submission – Kinraig BESS Project (DEW-D0033196)

Documentation for Review: Draft Environmental Impact Report and Statement of Environmental Objectives for the Kinraig BESS Project

Relating to the Application for: Associated Infrastructure Licence (AIL) under the *Hydrogen and Renewable Energy Act 2023* (HRE Act)

Project Name: Kinraig Battery Energy Storage System (Kinraig BESS)

Application: Associated Infrastructure Licence (AIL) - proposal for the Kinraig Battery Energy Storage System (BESS) and associated infrastructure.

Applicant: TagEnergy (formerly Ace Power Developments Pty Ltd (Ace Power))

Location: 164 and 505 Fogartys Road Naracoorte SA 5271, CT 5578/400 and CT 6154/338 in the Hundred of Naracoorte.
Approximately 6km west of Naracoorte and 333 kilometres south-east of Adelaide in the South East Region of SA.

Project Area: The Project Area is proposed to be sited across two parcels of land totalling 47 hectares in area, with a development footprint of 11 hectares. The land is privately owned with a lease to be arranged by the applicant with the current owner for the location of the BESS site and access roads. The Project Area is highly modified land, presently used for farming and cattle grazing purposes and sited within the Naracoorte Lucindale Local Government Area and the Limestone Coast Landscape Management Region.

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 Infrastructure Licence (REIL).

TagEnergy (the applicant) has applied to DEM for an AIL for consideration under the HRE Act for the Kinraig BESS 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:

- *Heritage Places Act 1993*
- *Landscape South Australia Act 2019*
- *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 – (DEW-D0031538)

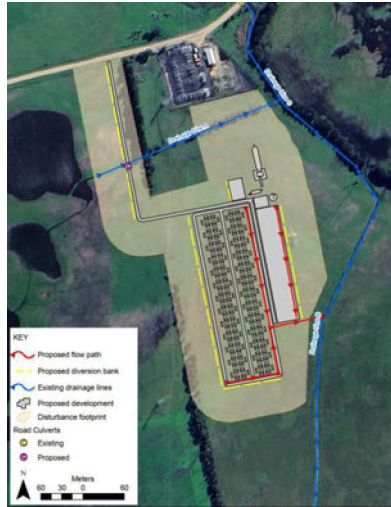
Report Reference	Topic /
	- DEW notes that a flora survey was conducted on a single day in the peak of summer (February 2025) and drought conditions. During this survey it is noted that some fauna was recorded although this appears not to involve targeted surveys for fauna. - DEW has reviewed biodiversity values mapping data which has identified up to 12 fauna species of State and National conservation significance, in terms of Fauna that is listed under the <i>National Parks and Wildlife Act 1972</i>, it is noted that up to 12 species ranging from 2 Endangered species, 4 Vulnerable species and 6 Rare species are known to inhabit the Project Area. - DEW appreciates that the applicant may not have full access to the biodiversity values data DEW has reviewed for this proposal and wishes to share this data under a data sharing arrangement for the existing environment and potential impacts to be properly addressed. This information can be requested through DEW's Planning and Assessment Team (contact details below). - DEW recommends a more detailed survey effort be adopted after obtaining full data from DEW regarding NPWS Act listed species recorded on site.
	<u>Biodiversity Values</u> - As described above, DEW has reviewed biodiversity values mapping data which has identified up to 12 fauna species of State and National conservation significance, in terms of Fauna that is listed under the <i>National Parks and Wildlife Act 1972</i>, it is noted that up to 12 species ranging from 2 Endangered species, 4 Vulnerable species and 6 Rare species are known to inhabit the Project Area. - The data relied upon for the draft EIS and SEO is not considered sufficient, partly due to the limited extent of surveys and the timing of the surveys during Summer and drought conditions. BBUS and Reptile surveys are recommended to be considered due to the potential for impacts on up to 12 species listed as Endangered, Vulnerable and Rare under the NPW Act. - DEW has access to records showing NPW Act listed and EPBC Act listed species on or near the Project Site. DEW notes that this information is not publicly available hence this not being addressed in the EIR. DEW is able to share this data with the applicant under a data sharing arrangement should the applicant wish. <u>Delmar impar – NPW Act – listed as Endangered (Listed as Vulnerable under the EPBC Act)</u> 14 public records of 31 individual <i>Delmar impar</i> are recorded for this NPW Act Endangered and EPBC vulnerable listed reptile species within 500m of the project site. - This species is known to persist in non-native grasslands such as that in the project area. All records were opportunistic from one survey and located near Lucindale Road and the edge of Lake Ormerod in the northwest of the project site. This is not in the development footprint and appropriately a site access road from Lucindale Road was removed from the plan to avoid damage to significant roadside habitat for this species. However, as there has been no targeted survey for <i>Delmar impar</i> despite likely presence, the extent or significance of this population is unknown and without survey a precautionary approach should be applied. It should be assumed that this species exists in the disturbance footprint to be cleared.

DEW-D0033196

Attachment A – Department for Environment and Water submission – (DEW-D0031538)

Watercourse / Surface water resources:

- There are no prescribed surface water or prescribed watercourses within the Project Area.
- The Project Area contains what appear to be ephemeral lakes and watercourses (drainage lines) on both Titles that may require consideration for Water Affecting Activities (WAA) Permit/s (Section 112 of the *Landscapes South Australia Act 2019*) for any works to be carried out that affect these resources (such as alteration of a watercourse or construction of a vehicle crossing). Any proposal that may affect a watercourse including during construction is to be referred to the Limestone Coast Landscape Board on (08) 8429 7550 for their further assessment (also see Attachment B).

**Wildlife Permits**

During each stage of the proposed development and any investigations or assessments on the project site, should the applicant need to catch, move, relocate or destroy any protected animal or eggs, the applicant is required to apply for a permit under South Australian legislation to the Department for Environment and Water (DEW). Further information can be obtained at DEW's website to apply for a permit to capture, release or destroy wildlife at:

[Department for Environment and Water - Capture and release wildlife](#)

[Department for Environment and Water - Destroy wildlife permits](#)

Heritage Values – Non-Aboriginal

There are no known heritage impacts for the project site apart from the possibility of encountering a cave or other significant karst features during investigations, construction, operation or decommissioning. The State's South Eastern Region is known to have many significant caves and other karst features which are protected under the *Heritage Places Act 1993*.

DEW provides the following recommendations in relations to caves and other karst forms:

Attachment A – Department for Environment and Water submission – (DEW-D0031538)

- If a cave is encountered during any stage of this project, the applicant must ensure that the cave is protected from damage until the case has been assessed by a suitably qualified expert.
- The applicant must engage a suitably qualified expert to assess the significance of the cave to the satisfaction of the South Australian Heritage Council.
- If the assessment concludes the cave is significant, then the applicant must ensure that the cave continues to be protected from further damage, unless approval from the SA Heritage Council has been obtained.
- Further information can be found by contacting DEW at

DEW notes the applicant carried out a heritage desktop assessment in 2025, including monitoring and inspections of earthworks and in Section 7 of the EIR (pg 21) it is *“recommended that a site specific Construction and Environmental Management Plan (CEMP) is implemented before any future development works”*. DEW agrees that the CEMP is implemented prior to any future development works and that, whilst there may be a low risk of works encountering the remains of undocumented built heritage, archaeological or natural features of heritage significance, DEW recommends the following mitigation strategies are considered for inclusion in the Construction and Environmental Management Plan (CEMP) and the Operational Management Plan (OMP):

Risk mitigation for historical heritage/archaeology includes:

- Completion of supporting heritage impact assessment
- Development of an OMP with project specific management and mitigation measures:
 - o All workers to undergo historical heritage/archaeology site inductions
 - o Implementation of an unexpected historical heritage discovery procedure (stop work, engage archaeologist to assess significance of the find, and recommence work only once authorisation received from the archaeologist)
 - o Immediate reporting if a site/object of heritage significance is disturbed without appropriate permit/approval
 - o Reporting of any other event where unknown historical heritage is discovered.

Risk mitigation for caves and other karst features includes:

- Completion of supporting heritage impact assessment
- Development of an OMP with project specific management and mitigation measures:
 - o All workers to undergo natural heritage site inductions
 - o Implementation of a natural heritage unexpected discovery procedure (stop work, engage appropriately qualified person to assess significance of the find, and recommence work only once authorisation received from the suitably qualified person)
 - o Immediate reporting if a site/feature of natural heritage significance is disturbed without appropriate permit/approval
 - o Reporting of any other event where unknown natural heritage is discovered.

DEW can provide further details on these recommendations by contacting DEW’s Planning and Assessment to arrange a meeting with DEW’s Heritage SA Branch as required.

Attachment A – Department for Environment and Water submission – (DEW-D0031538)

	<u>Other general comments – suggested edits or corrections</u> EIR criteria 4 - There appears to be no risk assessment framework or identification of uncertainty and assumptions in the EIR. DEW recommends the EIR is updated to include this. Section 7.4.3 states majority of species unlikely to occur or habitat unlikely to be of conservation significance although does not seem provide the evidence or justification for this assessment. DEW recommends further information and evidence is included for each listed species known or likely to occur.
	<u>Department for Environment and Water - Contact details</u> The Planning and Assessment Team, Planning and Heritage Branch, Corporate, Heritage and Climate Action Division, DEW Contact: [REDACTED], Coordinator Assessments Email: DEWPlanningandAssessment@sa.gov.au [REDACTED]
	<u>Landscape Board – Contact details</u> Limestone Coast Landscape Board SA Water Affecting Activity information Email: lc.landscapeboard@sa.gov.au Phone: (08) 8429 7550 Link to Water Affecting Activities (WAA) information: https://lc.landscape.sa.gov.au/what-we-do/managing-our-water-resources/water-policy-and-planning/water-affecting-activities
Non-statutory comment	<u>Native Vegetation</u> For 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 <i>Native Vegetation Act 1991</i>, and its regulations. See contact details on the last page of this submission. The Native Vegetation Branch – for native vegetation clearance application information Contact: [REDACTED] A/ Manager, Native Vegetation Branch, Native Vegetation & Pastoral Management Division, DEW Email: [REDACTED]; CC: DEWNV@sa.gov.au [REDACTED]

(DEM)

From: DEW:Planning and Assessment
Sent: Friday, 1 May 2026 3:46 PM
To: (DEM)
Cc: (DEM); DEW:Planning and Assessment; (DEW); (DEM); (DEW)
Subject: RE: Concurrence for Kincaig BESS EIR and SEO referral comments review

OFFICIAL

Hi ,

Thank you for providing the updated Environmental Impact Report (EIR) and supporting appendices for the Kincaig BESS proposal. DEW has reviewed the additional information provided in Appendices G and N, along with the proponent's responses to DEW's previous referral comments.

DEW have reviewed the the updated EIR and accompanying appendices and considered that the updates and responses reasonably address DEW comments dated 24 December 2025. There are no major issues, however, it is worth noting that while the applicant has completed additional survey work, it appears that they did not undertake any targeted surveys for the *Delma impar* itself. DEW provides comments in the table below in response to TagEnergy's responses dated 2 April 2026. DEW's comments are provided on the basis of a review of the information submitted and should not be taken as technical certification or validation of consultant findings.

In addition, the proposed changes to Kincaig BESS – Environmental Impact Report v5 (track changes) adequately addresses the protection of natural heritage, with Section 5.3 Heritage (Aboriginal and non-Aboriginal), noting the changes clearly acknowledging the presence of significant caves and karst features in the State's south-eastern region that are protected under the *Heritage Places Act 1993*. We are pleased to see that tables that previously referred only to Aboriginal and historic heritage have been updated to also include caves and karst features. Notably, Table 7.16 and Table B.1 now include appropriate control measures and procedures for the unexpected discovery of caves or karst features, to be implemented through the OMP and CEMP. To make the entire report consistent in this regard DEW suggests minor wording changes in the EIR (see separately below).

If clarification of any aspect of the comments (below) would be helpful, DEW are happy to discuss.

	DEW's comments dated 25/12/2025	TagEnergy's responses dated 02/04/2026	DEW's comments dated 01/05/2026
1.	• DEW notes that a flora survey was conducted on a single day in the peak of summer (February 2025) and drought conditions. During this survey it is noted that some fauna was recorded although this appears not to involve targeted surveys for fauna. • DEW has reviewed biodiversity values mapping data which has identified up to 12 fauna species of State and National conservation	Noted – TagEnergy have requested from DEW additional BDBSA sensitive datasets not publicly available via a custom dataset request which is yet to be received at the time of preparing this response. The EIR and SEO will be updated to address any additional threatened fauna species and impact assessment gaps not already considered following review the DEW information, if required. Ecosphere Ecological Solutions' (Ecosphere) 2025 survey report comprised an initial desktop assessment of existing publicly	The requested BDBSA sensitive datasets were provided to EMM consulting on 20 March 2026. To address TagEnergy's comment "<i>additional BDBSA sensitive datasets not publicly available via a custom dataset request which is yet to be received at the time of preparing this response</i>" DEW contacted DEM. On 24 April 2026, DEM confirmed with the proponent that DEW have no outstanding requests to fulfil in relation to data comment above.

significance, in terms of Fauna that is listed under the National Parks and Wildlife Act 1972, it is noted that up to 12 species ranging from 2 Endangered species, 4 Vulnerable species and 6 Rare species are known to habitat the Project Area. •DEW appreciates that the applicant may not have full access to the biodiversity values data DEW has reviewed for this proposal and wishes to share this data under a data sharing arrangement for the existing environment and potential impacts to be properly addressed. This information can be requested through DEW's Planning and Assessment Team (contact details below). •DEW recommends a more detailed survey effort be adopted after obtaining full data from DEW regarding NPWS Act listed species recorded on site.	available State and Commonwealth records on flora and fauna values in the area to determine potential for presence of threatened species and/or communities for the vegetation under assessment. The following species were listed as potentially as potentially occurring within 5 km of the proposed development footprint: • 22 fauna species listed as threatened under the EPBC Act • 11 fauna species of state conservation significance under the NP&W Act In 2026 Ecosphere conducted a passive fauna assessment to determine if any native fauna/or fauna habitat may be impacted upon by the proposed works. The field survey included the identification of any fauna of conservation significance at local, State and National levels, habitat for fauna and identified any flora and fauna species that may occur at other times of the year. The 2025 report identified it was possible that the following species may occur at times within the paddock vegetation of the development footprint: • Striped Legless Lizard (<i>Delma impar</i>, EPBC: VU, NP&W: E) • Sharp-tailed Sandpiper (<i>Calidris acuminata</i>, EPBC: VU, Mi) • Southern Bell Frog (SE) (<i>Litoria raniformis major</i>, EPBC: VU, NP&W: V) • Southern Bent-wing Bat (<i>Miniopterus orianae bassanii</i>, EPBC: CR, NP&W: E) • Eastern Cattle Egret (<i>Bubulcus ibis coromandus</i>, NP&W: R) • Cape Barren Goose (<i>Cereopsis novaehollandiae</i>, NP&W: R). In response to feedback received from DCCEEW and DEW a further targeted assessment was undertaken to address potential for significant impacts to the Striped Legless Lizard (<i>Delma impar</i>) and other threatened fauna species of State and/or National conservation significance. Specifically, a targeted habitat assessment was undertaken on 10–11 February 2026 to quantify habitat attributes relevant to Striped Legless Lizard (<i>Delmar impar</i>) within the	Additional information from the proponent has been reviewed. While the applicant has carried out additional survey work, it appears that they did not undertake any targeted surveys for the <i>Delma impar</i> itself. It is notable that their habitat survey comparisons do not appear to fully align with their interpretations. DEW can confirm the species is predicted to occur on 164 Fogertys Rd, but not within the area of the BESS project development.
--	---	--

		proposed development footprint (approximately 11 hectares (ha)), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. Ecosphere also reviewed DEW's historical records (i.e. biodataset DEWNRBDBSA260319-1) as additional background information which identified six additional avian species and provided the most recent observation of Striped Legless Lizard (<i>Delma impar</i>) with no records within 500 m of the proposed development footprint and no suitable habitat for each of these species identified. In summary, the 2025 and 2026 ecological reports (Appendix G and Appendix N) concluded that the proposed development is not likely to have a significant negative impact on the conservation of any native ecological communities, native flora, or native fauna.	
2.	Biodiversity Values •As described above, DEW has reviewed biodiversity values mapping data which has identified up to 12 fauna species of State and National conservation significance, in terms of Fauna that is listed under the National Parks and Wildlife Act 1972, it is noted that up to 12 species ranging from 2 Endangered species, 4 Vulnerable species and 6 Rare species are known to habitat the Project Area. •The data relied upon for the draft EIS and SEO is not considered sufficient, partly due to the limited extent of surveys and the timing of the surveys during Summer and drought conditions. BBUS and Reptile surveys are recommended to be considered due to the potential for impacts on up to 12 species listed as Endangered, Vulnerable and Rare under the NPW Act. •DEW has access to records showing NPW Act listed and EPBC Act listed species on or near the Project Site. DEW notes that this information is not publicly available hence this not being addressed in the	Noted – see response above.	

	EIR. DEW is able to share this data with the applicant under a data sharing arrangement should the applicant wish.		
3.	Delmar impar NPW Act – listed as Endangered (Listed as Vulnerable under the EPBC Act) 14 public records of 31 individual Delmar impar are recorded for this NPW Act Endangered and EPBC vulnerable listed reptile species within 500 m of the project site. - This species is known to persist in non-native grasslands such as that in the project area. All records were opportunistic from one survey and located near Lucindale Road and the edge of Lake Ormerod in the northwest of the project site. This is not in the development footprint and appropriately a site access road from Lucindale Road was removed from the plan to avoid damage to significant roadside habitat for this species. However, as there has been no targeted survey for Delmar impar despite likely presence, the extent or significance of this population is unknown and without survey a precautionary approach should be applied. It should be assumed that this species exists in the disturbance footprint to be cleared.	Agreed - In response to feedback received from DCCEE and DEW a targeted habitat assessment was undertaken on 10–11 February 2026 to quantify habitat attributes relevant to Striped Legless Lizard (Delmar impar) within the proposed development footprint (approximately 11 ha), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. The results of the targeted habitat survey showed that the proposed development is unlikely to result in a significant impact to Striped Legless Lizard under the Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (EPBC Act) for the following reasons: - There is an absence of key structural habitat features associated with Striped Legless Lizard within the development footprint. - The development footprint is comprised of degraded exotic pasture that is regularly disturbed by cattle grazing. Grazing further destroys potential Striped Legless Lizard habitat and represents a direct mortality risk to Striped Legless Lizards. - The proposed permanent infrastructure footprint is limited to approximately 3.5 ha. - The site has low habitat value for threatened fauna more broadly, and an absence of remnant native vegetation or other habitat features of conservation significance. In the broader area, Striped Legless Lizard records are associated with lakes or wetlands rather than open, grazed pastures. The project area is mostly composed of open pasture currently used for the grazing of cattle with vegetation largely consisting of a mixture of introduced grasses and forbs and does therefore not provide suitable habitat for Striped Legless Lizard. The ephemeral wetland mapped as being present within the site was observed to be highly degraded, containing no native vegetation, dominated by introduced grass and forbs, containing declared weeds <i>Xanthium spinosum</i> (Bathurst	As described above, while the applicant have carried out additional survey work, it appears that they did not undertake any surveys for the Delma impar. It is notable that their habitat survey comparisons do not appear to fully align with their interpretations. As previously advised above, DEW can confirm the species is predicted to occur on 164 Fogertys Rd, but not within the area of the BESS project development. DEW further note that the species Delma impar can use modified and exotic grasslands under certain conditions. As such, the absence of key structural features within the footprint is an important factor here. Given the broader regional context and the proximity of known records, however, it would be worthwhile for Tag Energy Australia to consider opportunities for habitat restoration for Striped Legless Lizard. Investment in revegetation or other habitat restoration in suitable nearby landscapes (e.g., The Bool) could provide a meaningful conservation benefit. These areas already support important wetland and grassland habitats and may offer opportunities to improve structural complexity and connectivity for Delmar impar and other grassland-dependent species.

		Burr) and Marrubium vulgare (Horehound), and used as a farm waste dump for scrap metal and rocks. It is clearly not a functional ecosystem. Ecosphere also reviewed DEW's historical records (i.e. biodataset DEWNRBDBSA260319-1) as additional background information which identified that tussocky, unmaintained grassy vegetation growing along the southern side of Lucindale Road provides suitable habitat for the Striped Legless Lizard with a significant roadside site (site: 860) designated along the southern side of Lucindale Road to protect this available habitat. None of these records fall within 500 m of the proposed development footprint but similar vegetation also occurs on the northern side of Lucindale Road, which while not currently designated as a roadside significant site, may host the Striped Legless Lizard. Impacts to Lucindale Road are proposed to be avoided by the project with site access to be gained via Fogarty Road. In summary, the historical records and targeted survey results show that the proposed Kincairg BESS project is unlikely to significantly affect Striped Legless Lizard or other listed threatened fauna. Further details are provided in Ecological Assessment of Habitat Value for Threatened Fauna - Kincairg BESS Project (Ecosphere 2026) (Appendix N of the EIR).	
4.	Section 7.4.3 states majority of species unlikely to occur or habitat unlikely to be of conservation significance although does not seem provide the evidence or justification for this assessment. DEW recommends further information and evidence is included for each listed species known or likely to occur.	Agreed - In response to feedback received from DCCEW and DEW a targeted habitat assessment was undertaken on 10–11 February 2026 to quantify habitat attributes relevant to Striped Legless Lizard (Delmar impar) within the proposed development footprint (approximately 11 ha), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. In summary, the targeted survey results show that the proposed Kincairg BESS project is unlikely to significantly affect Striped Legless Lizard or other listed threatened fauna. Further details are provided in Ecological Assessment of Habitat Value for Threatened Fauna - Kincairg BESS Project (Ecosphere 2026) (Appendix N of the EIR).	The targeted habitat assessment for the Striped Legless Lizard (IMO) provides a robust evaluation of habitat suitability within the development footprint and surrounding areas. The survey approach (i.e., consideration of structural habitat attributes) is adequate/appropriate, and the conclusions regarding the low likelihood of significant impact appear reasonable based on the information presented. As noted above, DEW advises that the species is likely to use modified and exotic grasslands under certain conditions. As such, the absence of key structural features within the footprint is an important factor here.

DEW suggests minor wording changes relating to heritage language in the EIR (see below):

Executive Summary (p. ES.1)

- Step 2 – Confirmation of impact events using dedicated technical studies, including surface water, traffic, ecology, noise, aboriginal, ~~and~~ historic ~~and~~ natural heritage, soil contamination, bushfire risk and preliminary hazard assessment.

1.1 Purpose (p. 1)

- Aboriginal, ~~and~~ historic ~~and~~ natural heritage

3.4 Other relevant legislation (p. 9)

- *Heritage Places Act 1993* which provides for a listing process for historical ~~and~~ natural heritage that is judged to be of state significance.

Table 7.1 Elements of the environment that could potentially be affected by the proposed activities (p. 30)

Relevant section for Heritage (Aboriginal and non-Aboriginal) Section 7.6 - Aboriginal and ~~historic~~ ~~non-Aboriginal~~ heritage

7.6 Aboriginal and ~~historic~~ ~~non-Aboriginal~~ heritage (p. 57)

Table 7.15 Potential impact events - Aboriginal and ~~historic~~ ~~non-Aboriginal~~ heritage (p. 57)

Table A.1 Kincaid BESS – Environmental risk assessment (p. A.5), under Risk mitigation:

- Include Aboriginal, ~~and~~ historic ~~and~~ natural heritage risks in site inductions.
- Implement an unexpected Aboriginal, ~~and~~ historic ~~and~~ natural heritage discovery procedure that requires the following actions if an unexpected find is discovered:

Table B.1 Environmental impact assessment including control measures, environmental objectives and criteria (p. B.5), under Potential impact event:

- H2 - Damage or disturbance of historical ~~and~~ natural heritage sites.

Kind regards,

[Redacted Signature]

Coordinator Assessments

Planning & Assessment | Corporate, Heritage and Climate Action
Department for Environment and Water
[Kurna Yerta](#) | 81-95 Waymouth Street, Adelaide, 5000

We acknowledge that the lands that we live and work on are the traditional lands of South Australia's First Nations peoples. We pay respect to the traditional custodians of these ancestral lands and acknowledge their deep spiritual connection to Country.

The information in this e-mail may be confidential and/or legally privileged. Use or disclosure of the information to anyone other than the intended recipient is prohibited and may be unlawful. If you have received this email in error please advise by return email.



Our reference: A7231395

**OFFICE OF THE CHIEF
EXECUTIVE**

Level 21
11 Waymouth Street
ADELAIDE SA 5000
GPO Box 1671
Adelaide SA 5001
Tel (08) 8429 0216

www.pir.sa.gov.au

[REDACTED]
Senior Environmental Compliance Officer
Department for Energy and Mining

Email: [REDACTED]
DEM.EnergyRegulation@sa.gov.au

Dear [REDACTED]

Thank you for the referral for the Kincaig Battery Energy Storage System in accordance with section 73 of the *Hydrogen and Renewable Energy Act 2023*.

As the authorised and delegated representative of the Minister for Primary Industries and Regional Development under section 73 of the *Hydrogen and Renewable Energy Act 2023*, I provide the following feedback on the draft SEO:

It is noted that the property is used for livestock production however the documentation does not reference livestock disease risks. Consideration of livestock biosecurity risks should be made especially as there is a mandated referral relating to the Livestock Act 1997.

Should you require any further information, please contact the Office of the Chief Executive at PIRSA.OCE@sa.gov.au in the first instance.

Thank you for the opportunity to comment on this matter.

Yours sincerely

[REDACTED]
CHIEF EXECUTIVE

25/11/2025

25/00322-C

Limestone Coast Landscape Board

11 Helen Street
Mount Gambier SA 5290

PO Box 1453
Mount Gambier SA 5290

Tel 8429 7550

lc.landscapeboard@sa.gov.au
www.landscape.sa.gov.au/lc

[REDACTED]
Senior Environmental Compliance Officer
Energy Regulation | Regulation and Compliance
Department for Energy and Mining

Email: [REDACTED]

27 November 2025

Dear [REDACTED],

Re: HRE Act referral - Request for comment: Kinraig BESS EIR & SEO

Thank you for the opportunity to comment on the Kinraig Battery Energy Storage System (BESS).

The proponent has adequately and accurately described the existing environment as relevant to the development and its operations. The assessment of potential species that could be present in or near the proposed development is extensive and no further mitigation measures have been identified. Similarly, the environmental objectives and assessment criteria are considered appropriate.

The proponent has adequately met requirements of the *Landscape South Australia Act* under which the Limestone Coast Board operates. I note this legislation is not included under section 3.4 *Other relevant legislation* and should be added.

Yours sincerely

[REDACTED]
General Manager
Limestone Coast Landscape Board

From: [REDACTED] (DHUD)
To: [REDACTED] (DEM)
Cc: [REDACTED] (DHUD)
Subject: RE: HRE Act referral - Request for comment: Kinraig BESS EIR & SEO
Date: Monday, 10 November 2025 3:19:57 PM
Attachments: [image001.gif](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

OFFICIAL

Hi [REDACTED],

I refer to the proposed Kinraig Battery Energy Storage System (BESS), located at 164 and 505 Fogarty’s Road, Naracoorte.

Thank you for your email dated 20 October 2025 requesting comment under Sections 73(2)&(4) of the *Hydrogen and Renewable Energy Act 2023* (the Act) in relation to TagEnergy’s application for an Associated Infrastructure Licence (AIL).

The Crown and Impact Assessment Team, Department for Housing and Urban Development (DHUD), has reviewed the Environmental Impact Report (EIR) and Statement of Environmental Objectives (SEO).

The following comments and recommendations are made in DHUD’s capacity as the administrative unit responsible for the administration of the *Planning, Development and Infrastructure Act 2016*, and a prescribed body pursuant to regulation 40 of the Hydrogen and Renewable Regulations 2024.

Criteria	Advice
Land Use	The subject site is located within the Rural Zone of the Planning and Design Code (the Code) which 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. The project area is approximately 47 hectares (ha), however actual loss of usable agricultural land due to the battery, operational and maintenance building, switchyard, substation and ancillary development is expected to be 11 ha. The remainder of the property would continue to be used for farming and cattle grazing purposes.. Recommendations ■ If a licence is granted, conditions(s) relating to decommissioning should be included, to facilitate the removal of infrastructure and return of impacted land to primary production (if desired by the landowner(s)).
Planning &	The EIR has considered matters relevant to the applicable land use zone, overlays,

Design Code	and General Development Policy (GDP) modules from the Code, and these are reflected in the scope of the technical studies. To that end, the EIR adequately addresses potential interface and environmental impacts that were previously assessed under the PDI Act pathway(s). The following specific comments are made with respect to the assessment of the development against the Code provisions. <u>Setbacks and Visual Impact</u> Performance Outcome (PO) 2.1 of the 'Infrastructure and Renewable Energy Facilities' GDP module sets out measures to minimise visual impact. The proposal incorporates a number of these measures including retention of vegetation along roadsides and close to residences. Consideration should also be given to including 'using materials and finishes with low-reflectivity and colours that complement the surroundings' in the SEO to mitigate visual impact. The setbacks proposed are consistent with those recommended under DPF 4.3 of the Rural Zone of the P&D Code, being more than 200m from a sensitive receiver in other ownership and at least 100m from road boundaries. While the set-back from the neighbouring property boundary is less than 100m, it is considered acceptable as it is consistent with the setback of the existing substation adjacent the proposed BESS. <u>Building Near Airfields</u> The EIR does not consider impacts on the nearby Naracoorte aerodrome. In particular, the proposal should confirm that the proposed lighting is consistent with PO1.2 of the Building Near Airfields Overlay which requires outdoor lighting associated with non-residential use to not pose a hazard to aircraft operations. <u>Recommendations</u> ■ Consideration should be given to including '<i>using materials and finishes with low-reflectivity and colours that complement the surroundings</i>' as a control measure and leading performance in the SEO for management of visual impacts. ■ In accordance with the policy intent of PO1.1 of the Building Near Airfields Overlay, the proposal should ensure that any proposed outdoor lighting does not pose a hazard to aircraft operations. ■ If a licence is granted, condition(s) relating to the review and implementation of the CEMP and OMP should be included, to ensure the Proponent's environmental management framework is embedded in the construction and operation of the development.
Regional Plans	The subject site is within the Limestone Coast regional planning area. The current policy framework relevant for the subject site is the Limestone Coast Regional Plan (2011), which reflects the energy generation, transmission, and storage technologies of that period. The plan notes that energy supply is limited in many parts of the region and further development of the high voltage electricity transmission network would be required, including planning for and investment in new powerlines and substations. The proposal is generally consistent with the policies of the plan, which seeks to

	provide the opportunity for town/settlement-level energy efficiency through the promotion of alternative and renewable energy supplies (Policy 4.3) as a means of strengthening the regional economy and increasing resilience to the impacts of climate change. 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 Limestone Coast Regional Plan sets a vision of the region running from renewable energy sources by 2053, with energy storage systems located through the region as a means of reducing reliance on the grid and establishing community and township-based energy production / power networks. Recommendations NA
State Planning Policies	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. Various other SPPs are relevant including SPP 4 which seeks to maintain and enhance South Australia's biodiversity and life supporting functions. The impact of the development on native vegetation and biodiversity will be considered under the <i>Native Vegetation Act 1991</i>, <i>Landscape South Australia Act 2019</i> and <i>EPBC Act 1999</i> (if required). Recommendations NA
Previous decisions	The subject site is adjacent an existing substation. The EIR has considered cumulative impacts from other energy developments in the region. Recommendations NA
Other matters	<u>PDI Act 2016</u> ■ The project description includes 'onsite substation' as part of the supporting infrastructure. ■ It is queried if these works are included in the scope of the BESS and would be considered under a future AIL (HRE Act), or via the existing <i>essential infrastructure</i> assessment pathway under the PDI Act (available to ElectraNet). Recommendations NA

Should you have any further queries please do not hesitate to contact me.

Regards,



Senior Planner, Crown and Impact Assessment
Planning and Building Division
Department for Housing and Urban Development

From: [REDACTED] (DEM)
To: [REDACTED] (DEM)
Subject: RE: HRE Act referral - Request for comment: Kincaig BESS EIR & SEO
Date: Thursday, 23 October 2025 7:35:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

OFFICIAL

Thanks [REDACTED],

I'm happy for them contact me directly, so please pass on my contact details.

Regards

[REDACTED]
Jurisdictional System Security Engineer

Department for Energy and Mining
[REDACTED]

DISCLAIMER:

The information in this e-mail may be confidential and/or legally privileged. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this email in error, please delete it from your system and notify the sender immediately. DEM does not represent, warrant or guarantee that the integrity of this communication has been maintained or that the communication is free of errors, virus or interference.

From: [REDACTED] (DEM) [REDACTED]
Sent: Wednesday, 22 October 2025 4:36 PM
To: [REDACTED] (DEM) [REDACTED]
Subject: RE: HRE Act referral - Request for comment: Kincaig BESS EIR & SEO

OFFICIAL

Hi [REDACTED],

Thanks for flagging. I followed up with our licencing team and they had spoken with the proponent and provided them with some info on the OTR certificate including where to go for more information.

We'll get back to the proponent to follow up again through this referral process.

Kind regards,

[REDACTED]
Senior Environmental Compliance Officer

Department for Energy and Mining
[REDACTED]

DISCLAIMER:

The information in this e-mail may be confidential and/or legally privileged. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this email in error, please delete it from your system and notify the sender immediately. DEM does not represent, warrant or guarantee that the integrity of this communication has been maintained or that the communication is free of errors, virus or interference.

From: [REDACTED] (DEM) [REDACTED]
Sent: Wednesday, 22 October 2025 3:42 PM
To: [REDACTED] (DEM) [REDACTED]
Subject: RE: HRE Act referral - Request for comment: Kincaig BESS EIR & SEO

OFFICIAL

Hi [REDACTED],

As discussed on Monday, i do not have any records indicating a certificate was issued for this project.

Regards

[REDACTED]
Jurisdictional System Security Engineer

Department for Energy and Mining
[REDACTED]

DISCLAIMER:

The information in this e-mail may be confidential and/or legally privileged. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this email in error, please delete it from your system and notify the sender immediately. DEM does not represent, warrant or guarantee that the integrity of this communication has been maintained or that the communication is free of errors, virus or interference.



Date: 1/12/2025
Our reference: 20251201-01jp
Your reference: NA

South Australian Country Fire Service Development Assessment Services BUSHFIRE PLANNING HAZARD PROTECTION RESPONSE

Application	Crown Development (Energy Infrastructure Facility)
Nature of Development	Development of a Battery Energy Storage System (BESS) comprising of: • 150 megawatts (MW), 600 megawatt-hours (MWh) of energy storage (the exact storage capacity would be determined prior to construction) • Approximately 208 batteries housed within fully enclosed battery containers or modular, with approximately 52 associated inverters and transformers • Onsite substation and switchyard • An operations and maintenance building and small parking area for onsite staff • Construction laydown area • Transmission line connection to the adjacent Electranet Kincairg substation, and • Ancillary infrastructure, including, fencing, security and lighting.
Development Number	N/A
Development/Property Name	Kincairg BESS
Location	164 and 505 Fogartys Road, Naracoorte
Owner	ACE Power
Applicant	Kincairg Battery Pty Ltd

LEGISLATIVE FRAMEWORK

Instrument	<i>Hydrogen and Renewable Energy Act 2023 (HRE Act) and Hydrogen and Renewable Energy Regulations 2024 (HRE Regulations)</i>
Overlay	Hazards (Bushfire – General) Overlay
Fire Authority/ Response Area	South Australian Country Fire Service / Lucindale Group

DECISION/SUMMARY

The South Australian Country Fire Service (SACFS) welcomes and supports development in regional and rural areas of South Australia. SACFS has no objection in principle with the proposal, but provide these comments for your attention.

This advice/comment is relevant to the following documents:

- Kincaig BESS Project – Environmental Impact Report | October 2025
- Kincaig BESS Project Statement of Environmental Objectives | October 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 general level of bushfire risk by siting and designing buildings in a manner that mitigates 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 site is within the Lucindale Group (CFS) response area.

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, BESS and Control Buildings or alike should be located no less than 20 metres from the property boundaries or existing remnant vegetation being retained, for the purposes of maintaining an APZ to achieve a radiant heat exposure of no more than 12 kW/m² (BAL 12.5).

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.

SACFS notes the proposal does include roads of adequate design to satisfy the desired outcomes of this 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:

- Perimeter roads shall be incorporated to achieve adequate separation between infrastructure and areas of bushfire hazard including areas of remnant vegetation being retained within the boundaries of the allotments 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.
- Shall include two (2) separate and safe exit points located on opposite ends of the road to enable multiple avenues of evacuation in the event of a bushfire.
- 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 may be with the use of a Lockwood 003 type padlocks in accordance with AS4428.17.

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):

- Vegetation management shall be established and maintained within 20 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.
- A single row of trees and/or shrubs are permitted for screening purposes, in accordance with the below:
 - Located no less than 10 metres from all infrastructure and not connected to other hazardous vegetation.
 - Located no less than 10 metres from the access road.
 - Shrubs shall not be planted under trees. Species, with a single stem habit are preferred, with the lower limbs removed to prevent them connecting with grassy understorey.
 - Screening plants should have low flammability characteristics, be kept in optimum health, pruned regularly and any dead vegetation removed

Water Supply

There is no reticulated water in the area. Static fire water tanks for both bushfire, BESS and building fires will be required to assist in effective Fire Service intervention and suppression.

SACFS notes the proposal does not meet all the requirements below.

Fire tank (72,000L) to be made available to SA Fire Service Policy 14 requirements and include both large and small-bore suction outlets as per the policy and as follows:

- Access to the water supply shall be constructed of all-weather construction, with a minimum formed road surface width of 3 metres.
- Fire tanks shall be identified with signage in accordance with AS 2419.1.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- The water supply is required to be available to all BESS system pod/containers within 90 metres of hose lay of the static fire water tank. If this cannot be achieved, then additional static fire water tanks or a dry hydrant system may be required.

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. The safety of first responders must be a priority, and emergency response plans should not require firefighters to open or enter the BESS compartment at any time.

The SACFS requires the company and/or its operators to remotely monitor the installed systems and be able to remotely shut down any live systems. In addition, a representative of the company and/or its operator is to be on site within 60 minutes of the 000 call for fire service attendance.

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

The company and/or its operators will be required to engage on a regular base with on-site training and site inductions for emergency service personnel.

MANIFEST BOX (or similar)

Given the complexities that the subject site presents, SACFS further recommends the installation of a Manifest Box at the main entrance of the site. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the site. Information contained should include, but is not limited to, a list of emergency contact phone numbers and a site plan highlighting vehicle access, turning ability, buildings and infrastructure locations, fire water i.e., fill locations, all fire protection equipment, and any on-site hazards or storage of dangerous materials i.e., LPG, fuels or chemicals. Access to the Manifest Box, if locked, must be readily accessible using a Lockwood 003-type padlock, in accordance with AS 4428.17

BUILDING CONSIDERATIONS and BESS:

All class 2 – 9 buildings will need to comply with National Construction Code (NCC) and to include all the minimum *Deemed to satisfy* fire and life safety provisions.

Additional notes for Energy facilities or BESS:

- Access and working clearances for large emergency service vehicles to the "Electrical Transmission Area/control room area" needs to be incorporated. This includes a reasonable clear and safe working environment.
- Servicing of the detection and suppression system within the racks will be maintained to the manufactures and to SA Ministerial Building Standard MBS 002 "Maintaining the performance of essential safety provisions" requirements and recorded.
- The SACFS will not accept BESS container fire detection system monitoring requests unless required by the NCC.
- If a battery rack is required to be open at any time (including an emergency event), this will be done by the Company and/or its operator's staff and not the Fire Service.
- Developers and operators should have regard for the Australasian Fire and Emergency Services Authorities Council. (2025) Large-scale battery energy storage system installations (AFAC Publication No. 3105), AFAC, Melbourne, Australia Council 2025.

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: Manager DAS	Signature: 	Date: 1/12/2025
---------------------------------	--------------------	------------------------

From: [REDACTED] (DEM)
To: [REDACTED] (DEM)
Subject: RE: HRE Act referral - Request for comment: Kinraig BESS EIR & SEO
Date: Monday, 1 December 2025 5:25:03 PM

OFFICIAL

OFFICIAL

Hi [REDACTED],

Here are my comments for the attached documents:

- Environment Impact Report document
 - Section 3.2 - The noise policy is incorrect. It should be *Environment Protection (Commercial and Industrial Noise) Policy 2023*
 - Section 7.5.3 and Section 2.1 of the acoustic report – The notes within this section states that an involved stakeholder is not considered to be a noise-affected premises. Although the report seems to highlight that the entire area is the property boundary, referencing SAPPA, it would seem like the development is located on separate land parcels. As long as the noise source and receivers are located on different parcels, they are considered to be noise-affected premises. It is not clear why the land parcels have been depicted this way. It is my understanding that they are still different parcels, even if they are owned by the same entity.
 - The acoustic report undertakes the appropriate conservative assessment by assessing worst case scenarios. It is shown that 100% operations are unable to meet night time indicative noise levels and proposes a night time operational condition that meets the requirements of the noise policy. This is an acceptable approach. However, it is recommended that the noise management plan addresses situation where night time operations may require fan speeds to exceed these operational limits.
 - Note: Referencing the background noise monitoring undertaken, although the subject site meets the requirements of the noise policy, night time operations of the BESS facility will likely introduce a noticeable increase in ambient noise of the area.

Please let me know if you have any questions. Happy to discuss.

Cheers,

[REDACTED]

From: [REDACTED]
To: [REDACTED] (DEM); DEM:Energy Regulation
Cc:
Subject: Kincraig BESS EIR & SEO Naracoorte Lucindale Council Consultation Response
Date: Tuesday, 25 November 2025 5:44:32 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image536450.gif](#)
[image617120.gif](#)
[image758307.gif](#)
[image470792.jpg](#)
[image759319.jpg](#)

You don't often get email from paul.mcrostie@nlc.sa.gov.au. [Learn why this is important](#)

Hi [REDACTED],

The Naracoorte Lucindale Council appreciates the opportunity to provide feedback on the proposed Battery Energy Storage System (BESS) within our Council area.

We wish to raise several concerns specific to the proposed BESS site and its potential impact on our local community assets:

Preservation of agricultural land

-

The Naracoorte Lucindale region is characterised by rich and productive primary production land, which underpins our local economy. The proposed BESS development should not compromise the viability of agricultural operations, either through direct land use conflict or indirect impacts such as access restrictions or land fragmentation. We urge the Department to ensure that any BESS development avoids long term impacts to the rich primary production land in the Naracoorte Lucindale Council area.

Protection of groundwater resources

-

Our region relies heavily on clean and accessible groundwater for both domestic and agricultural use. The Council is concerned about the potential for contamination or disruption to aquifers, particularly during construction and as the infrastructure starts to age. We ask that this element is carefully considered as part of the assessment process.

Fire risk and emergency management

-

Given the risk of extreme weather events and bushfires, the Council seeks that fire mitigation strategies will be captured as part of the design to safeguard the community and adjoining landholders. Such measures should include appropriate access to infrastructure and onsite fire management.

Protection and maintenance of Council roads

-

The Naracoorte Lucindale Council emphasises the importance of protecting local road infrastructure throughout the construction and operational phases of the BESS project. Our regional roads are vital for agricultural transport, community access, and emergency services. Heavy vehicle movements associated with construction must be carefully managed to prevent degradation of sealed and unsealed roads within the Council area.



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



Document: Comments Register - EIR & SEO
Project: Kincraig BESS
Application No.: AIL 006
Applicant: TagEnergy Australia
Consultant: EMM
Submission date: v.6: 02/04/2026
Revision date: Rev1: 02/04/2026

Comment #		Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
DEM - Licensing												
1	EIR v.6	Associated Infrastructure Licence - Application			DEM Licensing – seeking confirmation on the status of the OTR Certificate.	Provide Clarification	TagEnergy is in discussions with DEM Licensing and Regulation [REDACTED] to finalise the term of the licence and work program requirements.	General	Please contact [REDACTED] at the Office of the Technical Regulator at otr.electricity@infrastructure.sa.gov.au or at [REDACTED] to enquire about the OTR Certificate. This is a separate certification from the licensing process under the HRE Act.	Provide Additional Information	N	Noted - no change required. TagEnergy have been in discussion with the OTR to progress the OTR Certificate. All required information has been submitted and confirmed via email 26 March 2026 by [REDACTED] (Principal Advisor - Licensing and Regulation, DEM)
DHUD												
2	EIR v.6	Land Use			If a licence is granted, condition(s) relating to decommissioning should be included, to facilitate the removal of infrastructure and return of impacted land to primary production (If desired by the landowner(s)).	Update Required	Noted - Section 4.2.5 of the EIR provides information on decommissioning, rehabilitation, including restoration of contours and topography of the site as far as practicable would be undertaken during the decommissioning phase, in consultation with landowners and regulatory agencies. Specifically, during decommissioning, all infrastructure would be removed including: • removal of all above-ground BESS and BESS substation site infrastructure, including perimeter fencing and site office • removal of concrete foundations, as far as practicable, with rehabilitation of the land suitable for resumption of agricultural use, or other use as agreed with the landowner • internal cabling and connection to the substation would also be removed, although some infrastructure below ground may be left in place subject to agreement with the landowner • removal and ripping of internal roads and hardstand areas (in consultation with landowners).	S4.2.5 of EIR	Noted	No Further Action Required	N	
3	EIR v.6	Zoning			The EIR has considered matters relevant to the applicable land use zone, overlays, and General Development Policy (GDP) modules from the Code, and these are reflected in the scope of the technical studies. To that end, the EIR adequately addresses potential interface and environmental impacts that were previously assessed under the PDI Act pathway(s).	No Further Action Required	Agreed – no change required to the EIR.				N	
4	EIR v.6	Setbacks and Visual Impact			Performance Outcome (PO) 2.1 of the 'Infrastructure and Renewable Energy Facilities' GDP module sets out measures to minimise visual impact. The proposal incorporates a number of these measures including retention of vegetation along roadsides and close to residences. Consideration should also be given to including 'using materials and finishes with low reflectivity and colours that complement the surroundings' in the SEO to mitigate visual impact. The setbacks proposed are consistent with those recommended under DPV 4.3 of the Rural Zone of the P&D Code, being more than 200 m from a sensitive receiver in other ownership and at least 100 m from road boundaries. While the set-back from the neighbouring property boundary is less than 100 m, it is considered acceptable as it is consistent with the setback of the existing substation adjacent the proposed BESS.	No Further Action Required	Agreed – no change required to the EIR.				N	
5	EIR v.6	Building Near Airfields			The EIR does not consider impacts on the nearby Naracoorte aerodrome. In particular, the proposal should confirm that the proposed lighting is consistent with PO1.2 of the Building Near Airfields Overlay which requires outdoor lighting associated with non-residential use to not pose a hazard to aircraft operations. <u>Recommendations</u> Consideration should be given to including 'using materials and finishes with low reflectivity and colours that complement the surroundings' as a control measure and leading performance in the SEO for management of visual impacts. In accordance with the policy intent of PO1.1 of the Building Near Airfields Overlay, the proposal should ensure that any proposed outdoor lighting does not pose a hazard to aircraft operations.	Update Required	Noted - no change required to the EIR. Table 7.28 outlines night lighting is required to be installed for security and safety purposes with all lighting to be designed in accordance with AS 4282 Control of obtrusive effects of outdoor lighting, National Light Pollution Guidelines for Wildlife (2020), and the Dark Sky Planning Guideline (2016). The visual impact assessment concluded the impact was as low (not significant). Prior to the commencement of construction TagEnergy will hold discussions with the Civil Aviation Safety Authority (CASA) to confirm the proposed Kincraig BESS lighting complies with Guideline E: Managing the Risk of Distraction to Pilots from Lighting in the Vicinity of Airports. https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation-aviation-safety/aviation-environmental-issues/national-airports-safeguarding-framework/national-airports-safeguarding-framework-principles-and-guidelines#principles	S7.10 & Table 7.28 of EIR	It is noted that visual impact induced by night lighting for security and safety reason has been assessed in table 7.28. However, specific impacts on nearby aircraft operation have not been assessed. Please address DHUD's recommendations and include in Table 7.28 that prior to the commencement of construction TagEnergy will hold discussions with the Civil Aviation Safety Authority (CASA) to confirm the proposed Kincraig BESS lighting complies with Guideline E: Managing the Risk of Distraction to Pilots from Lighting in the Vicinity of Airports as suggested in your response.	Update Required	N	Agreed – additional information to be included in Table 7.28 and 8.1 of the EIR and Table 2.1 of the SEO as follows: "Prior to the commencement of construction TagEnergy will hold discussions with the Civil Aviation Safety Authority (CASA) to confirm the proposed Kincraig BESS lighting complies with Guideline E: Managing the Risk of Distraction to Pilots from Lighting in the Vicinity of Airports".
6	EIR v.6	Construction Environmental Management Plan & Operational Management Plan			If a licence is granted, condition(s) relating to the review and implementation of the CEHP and OMP should be included, to ensure the Proponent's environmental management framework is embedded in the construction and operation of the development.	Update Required	Agreed - no change required to the EIR. If a licence is granted by the Minister, there is a requirement to prepare an OMP in accordance with Section 66 of the Hydrogen and Renewable Energy Act 2023 (HRE Act) and Section 37 of the Hydrogen and Renewable Energy Regulations 2024 (HRE Regulations). No construction or operation can be undertaken on the site until the OMP is assessed and approved by the Minister. The OMP will include control and management measures to minimise potential environmental impacts during construction, operation, decommissioning and rehabilitation. Table 8.1 in Appendix B of the EIR and Table 2.1 of the SEO provides guidance to how potential environmental impacts are proposed to be controlled and managed. These will be formalised in the OMP. Construction would be undertaken by an experienced engineering contractor selected through a tender process to ensure the contractor has a robust environmental management system in place (e.g. a system developed in accordance with the ISO 14000 series). The selected contractor will be required to prepare a CEHP that addresses the environmental elements in the approved EIR and SEO, conditions of approval, and associated control and mitigation measures.		Noted	No Further Action Required	N	

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
7	EIR v.6	Regional Plans		The subject site is within the Limestone Coast regional planning area. The current policy framework relevant for the subject site is the Limestone Coast Regional Plan (2011), which reflects the energy generation, transmission, and storage technologies of that period. The plan notes that energy supply is limited in many parts of the region and further development of the high voltage electricity transmission network would be required, including planning for and investment in new powerlines and substations. The proposal is generally consistent with the policies of the plan, which seeks to provide the opportunity for town/settlement level energy efficiency through the promotion of alternative and renewable energy supplies (Policy 4.3) as a means of strengthening the regional economy and increasing resilience to the impacts of climate change. As required by Section 64(1) of the PDI Act, the State Planning Commission has initiated the process to prepare a new regional plan. The draft Limestone Coast Regional Plan sets a vision of the region running from renewable energy sources by 2053, with energy storage systems located through the region as a means of reducing reliance on the grid and establishing community and township-based energy production/power networks. <u>Recommendations</u> NA	No Further Action Required	Agreed – no change required to the EIR.				N	
8	EIR v.6	State Planning Policies		The proposal directly relates to State Planning Policy (SPP) 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. Various other SPPs are relevant including SPP 4 which seeks to maintain and enhance South Australia's biodiversity and life supporting functions. The impact of the development on native vegetation and biodiversity will be considered under the Native Vegetation Act 1991, Landscape South Australia Act 2019 and EPBC Act 1999 (if required).	No Further Action Required	Agreed – no change required to the EIR.				N	
9	EIR v.6	Previous decisions		The subject site is adjacent an existing substation. The EIR has considered cumulative impacts from other energy developments in the region.	No Further Action Required	Agreed – no change required to the EIR.				N	
10	EIR v.6	Others matters		PDI Act 2016 The project description includes 'onsite substation' as part of the supporting infrastructure. It is queried if these works are included in the scope of the BESS and would be considered under a future AIL (HRE Act), or via the existing essential infrastructure assessment pathway under the PDI Act (available to ElectraNet).	Provide Clarification	Noted – no change required to the EIR. The AIL Application submitted to DEM includes augmentation and upgrade to the ElectraNet onsite substation which comprises a High Voltage transformer that is required to step up the voltage to 132 kilovolt (kV) and connect to the Kinraig substation (i.e. it is considered part of the BESS infrastructure) Statutory approval for this ancillary infrastructure is proposed to be undertaken as part of the Kinraig BESS under the HRE Act as outlined in the EIR and SEO (i.e. proposed connection include line connection and transformer). The above information has been included in Sections 1.2, 4.2.2 and 4.2.2 iv of the EIR.	Noted	No Further Action Required	N		
EPA											
11	EIR v.6	Noise and vibration		Section 3.2 - The noise policy is incorrect. It should be Environment Protection (Commercial and Industrial Noise) Policy 2023.	Amend	Agreed – EIR Section 3.2 amended.	Noted		No Further Action Required	N	
12	EIR v.6	Noise and vibration		Section 7.5.3 and Section 2.1 of the acoustic report – The notes within this section states that an involved stakeholder is not considered to be a noise-affected premises. Although the report seems to highlight that the entire area is the property boundary, referencing SAPPA, it would seem like the development is located on separate land parcels. As long as the noise source and receivers are located on different parcels, they are considered to be noise-affected premises. It is not clear why the land parcels have been depicted this way. It is my understanding that they are still different parcels, even if they are owned by the same entity.	Provide Clarification	Noted – no change required to the EIR. Tagd'energy has entered into a Land Access and Options Agreement with receptor R6, who owns both parcels of land within the project area, for establishment of the proposed Kinraig BESS project and has been made aware of potential noise impacts and proposed management measures. It is also noted that notwithstanding this receptor location has not been defined as a noise-affected premises the predicted noise levels for R6, as outlined in Table 7.12, are below the relevant EPA Noise Policy criteria.	Noted		No Further Action Required	N	
13	EIR v.6	Noise and vibration		The acoustic report undertakes the appropriate conservative assessment by assessing worst case scenarios. It is shown that 100% operations are unable to meet night time indicative noise levels and proposes a night time operational condition that meets the requirements of the noise policy. This is an acceptable approach. However, it is recommended that the noise management plan addresses situation where night time operations may require fan speeds to exceed these operational limits.	Update Required	Agreed – EIR Table 7.12 and SEO Table 2.1 (N1) amended to include Noise Impact Assessment mitigation measure for nighttime operations to demonstrate how the Environment Protection (Commercial & Industrial Noise) Policy 2023 criteria are proposed to be met as follows: •During nighttime periods, batteries would operate at up to 80% fan speed and inverters at up to 60% fan speed.	Noted. Please be reminded to address in the noise management plan the situation where night time operations may require fan speeds to exceed the assumed operational limits, and advise specific measures to be adopted if this situation occurs.	No Further Action Required	N		
14	EIR v.6	Noise and vibration		Note: Referencing the background noise monitoring undertaken, although the subject site meets the requirements of the noise policy, night time operations of the BESS facility will likely introduce a noticeable increase in ambient noise of the area.	Provide Clarification	Agreed – EIR Table 7.12 and SEO Table 2.1 (N1) amended to include Noise Impact Assessment mitigation measure for nighttime operations to demonstrate how the Environment Protection (Commercial & Industrial Noise) Policy 2023 criteria (refer comment response above).	Noted		No Further Action Required	N	
Limestone Coast – Landscape Board											
15	EIR v.6	Existing environment		The proponent has adequately and accurately described the existing environment as relevant to the development and its operations. The assessment of potential species that could be present in or near the proposed development is extensive and no further mitigation measures have been identified. Similarly, the environmental objectives and assessment criteria are considered appropriate.	No Further Action Required	Agreed – no change required to the EIR.				N	
16	EIR v.6	Landscape South Australia Act		The proponent has adequately met requirements of the Landscape South Australia Act under which the Limestone Coast Board operates. I note this legislation is not included under Section 3.4 Other relevant legislation and should be added.	Update Required	Agreed – reference to Landscape South Australia Act 2019 added to Section 3.4.	Noted		No Further Action Required	N	

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
PIRSA											
17	EIR v.6	Livestock		It is noted that the property is used for livestock production; however, the documentation does not reference livestock disease risks. Consideration of livestock biosecurity risks should be made especially as there is a mandated referral relating to the Livestock Act 1997.	Update Required	Noted – no change required to the EIR. There is no history of livestock disease on the project site or adjoining land. It is not considered that the project would have any potential to increase the risk of livestock disease. The Kinraby BISS project site would be securely fenced during construction and operation and therefore inaccessible to livestock grazing on the remainder of the property. The text in EIR has been amended to clarify this (refer Section 7.12.2).	Table 7.9 of EIR and Table 2.1 of SEO	Please assess the potential livestock disease risks with reference to Livestock Act 1997 as cattle grazing is an ongoing activity on the remainder of the land parcel of the project. The text provided	Update Required	N	Agreed - Section 7.12.2 of the EIR updated to confirm existing cattle grazing will continue to be undertaken by the landholder on the remainder of the land parcel of the project with potential livestock risks to be managed in accordance with the Livestock Act 1997 (SA) (i.e. biosecurity planning, record keeping).
DEW											
18	EIR v.6			•DEW notes that a flora survey was conducted on a single day in the peak of summer (February 2025) and drought conditions. During this survey it is noted that some fauna was recorded although this appears not to involve targeted surveys for fauna. •DEW has reviewed biodiversity values mapping data which has identified up to 12 fauna species of State and National conservation significance. In terms of Fauna that is listed under the National Parks and Wildlife Act 1972, it is noted that up to 12 species ranging from 2 Endangered species, 4 Vulnerable species and 6 Rare species are known to inhabit the Project Area. •DEW appreciates that the applicant may not have full access to the biodiversity values data DEW has reviewed for this proposal and wishes to share this data under a data sharing arrangement for the existing environment and potential impacts to be properly addressed. This information can be requested through DEW's Planning and Assessment Team (contact details below). •DEW recommends a more detailed survey effort be adopted after obtaining full data from DEW regarding NPWS Act listed species recorded on site.		Noted – Tagitnery have requested from DEW additional iDMSA sensitive datasets not publicly available via a custom dataset request which is yet to be received at the time of preparing this response. The EIR and SEO will be updated to address any additional threatened fauna species and impact assessment gaps not already considered following review the DEW information, if required. Ecosphere Ecological Solutions' (Ecosphere) 2025 survey report comprised an initial desktop assessment of existing publicly available State and Commonwealth records on flora and fauna values in the area to determine potential for presence of threatened species and/or communities for the vegetation under assessment. The following species were listed as potentially occurring within 5 km of the proposed development footprint: •22 fauna species listed as threatened under the EPBC Act •11 fauna species of state conservation significance under the NP&W Act In 2025 Ecosphere conducted a passive fauna assessment to determine if any native fauna/or fauna habitat may be impacted upon by the proposed works. The field survey included the identification of any fauna of conservation significance at local, State and National levels, habitat for fauna and identified any flora and fauna species that may occur at other times of the year. The 2025 report identified it was possible that the following species may occur at times within the paddock vegetation of the development footprint: •Striped Legless Lizard (Delma impar, EPBC: VU, NP&W: E) •Sharp tailed Sandpiper (Calidris acuminata, EPBC: VU, HI) •Southern Bell Frog (SE) (Utora raniformis major, EPBC: VU, NP&W: V) •Southern Bent-wing Bat (Minioterus orianae bassani, EPBC: CR, NP&W: E) •Eastern Cattle Egret (Bubulcus ibis coromandus, NP&W: R) •Cape Barren Goose (Cereopsis novaehollandiae novaehollandiae, NP&W: R). In response to feedback received from DCCIEW and DEW a further targeted assessment was undertaken to address potential for significant impacts to the Striped Legless Lizard (Delma impar) and other threatened fauna species of State and/or National conservation significance. Specifically, a targeted habitat assessment was undertaken on 10-11 February 2025 to quantify habitat attributes relevant to Striped Legless Lizard (Delma impar) within the proposed development footprint (approximately 11 hectares (ha)), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. Ecosphere also reviewed DEW's historical records (i.e. biobdataset DEWNRIDMSA260319-1) as additional background information which identified six additional avian species and provided the most recent observation of Striped Legless Lizard (Delma impar) with no records within 500 m of the proposed development footprint and no suitable habitat for each of these species identified. In summary, the 2025 and 2026 ecological reports (Appendix G and Appendix N) concluded that the proposed development is not likely to have a significant negative impact on the conservation of any native ecological communities, native flora, or native fauna.	EIR & SEO	As DEW has provided additional data for Tagitnery to conduct additional habitat assessment. Please update the 1st paragraph of your response, and relevant sections of EIR and SEO to reflect the latest assessment status and outcomes, as appropriate. (e.g. 2nd paragraph of 5.7.4 of EIR should also include other threatened fauna species of State and/or National conservation significance apart from Striped Legless Lizard)	Further Investigation Required	Y	Agreed - response Table updated and additional information to be included in Section 7.4 of the EIR as follows: Tagitnery was provided additional iDMSA sensitive datasets by DEW that are not publicly available, via a custom dataset request. Ecosphere Ecological Solutions reviewed DEW's historical records (i.e. biobdataset DEWNRIDMSA260319-1) as additional background information which identified six additional avian species and provided the most recent observation of Striped Legless Lizard (Delma impar) with no records within 500 m of the proposed development footprint and no suitable habitat for each of these species identified. Ecosphere's 2025 survey report was subsequently updated to outline the results of the desktop assessment to include existing publicly available State and Commonwealth records on flora and fauna values and the additional DEW historical records (i.e. biobdataset DEWNRIDMSA260319-1) in the area to determine potential for presence of threatened species and/or communities for the vegetation under assessment. Ecosphere's report also included the survey results from their passive fauna assessment to determine if any native fauna/or fauna habitat may be impacted upon by the proposed works. The field survey included the identification of any fauna of conservation significance at local, State and National levels, habitat for fauna and identified any flora and fauna species that may occur at other times of the year. In response to feedback received from DCCIEW and DEW a further targeted assessment was undertaken to address potential for significant impacts to the Striped Legless Lizard (Delma impar) and other threatened fauna species of State and/or National conservation significance. Specifically, a targeted habitat assessment was undertaken on 10-11 February 2025 to quantify habitat attributes relevant to Striped Legless Lizard (Delma impar) within the proposed development footprint (approximately 11 hectares (ha)), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. In summary, the 2025 and 2026 ecological reports (Appendix G and Appendix N) concluded that the proposed development is not likely to have a significant negative impact on the conservation of any native ecological communities, native flora, or native fauna.
19	EIR v.6	Biodiversity values		•As described above, DEW has reviewed biodiversity values mapping data which has identified up to 12 fauna species of State and National conservation significance. In terms of Fauna that is listed under the National Parks and Wildlife Act 1972, it is noted that up to 12 species ranging from 2 Endangered species, 4 Vulnerable species and 6 Rare species are known to inhabit the Project Area. •The data relied upon for the draft EIS and SEO is not considered sufficient, partly due to the limited extent of surveys and the timing of the surveys during Summer and drought conditions. IBUS and Reptile surveys are recommended to be considered due to the potential for impacts on up to 12 species listed as Endangered, Vulnerable and Rare under the NPW Act. •DEW has access to records showing NPW Act listed and EPBC Act listed species on or near the Project Site. DEW notes that this information is not publicly available hence this not being addressed in the EIR. DEW is able to share this data with the applicant under a data sharing arrangement should the applicant wish.		Noted – see response above.		Noted	Further Investigation Required	Y	Noted - see response to Question #18 above

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
20	EIR v.6	Delmar impar		NPW Act - listed as Endangered (listed as Vulnerable under the EPBC Act) * 14 public records of 31 individual Delmar impar are recorded for this NPW Act Endangered and EPBC vulnerable listed reptile species within 500 m of the project site. * This species is known to persist in non-native grasslands such as that in the project area. All records were opportunistic from one survey and located near Lucindale Road and the edge of Lake Ormerod in the northwest of the project site. This is not in the development footprint and appropriately a site access road from Lucindale Road was removed from the plan to avoid damage to significant roadside habitat for this species. However, as there has been no targeted survey for Delmar impar despite likely presence, the extent or significance of this population is unknown and without survey a precautionary approach should be applied. It should be assumed that this species exists in the disturbance footprint to be cleared.		Agreed - In response to feedback received from DCEEW and DEW a targeted habitat assessment was undertaken on 10-11 February 2020 to quantify habitat attributes relevant to Striped Legless Lizard (Delmar impar) within the proposed development footprint (approximately 11 ha), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. The results of the targeted habitat survey showed that the proposed development is unlikely to result in a significant impact to Striped Legless Lizard under the Significant Impact Guidelines 1.1 - Matters of National Environmental Significance (EPBC Act) for the following reasons: * There is an absence of key structural habitat features associated with Striped Legless Lizard within the development footprint. * The development footprint is comprised of degraded exotic pasture that is regularly disturbed by cattle grazing. Grazing further destroys potential Striped Legless Lizard habitat and represents a direct mortality risk to Striped Legless Lizards. * The proposed permanent infrastructure footprint is limited to approximately 3.5 ha. * The site has low habitat value for threatened fauna more broadly, and an absence of remnant native vegetation or other habitat features of conservation significance. In the broader area, Striped Legless Lizard records are associated with lakes or wetlands rather than open, grazed pastures. The project area is mostly composed of open pasture currently used for the grazing of cattle with vegetation largely consisting of a mixture of introduced grasses and forbs and does therefore not provide suitable habitat for Striped Legless Lizard. The ephemeral wetland mapped as being present within the site was observed to be highly degraded, containing no native vegetation, dominated by introduced grass and forbs, containing declared weeds <i>Xanthium spinosum</i> (Rathurst Burr) and <i>Marrubium vulgare</i> (Horehound), and used as a farm waste dump for scrap metal and rocks. It is clearly not a functional ecosystem. Ecosphere also reviewed DEW's historical records (i.e. biodataset DEWNR08BSA260319-1) as additional background information		Noted <i>*Subject to DEW's further review*</i>	Further Investigation Required	Y	Noted - see response to Question #18 above
21	EIR v.6	Groundwater resources		The proposed Project Area is located within the Lower Limestone Coast Prescribed Wells Area (LLC PWA) (June 2019) where any dewatering of underground water from trenches or excavations within the LLC PWA requires authorisation or allocation. The boundaries of the LLC PWA can be found in a detailed map on DEW's WaterConnect site here: https://www.waterconnect.sa.gov.au/Pages/Advanced-Map-Search.aspx Search "Select an Area Type" = Prescribed Wells Area, then "Select an Area" = Lower Limestone Coast If underground water is required for consumptive use (including dust suppression, cooling, construction or any other purpose other than stock and domestic purposes, fire-fighting and public-access road making) then a water allocation is required pursuant to the Landscape South Australia Act 2019. Please contact the DEW Water Licensing Branch on (08) 8735 1134 for advice regarding matters concerning underground water authorisation or allocations including any usage for worker facilities and potable use.		Noted - no change required to the EIR. TagEnergy do not propose dewatering for the Kincraig BESS project. Table 7.4 of the EIR includes an environmental significance assessment which concluded the overall risk to groundwater was considered low. Any potential impacts are proposed to be managed to ensure they are as low as reasonably practicable (ALARP) by the adoption of control measures in a CEMP and OHP. In addition, Table B.1 in Appendix B of the EIR and Table 2.1 of the SEO provides guidance to how potential impacts on groundwater resources are proposed to be controlled and managed. These will be formalised in the CEMP and OHP. TagEnergy also do not propose to use groundwater for consumptive use with Section 4.2.3 of the EIR stating: "water would be trucked to site and water tanks installed in the temporary construction area. During operations water would be required for worker facilities and potable use however quantities required would typically be relatively low due to the infrequent requirement and small number of employees likely to be on site."	Table 7.4 and App C of EIR	Table 7.4 and App C show that significance of potential impacts on groundwater quality is moderate, however the response provided indicates that this is low. Please clarify.	Provide Clarification	N	Noted - no change proposed. Table 7.4 of the EIR and Appendix C indicates that the severity is low due to Rare frequency, short term impact (likely only occur under extreme circumstances), the extent would be localised - (impacts would likely be confined to the project site or immediate surroundings). In the unlikely event that groundwater is impacted due to it being a resource it was conservatively indicated as a moderate sensitivity.
22	EIR v.6			Any use of groundwater for construction on site or concrete batching from groundwater sources needs to be assessed by DEW as to whether a well construction permit and authorisation to take water is required, this is also required to be included in the EIR.		Noted - no change required to the EIR. As per response comment above, TagEnergy do not propose to use groundwater for concrete batching during construction.		Noted	No Further Action Required	N	
23	EIR v.6			In regard to wells, under Section 119 of the Landscape South Australia Act 2019, there is an obligation on the occupier of land on which a well is situated to ensure that the well is properly maintained, this includes the casing, lining, and screen of the well and the mechanism (if any) used to cap the well. Whilst DEW acknowledges that proposed development does not necessarily present a groundwater impacting activity with respect to the resource, legacy well locations can present a risk pathway for contamination dispersion during both construction and operation if they remain in place. DEW recommend that a well audit be conducted on site and potentially also the immediate vicinity to gauge an up-to-date record on the status, condition, and use of reported well infrastructure and to plan for remedial or mitigation activities if necessary, prior to construction. DEW also recommend that results of well auditing be reported to DEW for record-keeping purposes. Please note that remedial action may require a permit and the applicant is advised to contact DEW Water Licensing for advice. A well construction permit is required for any works on wells that involves drilling, plugging, backfilling or sealing of a well, or repairing, replacing or altering the casing, lining or screen of a well. If any well is unable to be maintained once the BESS and associated infrastructure is built, DEW strongly recommends that it be backfilled by a licensed well driller. Please contact the DEW Drilling Inspector on (08) 8463 6676 regarding maintenance of wells or any questions on this matter.		Noted - no change required to the EIR. Section 5.6 and Appendix J of the EIR indicate two existing operational groundwater bores are located on the project site. Section 7.2.3 of the EIR outlines the environmental impact assessment for groundwater quality with proposed control and management measures proposed in Table 7.3 and Appendix B. TagEnergy will engage with the affected landowner prior to commencement of construction to determine the status of the bores and implement appropriate DEW requirements through development of the CEMP and OHP. Construction will be undertaken by an experienced engineering contractor selected through a tender process to ensure the contractor has a robust environmental management system in place (e.g. a system developed in accordance with the ISO 14000 series). The selected contractor will be required to prepare a CEMP that addresses the environmental elements in the approved EIR and SEO, conditions of approval, and associated control and mitigation measures consistent with the recommendations from DEW.		Noted	No Further Action Required	N	
24	EIR v.6			The LLC PWA was gazetted on the 2 December 2004 and is the product of the amalgamation of the former Lacpede Kingsron, Cammaum Caroline, and the Naracorte Ranges PWA's. Further, the Water Allocation Plan (WAP) for the LLC replaces the WAPs for the Lacpede Kingsron, Cammaum Caroline, and the Naracorte Ranges PWA's. DEW notes that these details may need amending in the applicant's documentation (such as the EIR Section 5.6 Groundwater p. 21)		Agreed - Section 5.6 of the EIR has been updated to include reference to the Lower Limestone Coast Prescribed Wells Area (LLC PWA).		Noted	No Further Action Required	N	

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
25	EIR v.6	Watercourse/surface water resources		There are no prescribed surface water or prescribed watercourses within the Project Area. The Project Area contains what appear to be ephemeral lakes and watercourses (drainage lines) on both Titles that may require consideration for Water Affecting Activities (WAA) Permits/s (Section 112 of the Landscapes South Australia Act 2019) for any works to be carried out that affect these resources (such as alteration of a watercourse or construction of a vehicle crossing). Any proposal that may affect a watercourse including during construction is to be referred to the Limestone Coast Landscape Board on (08) 8429 7550 for their further assessment (also see Attachment II).		Noted - no change required to the EIR. Section 7.2.3 of the EIR outlines an environmental impact assessment for surface water quality, supported by Table 7.3 and Appendix B (including the assessment criteria that "No water affecting activities" are undertaken unless relevant permits have been obtained.").	EIR & SEO	Noted. Clarifications sought in relation to drainage lines and stormwater management in comments 42/43 below.	No Further Action Required	N	
26	EIR v.6	Wildlife permits		During each stage of the proposed development and any investigations or assessments on the project site, should the applicant need to catch, move, relocate or destroy any protected animal or eggs, the applicant is required to apply for a permit under South Australian legislation to the Department for Environment and Water (DEW). Further information can be obtained at DEW's website to apply for a permit to capture, release or destroy wildlife at: Department for Environment and Water - Capture and release wildlife Department for Environment and Water - Destroy wildlife permits		Agreed - Table 7.9 of the EIR and Table 2.1 of the SEO amended to include reference to propose fauna control measures to address DEW requirements as follows: Fauna to be managed in accordance with the requirements of: •The Prevention of Cruelty to Animals (Animal Welfare) Act 1985 •DEW's Capture and release wildlife permits •DEW's Destroy wildlife permits.		Noted	No Further Action Required	N	
27	EIR v.6	Heritage values		Heritage Values - Non-Aboriginal There are no known heritage impacts for the project site apart from the possibility of encountering a cave or other significant karst features during investigations, construction, operation or decommissioning. The State's South Eastern Region is known to have many significant caves and other karst features which are protected under the Heritage Places Act 1993. DEW provides the following recommendations in relations to caves and other karst forms: • If a cave is encountered during any stage of this project, the applicant must ensure that the cave is protected from damage until the case has been assessed by a suitably qualified expert. • The applicant must engage a suitably qualified expert to assess the significance of the cave to the satisfaction of the South Australian Heritage Council. • If the assessment concludes the cave is significant, then the applicant must ensure that the cave continues to be protected from further damage, unless approval from the SA Heritage Council has been obtained. • Further information can be found by contacting DEW DEW notes the applicant carried out a heritage desktop assessment in 2025, including monitoring and inspections of earthworks and in Section 7 of the EIR (p. 21) it is "recommended that a site specific Construction and Environmental Management Plan (CEMP) is implemented before any future development works". DEW agrees that the CEMP is implemented prior to any future development works and that, whilst there may be a low risk of works encountering the remains of undocumented built heritage, archaeological or natural features of heritage significance, DEW recommends the following mitigation strategies are considered for inclusion in the Construction and Environmental Management Plan (CEMP) and the Operational Management Plan (OMP): Risk mitigation for historical heritage/archaeology includes: •Completion of supporting heritage impact assessment •Development of an OMP with project specific management and mitigation measures: -All workers to undergo historical heritage/archaeology site inductions -Implementation of an unexpected historical heritage discovery procedure (stop work, engage archaeologist to assess significance of the find, and recommence work only once authorisation received from the archaeologist) -Immediate reporting if a site/object of heritage significance is disturbed without appropriate permit/approval -Reporting of any other event where unknown historical heritage is discovered. Risk mitigation for caves and other karst features includes: •Completion of supporting heritage impact assessment •Development of an OMP with project specific management and mitigation measures: -All workers to undergo natural heritage site inductions -Implementation of a natural heritage unexpected discovery procedure (stop work, engage appropriately qualified person to assess significance of the find, and recommence work only once authorisation received from the suitably qualified person) -Immediate reporting if a site/feature of natural heritage significance is disturbed without appropriate permit/approval -Reporting of any other event where unknown natural heritage is discovered. DEW can provide further details on these recommendations by contacting DEW's Planning and Assessment to arrange a meeting with DEW's Heritage SA Branch as required.		Agreed - Section 7.6 and Appendix B of the EIR has been amended to include reference to caves and karstic features and inclusion of DEW recommendations for proposed control and management. If a licence is granted by the Minister, there is a requirement to prepare an OMP in accordance with Section 66 of the HRE Act and Section 37 of the HRE Regulations. No construction or operation can be undertaken on the site until the OMP is assessed and approved by the Minister. The OMP will include control and manage measures to minimise potential environmental impacts during construction, operation, decommissioning and rehabilitation. Construction will be undertaken by an experienced engineering contractor selected through a tender process to ensure the contractor has a robust environmental management system in place (e.g. a system developed in accordance with the ISO 14000 series). The selected contractor will be required to prepare a CEMP that addresses the environmental elements in the approved EIR and SEO, conditions of approval, and associated control and mitigation measures consistent with the recommendations from DEW.		Noted	No Further Action Required	N	

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
28	EIR v.6	Other general comments – suggested edits or corrections		EIR criteria 4 - There appears to be no risk assessment framework or identification of uncertainty and assumptions in the EIR. DEW recommends the EIR is updated to include this.		Noted - no change required to the EIR. The EIR has been prepared in accordance with the Hydrogen and Renewable Energy Information Sheet 007, Environmental Impact Assessment Criteria, October 2024. Criteria 4 in the EIR Information Sheet indicates a requirement to address the following: *Include a description of the strategies proposed to manage, limit or remedy each impact event to ALARP; *demonstrate that the control and management strategies proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and where relevant promote progressive rehabilitation; and *ensure the long-term effectiveness of implemented control strategies beyond the construction and operational period, with the goal of achieving little to no ongoing maintenance, therefore allowing for any proposed future licence surrender. In addition, the Information Sheet requires: *The licensee must include a description of any significant degree of uncertainty pertaining to the likely effectiveness of the proposed control and management strategies. Appendix B1 of the EIR addresses the requirements of the HRE Act Information Sheet.		Noted	No Further Action Required	N	
29	EIR v.6			Section 7.4.3 states majority of species unlikely to occur or habitat unlikely to be of conservation significance although does not seem provide the evidence or justification for this assessment. DEW recommends further information and evidence is included for each listed species known or likely to occur.		Agreed - In response to feedback received from DCCEW and DEW a targeted habitat assessment was undertaken on 10-11 February 2026 to quantify habitat attributes relevant to Striped Legless Lizard (Delmar impar) within the proposed development footprint (approximately 11 ha), the broader cattle paddock, and roadside vegetation along Lucindale Road where previous records of the species have been documented. In summary, the targeted survey results show that the proposed Kincaid BESS project is unlikely to significantly affect Striped Legless Lizard or other listed threatened fauna. Further details are provided in Ecological Assessment of Habitat Value for Threatened Fauna - Kincaid BESS Project (Ecosphere 2026) (Appendix N of the EIR).		Noted *Subject to DEW's further review*	No Further Action Required	Y	
CFS											
30	EIR v.6	Bushfire Hazard(s)		SACFS has no objection in principle with the proposal but provide these comments for your attention.	No Further Action Required	Noted - no change required to the EIR.				N	
31	EIR v.6	Asset Protection Zone		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, BESS and Control buildings or alike should be located no less than 20 m from the property boundaries or existing remnant vegetation being retained, for the purposes of maintaining an APZ to achieve a radiant heat exposure of no more than 12 kW/m ² (BAL 12.5).	Provide Additional Information	Agreed - TagEnergy acknowledges and accepts the SACFS recommendation regarding the establishment and maintenance of an APZ around the BESS infrastructure. An APZ will be implemented around the battery compound and associated infrastructure to provide an appropriate setback/buffer and to minimise the risk of bushfire impacting the site or originating from it. The APZ will: *be designed and maintained as a fuel-reduced zone suitable for the safe movement of occupants and firefighting appliances around the facility *be incorporated into the final civil and landscape design, with dimensions and treatments consistent with SACFS guidance and relevant bushfire-prone area requirements *be supported by an ongoing vegetation and fuel-load maintenance regime, documented in the site's Bushfire Management Plan and implemented for the life of the facility. These measures will ensure an appropriate level of asset protection, support safe access and egress, and align with the intent of SACFS bushfire protection principles for critical infrastructure, such as BESS installations. Table 7.22, and Table 7.25 of the EIR and Table 2.1 of the SEO have been updated to reflect these additional mitigation measures.	Table 7.22, 7.25 & B.1 of EIR	Table 7.25, suggest that the assessment criteria relating to the Emergency Response Plan includes reference to being prepared in accordance with the CFS advice, e.g. where the EIR has referred to a 'suitable separation distance' as a control measure, this would need to be in line with the CFS advice.	Update Required	N	Agreed - Table 7.22, Table 7.25 and B.1 of the EIR and Table 2.1 of the SEO updated to confirm the Emergency Response Plan would be prepared in accordance with CFS requirements
32	EIR v.6	Access and Egress		Any future internal road networks should be designed to achieve compliance with the 'Roads' Performance Outcome relevant to the hazard overlay. SACFS notes the proposal does include roads of adequate design to satisfy the desired outcomes of this hazard overlay. Perimeter roads with a minimum formed road width of 6 m 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. All access/egress roads on the project site: *Perimeter roads shall be incorporated to achieve adequate separation between infrastructure and areas of bushfire hazard including areas of remnant vegetation being retained within the boundaries of the allotments 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. *Shall include two (2) separate and safe exit points located on opposite ends of the road to enable multiple avenues of evacuation in the event of a bushfire. *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 m wide, access shall include appropriately sized passing bays or turning areas, spaced no more than 200 m apart to support safer access for the purposes of fire fighting: -passing bays minimum width of 6 m and length of 17 m, or - 'T' or 'Y' shaped turning area with a minimum formed length of 11 m and minimum internal radii of 9.5 m. *Incorporating cul-de-sac endings or dead end roads has either: -a turning area with a minimum formed surface radius of 12.5 m, or - 'T' or 'Y' shaped turning area with a minimum formed length of 11 m and minimum internal radii of 9.5 m. *Shall be constructed with a minimum external radius of 12.5 m 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 m width and a vertical height clearance of 4 m. *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 may be with the use of a Lockwood 003 type padlock in accordance with AS4428.17.	Provide Clarification	Agreed - Table 7.25 of the EIR amended to clarify the Kincaid BESS project includes access/egress road of adequate design to satisfy the desired outcomes of the hazard overlay as assessed by EIR and supporting Bushfire Risk Assessment. In addition, secondary access is available via two separate property boundary gates onto Lucindale Road at the southern extent of the project site, in the event of a bushfire emergency if required (see photo below). Photo 1 - Potential emergency southern access via existing gate	S7.9.4 & Table 7.25 of EIR	Noted that this has been described in Section 7.9.4, however, Table 7.25 does not appear to have been updated as stated regarding access/egress road design. Please clarify. It would be beneficial to elaborate in the EIR how the updates made to S7.9.4 regarding the proposed access/egress road satisfies CFS's requirements.	Update Required	N	Agreed - Table 7.25 and B.1 of the EIR and Table 2.1 of the SEO updated confirm the project to include primary access/egress road of adequate design to satisfy CFS requirements



Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
33	EIR v.6	Vegetation Management		Vegetation Management (buildings and infrastructure such as Substation, Inverter stations, BESS and Control Buildings): Vegetation management shall be established and maintained within 20 m 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 10 m of the Substation/Control Building site (understorey is defined as plants and bushes up to 2 m in height). *Grasses within the zone shall be reduced to a maximum height of 10 cm 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. A single row of trees and/or shrubs are permitted for screening purposes, in accordance with the below: *Located no less than 10 m from all infrastructure and not connected to other hazardous vegetation. *Located no less than 10 m from the access road. *Shrubs shall not be planted under trees. Species, with a single stem habit are preferred, with the lower limbs removed to prevent them connecting with grassy understorey. *Screening plants should have low flammability characteristics, be kept in optimum health, pruned regularly and any dead vegetation removed.	Update Required	Agreed – TagEnergy acknowledges and accepts the SACFS recommendation regarding vegetation management and have added the following mitigation measures to Table 7.22 and Table B.1 of the EIR and Table 2.1 of the SEO: *20 m buffer to all infrastructure will be maintained. *No understorey vegetation will be established within 10 m of the project site. *Grass management will be maintained during fire season. *Screening may be included if required in compliance with the specifications suggested in the SACFS Agency feedback.	Table 7.22 & B.1 of EIR, Table 2.1 of SEO	As above, while it is noted that an assessment criteria states that records indicate compliance with CFS standards, as suggested above, reference to the Bushfire Emergency Management Plan being prepared in accordance with the CFS requirements should also be included.	Update Required	N	Agreed - Table 7.22 & B.1 of EIR, Table 2.1 of SEO updated to include new assessment criteria that the Bushfire Emergency Management Plan prepared in accordance with CFS requirements
34	EIR v.6	Water Supply		There is no reticulated water in the area. Static fire water tanks for both bushfire, BESS and building fires will be required to assist in effective Fire Service intervention and suppression. SACFS notes the proposal does not meet all the requirements below. Fire tank (72,000L) to be made available to SA Fire Service Policy 14 requirements and include both large and small bore suction outlets as per the policy and as follows: *Access to the water supply shall be constructed of all-weather construction, with a minimum formed road surface width of 3 m. *Fire tanks shall be identified with signage in accordance with AS 2419.1. *Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 m from the water supply outlet. *The water supply is required to be available to all BESS system pod/containers within 90 m of hose lay of the static fire water tank. If this cannot be achieved, then additional static fire water tanks or a dry hydrant system may be required.	Update Required	Agreed – TagEnergy acknowledges the absence of reticulated water in the area and accepts the SACFS requirement for static fire water tanks to support effective intervention for bushfire, BESS and building fires. Water would not be used in the case of a BESS or inverter unit fire. The water tank provision would be used for defending the project site in the event of an external bushfire. The Kincraig BESS project will be updated during detailed design to comply with SACFS Policy 14 requirements, including provision of a 72,000 L dedicated fire water tank with both large- and small-bore suction outlets and the following additional EIR and SEO mitigation measures: *An all-weather access road to the fire water supply will be provided, with a minimum formed road surface width of 3 m. *Fire tanks will be identified with signage in accordance with AS 2419.1. *A nominally level hardstand area capable of supporting firefighting vehicles with a GVM of 21 tonnes will be provided adjacent to the water supply, at a distance of no more than 6 m from the water supply outlet. *If this cannot be achieved with a single tank, additional static fire water tanks and/or a dry hydrant system will be provided so that the SACFS coverage requirements are fully met. Table 7.22 of the EIR and Table 2.1 of the SEO have been updated to reflect these additional mitigation measures.	Noted	No Further Action Required	N		
35	EIR v.6	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. The safety of first responders must be a priority, and emergency response plans should not require firefighters to open or enter the BESS compartment at any time. The SACFS requires the company and/or its operators to remotely monitor the installed systems and be able to remotely shut down any live systems. In addition, a representative of the company and/or its operator is to be on site within 60 minutes of the 000 call for fire service attendance. During the construction and decommissioning phases and whilst undertaking maintenance, proponents should provide the provision of basic fire-fighting equipment at each site, including fire extinguishers, inasapsacks, and other equipment suitable for initial response actions. The company and/or its operators will be required to engage on a regular basis with on-site training and site inductions for emergency service personnel. MANIFEST BOX (or similar) Given the complexities that the subject site presents, SACFS further recommends the installation of a Manifest Box at the main entrance of the site. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the site. Information contained should include, but is not limited to, a list of emergency contact phone numbers and a site plan highlighting vehicle access, turning ability, buildings and infrastructure locations, fire water i.e., fill locations, all fire protection equipment, and any on-site hazards or storage of dangerous materials i.e., LPG, fuels or chemicals. Access to the Manifest Box, if locked, must be readily accessible using a Lockwood 003-type padlock, in accordance with AS 4428.17	Update Required	Agreed – no change to required to the EIR, Table 7.22 of the EIR and Table 2.1 of the SEO confirm TagEnergy will develop a Bushfire Emergency Management Plan which would be reviewed annually and updated as required.	Table 7.22 & B.1 of EIR, Table 2.1 of SEO	Noted	No Further Action Required	N	

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
36	EBR v.6	Building Considerations and BESS		All class 2 – 9 buildings will need to comply with National Construction Code (NCC) and to include all the minimum Deemed to satisfy fire and life safety provisions. Additional notes for Energy facilities or BESS: •Access and working clearances for large emergency service vehicles to the "Electrical Transmission Area/control room area" needs to be incorporated. This includes a reasonable clear and safe working environment. •Servicing of the detection and suppression system within the racks will be maintained to the manufactures and to SA Ministerial Building Standard MBS 002 "Maintaining the performance of essential safety provisions" requirements and recorded. •The SACF S will not accept BESS container fire detection system monitoring requests unless required by the NOC. •If a battery rack is required to be open at any time (including an emergency event), this will be done by the Company and/or its operator's staff and not the Fire Service. •Developers and operators should have regard for the Australasian Fire and Emergency Services Authorities Council, (2025) Large-scale battery energy storage system installations (AFAC Publication No. 3105), AFAC, Melbourne, Australia Council 2025.	Update Required	Agreed – TagEnergy acknowledges that all Class 2 – 9 buildings associated with the Kinraig BESS will comply with NCC and associated fire and emergency legislation, as relevant. Table 7.22 of the EIR and Table 2.1 of the StO have been updated to reflect these additional mitigation measures.	Table 7.22 & 8.1 of EIR, Table 2.1 of StO	Please state clearly in the EIR/StO what "associated fire and emergency legislation" refers to based on Cf S's additional recommendations apart from compliance with NCC.	Update Required	N	Agreed - Table 7.22 & 8.1 of the EIR and Table 2.1 of the StO updated to confirm all Class 2 – 9 buildings associated with the Kinraig BESS will comply with National Construction Code (NCC) and Fire and Emergency Services Act 2005 requirements, as relevant.

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
Naracoorte Lucindale Council											
37	EIR v.6	Preservation of agricultural land		The Naracoorte Lucindale region is characterised by rich and productive primary production land, which underpins our local economy. The proposed BESS development should not compromise the viability of agricultural operations, either through direct land use conflict or indirect impacts such as access restrictions or land fragmentation. We urge the Department to ensure that any BESS development avoids long term impacts to the rich primary production land in the Naracoorte Lucindale Council area.	Provide Clarification	Noted – no change required to the EIR. The Kinrair BESS is proposed to be located within the Rural Zone of the Planning and Design Code, which seeks "a zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources". The nature of the project, being a battery storage facility, is therefore considered to be appropriately located in a planning zone where renewable energy facilities are an envisaged land use, is not expected to adversely impact adjacent agricultural land users given the small disturbance footprint (approximately 11 hectares) immediately adjacent an existing ElectraNet substation to avoid land fragmentation and has been designed to minimise hazard or nuisance to adjacent land users. No current state-level specific agricultural land classification system is applicable to project site, while MHRSA in their Agency referral did not raise any concerns in relation to the potential loss of agricultural land. The site is leased from the landowner which will offset loss of productivity during operation of the BESS. Land not used for the BESS will be available for ongoing cattle grazing by the landowner. At the completion of operation of the BESS the site will be rehabilitated to an agreed land use with the landowner (which is likely to include continued cattle grazing or suitable agricultural use).		Noted	No Further Action Required	N	
38	EIR v.6	Protection of groundwater resources		Our region relies heavily on clean and accessible groundwater for both domestic and agricultural use. The Council is concerned about the potential for contamination or disruption to aquifers, particularly during construction and as the infrastructure starts to age. We ask that this element is carefully considered as part of the assessment process.	Provide Clarification	Noted – no change required to the EIR. TagEnergy does not propose to use groundwater for consumptive use with Section 4.2.2 of the EIR stating: "water would be trucked to site and water tanks installed in the temporary construction area. During operations water would be required for worker facilities and potable use however quantities required would typically be relatively low due to the infrequent requirement and small number of employees likely to be on site." In addition, Table 7.4 of the EIR includes an environmental significance assessment which concluded the overall risk to groundwater was considered low. Any potential impacts are proposed to be managed to ensure they ALARP by the adoption of control measures in a CEMP and OMP. Table 8.1 in Appendix B of the EIR and Table 2.1 of the SEO also provides guidance to how potential impacts on groundwater resources are proposed to be controlled and managed. These will be formalised in the CEMP and OMP.	Table 7.4 of EIR & Table 2.1 of SEO	Please clarify/update the assessment outcome of groundwater impact being Moderate in Table 7.4, however, this response indicates that it is considered low.	Update Required	N	Noted - no change proposed. Table 7.4 indicates that the severity is low; due to Rare frequency, short term impact (likely only occur under extreme circumstances), the extent would be localised - (impacts would likely be confined to the project site or immediate surroundings). In the unlikely event that groundwater is impacted due to it being a resource it was conservatively indicated as a moderate sensitivity.
39	EIR v.6	Fire risk and emergency management		Given the risk of extreme weather events and bushfires, the Council seeks that fire mitigation strategies will be captured as part of the design to safeguard the community and adjoining landholders. Such measures should include appropriate access to infrastructure and on-site fire management.	Provide Clarification	Noted – no change required to the EIR. Table 7.22 of the EIR and Table B1 in Appendix B of the EIR include proposed fire and emergency management and mitigation measures. These will be formalised in the CEMP and OMP.		Noted, Please refer to DEM's further comments above regarding C/S recommendations.	No Further Action Required	N	
40	EIR v.6	Protection and maintenance of Council roads		The Naracoorte Lucindale Council emphasises the importance of protecting the local road infrastructure throughout the construction and operational phases of the BESS project. Our regional roads are vital for agricultural transport, community access, and emergency services. Heavy vehicle movements associated with construction must be carefully managed to prevent degradation of sealed and unsealed roads within the Council area.	Provide Clarification	Noted – no change required to the EIR. Table 7.7 of the EIR includes an environmental significance assessment of potential traffic and transport impacts which concluded that overall risk were considered low. In addition, Table 8.1 in Appendix B of the EIR and Table 2.1 of the SEO provides guidance to how potential impacts will be controlled and managed. These will be formalised in the CEMP and OMP.	Table 7.6 of EIR	Please elaborate in Table 7.6 of EIR on the proposed control measure concerning damage to existing roads, e.g. what "traffic and journey management procedures" and "road maintenance agreement with Council" are about.	No Further Action Required	N	
41	EIR v.6	Visual impact on the landscape		The Council requests that the proposed BESS site be appropriately screened from public view to preserve the visual amenity of the surrounding landscape. Given the proximity to a major arterial coastal route we suggest that consideration is made to ensure the development is integrated into the area as best as possible. South Australia's renewable energy transition must be balanced with the protection of our region's valuable natural assets and the wellbeing of our community. We look forward to working collaboratively with the Department for Energy and Mining to ensure that any BESS development in our district is safe, sustainable, and respectful of local priorities.	Provide Clarification	Noted - No change is required to the EIR. TagEnergy highlights the following comments by PLUS: "Performance Outcome (PO) 2.1 of the 'Infrastructure and Renewable Energy Facilities' GDP module sets out measures to minimise visual impact. The proposal incorporates a number of these measures including retention of vegetation along roadsides and close to residences. Consideration should also be given to including 'using materials and finishes with low reflectivity and colours that complement the surroundings' in the SEO to mitigate visual impact. The setbacks proposed are consistent with those recommended under DPV 4.3 of the Rural Zone of the P&D Code, being more than 200m from a sensitive receiver in other ownership and at least 100m from road boundaries. While the set-back from the neighbouring property boundary is less than 100m, it is considered acceptable as it is consistent with the setback of the existing substation adjacent the proposed BESS." TagEnergy looks forward to working cooperatively with Council through development of the project.		Please update the response to address the point specifically raised in the submission from the council relating to visual concerns, i.e. please clarify if the project is visible from any nearby major arterial coastal route. Also, please include in the EIR and SEO the setback distance from sensitive receivers and road boundaries to demonstrate compliance with DPV 4.3 of Rural Zone of P&D Code as advised in your response.	Update Required	N	Agreed - Section 7.10.3 of the EIR updated to clarify that project elements are predicted to be visible for a short distance, particularly for travellers on Lucindale Road, Old Kingston Road and on Foggarts Road, and are unlikely to impact visual amenity. Table 7.28 and 8.1 of the EIR and Table 2.1 of the SEO updated to include additional management and mitigation measures as follows: • The project infrastructure being setback in accordance with the minimum requirements of the Rural Zone of the Planning and Design Code of more than 200m from a sensitive receiver in other ownership (being approximately 450m) and at least 100m from road boundaries (being approximately 250m). • The project using materials and finishes with low reflectivity and colours that complement the surroundings.
42	EIR v.6	Surfacewater/ Groundwater		As noted in the Surface water assessment (Appendix E), under the SA EPA Water Quality Policy (WQP) 2015, it is prohibited to pollute stormwater systems and the State's natural waters. Under Schedule 3 of the WQP soil, clay, gravel and sand are Class 2 pollutants must not be placed in water including the stormwater system. DEM seeks further clarification on the following: <u>Surface water:</u> • It is not clear from the EIR how the proposed mitigation measures to reduce impacts to surface water quality as a result of stormwater runoff. Please clarify if it is proposed that all discharge of stormwater will be directly to the drainage channel. If this is the case, how will discharge water quality be determined to meet relevant guideline thresholds and in particular, ensure that the WQP is not breached? • For example, a number of other similar proposals under the HRE Act have included retention ponds as a relevant control measure to adequately regulate runoff to reduce sediment loads and prevent contaminants migrating off site that may affect potential receptors (i.e. Naracoorte Creek and Lake Ormerod)	Provide Clarification						Noted - no change proposed. The project site is very flat, with a variation of approximately 2 m around the entire site boundary. Section 7.2.3(i) of the EIR outlines that the most impact in terms of water quality will be during the construction phase, when there will be activity on site disturbing the ground surface. Although sediments may be present during construction, low velocities in the overland flow (<0.1 to 0.3 m/s) will reduce the sediment load in any runoff. Good erosion and sediment control practices during construction should reduce the sediment load from the construction areas. Key aspects of the proposed water management approach are presented in Section 4.2.3(iv) and conceptually in Figure 4.1 of the EIR and include the following elements: • Indicative site grading to take manage all water from the project to a single point of management. • Minimising the extent of new hardstand and other impervious areas. • Collection of stormwater from the roof of the O&M building to a rainwater tank for reuse on site. • Indicative of location of culverts required for access roads crossing the existing drainage lines within the project. • Indicative location for proposed diversion banks and overland flow paths for controlling stormwater away from project infrastructure and to a nominated point of control. • Indicative location of an outlet for site stormwater to existing drainage lines. Water management would be further refined and finalised during detailed design consistent with the above objectives.

Comment #	Document (version)	Topic/Section	Page(s)	Agencies Comment/requirement	Action required	Proponent/Consultant Response	New Page(s)	DEM Response	Action required	Agency further review?	Proponent/Consultant Response
43	EBR v.6	Surfacewater/ Groundwater		<u>Groundwater/surface water.</u> - Does the implementation of drainage systems include reducing potentially impacted stormwater infiltration into groundwater? - Section 4.2.3 vi, Includes the use of a manually operated valve in the event of a fire to retain all water on-site. - In practice, is the valve manually operated by personnel on-site? Will personnel access the site in the event of a fire to manually close a valve? Or can the valve be operated remotely? - Is the bunded area where the water would be retained within a lined bund (or similar) to prevent infiltration to groundwater?	Provide Clarification						Agreed - Section 4.2.3(vi) of the EIR amended to reflect the following: "to prevent potentially contaminated fire water from entering the environment, the BESS site would be bunded (refer to Figure 4.1). One stormwater outlet would be constructed through the bund, with a manually or remotely operated valve or gate device (to be determined during detailed design) which would be closed in the event of a fire such that all water is retained on-site for water quality testing, and appropriate disposal if not suitable for discharge to the environment" The BESS infrastructure footprint is proposed to be bunded, engineered hardstand (i.e. impervious) to minimise the potential groundwater seepage during operations. Section 3.4 of the Surface Water Assessment (EMM, 2026a) also confirms that the average annual pan evaporation at the project site is between 1400 millimetres (mm) and 1600 mm, which typically exceeds rainfall by approximately 930 mm/year.

Further information

Department for Energy and Mining
Level 7, 30 Gouger Street, Adelaide
GPO Box 618, Adelaide SA 5001

T +61 8 8 463 3000

E DEM_EnergyRegulation@sa.gov.au

www.energymining.sa.gov.au

