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PO Box 3675
Parap NT 0801

Dear [REDACTED]

Re: Referral (Proponent Initiated EIS) - Sun Cable Australia-ASEAN Power Link

The Department of Environment, Parks and Water Security (DEPWS) has assessed the information contained in the above application and provides the following comments:

Flora and Fauna Division

The Flora and Fauna Division acknowledges that the proposal is currently in the preliminary phases of planning, and the scope and alignment is yet to be finalised. Based on the information provided in the referral, the Division considers that there is potential for threatened species and significant and sensitive vegetation to occur within or adjacent to the proposal.

The referral identifies avoidance and mitigation measures to avoid or reduce impacts to the receiving environment. The adequacy of these mitigation measures is uncertain due to the lack of comprehensive information to inform the risk assessment as well as limited detail on the mitigation measures themselves. More detailed management strategies and operational procedures are required to evaluate whether the mitigation actions will avoid or reduce impacts.

Based on the information provided in the referral, the Flora and Fauna Division agrees with the proponent that there is potential significant impacts on values associated with terrestrial ecosystems and marine ecosystems. Comments have also been provided on the draft Terms of Reference (ToR) submitted with the referral documentation (Table 1).

Recommendation

In summary, the risk to values associated with terrestrial ecosystems and marine ecosystems remains uncertain due to the preliminary scope of the proposal. Further details of the proposal, which may include additional on-ground investigations, are required to allow for a transparent and appropriately informed risk assessment. This information would also contribute to the development of well defined management responses for the proposal.

Given the significant biodiversity values in and near the proposal area and the potential pathways for impact on protected matters, it is recommended that the project requires assessment at the level of an Environmental Impact Statement (EIS).

Table 1: Flora and Fauna Division comments in relation to the draft Terms of Reference (ToR)

Section of draft ToR	Comment	Flora & Fauna Division recommendation
<p>Table 9 – Potential Impacts and Risks – Dot points 15 and 16: The assessment must identify potential impacts and risks to terrestrial ecosystems and quantify their significance:</p> <ul style="list-style-type: none"> • Against relevant guideline thresholds. • Against identified environmental values. 	<p>The requirement to assess the potential impacts and risks to terrestrial ecosystems is supported, however it is unclear which ‘relevant guideline thresholds’ are being referred to in the ToR.</p>	<p>That the dot points are amended to: The assessment must identify potential impacts and risks to terrestrial ecosystems and quantify the significance of any impacts. Consideration should be given to any policies, procedures and plans relevant to environmental values within the zones of impact/influence.</p>
<p>Table 5 – Environmental Values Describe the terrestrial ecosystems of the proposal’s zone of influence with detail on vegetation communities (vegetation mapping to at least NVIS level 4), flora species and fauna species, detailing communities and species of local, regional and national significance and pest and exotic species.</p>	<p>The Flora and Fauna Division acknowledges that the ToR requires vegetation mapping to be at least NVIS level 4. For areas where key infrastructure precincts are proposed (i.e. the solar farm/Darwin Harbour surrounds) a higher level of information should be provided in the EIS. The Division notes that information is likely to already be available for some of these areas. The concept of communities or species of ‘local significance’ is poorly defined and not relevant to impact assessment, so it is suggested this term is removed</p>	<p>The Environmental Values sections should be amended to describe the terrestrial ecosystems of the proposal’s zone of influence with detail on vegetation communities at least NVIS level 4 (or higher in areas where key infrastructure precincts are proposed), flora species and fauna species, detailing communities and species of regional and national significance and pest and exotic species.</p>
<p>Table 5 – Dot points 2 and 3: The known and potential presence of the following species (identified as target species in preliminary terrestrial ecology studies for the proposal) under the EPBC Act must be described:.... The known and potential presence of the following species (identified as target species in</p>	<p>The ToR identifies a number of target species where their potential presence needs to be described in the EIS. Based on information provided in the referral, the list is based on the results of a high-level search by Coffey using a 1km buffer around the proposal footprint. The search has missed a number of species known to occur in the zone of influence/impact.</p>	<p>To ensure the EIS has sufficient information to inform an assessment of the risks to these species, it is recommended that an appropriate buffer width is applied to searches of distributional datasets. This search should not be limited to threatened species and should also include listed migratory species. This buffer should be at least 10km from the footprint with larger buffers recommended in</p>

Section of draft ToR	Comment	Flora & Fauna Division recommendation
<p>preliminary terrestrial ecology studies for the proposal) under the TPWC Act must be described:....</p>	<p>The use of a 1km buffer around the OHTL, VSC and land-sea station sites is unlikely to identify the full range of threatened species that potentially occur along the alignment.</p>	<p>areas where little information is available or surveys effort has been minimal. In some instances the buffer distance should be guided by the specific habitat types being considered, the level of survey effort in these habitats and the likelihood of these habitats supporting threatened or significant species. This may result in a buffer in excess of 10 km being deemed appropriate in order to adequately identify potential risks associated with the proposal.</p> <p>The Flora and Fauna Division is available to provide location-specific advice on the recommended buffer width and information on the likely occurrence of species within the zone of influence/impact.</p>
<p>Indirect disturbance or degradation to flora and vegetation, possibly resulting in a long-term decline or loss over time, for example from erosion, dust, weeds/pathogens, disturbance of acid sulfate soils, etc.</p>	<p>This should not be limited to assessing the indirect disturbance or degradation to flora and vegetation.</p>	<p>Potential impacts on fauna and the habitat attributes that support them may be indirectly impacted and should be included as a value potentially impacted indirectly by the proposal.</p>
<p>Table 9 – Marine Environmental Quality - Environmental values:</p> <ul style="list-style-type: none"> • Describe the water quality (chemical, physical and biological) and sediment characteristics of the marine environment in the proposal's zones of influence. • Describe water quality objectives and declared beneficial uses. • Provide results and interpretation on any marine investigations undertaken. 	<p>Survey information is proposed to be collected from bathymetric surveys along the alignment. Information on marine sediments should not only be described but also mapped. This information should also be used to inform the habitat maps required in Table 10 of the ToR.</p> <p>The Division also notes that existing data on marine sediments is available and may supplement information collected by the proponent.</p>	<p>The Flora and Fauna Division recommends that the relevant section is amended to also include the following paragraph:</p> <p>Descriptions and interpretation of the environmental values should take into consideration the range of seasonal variation within the zone of impact/influence.</p>

Section of draft ToR	Comment	Flora & Fauna Division recommendation
<p>Table 8 -</p> <p>Describe the aquatic ecosystems and groundwater dependent ecosystems in proposal's zones of influence, including a description of Lake Woods.</p>	<p>Table 8 recommends that the EIS include 'a description of Lake Woods'.</p> <p>Lake Woods is listed on the Directory of Important Wetlands due to its importance for aggregations of water birds. This ecological characteristic of Lake Woods is a key value of the site. The EIS should assess the impacts of the proposal on these values rather than providing a description of the lake.</p>	<p>It is recommended that the following paragraph is added to Table 8:</p> <p>Provide an assessment of potential impacts, benefits and risks to aquatic ecosystems, significant waterbird habitats and aggregations...</p>
<p>Table 10 - Dot point 1:</p> <p>Provide maps and interpretation of regional bathymetry and local-scale seabed features.</p>	<p>To inform the risks to marine ecosystems, the Flora and Fauna Division recommends that the proponent include geology, geomorphology and sediments at a local scale.</p> <p>The Division also notes that mapping should be undertaken in areas below 20m in depth.</p>	<p>The Division recommends that the ToR is updated to provide maps and interpretation of bathymetry, geology, geomorphology, sediments and seabed features at the local-scale for the zone of influence within NT waters.</p>
<p>Table 10 - Dot point 2:</p> <p>Provide results and interpretation of any marine investigations.</p>	<p>Dot point 2 appears ambiguous and unclear what information needs to be provided in the EIS. It is possible that this requirement is in relation to studies undertaken by the proponent or other investigations in the zone of impact/influence.</p>	<p>The Flora and Fauna Division recommends that the ToR is updated to clarify this requirement. In particular, how the results and interpretation of marine investigations would be measured against and inform outputs from the EIA process.</p>
<p>Table 10 - Dot point 3: Describe oceanic processes etc.</p> <p>Describe the oceanic processes within Darwin Harbour and the offshore proposal area, such as local and regional tides, current patterns and wave magnitudes</p>	<p>The Flora and Fauna Division notes that wave characteristics have a seasonal component. As such, it is recommended that this section also include a requirement to consider seasonal aspects of oceanic processes in the description.</p>	<p>It is recommended that dot point 3 is updated to describe the oceanic processes within Darwin Harbour and the offshore proposal area, such as local and regional tides, as well as seasonal current patterns and wave magnitudes.</p>
<p>Table 10 - Dot point 4:</p>	<p>The current wording for dot point 4 may be incomplete and possibly missing a word.</p>	<p>If only benthic habitats are the focus, it is recommended that the dot point is reworded to:</p>

Section of draft ToR	Comment	Flora & Fauna Division recommendation
Describe the marine ecosystems of the proposal's zone of influence, including seabed habitat mapping, and marine vegetation and fauna species.	<p>It is possible that the proponent intends to describe all ecosystem pathways (nutrients, trophic, reproductive etc.). The Flora and Fauna Division also note that 'habitat mapping' is not a value of marine ecosystems but identifies a particular value and assists in assessing the risks and potential impacts.</p> <p>It is recommended that the ToR is updated to be more prescriptive in relation to the values that need to be described and mapped in the EIS.</p>	Describe the marine ecosystems <i>values</i> of the proposal's zone of influence, including, <i>but not restricted to, benthic communities dominated by mangroves, seagrass, macro algae, corals, filter feeders, mixed communities and bare substrates;</i>
<p>Table 10 - Dot point 5:</p> <p>Describe any listed or threatened marine species within the proposal's zone of influence including (but not limited to) the following list derived from the results of Protected Matters Search Tool (PMST) search...</p>	<p>The ToR require the proponent to describe any listed or threatened marine species within the proposal's zone of influence.</p> <p>Currently, the ToR does not require the proponent or EIS to identify or consider habitats for listed/threatened marine species potentially impacted. The EIS also needs to consider feeding/nursery areas for listed species as well as considering marine/migratory/threatened birds.</p>	It is recommended that dot point 5 is updated to describe any listed or threatened marine species within the proposal's zone of influence (<i>and the habitats they rely on</i>) including...
<p>Table 10 - Dot point 5</p> <p>Describe any listed or threatened marine species within the proposal's zone of influence including (but not limited to) the following list derived from the results of Protected Matters Search Tool (PMST) search...</p>	<p>The White Shark has not been recorded in NT waters and is also unlikely to occur along the cable corridor in the Australian Exclusive Economic Zone (EEZ).</p> <p>The Whale Shark (<i>Rincodon typus</i>) is listed as a vulnerable species (EPBC Act) with records known from NT waters and the Australian EEZ. There is a</p>	The Flora and Fauna Division recommend that the list of species identified in the ToR is amended to remove the White Shark and add the Whale Shark and Sawfish species to the list of threatened species.

Section of draft ToR	Comment	Flora & Fauna Division recommendation
<ul style="list-style-type: none"> White shark, great white shark (<i>Carcharodon carcharias</i>) 	<p>high likelihood that the Whale Shark will use the zone of influence for foraging or movement. The multi-species recovery plan for sawfish-river sharks (Commonwealth of Australia 2015) identifies known habitat for the following sawfish species in the vicinity of the proposal:\</p> <ul style="list-style-type: none"> <i>Pristis pristis</i> (Vulnerable- EPBC Act) <i>Pristis zijsron</i> (Vulnerable- EPBC Act) <i>Pristis clavata</i> (Vulnerable- EPBC Act). <p>These species should also be identified as having a high potential of occurring within the zone of influence.</p>	
<p>Table 10 – Dot Point 5: Describe any listed or threatened marine species within the proposal's zone of influence including (but not limited to) the following list derived from the results of Protected Matters Search Tool (PMST) search</p>	<p>The Division notes that the Australian Government Minister for the Environment is yet to determine if the proposal requires assessment and approval under the EPBC Act. If the proposal requires assessment approval for impacts to the Commonwealth Marine Area, further consideration should be given to impacts to the 'whole environment'. This includes species that are listed as marine/migratory and their habitats.</p>	<p>Should the proposal be determined to require assessment and approval under the EPBC Act, the Flora and Fauna Division recommends that dot point 5 be updated to include all listed 'marine' species in the Commonwealth Marine Area.</p> <p>This addition is consistent with the Australian Government's Significant Impact Criteria for the Commonwealth Marine Area (dot point 3 of the significant impact guidelines).</p>
<p>Potential Impacts and Risks - Dot point 1: Indirect impacts to <i>fauna</i> habitat due to changes to marine environment, introduction or spread of contaminants or pest species.</p>	<p>It is unclear what is required from this dot point. It is possible that the ToR is referring to 'benthic habitat' but may also include other habitats that occur in the 'marine environment' (feeding, nursery, epibenthic, infauna, pelagic, water column etc.).</p>	<p>The Division recommends that the ToR clarify the scope of what is required to be provided in the draft EIS.</p>
<p>Attachment A – Relevant guidance material</p>	<p>The ToR have identified the potential for interactions and injury to marine</p>	<p>Attachment A should be updated to include:</p>

Section of draft ToR	Comment	Flora & Fauna Division recommendation
	<p>megafauna/cetaceans during construction/maintenance.</p> <p>The Australian Government has prepared guidelines for Whale and Dolphin Watching (Commonwealth of Australia 2017) which are intended to reduce interactions/impacts with cetaceans. The guidelines are likely to be relevant for avoiding/minimising adverse interactions with cetaceans during operation/maintenance in marine environments.</p>	<p>Australian Guidelines for Whale and Dolphin Watching (Commonwealth of Australia, 2017).</p>

Water Resources Division

The potential environmental impacts and risks to the Northern Territory Environment Protection Authority's (NT EPA) environmental factors and objectives and the significance of identified impacts and risks are shown in Table 1.

Table 1. NT EPA environmental factors and objectives - Risks and risk significance

Theme	Factor and Objective	Risk	Risk significance*
Water	<u>1. Aquatic Ecosystems:</u> Protect aquatic ecosystems to maintain the biological diversity of flora and fauna and the ecological functions they perform.	Disturbance to riverine/stream/riparian aquatic ecosystems associated with trenching.	Low to moderate
Water	<u>2. Inland Water Environmental Quality:</u> Maintain the quality of groundwater and surface water so that environmental values including ecological health, land uses, and the welfare and amenity of people are protected.	Impact to water quality via run-off to local freshwater systems and/or drainage zones as a consequence of trenching/OHTL installation.	Low to moderate
Water	<u>3. Hydrological Processes:</u> Maintain the hydrological regimes of groundwater and surface water so that environmental values are protected.	Potential impact from groundwater extraction and works which may interfere with a waterway.	Low
Sea	<u>1. Marine Flora and Fauna:</u> Protect marine flora and fauna so that biological diversity and ecological integrity are maintained.	Mangrove loss – vegetation and intertidal benthos.	High to moderate
Sea	<u>3. Marine Environmental Quality:</u> Maintain the quality and productivity of water, sediment and biota so that environmental values are protected.	Impact to water quality with the likelihood of turbidity further limiting light availability and productivity in the immediate area of disturbance. This impact is expected to be acute in the short-term during the construction/laying of cable. Impact to water quality for other nearby uses such as aquaculture or recreational fishing. Immediate/localised impact to sediments. Disturbance is likely	Moderate to high Low – moderate Moderate to high

Theme	Factor and Objective	Risk	Risk significance*
		to impact ecosystem services such as nutrient cycling and biota.	
Sea	4. <u>Coastal Processes</u> : Maintain the geophysical and hydrological processes that shape coastal morphology so that the environmental values of the coast are protected.	Impact to local hydrodynamics with changes to benthic zone. Changes to local depositional areas. (including impact to mangrove zone – smothering and modification to microbial processing/cycling).	Moderate to low Moderate

Identified gaps in information supplied in the referral and draft Terms of Reference are listed below in Table 2.

Table 2. Gaps or deficiencies in information supplied.

Section/ page	Subject description	Gap or deficiency
p. 65	Inland water environmental quality and Aquatic ecosystems	Detailed studies are required which identify waterways likely to be impacted. Identify/characterise sensitive receptors across the project domain.
p. 66	Marine environmental quality	Background/survey to establish baseline condition, water quality monitoring to support rationale for management/development configuration. Provide rationale for triggers/objectives to be applied to project area and required monitoring effort.
p. 67	Marine ecosystems - mangroves	Survey/assessment of intertidal to mangrove zones in the area to be impacted – place these communities in context with broader regional perspective and value. Identify/characterise sensitive receptors – determined level of impact/risk
ToR p.7	Site layout maps	Site maps must show waterways (as defined by the <i>Water Act 1992</i>) in relation to the proposed project footprint and area of disturbance. This is important to be able to identify whether any of the proposed activities may interfere with a waterway and require a permit under section 41.
ToR p.13	Hydrological process, avoidance, mitigation and management	If the development includes activities which may interfere with a waterway, the EIS should detail how risks to geomorphic stability, increased erosion, increased sedimentation and changes to the flow regime will be mitigated.

Section/ page	Subject description	Gap or deficiency
ToR p.12	Hydrological process, Potential impacts and risks	Any assessment regarding the feasibility of accessing groundwater for the proposed development must consider the application of the NT Water Allocation Planning Framework. If take of groundwater is proposed, the EIS must consider the potential impact of this extraction on other groundwater users, both licensed and those relying on groundwater for rural stock and domestic purposes.
ToR p.6	Operation	The water requirements of the proposal should be presented as a water balance and identify the water requirements for both the construction and operational phases of the project.
ToR	General comment	It is recommended the EIS identifies the licensing and permitting requirements under the <i>Water Act 1992</i> . The proponent should be aware that all bore work undertaken within a water control district requires a bore work permit and they should be cognisant of this in undertaking the groundwater feasibility study

As per the self-referral by the proponent, an Environmental Impact Statement is considered to be necessary.

Environment Division

Environmental Authorisations Branch

- The impact of end-of-life solar panels and batteries on regional and remote waste management facilities and communities has not been identified or addressed adequately, particularly given the scale of the project.
- These impacts relate to the availability and capability of regional and remote facilities and communities to effectively manage the volume of end-of-life solar panels and batteries at both the acute (i.e. large volumes over a short period) and chronic (i.e. sustained volumes over the long-term) level.
- There is the potential for significant impacts to the receiving environment including soil, groundwater and surface water.
- An EIS is the appropriate method to address these impacts and how the waste management hierarchy will be applied to the management of end-of-life solar panels and batteries.
- The referral and draft Terms of Reference do not provide information on whether the trenching process for the installation of subsea cables involves the removal and disposal of spoil material. The terms of reference should consider the requirements for a waste discharge licence (WDL) under the *Water Act 1992* for trenching activities associated with the installation of subsea cables should the transport and disposal of spoil material be required.

Table 1 - Environmental Authorisations Branch comments on specific items in the Referral and draft Terms of Reference

Document/Section	Subject description	Comment
Referral		
Table 3: Summary of relevant NT legislation (p.3)		Include <i>Water Act 1992</i> for possibility of waste discharge licence required for trenching activities.
1.5.2. Secondary project aspects Waste (p.27)		Identify strategy for disposal of end-of-life of solar panels and batteries.

Document/Section	Subject description	Comment
Table 11: Summary of potential impacts, and avoidance and mitigation measures (p.62)		Mention application of waste management hierarchy. Availability and capability of waste management facilities to handle volume of end-of-life solar panels and batteries. Economic cost to regional and remote communities of managing waste.
Overarching elements of the EIS (p.70)		Management plan for end-of-life of solar panels and batteries.
Potential cumulative impacts (p.70)	Potential impacts and risks	Impact from end-of-life solar panels and batteries, particularly on regional/remote facilities and communities, over the lifespan of the project.
Expected residual impact (p.71)	Potential impacts and risks	Impact from end-of-life of solar panels and batteries, particularly on regional/remote facilities and communities, over the lifespan of the project.
Draft Terms of Reference		
2.2 Proposal description (p.3)		Include waste generation and management (construction, operation and decommission phases).
Table 4: Terrestrial environmental quality (p.8)	Potential impacts and risks	Impact to surrounding land and soils from handling of end-of-life solar panels and batteries at waste management facilities.
Avoidance, mitigation and management	Management plan for of end-of-life solar panels and batteries	
Table 7: Inland water environmental quality (p.13)	Potential impacts and risks	Impact to groundwater from handling of end-of-life solar panels and batteries at waste management facilities.
Avoidance, mitigation and management	Management plan for of end-of-life solar panels and batteries	
Table 9: Marine environmental quality (p.16)	Avoidance, mitigation and management	Assess requirements for a waste discharge licence under the <i>Water Act 1992</i> for trenching activities. Spoil management plan.
Table 13: Communities and economy (p.22)	Potential impacts and risks	Availability and capability of waste management facilities to handle volume of end-of-life solar panels and batteries. Economic cost to regional and remote communities of managing waste.

Document/Section	Subject description	Comment
Avoidance, mitigation and management	Management plan for end-of-life solar panels and batteries	
Attachment A: List of relevant guidance material	Waste discharge licence under the <i>Water Act 1992</i>	NT EPA Guideline on waste discharge licences - should be included for spoil management of trenching activities.

Environmental Operations Branch

Table 2- comments on the referral and draft Terms of Reference	
Referral	
Section	Comment
1.3.3	<p>It is noted that the voltage source converter (VSC) stations will be co-located with the proposed Middle Arm Battery (to be developed by Sun Cable), adjacent to Weddell Power Station.</p> <p>The proposed Middle Arm Battery is to be located on part of Section 1905, which is currently undeveloped and vegetated. This subject land is currently zoned U (Utilities) pursuant to the Northern Territory Planning Scheme. Directly to the west is the Weddell Power Station.</p> <p>Sun Cable committed to preparing Environmental Management Plans for the Facility for the construction, commissioning, start-up, operation and decommissioning of the Facility. The Environmental Management Plans are required to be updated to include any new proposed works for the purpose of construction, commissioning, start-up, operation and decommissioning of the VSC stations to ensure any potential environmental impacts are appropriately managed during each stage of development.</p>
1.5.1	<p>The solar farm precinct will include:</p> <ul style="list-style-type: none"> • Construction hardstands • Site offices • Parking • Laydown areas • Concrete batching plants • Gravel borrow pits • Rock quarries <p>These activities have the potential to cause, either directly or indirectly, environmental harm, as defined in the <i>Waste Management and Pollution Control Act 1998</i>. Further comments are provided below.</p>
Terms of Reference	
Section	Comment
Table 2	<p>Site layout maps -</p> <p>Any site layout maps should also include the location of hazardous waste storage areas.</p>

- Does the proposed action have the potential to have a significant impact on the environment (social, cultural, physical, biological, and economic)?

The locations of the proposed solar farm precinct near Elliott, the high-voltage direct current (HVDC) overhead transmission line from the solar farm to Darwin, the VSC and battery in Darwin and the land sea joint station in Darwin are within the highly seasonal climatic zones dominated by a Wet season from December to April and a Dry season from May to November.

The proposed activities have the potential to generate dust, particularly during the Dry season. The proponent must ensure that dust and/or nuisance airborne particles are not discharged or emitted where they may have an adverse impact on the surrounding natural environment and/or amenity of the area. The proponent is to ensure, during all stages of development and operation, that appropriate work practices are identified and implemented to ensure the release of dust and particulate matter does not cause an 'environmental nuisance' within the meaning of that term set out in the WMPC Act. Due consideration should be given to the prevention of the dropping or tracking of materials onto sealed road networks.

The proponent must also ensure that appropriate soil erosion control measures are employed, throughout the construction stage of the development and the ongoing operational phases.

Where waste fill material is generated and to be removed from the development sites, or fill is imported for use on-site, Sun Cable should ensure that waste classification assessment is undertaken in accordance with NSW EPA Waste Classification Guidelines, Part 1: Classifying Waste, 2014, and associated waste classification guidelines. Consideration should also be given to the appropriate management of waste to maximise beneficial reuse and to prevent contamination. Guidance for managing construction and demolition and waste soil, including waste that is potentially suitable for use as waste derived fill (WDF) is provided by EPA South Australia, available at www.epa.sa.gov.au. WDF must be similar to virgin solid mineralogical materials that are naturally present in the soil profile (such as inert soil, rock, sand and silt). The WDF material can be used to beneficially supplement or replace the virgin materials, provided it does not cause harm to the environment or to human health.

To assist in the prevention of emissions and discharges:

- secondary containment measures for fuel and chemical storage and transfer should be in place
- bunded areas should be impervious and be kept clean
- daily inspections should occur
- volume of incident rainfall into bunded areas must be minimised
- procedures should be in place for containing, treating, disposing/re-using contaminated stormwater and releasing uncontaminated stormwater
- procedures are required for monitoring and documenting compliance.

The potential risks highlighted above are not considered to be significant, and can be appropriately managed through the development and implementation of Environmental Management Plans, Construction Environmental Management Plans, Erosion and Sediment Control Plans, and Waste Management Plans. If fully implemented, reviewed and adapted on a routine basis, the management plans may assist the proponent in meeting the obligations of the WMPC Act, specifically section 12. The proponent is reminded to strive to incorporate 'best practice environmental management' (defined in the WMPC Act) in the management plans so as to minimise any environmental impacts.

- Does the referral and draft ToR address the impact of the project on the relevant NT EPA environmental factors and objectives?

The risks as identified above have been addressed in the referral and draft ToR.

- Is an EIS the appropriate method of assessment to address your identified impacts?

Yes.

- Does the draft ToR contain the appropriate information requirements the proponent must include in the EIS to address your identified impacts?

Yes.

Parks and Wildlife Division

- Theme: People and Communities – Factor 1 Social, Economic and Cultural Surroundings
The proposed solar facility is located approximately 9km from the Lake Woods and Longreach Waterhole International Site of Conservation Significance. This conservation area is utilised by locals from the nearby town of Elliot for water based activities such as fishing, swimming and boating. Other recreational usage includes birdwatching, as the site is a significant migratory bird nesting habitat.

The proponent has not addressed how it will undertake operations in accordance with the Conservation Covenant to title on NT Portion 2093 and 2094 relating to the Lake Woods and Longreach Waterhole agreement pursuant to Section 73 *Territory Parks and Wildlife Conservation Act 1976*. The purpose of the Conservation Covenant to title is to ensure that adequate protection of an international site of conservation significance is protected and binds the landowner to undertake certain actions to ensure the protection of Lake Woods and Longreach Waterhole.

The proponent should undertake consultations with the Parks and Wildlife Division relating to the Lake Woods and Longreach Waterhole agreement pursuant to Section 73 of the *Territory Parks and Wildlife Conservation Act 1976*.

Should you have any further queries regarding these comments, please contact [REDACTED]

Yours sincerely

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Executive Director, Rangelands

30 November 2020