



Annual Compliance Report

EPBC 2023/09759 – Hydrogen Jobs Plan

24 October 2024 – 24 January 2026



Declaration of Accuracy

In making this declaration, I am aware that section 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the *Environment Protection and Biodiversity Conservation Regulation 2000* (Cth). The offence is punishable on conviction by imprisonment or a fine, or both.

I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this decision.

Signed	
Full name (please print)	Martin Reid
Organisation (please print)	Department for Energy and Mining
Role (please print)	Director – Whyalla Steelworks Industrial Transformation Unit
Date	20/02/2026
Proponent/ approval holder and ACN or ABN	Department for Energy and Mining ABN: 83768683934
EPBC Referral Number	2023/09759
Project Name	South Australian Government Renewable Hydrogen Power Station, Electrolysers and Storage Facility (referred to below as the Hydrogen Jobs Plan (HJP)).
Document Name	Annual Compliance Report
Location of the Action	The proposed Project is located at Lincoln Highway, Whyalla Barson in South Australia. The proposed HJP location is on the urban fringes of Whyalla near the Whyalla industrial precinct.



Document version control

Rev No	Author	Reviewer Name	Approved for Issue		
			Name	Signature	Date
0	Morgane Maillard, Charlotte Baker	Andrew Querzoli / Martin Reid	Martin Reid		



Glossary

Term	Meaning
ACR	Annual Compliance Report
DA	Development Approval
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DEM	Department for Energy and Mining
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
HJP	Hydrogen Jobs Plan
NVC	Native Vegetation Council
OHPSA	Office of Hydrogen Power SA (now part of DEM)
OMP	Offset Management Plan
PMCEMP	Protected Matters Construction Environmental Management Plan
RAMP	Revised Action Management Plan
RDMP	Rehabilitation and Decommissioning Management Plan



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1 Introduction

1.1 Background

The Office of Hydrogen Power SA (OHPSA), an attached office to the Department for Energy and Mining (DEM), was tasked with delivering the Hydrogen Jobs Plan (HJP), a South Australian government project to establish a hydrogen production facility with associated storage capacity and hydrogen fuel-based power generation near Whyalla. This facility is intended to provide grid firming services to the predominantly renewably supplied South Australian energy grid. The project received primary state development approvals in July 2024, with construction commencing December 2024.

On 20 February 2025, the South Australian Government announced that the HJP would be deferred to allow the allocated funding to be redirected to support sovereign steel manufacturing in South Australia. On 1 May 2025, the SA government gazette announced the abolishment of OHPSA and transfer of responsibilities for HJP to DEM. OHPSA will be referred to here afterwards as DEM for the purposes of this report.

1.2 Legislative context

Development Approval (DA) for the Project was granted on 26 July 2024 by the Minister for Planning under the *SA Planning, Development and Infrastructure Act 2016* (Crown Development Application no. 24009664). Approval under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) was granted on 24 October 2024 by the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) (EPBC Referral 2023/09759). On the 5 May 2025, DEM wrote to DCCEEW to request an amendment to conditions. On 16 September 2025 DCCEEW responded with the provision of a Draft Variation Notice, including draft EPBC conditions. For the purpose of this report, compliance is assessed against the conditions provided in the Draft Variation Notice. Condition 37 of the EPBC conditions requires development of a compliance report for each Annual Compliance Report (ACR) period.

1.3 Scope of this report

This Annual Compliance Report was prepared to comply with condition 37 of the conditions. It summarises compliance of the Project with the EPBC conditions and with the Protected Matters Construction Environmental Management Plan (PMCEMP). On 16 October 2025 DEM wrote to DCCEEW to request a variation to the ACR period. This report covers the varied ACR period from 24 October 2024 until 24 January 2026.

This ACR was prepared using the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.

2 Description of activities

2.1 Project overview

2.1.1 Project Location

The HJP site is located on the Upper Spencer Gulf on the traditional lands of the Barngarla People, approximately 9 kilometres north of Whyalla City Centre on undeveloped land south of the Whyalla Conservation Park. The Project Area is located adjacent to, and is accessed from, the Lincoln Highway. Figure 2-1 shows the general location of the HJP site.

The HJP project spans across a number of land parcels within the Corporation of the City of Whyalla and Unincorporated Area of Whyalla.

2.1.2 Project Components and Areas

The Project incorporates a multi-faceted approach to renewable energy development, integrating the following components:

- electrolysers that will utilise South Australian renewable energy generated from large-scale solar and wind resources to produce hydrogen
- a hydrogen storage facility
- a hydrogen-fuelled power station that will deliver dispatchable power generation into the energy grid.

The HJP site was designed to consist of three key areas:

- **Primary Facility** including the hydrogen production plant, hydrogen purification, water purification, electrical substation, hydrogen-fuelled power station, onsite Hydrogen storage facility and associated control rooms, laydown areas, workshops and amenities.
- **Northern infrastructure** including a high voltage transmission line along the western side of the Lincoln Highway from the Primary Facility to a new Cultana East substation tying into the Whyalla-Davenport transmission lines located within the Cultana Training Area.
- **Southern infrastructure** including service connections for water as well as road and intersection upgrades.



Figure 2-1: Project location

2.2 Activities undertaken during the reporting period

The construction period for the Action has been split into two phases:

- Phase 1 – Construction of electrical infrastructure.
- Phase 2 – Construction of full project.

Site works for Phase 1 commenced in December 2024 and have included to date:

- Vegetation clearance and site preparation.
- Development of a bitumised access track from Lincoln Highway to the main Primary Facility.
- Construction of Roopena substation (within Primary Facility) and Cultana East substation.
- Construction of transmission towers and stringing of power line to connect the substations to the Whyalla - Davenport transmission line.

The Project has not yet progressed into phase 2.

3 Compliance summary

Compliance of the Project with the EPBC Approval Conditions and the PMCEMP is summarised in Section 3.1 and Section 3.2 respectively.



3.1 EPBC Approval Conditions

Table 3-1: EPBC Approval Conditions Compliance Table

Condition Number	Condition	Compliance Status	Evidence/ Comments
Clearing limits			
1	The approval holder must not: a) clear outside of the Action area . b) construct outside of the Action area .	Compliant	A total of 19.9 ha (corresponding to 22% of the approved impact footprint) of chenopod shrubland has been cleared to date, including 3.3 ha of preferred habitat for the Western Grasswren (Gawlers Ranges), and 16.6 ha of atypical habitat. All clearance has been undertaken within the Action Area. (For noting, DCCEEW were notified as a precaution on 19 Dec 2024 of a potential clearance incident, however the clearance was deemed to be compliant and within the Action Area, acknowledged by DCCEEW via email on 10 Jan 2025).
2	The approval holder must not clear more than 89.4 hectares (ha) of Western Grasswren (Gawlers Ranges) habitat .	Compliant	A total of 19.9 ha (corresponding to 22% of the approved impact footprint) of chenopod shrubland has been cleared to date, including 3.3 ha of preferred habitat for the Western Grasswren (Gawlers Ranges), and 16.6 ha of atypical habitat. A vegetation clearance reconciliation report describing vegetation clearance undertaken to date has been prepared and can be provided upon request.



Condition Number	Condition	Compliance Status	Evidence/ Comments
3	The approval holder must not clear any Western Grasswren (Gawler Ranges) habitat during the breeding season .	Compliant	Clearance activities were undertaken between 10 December 2024 and 16 May 2025, outside of the Western Grasswren (Gawler Ranges) breeding season which extends from late June to September.
Action management plans			
Construction Environmental Management Plan (CEMP)			
4	The approval holder must submit a Protected Matters Construction Environmental Management Plan (PMCEMP) to the department for the Minister's approval to protect, mitigate and repair harm to protected matters . In preparing the PMCEMP the approval holder must consider the following documents: a) Survey guidelines for Australia's threatened birds , b) Relevant Conservation Advice , Recovery Plans and Threat abatement Plans, c) National Light Pollution Guidelines for Wildlife .	Compliant	A PMCEMP was prepared for the Action by EBS Ecology. The PMCEMP was initially submitted to DCCEEW on 20 November 2024.
5	The approval holder must not commence the Action unless the Minister has approved the PMCEMP in writing. The approval holder must commence implementing the approved PMCEMP no later than the commencement of the Action and continue to implement it until the completion of all construction .	Compliant	The PMCEMP (Version 4, dated 2 December 2024) was approved in writing by the Minister on 6 December 2024. Commencement of this Action was on 10 December 2024. Implementation of the PMCEMP started on the 10 December 2024 with the commencement of the Action.
6	By implementing the PMCEMP, the approval holder must achieve the following environmental out-comes:	Compliant	Compliance with the PMCEMP commitments is detailed in Table 3-2.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	a) prevent any avoidable harm to protected matters and mitigate and remediate unavoidable and accidental harm to protected matters .		
7	<p>The PMCEMP must be prepared by a suitably qualified ecologist. All commitments, including environmental outcomes, management measures, corrective measures, trigger values, limits and performance indicators in the PMCEMP must be SMART and based on referenced or included evidence of effectiveness. The PMCEMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <p>a) details of the relevant protected matters and a reference to EPBC Act approval conditions to which the plan refers,</p> <p>b) a table of commitments made in the plan to achieve the environmental outcomes, and a reference to exactly where these commitments are detailed in the plan,</p> <p>c) an assessment of risks relating to achieving the environmental outcomes and risk management strategies and/or mitigation measures that will be applied to address identified risks,</p> <p>d) impact avoidance, mitigation and/or repair measures, and the timing of those measures,</p> <p>e) a monitoring, evaluation and reporting framework that includes:</p> <p>i) performance indicators,</p>	Compliant	<p>The PMCEMP has been prepared by Umwelt (previously EBS Ecology), a South Australian ecological consulting company. The PMCEMP was prepared by Dr M. Louter, an accredited ecological consultant at Umwelt.</p> <p>Compliance of the PMCEMP with EPBC Approval condition 7 is addressed in Table 2 of the PMCEMP.</p>



Condition Number	Condition	Compliance Status	Evidence/ Comments
	ii) trigger values for corrective measures, iii) the timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators, iv) monitoring and analysis on the effectiveness of mitigation and corrective measures v) any other specific monitoring measures to ensure that the environmental outcomes are being achieved. f) references to other relevant plans or conditions of approval (including state approval conditions).		
Rehabilitation and Decommissioning Management Plan (RDMP)			
8	To ensure adequate rehabilitation of the Action area , the approval holder must submit a Rehabilitation and Decommissioning Management Plan (RDMP) to the department for the Minister's approval no more than 5 years after the commencement of the Action .	Not applicable	A Rehabilitation Management Plan for the Action will be submitted to DCCEEW within 5 years of commencement of the Action.
9	The approval holder must implement the RDMP from the approval of the RDMP until the completion of the Action . The RDMP must include, but not be limited to: a) appropriate plan objectives. b) description and schedule of the rehabilitation management measures that will be implemented by the approval holder to meet the objectives set out in the RDMP.	Not applicable	A Rehabilitation Management Plan for the Action has not yet been submitted to DCCEEW.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	c) a commitment to regularly report to the department on any rehabilitation activities undertaken post-construction, and during and post-operation, including an assessment of their effectiveness.		
Offset Management Plan			
10	To compensate for the residual significant impacts of the Action on the Western Grasswren (Gawler Ranges) , the approval holder must submit to the department for approval by the Minister an Offset Strategy.	Compliant	An Offset Strategy was prepared for the Action. The Offset Strategy (Version 0, dated 14 November 2024) was submitted to DCCEEW for approval on 20 November 2024.
11	The approval holder must not commence the Action unless the Offset Strategy has been approved by the Minister in writing. The approval holder must commence implementing the approved Offset Strategy from the date of approval by the Minister and continue to implement the Offset Strategy at least until the expiry date of this approval.	Compliant	The Offset Strategy (Version 0, date 14 November 2024) was approved in writing by the Minister on 6 December 2024. Implementation of the Offset Strategy is dependent on the approval and implementation of the Offset Management Plan. Refer to Condition 13.
12	The Offset Strategy must include but not be limited to, to the satisfaction of the Minister : a) be prepared in accordance with the Environmental Offsets Policy , b) identify and propose one or more environmental offset sites suitable to compensate for the residual significant impacts of the Action on the Western Grasswren (Gawler Ranges) , c) include summary information on the residual impacts to protected matters that will be compensated for by the	Compliant	Compliance of the Offset Strategy with EPBC Approval condition 12 is addressed in Table 1.1 of the Offset Strategy.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	<p>proposed offset(s) including all areas of habitat, and the habitat quality for protected matters at all locations impacted by the Action which the Offset Strategy is to address,</p> <p>d) detail the areas of habitat, and the habitat quality, for protected matters at each proposed offset site,</p> <p>e) specify achievable proposed offset outcomes for each proposed offset site and timeframes for their achievement,</p> <p>f) detail how each offset site will be protected, including evidence of securement, and offset outcomes for the protected matters will be maintained at least until the expiry of this approval.</p> <p>g) a monitoring, evaluation and reporting framework that includes:</p> <ul style="list-style-type: none"> i) performance indicators, ii) trigger values for corrective measures, iii) the timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators, iv) monitoring and analysis on the implementation of the strategy v) any other specific monitoring measures to ensure that the environmental outcomes are being achieved. 		
13	Within the 12-month period prior to commencement of Phase 2 , the approval holder must submit to the department for the Minister's approval an Offset Management Plan (OMP) for each	Not Applicable	Phase 2 of the Action has not yet begun.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	of the sites specified in the approved Offset Strategy. The approval holder must not commence Phase 2 unless an OMP for each offset site specified in the approved Offset Strategy has been approved in writing by the Minister . The approval holder must commence implementing each approved OMP no later than the date of commencement of Phase 2 and continue to implement each approved OMP at least until the expiry date of this approval.		
14	<p>Each OMP must meet the requirements of the Environmental Offsets Policy and the Environmental Management Plan Guidelines to the satisfaction of the Minister. All commitments, including environmental outcomes, management measures, corrective actions, trigger values and performance indicators in each OMP must be SMART and based on referenced or included evidence of effectiveness. Each OMP must be prepared by a suitably qualified ecologist and must include but not limited to:</p> <p>a) detailed information on the residual impacts to protected matters that will be compensated for by the particular offset (comprising both the securement of all offset sites and the habitat quality improvements to be achieved each offset site), including all areas of habitat, and the habitat quality, for protected matters at all locations impacted by the Action which the particular offset is to address,</p> <p>b) detailed information and a shapefile specifying the location, area and boundaries of the particular offset site,</p>	Not Applicable	An OMP has not yet been prepared, as the Action has not progressed to Phase 2.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	<p>c) detailed baseline information on the areas of the habitat, and the habitat quality, for protected matters at the particular offset site,</p> <p>d) commitments to achieve the offset outcomes at the particular offset site and the timeframes in which they will be achieved,</p> <p>e) the relevant protected matters and a reference to the EPBC Act approval conditions to which the OMP refers,</p> <p>f) achievable offset outcomes, relevant to the conservation of Western Grasswren (Gawler Ranges), for each offset site and the timeframes in which they will be achieved, including the outcomes to be achieved at the particular offset site within 15 years of commencing implementation of the approved Offset Management Plan,</p> <p>g) a table summarising all commitments to achieve the offset outcomes for protected matters at the particular offset site and a reference to where each commitment is detailed in the OMP,</p> <p>h) an assessment of risks to achieving each offset outcome and what risk management measures and/or strategies will be applied to address these,</p> <p>i) references to related plans and conditions of approval (including state approval conditions), and</p> <p>j) corrective actions to be implemented to ensure all offset outcomes for the protected matters are achieved or maintained if trigger values are reached or performance indicators not achieved in the specified timeframes,</p>		



Condition Number	Condition	Compliance Status	Evidence/ Comments
	<p>k) a monitoring, evaluation and reporting framework that includes:</p> <ul style="list-style-type: none">i) measurable performance indicators and the timeframes for their achievement to gauge attainment of each offset outcome for the protected matters,ii) trigger values for corrective actions, andiii) the proposed timing (including season/time of day/frequency) methods and effort, and an explanation of how these will be effective for this purpose, of monitoring to detect trigger values, changes in the performance indicators and to gather evidence that effectively demonstrates actual progress towards, attainment of and maintenance of all offset outcomes for the protected matters.		
15	Within 5 business days of commencing implementation of each approved OMP, the approval holder must notify the department of the date on which implementation of each OMP commenced.	Not Applicable	An OMP has not yet been prepared, as the Action has not progressed to Phase 2.
Offset site securement			
16	To compensate for the residual impacts of the Action on Western Grasswren (Gawler Ranges) , the approval holder must not commence operations unless each offset site specified in the approved Offset Strategy has been secured .	Not Applicable	Operation of the Action has not commenced.



Condition Number	Condition	Compliance Status	Evidence/ Comments
17	The approval holder must notify and provide evidence to the department in writing within 5 business days of each offset site specified in the approved Offset Strategy being secured.	Not Applicable	Operation of the Action has not commenced.
Offset achievement of outcomes			
18	The approval holder must achieve all offset outcomes for each offset site specified in the approved Offset Strategy by the time specified in the approved OMPs. Once achieved, the approval holder must maintain or exceed, in terms of the ecological benefit with respect of the relevant protected matters , the offset outcomes at least until the completion of the Action .	Not Applicable	An OMP has not yet been prepared, as the Action has not progressed to Phase 2.
19	The approval holder must, within 40 business days of the 15th anniversary of the commencement of the implementation of the OMPs: a) have each offset site assessed by a suitably qualified field ecologist to determine if the offset outcomes have been achieved, b) submit to the department a report prepared by the suitably qualified field ecologist detailing the presence of Western Grasswren (Gawler Ranges) and the habitat quality of their habitat within each offset site in the month prior to the 15th anniversary of the commencement of the implementation of the OMPs, and c) notify the department in writing of any offset outcomes that has not been achieved at any offset site and the likely reasons that this/these offset outcomes have not been met.	Not Applicable	An OMP has not yet been prepared, as the Action has not progressed to Phase 2.



Condition Number	Condition	Compliance Status	Evidence/ Comments
Revision of Action Management Plans			
20	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister or as subsequently revised in accordance with the following conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act . If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of any previous version of the action management plan.	Not Applicable	A revised PMCEMP was prepared and implemented for the Action. Approval from the Minister was not requested due to the RAMP being considered not likely to have a new or increased impact, in compliance with approval condition 21.
21	The approval holder may choose to revise an action management plan approved by the Minister under conditions 4, and 8, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act , if the taking of the Action in accordance with the RAMP would not be likely to have a new or increased impact .	Compliant	A revised PMCEMP was prepared for the Action to account for the staging of the construction activities. The revised PMCEMP did not include additional construction activities that could cause a new or increased impact, and therefore approval from the Minister was not requested. The revised PMCEMP was implemented from Monday 8 September 2025.
22	If the approval holder makes the choice under condition 21 to revise an action management plan without submitting it for approval, the approval holder must: a) Notify the department electronically that the approved action management plan has been revised and provide the department with: i) An electronic copy of the RAMP.	Compliant	DCCEEW has been notified electronically of the revised PMCEMP on the 16 July 2025. Electronic copies of the revised PMCEMP were provided to DCCEEW by email. These included a clean copy and a marked-up copy highlighting the differences between the approved and revised PMCEMP. The reasons for these differences, and why they are considered not likely



Condition Number	Condition	Compliance Status	Evidence/ Comments
	<p>ii) An electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP.</p> <p>iii) An explanation of the differences between the approved action management plan and the RAMP.</p> <p>iv) The reasons the approval holder considers that taking the Action in accordance with the RAMP would not be likely to have a new or increased impact.</p> <p>v) Written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the department.</p> <p>b) Subject to condition 24, implement the RAMP from the RAMP implementation date.</p>		<p>to have a new or increased impact were communicated to DCCEEW electronically.</p> <p>The revised PMCEMP was implemented from Monday 8 September 2025 as agreed in writing with DCCEEW.</p>
23	<p>The approval holder may revoke its choice to implement a RAMP under condition 21 at any time by giving written notice to the department. If the approval holder revokes the choice under condition 21 the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 21.</p>	Not Applicable	<p>The Revised Action Management Plan for the PMCEMP has not been revoked.</p>
24	<p>If the Minister notifies the approval holder that the Minister is satisfied that the taking of the Action in accordance with the RAMP would be likely to have a new or increased impact, then:</p>	Not Applicable	<p>DCCEEW confirmed in writing they had no concerns with the revised PMCEMP being implemented.</p>



Condition Number	Condition	Compliance Status	Evidence/ Comments
	<p>a) Condition 21 does not apply, or ceases to apply, in relation to the RAMP.</p> <p>b) The approval holder must implement the action management plan specified by the Minister in the notice.</p>		
25	At the time of giving the notice under condition 24, the Minister may also notify that for a specified period of time, condition 21 does not apply for one or more specified action management plans.	Not Applicable	The Minister did not notify that condition 21 would not apply for the revised PMCEMP.
Submission and publication of plans			
26	Wherever these conditions require the approval holder to submit any plan to the department , all such plans must be submitted to the department electronically.	Compliant	<p>The initial PMCEMP was submitted electronically to DCCEEW on 20 November 2024.</p> <p>The revised PMCEMP was submitted electronically to DCCEEW on 29 July 2025.</p> <p>The approved Offset Strategy was submitted electronically to DCCEEW on 20 November 2024.</p>
27	Unless otherwise agreed to in writing by the Minister , the approval holder must publish each plan on the website within 15 business days of the date the plan is approved by the Minister in writing.	Compliant	<p>The first version of the PMCEMP (December 2024, superseded) was approved by the Minister on the 6 December 2024 and published on the DEM website on the 20 December 2024.</p> <p>The Offset Strategy was approved by the Minister on the 6 December 2024 and published on the DEM website on the 20 December 2024.</p>
28	The approval holder must keep all plans published on the website , in a format that is easily accessible and downloadable,	Compliant	The first version of the PMCEMP (December 2024, superseded) is accessible via this link .



Condition Number	Condition	Compliance Status	Evidence/ Comments
	from the first date which that plan must be published and until the expiry date of this approval. This requirement applies to all current and superseded versions of plans .		The current version of the PMCEMP (August 2025) is accessible via this link . The Offset Strategy is accessible via this link .
29	The approval holder is required to exclude or redact sensitive biodiversity data from any version of a plan before that plan is published on the website or otherwise provided to a member of the public. If sensitive biodiversity data is excluded or redacted from a plan , the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website .	Not applicable	The PMCEMP and offset strategy do not include sensitive biodiversity data. No data in these plans was excluded or redacted.
Commencement of the Action			
30	The approval holder must notify the department electronically of the date of commencement of the Action , within 5 business days following commencement of the Action .	Compliant	The Action commenced on 10 December 2024. DEM notified DCCEEW electronically of the commencement of the Action on the 4 December 2024.
30A	The approval holder must notify the department electronically of the date of commencement of Phase 2 , within 5 business days following commencement of Phase 2 .	Not Applicable	Phase 2 of the Action has not yet begun.
31	The approval holder must not commence the Action later than 5 years after the date of this approval decision.	Compliant	The Action commenced on 10 December 2024.
Compliance Records			
32	The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records .	Compliant	DEM has developed an EPBC Compliance Records Management Procedure to store and maintain official compliance records in an organised and structured manner. The EPBC Compliance Records Management



Condition Number	Condition	Compliance Status	Evidence/ Comments
			Procedure can be provided upon request. The type of compliance records includes contractor management plans, internal audit and inspection reports, imported fill certificates, incident reports and daily watercart inspection check list. Compliance records to date have been obtained and saved by DEM's receiving officer or delegated officer into a SharePoint folder, and receipt of each record has been recorded in an EPBC Compliance tracker.
33	If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request.	Not Applicable	No request for compliance records was made by DCCEEW to date.
34	The approval holder must ensure that any monitoring data , surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.	Compliant	The Avifauna Monitoring Spring 2025 – Summary Report and survey (Umwelt) has been undertaken in accordance with the stated guidelines.
35	The approval holder must ensure that any monitoring data , surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the <i>Guide to providing maps and boundary data for EPBC Act projects</i> , Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Compliant	The Avifauna Monitoring Spring 2025 – Summary Report and survey (Umwelt) has been undertaken in accordance with the stated guidelines.



Condition Number	Condition	Compliance Status	Evidence/ Comments
36	The approval holder must submit all monitoring data , surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 20 business days of the next anniversary of the date of this approval decision except where otherwise specified in a plan .	Compliant	The Avifauna Monitoring Spring 2025 – Summary Report (Umwelt)) includes spatial data for all species occurrence record data and has been submitted to the department.
Annual Compliance Reporting			
37	The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period)	Compliant	This compliance report addresses the first ACR period of the Action.
38	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: i) each condition attached to this approval decision, and ii) all commitments made in each plan , b) a schedule of all plans in effect in relation to these conditions during the ACR period , c) accurate and complete details of how each plan was implemented during the ACR period , and d) if any incident occurred, accurate and complete details of each incident .	Compliant	This report is the first ACR report prepared for the Action. Details of compliance with each condition attached to the EPBC approval decision is provided in this Table (Table 3-1). Section 3.2 of this report details the PMCEMP schedule and implementation and demonstrates the Action’s compliance with all PMCEMP commitments during this ACR period.
39	The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent	Noted.	This ACR was prepared in accordance with the <i>Annual Compliance Report Guidelines</i> , Commonwealth of Australia 2023.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	with the <i>Annual Compliance Report Guidelines</i> , Commonwealth of Australia 2023.		
40	The approval holder must, within 20 business days following the end of each ACR period, in a format that is easily accessible and downloadable, publish on the website: a) each compliance report , and b) a shapefile showing all clearing of protected matters , and their habitat, undertaken within the ACR period .	Noted.	This ACR and a shapefile showing all clearing of Western Grasswren and Southern Whiteface habitat undertaken to date will be published on the DEM website within 20 business days following the end of this ACR period.
41	The approval holder must: a) Exclude or redact sensitive biodiversity data from each compliance report and shapefile published on the website or otherwise provided to a member of the public. b) If sensitive biodiversity data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public. c) If sensitive biodiversity data is excluded or redacted from a version of a shapefile published or otherwise provided to a member of the public, submit the full shapefile to the department within 5 business days of its publication on the website and notify the department in writing what exclusions	Noted.	There are no sensitive biodiversity data to exclude or redact from the compliance report or shapefile of this ACR period.



Condition Number	Condition	Compliance Status	Evidence/ Comments
	and redactions have been made in the version published on the website or otherwise provided to a member of the public.		
42	The approval holder must notify the department electronically, within 5 business days of each date of publication that the compliance report has been published on the website . In this notification, the approval holder must provide the department with the web address for where the compliance report and related shapefile are published on the website .	Noted.	DEM will notify the department within 5 business days of publication of this ACR.
43	The approval holder must keep each compliance report and related shapefile published on the website from the first date which that compliance report must be published and until the expiry date of this approval.	Noted.	DEM will comply with this condition.
Reporting non-compliance			
44	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident . The approval holder must specify in each notification: a) any condition or commitment made in a plan which has not been, or may have not been, complied with, b) a short description of the incident , and c) the location (if applicable, including co-ordinates), date and time of the incident .	Compliant	For noting, DCCEEW were notified as a precaution on 19 Dec 2024 of a potential clearance incident on 18 Dec 2024. The notification was made within 2 business days of the potential incident. The clearance was deemed to be compliant and within the Action Area, acknowledged by DCCEEW via email on 10 Jan 2025.
45	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident , the details of that incident . The approval holder must specify:	Compliant	For noting, DCCEEW were notified as a precaution on 19 Dec 2024 of a potential clearance incident on 18 Dec 2024. Also as a precaution, DEM submitted details of



Condition Number	Condition	Compliance Status	Evidence/ Comments
	<p>a) all corrective measures and investigations which the approval holder has already taken in respect of the incident,</p> <p>b) the potential impacts of the incident,</p> <p>c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the incident, and</p> <p>d) any variation of these conditions or revision of a plan that will be required to prevent recurrence of the incident and/or to address its consequences.</p>		<p>the potential incident in writing to DCCEEW after 6 business days on 24 December 2024. The clearance was deemed to be compliant and within the Action Area, acknowledged by DCCEEW via email on 10 Jan 2025.</p>
Independent Audit			
46	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period .	Not applicable	For the purpose of the ACR, the audit period is defined as each subsequent five-year period following the commencement of the Action until expiry of the Approval. The Action commenced on 10 December 2024 and has not yet reached the end of the first audit period.
47	The approval holder must submit details of the proposed independent auditor and their qualifications to the department within 10 business days following the end of each audit period .	Not applicable	The first audit period for the Action has not yet concluded.
48	The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for each condition of approval, and each commitment made in each plan .	Not applicable	The first audit period for the Action has not yet concluded.



Condition Number	Condition	Compliance Status	Evidence/ Comments
49	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the Independent Audit and Audit Report Guidelines to the extent that the Guidelines are consistent with these conditions.	Not applicable	The first audit period for the Action has not yet concluded.
50	The approval holder must submit an audit report to the department for written agreement from the department within 3 months following the end of each audit period , or as otherwise directed by the Minister in writing.	Not applicable	The first audit period for the Action has not yet concluded.
51	The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the Independent Audit and Audit Report Guidelines to the extent that the Guidelines are consistent with these conditions.	Not applicable	The first audit period for the Action has not yet concluded, and an audit report has not yet been prepared.
52	The approval holder must publish each audit report on the website , in a format that is easily accessible and downloadable, within 10 business days of the date the department agrees to that audit report in writing.	Not applicable	The first audit period for the Action has not yet concluded, and an audit report has not yet been prepared.
53	The approval holder must notify the department within 5 business days of the date the audit report is published on the website . In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website .	Not applicable	The first audit period for the Action has not yet concluded, and an audit report has not yet been prepared.



Condition Number	Condition	Compliance Status	Evidence/ Comments
54	The approval holder must keep each audit report published on the website from the first date which that audit report must be published and until the expiry date of this approval.	Not applicable	The first audit period for the Action has not yet concluded, and an audit report has not yet been prepared.
Completion of the Action			
55	Within 20 business days after the completion of the Action , and, in any event, at least 20 business days before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data . The approval holder must submit any spatial data that comprises completion data as a shapefile .	Not Applicable	The Action has not been completed at the time of this report.
56	The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	Not Applicable	Expiry date of this approval is 24 October 2062.

3.2 PMCEMP commitments

Table 3-2: PMCEMP Commitments Compliance Table

Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
Vegetation Clearing / Habitat Loss / Fragmentation / Infrastructure Development / Loss of Hollow-bearing Trees			



Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
Construction of the HJP does not result in clearance of more than 89.4 ha of Western Grasswren and Southern Whiteface habitat.	Environmental contractor to undertake inspection of vegetation clearing at the completion of Phase 1 and Phase 2 construction.	Compliant	<p>A total of 19.9 ha of chenopod shrubland has been cleared to date.</p> <p>Visual inspection of vegetation clearing was undertaken by JBS&G at the completion of vegetation clearance activities for Phase 1 construction. The inspection involved walking the edge of each disturbance and taking GPS coordinates to allow mapping. Disturbance tracks were identified from Drone imagery (provided by DEM, dated January 2025) and verified during the site inspection. Disturbance from the ElectraNet activities were ongoing and thus disturbance from this aspect was provided by GIS Shapefile from DEM on 2 April 2025 so that current clearance and future clearance from electrical works were accounted for. A vegetation clearance reconciliation report describing vegetation clearance undertaken to date has been prepared and can be provided upon request.</p> <p>Inspection of vegetation clearing at the completion of Phase 2 construction has not been undertaken to date as the Action has not yet progressed to Phase 2.</p>



Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
Loss of habitat for Western Grasswren and Southern Whiteface is minimised to the extent reasonably practicable for pre-construction and construction phase of the HJP	Pre-construction report and post-construction audit report by suitably qualified environmental professional at the completion of Phase 1 construction.	Compliant	<p>An Ecology Baseline Assessment for the Action site was undertaken by Jacobs, an accredited environmental consultant company, prior to the start construction activities. This assessment has informed Project design to avoid Western Grasswren and Southern Whiteface habitat as much as reasonably practicable.</p> <p>A vegetation clearance reconciliation report describing vegetation and habitat clearance undertaken to date has been prepared by JBS&G and can be provided upon request.</p> <p>Comparison of the Pre-construction report and post-construction of Phase 1 audit report showed clearance of Western Grasswren and Southern Whiteface has been limited to 19.9 ha.</p>
	Pre-construction report and post-construction audit report by suitably qualified environmental professional at the completion of Phase 2 construction.	Not Applicable	The Action has not yet progressed to Phase 2.
Vegetation clearance during construction does not cause death or injury to Western Grasswren or Southern Whiteface	Monitoring by suitably qualified environmental professional during clearing operations.	Compliant	Death or injury of Western Grasswren or Southern Whiteface has not been reported during clearing operations.



Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
Surface Water Management			
No adverse impact on habitat for Western Grasswren and Southern Whiteface outside the Disturbance Footprint due to changes in surface water flows or quality during preconstruction and construction phase of the HJP.	Post-construction audit by suitably qualified environmental professional at the completion of phase 2 construction.	Not Applicable	The Action has not yet progressed to Phase 2.
	3 monthly audits by suitably qualified environmental professional during phase 2 construction.	Not Applicable	The Action has not yet progressed to Phase 2.
	If contaminated soils are found, the need for any monitoring to be determined by a suitably qualified environmental professional.	Compliant	No acid sulfate soils or other soil contamination were found during construction works. A few minor leaks including one fuel leak and one oil leak (approx. 8 L of oil) from a ruptured hydraulic hose have occurred during construction activities. Those were immediately reported and the soil was remediated.
Human and Vehicle Disturbance			
No measurable adverse impact on Western Grasswren and Southern Whiteface outside the Disturbance Footprint due to vehicle movement or presence of humans during pre-construction and construction phase of the HJP.	Incident investigation by suitably qualified environmental professional.	Not Applicable	No incidents were reported.



Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
Noise			
No measurable adverse impact on Western Grasswren and Southern Whiteface outside the Disturbance Footprint due to noise from preconstruction and construction phase of the HJP.	Quarterly monitoring by a suitably qualified environmental professional during the phase 2 construction period.	Not Applicable	The Action has not yet progressed to Phase 2.
	Monitoring undertaken by a suitably qualified environmental professional within 30 days of commissioning gas turbines to confirm compliance under all operating conditions.	Not Applicable	Gas turbines for the Action have not yet been commissioned.
Dust			
No decline in habitat quality for the Western Grasswren or Southern Whiteface outside the Disturbance Footprint due to smothering of vegetation in dust from construction of the HJP.	Inspection following incident by a suitably qualified environmental professional.	Not Applicable	No incidents regarding dust were reported during construction activities for Phase 1.
Weeds, Pathogens and Pest Animals			
No introduction of new weeds, pathogens or pest animals, nor sustained increase in abundance of existing weeds, pathogens or pest animals, in areas adjoining the	Survey undertaken every 3 months by a suitably qualified environmental professional during phase 1 and phase 2 construction but excluding the time between construction phases.	Compliant	Extensive surveys of the construction site and the areas adjacent to the site was conducted on foot on 21 May 2025 and 9 September 2025 by the Environmental Scientist/Regulatory Approvals and



Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
Disturbance Footprint due to preconstruction and construction phase of the HJP.			<p>Environment Assurance Manager for the Action.</p> <p>No symptoms of soil pathogens were observed during both surveys.</p> <p>Pest animals that could possibly be observed in the area include, feral goat, rabbit, fox and wild dog. None of these species were sighted during the surveys.</p> <p>Remnant dry Buffel Grass (<i>Cenchrus ciliaris</i>), Onion Weed (<i>Asphodelus fistulosus</i>), Wards weed (<i>Carrichtera annua</i>) and London Rocket (<i>Sisymbrium irio</i>) were observed during the surveys and were previously identified during pre-construction surveys.</p> <p>Two prickly pear plants (<i>Opuntia Stricta</i>) were recorded adjacent to the Roopena sub-station construction site and were treated with cochineal.</p> <p>An introduced species of grass exotic to the area, possibly ryegrass, was observed within the spray seed remediation areas at the Roopena site. Ryegrass was not one of the species on the supply list for the spray seed mix. This exotic grass was removed by hand</p>



Commitment		Compliance Status	Evidence/ Comments
Outcome	Monitoring		
			pulling on 7 October 2025, prior to seed maturity to prevent the spread of this plant.
	Check of records by a suitably qualified environmental professional confirms all fill brought to site has the appropriate certification.	Compliant	No imported soil has been used to date. Imported rubble/gravel mix has been used for access track and was verified clean for that use.
Lighting			
No measurable adverse impacts on Western Grasswren or Southern Whiteface due to lighting at the HJP during preconstruction and construction phase.	One-off inspection by a suitably qualified contractor following installation of any new lighting.	Not Applicable	A lighting study was undertaken for the substations by ElectraNet's contractors.
Fire			
No adverse impacts on habitat for Western Grasswren or Southern Whiteface due to fires caused by preconstruction or construction phase of the HJP that could have been reasonably prevented.	Investigation by a suitably qualified contractor completed within 30 days of any incident.	Not Applicable	There was no incident of fire caused by preconstruction or construction activities.



4 Correcting non-compliance

No non-compliances occurred within the reporting period

5 New environmental risks

No new environmental risks were identified during this ACR period. The overall project risk has been reduced with the Project scope reduction being constrained to phase 1 only at this point in time, and the PMCEMP was updated accordingly.

6 Conclusion

This Annual Compliance Report was prepared to assess compliance of the Project with the EPBC Approval Conditions provided by DCCEEW on 16 September 2025. This report demonstrates compliance with all EPBC Approval Conditions during the ACR period (24 October 2024 until 24 January 2026).