10 July 2023

[redacted]
Assistant Secretary
Environment Assessments Queensland
Department of Climate Change, Energy, the Environment and Water
GPO Box 858, Canberra ACT 2601

windlab
AUSTRALIA
Level 4, 60 Marcus Clarke St,
Canberra City, ACT 2601
tel · +61 2 6175 4600
www.windlab.com

Dear [redacted]

RE: Upper Burdekin Wind Farm – Request to vary proposal to take an action [EPBC2021/9066]

I am writing to formally request a variation to the proposed action EPBC2021/9066, referred to the Department on 24 October 2021. This request is made in accordance with section 156A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and relevant parts of the Regulations. The originally referred action was for the construction, operation and decommissioning of 136 wind turbine generators and ancillary infrastructure 65 km south-west of Ingham, Queensland. A subsequent variation to the action was requested and approved in 2022, reducing the number of turbines to 82.

In this letter, we request both an amended project layout, reducing the number of turbines and a new name for the project. Details regarding both these requested changes are provided below.

1.1 Project history

Upper Burdekin Wind Farm Holdings Pty Ltd (a subsidiary of Windlab Developments Pty Ltd) referred the Upper Burdekin Wind Farm under the EPBC Act due to the potential for significant impact to Matters of National Environmental Significance (MNES). On 23 November 2021, you determined the proposed action to be a controlled action, with four controlling provisions, namely – World Heritage properties; National Heritage places; listed threatened species and communities; and listed migratory species. The project is being assessed via a Public Environment Report (PER).

On 25 July 2022 Upper Burdekin Wind Farm Holdings Pty Ltd submitted a request to vary the original proposed action, which was subsequently approved on 15 August 2022. The variation involved reducing the wind farm from 136 wind turbines to 82 wind turbines. The draft PER assessing the potential impacts of the 82-turbine layout was placed on public exhibition for 20 business days during March 2023, as per section 98(1)(c) of the Act.

Since the previous variation request in August 2022 and as part of the ongoing PER process, Windlab have engaged in further ecological surveys, as well as community and stakeholder engagement. The results of the studies and feedback have driven a further updated project layout, which is a reduction from the layout proposed in the first variation of 15 August 2022.

1.2 Requested name change

On 13 May 2023, the Gugu Badhun People officially named the Upper Burdekin Wind Farm, Gawara Baya, which means 'Wind Song' in their language. Naming rights were given to the Gugu Badhun People as part of the Indigenous Land Use Agreement (ILUA), registered by Windlab and the Gugu Badhun People in 2022. The Gugu Badhun – Windlab ILUA is the culmination of almost three years' collaborative work with the Gugu Badhun People, and puts Indigenous stewardship at the fore of the project's environmental management strategy. Under the agreement, the Gugu Badhun will take a leading role in delivering conservation and improvement initiatives for the project incorporating First Nations' insight and land management techniques.

Consequently, Upper Burdekin Wind Farm Holdings Pty Ltd would like to formally change the name of the proposed action from Upper Burdekin Wind Farm to Gawara Baya Wind Farm to reflect the renaming of the project by the Gugu Badhun People.

1.3 Requested changes to project design

Upper Burdekin Wind Farm Holdings Pty Ltd also wishes to seek approval for a smaller wind farm footprint than that which has been proposed in the 2022 variation. The varied proposed action will include construction, operation and decommissioning of up to **69 wind turbine generators** and ancillary infrastructure. Please see Figure 1 below for a visual representation of the 69-turbine layout.

In order to optimize the new turbine layout there have also been associated updates to the location of infrastructure, including a relocation of the concrete batching plant, a reduction in clearance corridors and a realignment of the transmission line, which runs more directly through the reduced spine of the wind farm and then south-east, to tie into the Powerlink Guybal Munjan Switching Station. The design of the transmission line also includes the following measures to further reduce impacts to MNES:

- Selectively placing transmission line towers in already cleared areas or in areas of lower ecological value;
- Using taller towers so that the existing canopy can be retained where possible; and
- Clearing the minimum required for safe operations.

The varied and smaller footprint is intended to prioritise environmental preservation, while at the same time producing the best wind resources for a balanced, efficient and high performing asset. The new layout reduces impacts to MNES via:

- Reduced direct impacts, including:
    - Reductions in the extent of habitat removal for threatened and migratory species; (refer Table 1 below);
    - Reduction in habitat fragmentation via reduced clearing corridors throughout the project footprint; and
    - Reduced risk of turbine collision and barotrauma for aerial species due to fewer wind turbines.
- Avoidance of key discrete habitats for threatened species via relocation of concrete batching plant outside of areas considered to be breeding habitat for Sharman's Rock Wallaby and removal of turbines in potential Magnificent Brood Frog habitat.

- Reduced cumulative effects, both due to fewer turbines and smaller clearing footprint.

There are no new MNES that require consideration, as the varied, smaller layout is simply a sub-set of the previous variation design. As part of the PER preparation, Windlab are developing a suite of mitigation measures that will be implemented to address impacts to MNES including a project-wide Environmental Management Plan, Bird and Bat Management Plan and Offsets Management Strategy. These measures will be scaled appropriately to the size of the wind farm.

Overall, we consider that the varied action (i.e. the smaller layout) is substantially the same as the originally referred action and subsequently varied action and can be assessed via the current process (EPBC 2021/9066). We will continue to prepare the updated PER as per the adequacy review and public consultation results. The varied project footprint does not affect our ability to provide the required information. Information about the referred versus the varied layouts will be discussed in the PER in relation to feasible alternatives.

I trust the above information provides you with the details required to consider this formal request to vary the proposed action under s156A of the EPBC Act. Please send an invoice for the cost recovery fee of $1,353 and we will pay immediately.

Please contact me or [redacted] or [redacted]) if you require additional details.

Sincerely yours,

[redacted]
General Manager, Development
[redacted]

Table 1 – Comparison of impacts to threatened species habitat from the published PER documentation vs the reduced (i.e. varied) proposed action.

Threatened or migratory species*	Impacts – published PER i.e. 82-turbine layout (ha)	Impacts – reduced footprint (July 2023) (ha, draft)	Impact avoided (ha)	Impact avoided (%)
Sharman's rock wallaby	662	598	64	9%
Greater glider	709	581	128	18%
Koala	746	614	132	18%
Red goshawk	754	616	138	18%
Spectacled flying-fox	746	614	132	18%
Grey-headed flying fox	746	614	132	18%
Bare-rumped sheathtail bat	656	545	111	17%
Greater large-eared horseshoe bat	656	545	111	17%
Masked owl	324	243	81	25%
Magnificent brood frog	10	5	5	50%

* White-throated needletail and fork-tailed swift are also species being assessed in the PER. These birds are likely to be present in airspace over the whole project area and calculations of habitat removal have not been undertaken

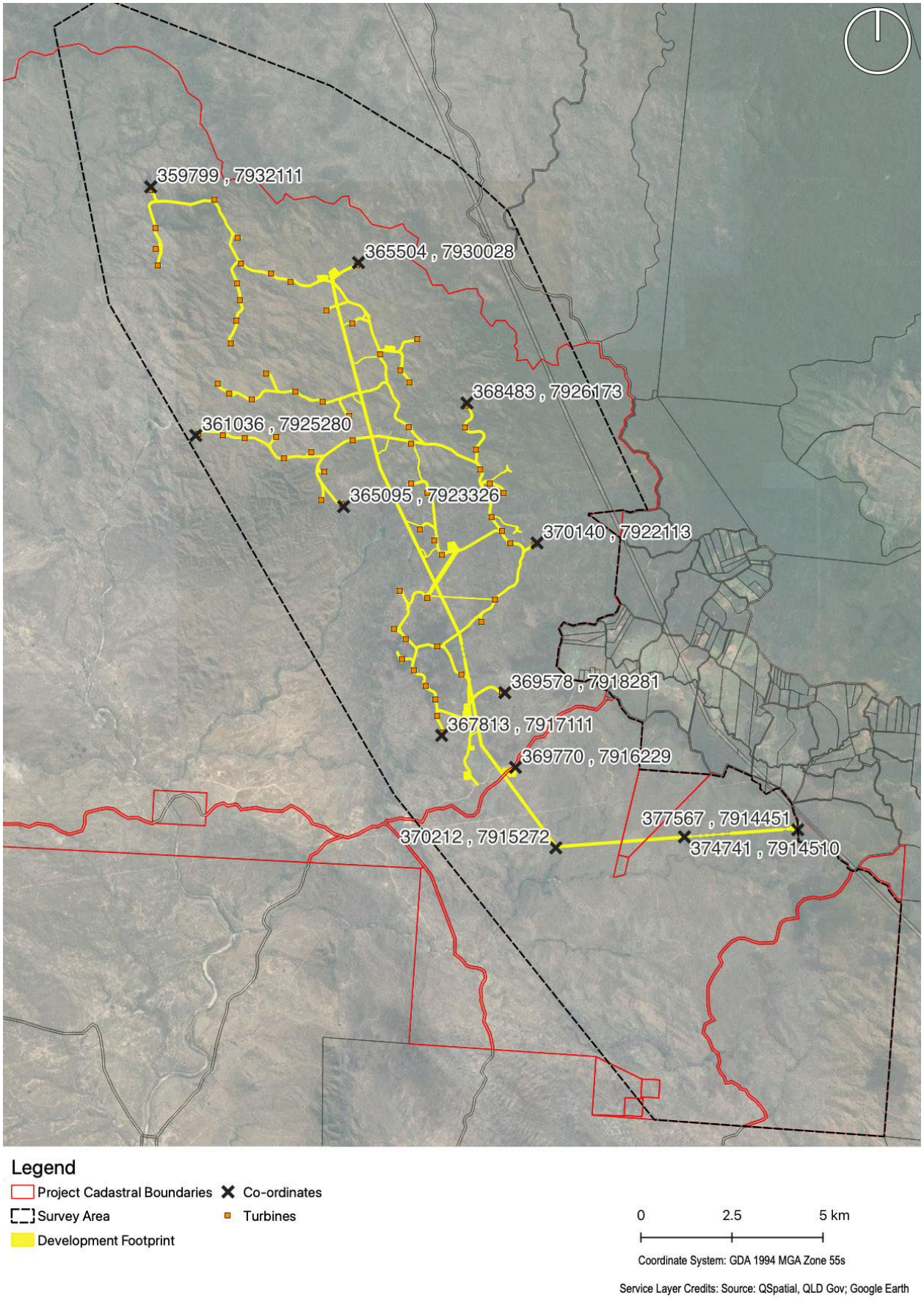

Figure 1. A – Varied layout (69 wind turbines and associated infrastructure).